

2016

The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

*Presented and read a first time*

## **Road Safety Remuneration Amendment (Protecting Owner Drivers) Bill 2016**

**No.     , 2016**

*(Employment)*

**A Bill for an Act to suspend the *Contractor Driver  
Minimum Payments Road Safety Remuneration  
Order 2016*, and for related purposes**



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1     **A Bill for an Act to suspend the *Contractor Driver***  
2     ***Minimum Payments Road Safety Remuneration***  
3     ***Order 2016, and for related purposes***

4     The Parliament of Australia enacts:

5     **1 Short title**

6                     This Act may be cited as the *Road Safety Remuneration*  
7                     *Amendment (Protecting Owner Drivers) Act 2016.*

8     **2 Commencement**

9                     (1) Each provision of this Act specified in column 1 of the table  
10                     commences, or is taken to have commenced, in accordance with  
11                     column 2 of the table. Any other statement in column 2 has effect  
12                     according to its terms.

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this Act	The day after this Act receives the Royal Assent.	

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Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

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(2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

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### **3 Schedules**

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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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# Schedule 1—Suspension of certain orders

## 1 Definitions

In this Schedule:

**2016 Order** means the *Contractor Driver Minimum Payments Road Safety Remuneration Order 2016* made under Part 2 of the main Act.

**later order** means an order that:

- (a) is made under Part 2 of the main Act; and
- (b) is made after the 2016 Order was made.

**main Act** means the *Road Safety Remuneration Act 2012*.

**suspension period** means the period that:

- (a) starts at the start of the day this Act commences; and
- (b) ends at the end of 31 December 2016.

## 2 2016 Order not to have effect in suspension period

Despite any other law (including the main Act), the 2016 Order has no effect in the suspension period.

## 3 Later orders not to have effect in suspension period

Despite any other law (including the main Act), a later order has no effect in the suspension period.

## 4 Rules about transitional matters etc.

- (1) The Minister may, by legislative instrument, make rules prescribing matters:
  - (a) required or permitted by this Act to be prescribed by the rules; or
  - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) The rules may prescribe matters of a transitional nature relating to the 2016 Order or a later order.
- (3) Despite any other law (including the main Act), the rules may provide that the main Act has effect in relation to the 2016 Order or a later order with any modifications prescribed by the rules.

- (4) To avoid doubt, the rules may not do the following:
- (a) create an offence or civil penalty;
  - (b) provide powers of:
    - (i) arrest or detention; or
    - (ii) entry, search or seizure;
  - (c) impose a tax;
  - (d) set an amount to be appropriated from the Consolidated Revenue Fund under an appropriation in this Act;
  - (e) directly amend the text of this Act.