



New South Wales

Rail Safety (Adoption of National Law) Amendment (Drug and Alcohol Testing) Regulation 2020

under the

Rail Safety (Adoption of National Law) Act 2012

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rail Safety (Adoption of National Law) Act 2012*.

ANDREW CONSTANCE, MP
Minister for Transport and Roads

Explanatory note

The object of this Regulation is to remove from the *Rail Safety (Adoption of National Law) Regulation 2018* offences relating to—

- (a) hindering or obstructing an authorised person in attempting to take certain samples for the purposes of drug or alcohol testing, and
- (b) interfering or tampering with, or destroying, those samples.

The removal of the offences is consequential on the inclusion of corresponding offences in sections 128A–128C of the *Rail Safety National Law (NSW)* from 1 July 2019.

This Regulation is made under the *Rail Safety (Adoption of National Law) Act 2012*, including sections 8(1) and (2) and 10 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Rail Safety (Adoption of National Law) Amendment (Drug and Alcohol Testing) Regulation 2020*.

2 Commencement

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

3 Amendment of Rail Safety (Adoption of National Law) Regulation 2018

(1) Clause 23 Taking of samples

Omit clause 23(4)–(6).

(2) Clause 24 Interfering or tampering with, or destroying, samples

Omit the clause.