



New South Wales

Road Transport (Mass, Loading and Access) Amendment (Operators) Regulation 2005

under the

Road Transport (General) Act 2005

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 2005*.

JOSEPH TRIPODI, M.P.,
Minister for Roads

Explanatory note

At present, the *Road Transport (Mass, Loading and Access) Regulation 2005* (**the Regulation**) provides that the driver of a Class 1 or Class 3 vehicle (within the meaning of the Regulation) is guilty of an offence if the vehicle is driven in contravention of a notice issued, or a permit granted, under the relevant Division of the Regulation in respect of the vehicle.

The object of this Regulation is to provide that the operator, as well as the driver, of the vehicle is guilty of an offence if the vehicle is driven in those circumstances. (**Operator** is defined in the *Road Transport (General) Act 2005*, under which the Regulation is made.) The Regulation already contains a provision to similar effect in relation to Class 2 vehicles.

This Regulation is made under the *Road Transport (General) Act 2005*, including section 10 (the general regulation-making power).

2006 No 25

Clause 1

Road Transport (Mass, Loading and Access) Amendment (Operators)
Regulation 2005

**Road Transport (Mass, Loading and Access)
Amendment (Operators) Regulation 2005**

under the

Road Transport (General) Act 2005

1 Name of Regulation

This Regulation is the *Road Transport (Mass, Loading and Access) Amendment (Operators) Regulation 2005*.

2 Amendment of Road Transport (Mass, Loading and Access) Regulation 2005

The *Road Transport (Mass, Loading and Access) Regulation 2005* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clause 13 Compliance with conditions of notice or permit required

Omit “the driver of the vehicle is”.

Insert instead “both the driver and the operator of the vehicle are”.

[2] Clause 26 Compliance with conditions of notice or permit required

Omit “the driver of the vehicle is”.

Insert instead “both the driver and the operator of the vehicle are”.