

# Transport Legislation Amendment Act 2011 No 41

[2011-41]



New South Wales

## Status Information

### Currency of version

Historical version for 1 April 2012 to 1 July 2012 (accessed 2 May 2024 at 13:37)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.

### Notes—

- **Note**

Amending Acts and amending provisions are subject to automatic repeal pursuant to sec 30C of the [Interpretation Act 1987 No 15](#) once the amendments have taken effect.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 April 2012

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New South Wales

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# Transport Legislation Amendment Act 2011 No 41



New South Wales

An Act to amend the [Transport Administration Act 1988](#) to establish Transport for NSW and the Transport Service and to make further provision with respect to the administration of public transport in New South Wales; and for other purposes.

## 1 Name of Act

This Act is the [Transport Legislation Amendment Act 2011](#).

## 2 Commencement

This Act commences on a day or days to be appointed by proclamation.

## Schedule 1 Amendment of [Transport Administration Act 1988 No 109](#)

[1]-[65] (Repealed)

## Schedules 2, 3 (Repealed)

## Schedule 4 Amendments relating to the abolition of Country Rail Infrastructure Authority

### 4.1 [Transport Administration Act 1988 No 109](#)

#### [1] Section 3 Definitions

Omit the definition of **Country Rail Infrastructure Authority** from section 3 (1).

#### [2] Section 3, definition of “public transport agency” (as inserted by Schedule 1 to this Act)

Omit “the Country Rail Infrastructure Authority,”.

#### [3] Section 3B Ministerial responsibility and delegation

Omit section 3B (1) (f).

#### [4] Section 3G Directions by TfNSW to public transport agencies (as inserted by Schedule

**1 to this Act)**

Omit section 3G (1) (f).

**[5] Part 2B Country Rail Infrastructure Authority**

Omit the Part.

**[6] Section 42A Definitions**

Omit paragraph (d) of the definition of ***transport authority***.

**[7] Section 55A Definition of “transport authority”**

Omit paragraph (g) of the definition of ***transport authority***.

**[8] Part 7, Division 3A Staff of Country Rail Infrastructure Authority**

Omit the Division.

**[9] Section 65 Definitions**

Omit paragraph (g) of the definition of ***transport authority***.

**[10] Part 8, Division 3B Financial provisions relating to Country Rail Infrastructure Authority**

Omit the Division.

**[11] Section 81A Definition**

Omit paragraph (f) of the definition of ***Authority***.

**[12] Section 88A Definitions**

Omit “, the Country Rail Infrastructure Authority” from the definition of ***rail authority***.

**[13] Section 88G Severance of rail infrastructure facilities and from leased or licensed land**

Omit “the Country Rail Infrastructure Authority” wherever occurring in section 88G (1) and (2).

Insert instead “TfNSW”.

**[14] Section 89 Definitions**

Omit “the Country Rail Infrastructure Authority,” from the definition of ***rail authority***.

**[15] Section 107 Definition of “transport authority”**

Omit paragraph (c3) of the definition of ***transport authority*** in section 107 (1).

**[16] Section 109 Seals of Authorities**

Omit paragraph (f) of the definition of **Authority** in section 109 (2).

**[17] Section 112 Personal liability of certain persons**

Omit “the Country Rail Infrastructure Authority,” from the definition of **member of a transport authority** in section 112 (2).

**[18] Section 122 Definitions**

Omit “, the Country Rail Infrastructure Authority” from the definition of **rail authority**.

**[19] Schedule 2 Provisions relating to Chief Executives**

Omit paragraph (f) of the definition of **Chief Executive** in clause 1.

**[20] Schedule 5 Extended leave for certain staff**

Omit paragraph (f) of the definition of **Authority** in clause 2.

**[21] Schedule 6A, clause 1, definition of “rail authority”**

Omit “the Country Rail Infrastructure Authority” from paragraph (a).

**[22] Schedule 6A, clause 2 Country Rail Infrastructure Authority’s rail infrastructure facilities**

Omit the clause.

**[23] Schedule 6A, clauses 2C (4), 2D (2) and 13A (1), (2), (5) and (7)**

Omit “the Country Rail Infrastructure Authority” wherever occurring.

Insert instead “TfNSW”.

**[24] Schedule 6A, clause 13**

Omit the clause.

**[25] Schedule 6A, clause 13A (4)**

Omit “or the Country Rail Infrastructure Authority”.

**[26] Schedule 6B Special provisions for underground rail facilities**

Omit “the Country Rail Infrastructure Authority,” from the definition of **rail authority** in clause 1 (1).

**[27] Schedule 7 Savings, transitional and other provisions**

Insert at the end of Part 20 (as inserted by Schedule 1 to this Act) with appropriate

Division and clause numbering:

## **Division Provisions consequent on abolition of CRIA**

### **Abolition of CRIA**

- (1) The Country Rail Infrastructure Authority is abolished.
- (2) The assets, rights and liabilities of the Country Rail Infrastructure Authority are, on the abolition of the Authority, transferred to Transport for NSW.
- (3) Schedule 4 applies to the transfer of the assets, rights and liabilities of the Country Rail Infrastructure Authority by the operation of this clause and so applies as if this clause were an order to which that Schedule applies when this clause takes effect.
- (4) A reference in any Act (other than this Act), in any instrument made under any Act or in any document of any kind to the Country Rail Infrastructure Authority is to be construed as a reference to Transport for New South Wales.

## **4.2 Electricity (Consumer Safety) Act 2004 No 4**

### **Section 3 Definitions**

Omit paragraph (b) of the definition of ***electricity supply authority*** in section 3 (1).

## **4.3 First State Superannuation Act 1992 No 100**

### **Schedule 1 Employers**

Omit "Country Rail Infrastructure Authority".

## **4.4 Public Finance and Audit Act 1983 No 152**

### **Schedule 2 Statutory bodies**

Omit "Country Rail Infrastructure Authority".

## **4.5 Public Sector Employment and Management Act 2002 No 43**

### **[1] Section 63 Definitions**

Omit "or the Country Rail Infrastructure Authority" from section 63 (2) (a1).

### **[2] Schedule 2 Executive positions (other than non-statutory SES positions)**

Omit "Chief Executive of the Country Rail Infrastructure Authority" from Part 2.

## **4.6 State Authorities Non-contributory Superannuation Act 1987 No**

## 212

### **Schedule 1 Employers**

Omit “Country Rail Infrastructure Authority” from Part 1.

### **4.7 State Authorities Superannuation Act 1987 No 211**

#### **Schedule 1 Employers**

Omit “Country Rail Infrastructure Authority” from Part 1.

### **4.8 Superannuation Act 1916 No 28**

#### **Schedule 3 List of employers**

Omit “Country Rail Infrastructure Authority” from Part 1.

### **Schedule 5 Consequential and other amendments**

#### **5.1-5.37**

(Repealed)

### **5.38 Public Sector Employment and Management Act 2002 No 43**

#### **[1]-[5] (Repealed)**

#### **[6] Schedule 1, Part 3**

Omit the matter relating to the Transport Special Services Group, Department of Transport.

#### **[7], [8] (Repealed)**

#### **5.39-5.61**

(Repealed)