

Heavy Vehicle (Adoption of National Law) Regulation 2013

[2014-55]



New South Wales

Status Information

Currency of version

Current version for 1 July 2017 to date (accessed 20 June 2018 at 08:25).

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

Provisions in force

The provisions displayed in this version of the legislation have all commenced. See [Historical notes](#)

Staged repeal status

This legislation is currently due to be automatically repealed under the *Subordinate Legislation Act 1989* on 1 September 2019

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 July 2017.

Heavy Vehicle (Adoption of National Law) Regulation 2013

[2014-55]



New South Wales

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Historical notes

Heavy Vehicle (Adoption of National Law) Regulation 2013



New South Wales

1 Name of Regulation

This Regulation is the *Heavy Vehicle (Adoption of National Law) Regulation 2013*.

2 Definitions

(1) In this Regulation:

the Act means the *Heavy Vehicle (Adoption of National Law) Act 2013*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

3 Prescribed offences and penalties for infringement notices

(1) For the purposes of section 591 of the *Heavy Vehicle National Law (NSW)*:

- (a) each offence created by a provision specified in Column 1 of Schedule 1 is prescribed, and
- (b) the penalty prescribed for each such offence is the amount specified opposite the provision in Column 2 of the Schedule.

(2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or committed in the circumstances so specified.

(3) A reference in Column 2 of Schedule 1 to a minor risk breach or substantial risk breach in relation to an offence against a provision specified in Column 1 is a reference to a minor risk breach or substantial risk breach in relation to the offence within the meaning of the *Heavy Vehicle National Law (NSW)*.

Schedule 1 Prescribed offences and penalties for section 591 of *Heavy Vehicle National Law (NSW)*

(Clause 3)

Column 1	Column 2
Provision	Penalty
Offences under <i>Heavy Vehicle National Law (NSW)</i>	

Section 60 (1) (except in the circumstances referred to in paragraph (b) of the penalty provision)	\$324
Section 60 (1) (in the circumstances referred to in paragraph (b) of the penalty provision)	\$648
Section 79 (2)	\$431
Section 81 (1)	\$431
Section 81 (2)	\$431
Section 81 (3)	\$431
Section 82 (2)	\$324
Section 82 (3)	\$324
Section 83 (1)	\$324
Section 83 (2)	\$324
Section 83 (3)	\$324
Section 85 (1)	\$324
Section 85 (2)	\$324
Section 86 (2)	\$324
Section 87A (1)	\$324
Section 89 (1)	\$648
Section 90 (1)	\$324
Section 90 (2)	\$324
Section 90 (3)	\$324
Section 92 (2)	\$324
Section 96 (1)	\$431 (for a minor risk breach) \$648 (for a substantial risk breach)
Section 102 (1) (in the circumstances referred to in paragraph (a) of the penalty provision)	\$324
Section 102 (1) (in the circumstances referred to in paragraph (b) of the penalty provision)	\$324 (for a minor risk breach) \$540 (for a substantial risk breach)
Section 109 (2)	\$324
Section 111 (1)	\$324 (for a minor risk breach) \$540 (for a substantial risk breach)
Section 129 (1)	\$648
Section 129 (2)	\$648
Section 129 (3)	\$648
Section 130 (2)	\$648
Section 130 (3)	\$648
Section 131 (1)	\$648
Section 132 (2)	\$324

Section 132 (3)	\$324
Section 133 (1)	\$324
Section 133 (2)	\$431
Section 133 (3)	\$324
Section 134 (1)	\$324
Section 134 (2)	\$324
Section 137	\$648
Section 150 (1)	\$648
Section 151 (2)	\$324
Section 151 (3)	\$324
Section 152 (1)	\$324
Section 152 (2)	\$431
Section 152 (3)	\$324
Section 153 (1)	\$324
Section 153 (2)	\$324
Section 153A (1)	\$648
Section 181 (3)	\$431
Section 183 (2) (in relation to an offence against section 96)	\$431 (for a minor risk breach) \$648 (for a substantial risk breach)
Section 183 (2) (in relation to an offence against section 102)	\$324 (for a heavy vehicle that does not have goods or passengers) \$324 (for a minor risk breach) \$540 (for a substantial risk breach)
Section 183 (2) (in relation to an offence against section 111)	\$324 (for a minor risk breach) \$540 (for a substantial risk breach)
Section 184 (1)	\$324
Section 185 (1)	\$648
Section 185 (2)	\$648
Section 190 (1)	\$648
Section 191 (1)	\$648
Section 191 (3)	\$648
Section 192 (1)	\$648
Section 192 (2)	\$324
Section 219 (1):	
(a) in the circumstances referred to in paragraph (a) of the penalty provision, or	\$324
(b) in the circumstances referred to in paragraph (b) (i) of the penalty provision, or	\$324

(c) in the circumstances referred to in paragraph (b) (ii) \$540
of the penalty provision, or

(d) in the circumstances referred to in paragraph (c) (i) of \$324
the penalty provision, or

(e) in the circumstances referred to in paragraph (c) (ii) \$540
of the penalty provision, or

(f) in the circumstances referred to in paragraph (d) (i) of \$540
the penalty provision, or

(g) in the circumstances referred to in paragraph (e) (i) of \$540
the penalty provision.

Section 250 (1)	\$431 (for a minor risk breach) \$648 (for a substantial risk breach)
Section 251 (1)	\$431 (for a minor risk breach) \$648 (for a substantial risk breach)
Section 254 (1)	\$431 (for a minor risk breach) \$648 (for a substantial risk breach)
Section 256 (1)	\$431 (for a minor risk breach) \$648 (for a substantial risk breach)
Section 258 (1)	\$431 (for a minor risk breach) \$648 (for a substantial risk breach)
Section 260 (1)	\$431 (for a minor risk breach) \$648 (for a substantial risk breach)
Section 263 (1)	\$431
Section 284 (2)	\$648
Section 286 (1)	\$648
Section 287 (2)	\$324
Section 287 (3)	\$324
Section 288 (1)	\$324
Section 288 (2)	\$431
Section 288 (3)	\$324
Section 293 (1)	\$648
Section 296 (1)	\$162
Section 297 (2)	\$648
Section 298 (1)	\$162
Section 299	\$324
Section 301	\$162
Section 302	\$162
Section 303	\$162
Section 305 (1)	\$648

Section 305 (2)	\$324
Section 305 (3)	\$162
Section 306	\$324
Section 307 (2)	\$324
Section 307 (3)	\$324
Section 308 (1)	\$324
Section 309 (2)	\$324
Section 310 (2)	\$648
Section 312 (3)	\$648
Section 319 (1)	\$648
Section 321 (1)	\$648
Section 321 (3)	\$648
Section 322 (2)	\$324
Section 323 (2)	\$324
Section 324A (2)	\$162
Section 341 (1)	\$648
Section 341 (2)	\$648
Section 341 (3)	\$324
Section 341 (4)	\$324
Section 341 (7)	\$162
Section 354 (3)	\$648
Section 354 (5)	\$648
Section 355 (2)	\$648
Section 355 (4)	\$648
Section 355 (6)	\$648
Section 373 (2)	\$648
Section 375	\$648
Section 376 (2)	\$324
Section 376 (3)	\$324
Section 377	\$324
Section 392 (2)	\$648
Section 395	\$648
Section 396 (2)	\$648
Section 399 (2)	\$648
Section 466 (2A)	\$324
Section 466 (2B)	\$324

Section 467	\$648
Section 468 (1)	\$324
Section 468 (3)	\$324
Section 469 (2)	\$431
Section 470 (3)	\$648
Section 470 (8)	\$324
Section 471 (2)	\$648
Section 471 (3)	\$431
Section 476 (2)	\$648
Section 488	\$431
Section 513 (4)	\$648
Section 514 (3)	\$648
Section 516 (3)	\$648
Section 517 (4)	\$648
Section 522 (5)	\$648
Section 524 (5)	\$648
Section 526 (4)	\$324
Section 528 (3)	\$324
Section 529	\$648
Section 531 (4)	\$324
Section 531A (4)	\$324
Section 531A (5)	\$324
Section 533 (7)	\$1,079
Section 534 (5)	\$1,079
Section 567 (4)	\$324
Section 568 (3) (for a failure to produce a work diary for inspection)	\$648
Section 568 (3) (for a failure to produce any other document, device or thing for inspection)	\$324
Section 568 (7)	\$324
Section 569 (2)	\$648
Section 569 (7)	\$324
Offences under <i>Heavy Vehicle (Fatigue Management) National Regulation (NSW)</i>	
Section 18A (1)	\$162
Offences under <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)</i>	
Section 11 (1)	\$324

Section 16 (2)	\$324
Section 28	\$324
Section 34 (2)	\$400
Section 36 (2)	\$324

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cll	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Heavy Vehicle (Adoption of National Law) Regulation 2013 (2014-55). Enacted as Sch 4 to the *Heavy Vehicle (Adoption of National Law) Amendment Act 2013* No 71. Date of commencement, 10.2.2014, sec 3 of the *Heavy Vehicle (Adoption of National Law) Amendment Act 2013* and 2014 (24) LW 7.2.2014. This Regulation has been amended as follows:

2014	(407)	<i>Heavy Vehicle (Adoption of National Law) Amendment (Penalties) Regulation 2014</i> . LW 27.6.2014. Date of commencement, 1.7.2014, cl 2.
2015	(326)	<i>Heavy Vehicle (Adoption of National Law) Amendment (Penalties) Regulation 2015</i> . LW 26.6.2015. Date of commencement, 1.7.2015, cl 2.
2016	(56)	<i>Heavy Vehicle (Adoption of National Law) Amendment (Penalties) Regulation 2016</i> . LW 5.2.2016. Date of commencement, 6.2.2016, cl 2.
	(325)	<i>Heavy Vehicle (Adoption of National Law) Amendment (Penalties) Regulation (No 2) 2016</i> . LW 17.6.2016. Date of commencement, 1.7.2016, cl 2.
2017	(311)	<i>Heavy Vehicle (Adoption of National Law) Amendment (Penalties) Regulation 2017</i> . LW 30.6.2017. Date of commencement, 1.7.2017, cl 2.

Table of amendments

Sch 1	Subst 2014 (407), Sch 1; 2015 (326), Sch 1. Am 2016 (56), Sch 1. Subst 2016 (325), Sch 1; 2017 (311), Sch 1.
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