



New South Wales

Road Transport (General) Amendment (Nomination Penalty Notice Offences) Regulation 2011

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*.

DAVID BORGER, MP
Minister for Roads

Explanatory note

The object of this Regulation is to distinguish between a first and a second or subsequent offence in providing for penalty notice amounts for offences against section 179 (6) of the *Road Transport (General) Act 2005* (of failing to nominate the driver of a vehicle at the time it was involved in a camera recorded offence) where the offence relates to a vehicle registered otherwise than in the name of a natural person. The penalty notice amount for a first such offence in these circumstances remains at Level 12 (\$1,089) but for a second or subsequent offence is increased to Level 17 (\$2,920).

This Regulation is made under the *Road Transport (General) Act 2005*, including sections 10 (the general regulation-making power) and 183.

2011 No 35

Clause 1

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1 Name of Regulation

This Regulation is the *Road Transport (General) Amendment (Nomination Penalty Notice Offences) Regulation 2011*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Road Transport (General) Regulation 2005

Schedule 3 Penalty notice offences

Omit the matter relating to section 179 (6) and (7) of the *Road Transport (General) Act 2005* from Columns 1, 2 and 3.

Insert instead, in Columns 1, 2 and 3, respectively:

Section 179 (6):

- | | | | |
|-----|--|---|-----------------------|
| (a) | if the offence relates to a vehicle registered otherwise than in the name of a natural person: | | |
| | (i) | for the first offence, or the first offence within the last 5 years | Class 1 Level 12 |
| | (ii) | for the second or any subsequent offence within the last 5 years | Class 1 Level 17 |
| (b) | in any other case | | Class 1 Level 8 |

Section 179 (7):

- | | | | |
|-----|---|---------|----------|
| (a) | if the offence relates to a vehicle registered otherwise than in the name of a natural person | Class 1 | Level 12 |
| (b) | in any other case | Class 1 | Level 8 |