Mrs Giulia Jones MLA

Chair

Standing Committee on Justice and Community Safety (Legislative Scrutiny Role)

Legislative Assembly

GPO BOX 1020

CANBERRA ACT 2601

Dear Mrs Jones

I am writing to respond to Scrutiny Report 10 of the Standing Committee on Justice and Community Safety in its Legislative Scrutiny Role (the Committee), which examined the *Heavy Vehicle National Amendment Regulation 2017* (the Regulation).

I thank the Committee for its comments and provide the following in response.

The Committee has identified an issue with regard to the timeframe in which the Regulation was required to have been presented to the Legislative Assembly. I agree with the Committee that the Regulation was not presented as required and as such has no application in the ACT. I am working with Justice and Community Safety Directorate on measures to prevent a reoccurrence.

In accordance with advice from Parliamentary Counsel’s Office, I am arranging for the next appropriate bill (early next year) to include an amendment which will give retrospective effect to Regulation. This will ensure the ACT law remains consistent and in sync with the national law. In addition, the amendments are minor and technical and reduce regulatory burden so that actions that may be infringements without the Regulation are not infringements once the Regulation takes effect. Justice and Community Safety Directorate has advised that there are no operational issues with this approach.

I trust this response addresses the Committee’s comments in relation to the Regulation. I thank the Committee again for its comments.

Yours sincerely

Shane Rattenbury MLA

Minister for Justice, Consumer Affairs and Road Safety

 November 2017