

## **Repeal of Regulations Postponement Bill 2010**

Mr Speaker, I move that the Bill be now read a second time.

The purpose of this Bill is to postpone the automatic repeal of the *Passenger Transport Regulations 2000* and the *Passenger Transport (Review of Decisions) Regulations 2000* until 1 July 2012.

Mr Speaker, The intent of these regulations is to underpin the legislation which governs the delivery of passenger transport services in Tasmania.

The *Passenger Transport Regulations 2000* provide for exemptions and permits for public passenger vehicles, set down matters relevant to operator accreditation for passenger transport operators, detail a range of service obligations, and specify a range of miscellaneous operational safety requirements concerning passenger capacity, the stowage of freight and the like. The Regulations also specify the obligations of passengers, such as the requirement to pay fares and not to cause disturbance to other passengers.

The *Passenger Transport (Review of Decisions) Regulations 2000* provide operators and vehicle owners with a clear process in the event that they are aggrieved by specified decisions made by the Registrar or the Transport Commissioner and want the decision to be reviewed.

Mr Speaker, these regulations were extended last year by the passage of the *Repeal of Regulations Postponement Act 2009*.

That Act extended the expiry of these Regulations to 1 January 2011. The extension was agreed to on the basis that the regulations would be replaced by regulations to be made under a new Passenger Transport Act, scheduled to be introduced in 2010.

However, the Review of the *Passenger Transport Act 1997* (PTA), the Act under which these regulations are made, has involved more detailed and complex policy work than was originally anticipated, and therefore has taken longer than expected to complete. As a result of the delay, it has become apparent that it will not be possible to introduce a new Act this year.

The Review Group within the Department of Infrastructure, Energy and Resources has just commenced an extensive round of public consultation seeking input from the passenger transport industry and members of the broader community on a range of proposals to move regulation of the passenger transport industry into the twenty-first century. Stakeholders are expected to respond to the issues raised by the end of October this year.

I anticipate that it will take some time to give proper consideration to any matters or suggestions put forward by the passenger transport sector, passengers and advocacy groups.

Further, Mr Speaker, I have preliminary advice from the Office of Parliamentary Counsel (OPC) that the drafting task will entail at least six months work to prepare a new Act. As a result it is unlikely that new legislation could be drafted and ready for introduction until the Budget or Spring Session of Parliament in 2011.

Although it is considered this new timeframe should enable the new Act and regulations to be in place by the end of next year,

any slippage in the timetable for introduction and passage of the new Act may mean this target will not be met. Accordingly, it makes practical sense for the Bill to seek an extension of the regulations until 1 July 2012 to ensure that ample time is available to have the regulations reviewed and remade under the new Act.

Mr Speaker,

While it would be possible for the Department of Infrastructure, Energy and Resources to review and remake the current regulations prior to their expiry on 1 January 2011, it is considered that there is little point in such a course of action, given the intention to replace the Act under which they are made. The making of interim regulations to take effect between the automatic repeal of one set of regulations and the commencement of new regulations under an entirely new Act would represent an unnecessary use of resources.

Further, to continue with the current regulations ensures certainty for the industry and its passengers while longer term arrangements are being developed.

Therefore Mr Speaker, postponing the repeal of these regulations is a sensible and necessary course of action.

I commend this Bill to the House.