



New South Wales

Tow Truck Industry Amendment Regulation 2007

under the

Tow Truck Industry Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Tow Truck Industry Act 1998*.

ERIC ROOZENDAAL, M.L.C.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Tow Truck Industry Regulation 1999* as a consequence of the enactment of the *Tow Truck Industry Amendment Act 2007*. That Act abolishes the Tow Truck Authority and repeals provisions relating to the job allocation scheme.

This Regulation is made under the *Tow Truck Industry Act 1998*, including section 105 (the general regulation-making power).

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Clause 1 Tow Truck Industry Amendment Regulation 2007

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1 Name of Regulation

This Regulation is the *Tow Truck Industry Amendment Regulation 2007*.

2 Commencement

This Regulation commences on 30 November 2007.

3 Amendment of Tow Truck Industry Regulation 1999

The *Tow Truck Industry Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] The whole Regulation

Omit “TTA” wherever occurring. Insert instead “RTA”.

[2] Part 3, heading

Omit the heading. Insert instead “**Towing authorisations**”.

[3] Clause 23 Definitions

Omit the definitions of *accident*, *accident scene*, *accident towing work*, *area*, *call centre*, *JAS*, *JAS order*, *JAS start time*, *job allocation zone*, *relevant roster*, *roster* and *slot*.

[4] Part 3, Division 2 Administration and operation of JAS

Omit the Division.

[5] Clauses 37 and 37A

Omit the clauses.

[6] Clause 38 Exception from requirement to obtain towing authorisations for towing work: section 49 (2) (b)

Omit “for any towing work to which a JAS applies”.

Insert instead “for towing work”.

[7] Clause 38, note

Omit the note.

[8] Clause 41

Omit the clause. Insert instead:

41 Completion of, and dealing with, towing authorisations

A person who obtains a towing authorisation must ensure:

- (a) that the authorisation:
 - (i) is in the approved form, and
 - (ii) is included in a towing authorisation book, and
 - (iii) is signed by the person and by the person giving the authorisation, and
 - (iv) specifies a place as the place to which the motor vehicle is to be towed, and

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Schedule 1 Amendments

(v) is otherwise completed (to the extent that is reasonably practicable in the circumstances) by the insertion of the information required by the approved form, and

(b) that the original towing authorisation and 2 copies are completed, and

(c) that the towing authorisation used is the next available towing authorisation in order of serial number.

Maximum penalty: 20 penalty units.

[9] Clause 43 Other requirements relating to towing authorisations

Omit “, and” from clause 43 (1) (c).

[10] Clause 43 (1) (d)

Omit the paragraph.

[11] Clause 43 (2)

Omit “In the case of a towing authorisation for towing work other than towing work to which a JAS applies, the person who obtains the”.

Insert instead “A person who obtains a”.

[12] Clause 43 (3)

Omit “towing authorisation or a towing notice that is attached to a motor vehicle in accordance with subclause (1) (d) or (2)”.

Insert instead “towing notice that is attached to a motor vehicle in accordance with subclause (2)”.

[13] Clause 56 Holding yard register

Omit clause 56 (2) (e).

[14] Clause 73 Transitional provision—fees

Omit the clause.

[15] Schedule 1 Penalty notice offences

Insert in numerical order in Columns 1 and 2 under the heading “**Offences under the Act**”:

Section 49A (1)

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[16] Schedule 1

Omit the matter relating to clauses 28 (3), 33, 36, 37 (1A) and 37A under the heading “**Offences under this Regulation**”.

[17] Schedule 1

Omit the matter relating to clause 41 (1) under the heading “**Offences under this Regulation**”.

Insert instead:

Clause 41

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