



# **National Transport Commission (Consequential Amendments and Transitional Provisions) Act 2003**

No. 82, 2003

**An Act to repeal the *National Road Transport Commission Act 1991*, to deal with consequential and transitional matters arising from the repeal of that Act and the enactment of the *National Transport Commission Act 2003*, and for related purposes**

Note: An electronic version of this Act is available in SCALEplus  
(<http://scaleplus.law.gov.au/html/comact/browse/TOCN.htm>)



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**An Act to repeal the *National Road Transport Commission Act 1991*, to deal with consequential and transitional matters arising from the repeal of that Act and the enactment of the *National Transport Commission Act 2003*, and for related purposes**

[Assented to 6 September 2003]

The Parliament of Australia enacts:

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## 1 Short title

This Act may be cited as the *National Transport Commission (Consequential Amendments and Transitional Provisions) Act 2003*.

## 2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent	6 September 2003
2. Schedule 1, items 1 and 2	At the same time as section 3 of the <i>National Transport Commission Act 2003</i> commences	15 January 2004
3. Schedule 1, item 3	The day on which this Act receives the Royal Assent	6 September 2003
4. Schedule 1, items 4 to 8	At the same time as section 3 of the <i>National Transport Commission Act 2003</i> commences	15 January 2004
5. Schedule 2	At the same time as section 3 of the <i>National Transport Commission Act 2003</i> commences	15 January 2004

Note: This table relates only to the provisions of this Act as originally passed by the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table is for additional information that is not part of this Act. This information may be included in any published version of this Act.

## 3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule

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concerned, and any other item in a Schedule to this Act has effect according to its terms.

## Schedule 1—Amendments and repeal

### *National Environment Protection Council Act 1994*

**1 Paragraph 14(2)(a)**

Omit “Road”.

**2 Paragraph 14(2)(b)**

Omit “*National Road Transport Commission Act 1991*”, substitute “*National Transport Commission Act 2003*”.

### *National Road Transport Commission Act 1991*

**3 Section 46**

Repeal the section.

**4 The whole of the Act**

Repeal the Act.

### *Road Transport Charges (Australian Capital Territory) Act 1993*

**5 Subsection 3A(3)**

Omit “Road”.

**6 Subclause 5(2) of Part 4 of the Schedule (definition of *most recent annual report*)**

Omit “Road”.

**7 Paragraph 5(4)(a) of Part 4 of the Schedule**

Omit “Road” (second occurring).

**8 Subclause 5(5) of Part 4 of the Schedule**

Omit “Road”.



## **Schedule 2—Transitional matters**

### **1 Transfer of assets and liabilities**

On the commencement of sections 3 to 52 of the *National Transport Commission Act 2003*, the assets and liabilities of the National Road Transport Commission become the assets and liabilities of the National Transport Commission.

### **2 Annual report for the financial year in which this item commenced**

To avoid doubt, the obligations imposed on the members of the Commission by:

- (a) section 9 of the *Commonwealth Authorities and Companies Act 1997*; and
- (b) section 38 of the *National Transport Commission Act 2003*;

to prepare an annual report on the Commission for the financial year in which this item commenced extend, in relation to the operations of the National Road Transport Commission, to so much of the financial year as occurred before this item commenced.

### **3 Road transport reform legislation unaffected**

After the commencement of this item, references in:

- (a) the *Road Transport Reform (Dangerous Goods) Act 1995*; or
- (b) the *Road Transport Reform (Heavy Vehicles Registration) Act 1997*; or
- (c) the *Road Transport Reform (Vehicles and Traffic) Act 1993*;

to the *National Road Transport Commission Act 1991* are taken to be references to that Act as in force immediately before the commencement of this item.

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[Minister's second reading speech made in—  
*House of Representatives on 4 June 2003*  
*Senate on 14 August 2003*]

(85/03)

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