

CLAUSE NOTES

RAIL SAFETY NATIONAL LAW (TASMANIA) AMENDMENT BILL 2020

- Clause 1** **Short title**
Provides that, once passed, the Bill will be cited as the *Rail Safety National Law (Tasmania) Amendment Act 2020*.
- Clause 2** **Commencement**
Provides that the Act commences on the day on which it receives Royal Assent.
- Clause 3** **Principal Act**
The Principal Act to which the amendments apply is the *Rail Safety National Law (Tasmania) Act 2012*.
- Clause 4** **Section 10 amended (Testing for drugs and alcohol)**
Section 10 of the Principal Act provides for the testing for drugs and alcohol.
- This clause amends section 10(1) of this Act so that the definition for “applicable provisions” no longer includes reference to section 14(1B)(b) of the *Road Safety (Alcohol and Drugs) Act 1970*.
- Section 14(1B)(b) makes it an offence to obstruct or hinder drug or alcohol testing.
- The reference to section 14(1B)(b) is removed as the intent of this provision is the same as an offence that was recently introduced in the Rail Safety National Law (RSNL).
- The removal is achieved by introducing new subsection 10(1)(ba) in the Bill, in which it makes clear that section 14 applies, other than section 14(1B)(b). The original reference to section 14 in section 10(1)(b) is removed.
- Clause 5** **Repeal of Act**
Repeals this Amendment Act 365 days after it commences.