



Chris Steel MLA

Minister for City Services
Minister for Multicultural Affairs
Minister for Recycling and Waste Reduction
Minister for Roads and Active Travel
Minister for Transport
Member for Murrumbidgee

Mrs Giulia Jones MLA
Chair
Standing Committee on Justice and Community Safety (Legislation Scrutiny Role)
ACT Legislative Assembly
CANBERRA ACT 2601

Dear Mrs Jones

I write in response to comments made by the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) (the Committee) in its Scrutiny Report 40. The comments were in relation to the Rail Safety National Law National Regulations (Application of Law) Variation Regulations 2019 (No 238 of 2019) which were tabled in the ACT Legislative Assembly on 18 February 2020.

I thank the Committee for its comments relating to the commencement date of the National Regulations. Initial research of the Victorian Legislation website, by the Committee and TCCS, both indicated the *Rail Safety Legislation Amendment (National Services Delivery and Related Reforms) Act 2019* (the Act) had not been proclaimed. Subsequent correspondence with the Victorian Office of the Chief Parliamentary Counsel (OCPC) confirmed the Act was proclaimed and came into operation on 2 December 2019 (**Attachment A**).

The National Regulations commenced on the 2 December 2019 when the Act was proclaimed and came into operation. This was prior to being tabled in the ACT Legislative Assembly on the 18 February 2020, meaning they did have a retrospective operation.

The National Regulations only removed the exclusion of certain Victorian railway operators in the Rail Safety National Law National Regulations 2012 and did not impact ACT railway operators. Therefore, there were no persons or entities potentially affected by these National Regulations that would need to be advised.

Thank you for raising this matter. I trust this information is of assistance.

Yours sincerely

Chris Steel MLA
Minister for Transport

ACT Legislative Assembly

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Rail Safety Legislation Amendment (National Services Delivery and Related Reforms) Act 2019

PROCLAMATION OF COMMENCEMENT

I, Linda Dessau, Governor of Victoria, with the advice of the Executive Council and under section 2(1) of the **Rail Safety Legislation Amendment (National Services Delivery and Related Reforms) Act 2019**, fix 2 December 2019 as the day on which that Act comes into operation.

Given under my hand and the seal of Victoria on 26 November 2019

(L.S.)

LINDA DESSAU
The Honourable Linda Dessau AC
Governor
By Her Excellency's Command
MELISSA HORNE
Minister for Public Transport

SPECIAL

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