

TN302

Road Traffic (Administration) Act 2008
Road Traffic (Authorisation to Drive) Act 2008
Western Australian Photo Card Act 2014

Transport Regulations Amendment (Information) Regulations 2019

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Transport Regulations Amendment (Information) Regulations 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**Part 2 — Road Traffic (Administration)
Regulations 2014 amended**

3. Regulations amended

This Part amends the *Road Traffic (Administration) Regulations 2014*.

4. Regulation 7 amended

In regulation 7(2):

(a) after paragraph (a) insert:

(aa) the Commissioner, as defined in the *Australian Federal Police Act 1979* (Commonwealth) section 4(1), or an AFP employee, as defined in that section, nominated by the Commissioner to the CEO;

(ab) the Australian Border Force Commissioner, appointed under the *Australian Border Force Act 2015* (Commonwealth) section 11(1) (***ABF Commissioner***), or an Immigration and Border Protection worker, as defined in section 4(1) of that Act, nominated by the ABF Commissioner to the CEO;

(ac) the Comptroller-General of Customs, referred to in the *Australian Border Force Act 2015* (Commonwealth) section 11(3), or an Immigration and Border Protection worker, as defined in section 4(1) of that Act, nominated by the Comptroller-General to the CEO;

(ad) the Chief of the Defence Force, appointed under the *Defence Act 1903* (Commonwealth) section 12(1) (***Chief of Defence***), or an officer of the Defence Force, as defined in section 4(1) of that Act, nominated by the Chief of Defence to the CEO;

(b) delete paragraph (c);

(c) in paragraph (d) delete “to whom the Registrar’s powers or functions may be delegated under section 15(1) of that Act” and insert:

of the department of the Commonwealth public service principally assisting the Commonwealth Minister in the administration of that Act,

- (d) delete paragraph (g) and insert:
- (g) the person appointed Vice-Chancellor under the *Curtin University Act 1966* section 14(1), or any member of the staff of Curtin University nominated by the Vice-Chancellor to the CEO;
- (e) delete paragraph (h);
- (f) delete paragraph (i) and insert:
- (i) the person appointed Vice-Chancellor under the *Edith Cowan University Act 1984* section 30(1), or another member of the staff, as defined in section 3(1) of that Act, nominated by the Vice-Chancellor to the CEO;
- (g) delete paragraph (m);
- (h) in paragraph (q) delete “a department, as defined in the *Public Sector Management Act 1994* section 3(1), or a person employed in that department” and insert:
- an agency, as defined in the *Public Sector Management Act 1994* section 3(1), or a person employed in that agency
- (i) delete paragraph (u) and insert:
- (u) a registered liquidator appointed under the *Corporations Act 2001* (Commonwealth) section 472(1) or a liquidator appointed under section 489EC(1) of that Act;
- (v) a registered trustee of the estate of a bankrupt appointed under the *Bankruptcy Act 1966* (Commonwealth);
- (w) the Commissioner (however designated) of the police force of another State or of the Northern Territory, or another officer of that police force nominated by the Commissioner of that police force to the CEO;
- (x) the chief executive officer (however designated) of a department of another State, the Australian Capital Territory or the Northern Territory, or a person employed in that department nominated by the chief executive officer of that department to the CEO;
- (y) a chief executive officer (however designated) of a local government or local government council in another State or in the Northern

Territory, or an employee employed by that local government or local government council, nominated by the chief executive officer of that local government or local government council to the CEO.

- (2) In regulation 7(3) delete “to (u)” and insert:

to (y)

- (3) After regulation 7(3) insert:

- (4) A nomination under subregulation (2) must be in writing signed by the person making the nomination.

5. Regulation 8A amended

In regulation 8A delete “Attorney-General’s Department” and insert:

Department of Home Affairs

Part 3 — *Road Traffic (Authorisation to Drive) Regulations 2014* amended

6. Regulations amended

This Part amends the *Road Traffic (Authorisation to Drive) Regulations 2014*.

7. Regulation 54 amended

In regulation 54:

- (a) delete “person and classes of person” and insert:

persons and classes of persons

- (b) after paragraph (a) insert:

- (aa) the Australian Border Force Commissioner appointed under the *Australian Border Force Act 2015* (Commonwealth) section 11(1);

- (c) delete paragraphs (c) to (h) and insert:
 - (c) the Commissioner (however designated) of the police force of another State or of the Northern Territory.

Part 4 — *Western Australian Photo Card Regulations 2014* amended

8. Regulations amended

This Part amends the *Western Australian Photo Card Regulations 2014*.

9. Regulation 10 amended

- (1) At the beginning of regulation 10 insert:
 - (1) In this regulation —
APS employee has the meaning given in the *Public Service Act 1999* (Commonwealth) section 7.
- (2) In regulation 10:
 - (a) delete “For the purposes” and insert:
 - (2) For the purposes
 - (b) delete paragraphs (b) to (j) and insert:
 - (b) the Commissioner, as defined in the *Corruption, Crime and Misconduct Act 2003* section 3(1), or another officer of the Commission, as defined in that section, nominated by the Commissioner to the CEO;
 - (c) the Commissioner, as defined in the *Australian Federal Police Act 1979* (Commonwealth) section 4(1), or an AFP employee, as defined in that section, nominated by the Commissioner to the CEO;
 - (d) the Australian Border Force Commissioner appointed under the *Australian Border Force Act 2015* (Commonwealth) section 11(1) (**ABF Commissioner**), or an Immigration and Border Protection worker, as defined in section 4(1) of that Act, nominated by the ABF Commissioner to the CEO;

- (e) the Comptroller-General of Customs referred to in the *Australian Border Force Act 2015* (Commonwealth) section 11(3), or an Immigration and Border Protection worker, as defined in section 4(1) of that Act, nominated by the Comptroller-General to the CEO;
- (f) the Commissioner (however designated) of the police force of another State or of the Northern Territory, or another officer of that police force nominated by the Commissioner of that police force to the CEO;
- (g) the Chief of the Defence Force, appointed under the *Defence Act 1903* (Commonwealth) section 12(1) (**Chief of Defence**), or an officer of the Defence Force, as defined in section 4(1) of that Act, nominated by the Chief of Defence to the CEO;
- (h) the chief executive officer of an agency, as defined in the *Public Sector Management Act 1994* section 3(1), or a person employed in that agency nominated by that chief executive officer to the CEO;
- (i) an Agency Head, as defined in the *Public Service Act 1999* (Commonwealth) section 7, or an APS employee of the Agency Head's Agency nominated by the Agency Head to the CEO;
- (j) the chief executive officer, however designated, of a department of another State, the Australian Capital Territory or the Northern Territory, or a person employed in that department nominated by that chief executive officer to the CEO;
- (k) a CEO, as defined in the *Local Government Act 1995* section 1.4 (**LG CEO**), of a local government or an employee as defined in that section employed by that local government and nominated by the LG CEO to the CEO;
- (l) a chief executive officer (however designated) of a local government or local government council in another State or in the Northern Territory, or an employee employed by that local government or local government council, nominated by the chief executive officer to the CEO;
- (m) a registered liquidator appointed under the *Corporations Act 2001* (Commonwealth) section 472(1) or a liquidator appointed under section 489EC(1) of that Act;

- (n) a registered trustee of the estate of a bankrupt appointed under the *Bankruptcy Act 1966* (Commonwealth);
- (o) the Chairperson of ASIC, as defined in the *Australian Securities and Investments Commission Act 2001* (Commonwealth) section 5(1), or a staff member, as defined in that section, nominated by the Chairperson to the CEO;
- (p) the Inspector-General, as defined in the *Bankruptcy Act 1966* (Commonwealth) section 5(1), or an APS employee whose duties include supporting the Inspector-General in the performance of the Inspector-General's functions under that Act, nominated by the Inspector-General to the CEO;
- (q) the Registrar, as defined in the *Child Support (Registration and Collection) Act 1988* (Commonwealth) section 4(1), or an officer or employee of the department of the Commonwealth public service principally assisting the Commonwealth Minister in the administration of that Act, nominated by the Registrar to the CEO;
- (r) the Electoral Commissioner, as defined in the *Commonwealth Electoral Act 1918* (Commonwealth) section 4(1), or a member of the staff mentioned in section 29 of that Act nominated by the Electoral Commissioner to the CEO;
- (s) the person appointed Vice-Chancellor under the *Curtin University Act 1966* section 14(1), or any member of the staff of Curtin University nominated by the Vice-Chancellor to the CEO;
- (t) the person appointed Vice-Chancellor under the *Edith Cowan University Act 1984* section 30(1), or another member of the staff, as defined in section 3(1) of that Act, nominated by the chief executive officer to the CEO;
- (u) the FES Commissioner, as defined in the *Fire and Emergency Services Act 1998* section 3, or another member of staff, as defined in that section, nominated by the FES Commissioner to the CEO;
- (v) the Chief Executive Centrelink, as defined in the *Human Services (Centrelink) Act 1997* (Commonwealth) section 3, or a Departmental employee, as defined in that section, nominated by the Chief Executive Centrelink to the CEO;

- (w) the Vice-Chancellor, as defined in the *Murdoch University Act 1973* section 3(1), or any member of the staff of Murdoch University nominated by the Vice-Chancellor to the CEO;
- (x) a CEO, as defined in the *Port Authorities Act 1999* section 3(1) (**PA CEO**), of a port authority or a member of staff, as defined in that section, of that port authority nominated by the PA CEO to the CEO;
- (y) the Commissioner, as defined in the *Taxation Administration Act 1953* (Commonwealth) section 2(1), or a member of the staff mentioned in section 4A of that Act nominated by the Commissioner to the CEO;
- (z) the person appointed Vice-Chancellor under the *University of Western Australia Act 1911* section 27, or any member of the staff of the University of Western Australia nominated by the Vice-Chancellor to the CEO.

(3) At the end of regulation 10 insert:

- (3) A person mentioned in subregulation (2)(a) to (z) whose nomination to the CEO is revoked is, when the revocation takes effect, no longer a person prescribed for the purposes of the definition of **prescribed person** in section 14(1).
- (4) A nomination under subregulation (2) must be in writing signed by the person making the nomination.

10. Regulation 10A amended

In regulation 10A delete “In relation to a prescribed person mentioned in regulation 10(j), for the definition of **authorised purpose** in section 14(1),” and insert:

If the Secretary of the Department of Home Affairs of the Commonwealth is a prescribed person under regulation 10(2)(i), for the definition of **authorised purpose** in section 14(1)

11. Regulation 11 amended

In regulation 11:

- (a) after “persons” insert:

and classes of persons

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- (b) delete paragraphs (c) to (h) and insert:
- (ba) the Australian Border Force Commissioner appointed under the *Australian Border Force Act 2015* (Commonwealth) section 11(1);
 - (c) the Commissioner (however designated) of the police force of another State or of the Northern Territory;
 - (d) the Public Sector Commissioner, but only when the Public Sector Commissioner is performing functions under the *Corruption, Crime and Misconduct Act 2003*.

R. KENNEDY, Clerk of the Executive Council.
