



New South Wales

Roads Amendment (Authorised Officers) Regulation 2016

under the

Roads Act 1993

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Roads Act 1993*.

DUNCAN GAY, MLC
Minister for Roads, Maritime and Freight

Explanatory note

The objects of this Regulation are to amend the *Roads Regulation 2008*:

- (a) to prescribe the employees and agents of contractors and subcontractors of contractors engaged by Roads and Maritime Services (*RMS*) as a class of persons who may be authorised by RMS or any other roads authority to exercise the functions of an authorised officer under the *Roads Act 1993* in respect of any land proposed to be used for a road (whether that land is proposed to be used as a public road, tollway or any other type of road), and
- (b) to update obsolete references to the Maritime Authority and the RTA.

This Regulation is made under the *Roads Act 1993*, including section 264 (the general regulation-making power) and the definition of *authorised officer* in the Dictionary to the Act.

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1 Name of Regulation

This Regulation is the *Roads Amendment (Authorised Officers) Regulation 2016*.

2 Commencement

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

3 Amendment of Roads Regulation 2008

(1) Clause 3 Definitions

Omit the definition of *Maritime Authority*.

(2) Clauses 7 (1) (b) (x), 9 (b) (x), 10 (1) (j), 23 (2), 27 (1) (a) and (b), 37 (1) and (2) (b), 52 (1), 78 (2), 81 (2), 84, 85 (2), 86 (2), 88 (2) and 89A (2)

Omit “the RTA” wherever occurring. Insert instead “RMS”.

(3) Clauses 39 (1), 84, 85 (1), 86 (1), 87, 88 (1), 89 and 89A (1)

Omit “The RTA” wherever occurring. Insert instead “RMS”.

(4) Clauses 55 (1), (3) and (7) and 72 (2)

Omit “the Maritime Authority” wherever occurring. Insert instead “RMS”.

(5) Clause 82 Authorised officer

Omit “a public road—a contractor engaged by the RTA” from clause 82 (1) (d).

Insert instead “a road (whether a public road, a tollway or any other type of road)—a contractor (including an employee or agent of the contractor or a subcontractor of the contractor) engaged by RMS”.