

Authorised Version No. 003
Heavy Vehicle National Law Application
(Infringements) Regulations 2013

S.R. No. 152/2013

Authorised Version incorporating amendments as at
21 July 2017

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Authorised Version No. 003
Heavy Vehicle National Law Application
(Infringements) Regulations 2013

S.R. No. 152/2013

Authorised Version incorporating amendments as at
21 July 2017

1 Objective

The objective of these Regulations is to prescribe offences to be infringement offences under the Heavy Vehicle National Law (Victoria).

2 Authorising provision

These Regulations are made under section 54 of the **Heavy Vehicle National Law Application Act 2013**.

3 Commencement

These Regulations come into operation on the day on which section 4 of the **Heavy Vehicle National Law Application Act 2013** comes into operation.

4 Definitions

In these Regulations—

the FM Regulation means the Heavy Vehicle (Fatigue Management) National Regulation;

Note

The FM Regulation is a national regulation made by the Queensland Governor in accordance with section 730 of the Heavy Vehicle National Law (Victoria) and published on the NSW legislation website in accordance with section 733 of the Heavy Vehicle National Law (Victoria).

Reg. 4
(Heading)
substituted by
S.R. No.
75/2017
reg. 5(1).

Reg. 4 def. of
*the FM
Regulation*
inserted by
S.R. No.
75/2017
reg. 5(2).

the MDL Regulation means the Heavy Vehicle (Mass, Dimension and Loading) National Regulation;

Note

The MDL Regulation is a national regulation made by the Queensland Governor in accordance with section 730 of the Heavy Vehicle National Law (Victoria) and published on the NSW legislation website in accordance with section 733 of the Heavy Vehicle National Law (Victoria).

the National Law means the Heavy Vehicle National Law (Victoria).

5 Prescribed offences

For the purposes of section 591 of the National Law, an offence specified in column 2 of the Schedule is a prescribed offence.

Schedule

Regulation 5

Infringements—Prescribed offences

Part 1—Offences under the Heavy Vehicle National Law (Victoria)

Sch. Pt 1
amended by
S.R. Nos
25/2016 reg. 3,
75/2017
reg. 6(1)(2).

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
1	An offence against section 60(1) of the National Law constituted by conduct other than that described in paragraph (b) of the maximum penalty.
2	An offence against section 60(1) of the National Law constituted by conduct described in paragraph (b) of the maximum penalty.
3	An offence against section 79(2) of the National Law.
4	An offence against section 81(1) of the National Law.
5	An offence against section 81(2) of the National Law.
6	An offence against section 81(3) of the National Law.
7	An offence against section 82(2) of the National Law.
8	An offence against section 82(3) of the National Law.
9	An offence against section 83(1) of the National Law.
10	An offence against section 83(2) of the National Law.
11	An offence against section 83(3) of the National Law.
12	An offence against section 85(1) of the National Law.
13	An offence against section 85(2) of the National Law.
14	An offence against section 86(2) of the National Law.
14A	An offence against section 87A(1) of the National Law.
15	An offence against section 89(1) of the National Law.
16	An offence against section 90(1) of the National Law.
17	An offence against section 90(2) of the National Law.
18	An offence against section 90(3) of the National Law.

Heavy Vehicle National Law Application (Infringements) Regulations 2013
S.R. No. 152/2013
Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
19	An offence against section 92(2) of the National Law.
20	An offence against section 96(1) of the National Law constituted by a minor risk breach.
21	An offence against section 96(1) of the National Law constituted by a substantial risk breach.
22	An offence against section 102(1)(a) of the National Law.
23	An offence against section 102(1)(b) of the National Law constituted by a minor risk breach.
24	An offence against section 102(1)(b) of the National Law constituted by a substantial risk breach.
25	An offence against section 109(2)(a) of the National Law.
26	An offence against section 109(2)(b) of the National Law.
27	An offence against section 111(1) of the National Law constituted by a minor risk breach.
28	An offence against section 111(1) of the National Law constituted by a substantial risk breach.
29	An offence against section 129(1) of the National Law.
30	An offence against section 129(2) of the National Law.
31	An offence against section 129(3) of the National Law.
32	An offence against section 130(2) of the National Law.
33	An offence against section 130(3) of the National Law.
34	An offence against section 131(1)(a) of the National Law.
35	An offence against section 131(1)(b) of the National Law.
36	An offence against section 131(1)(c) of the National Law.
37	An offence against section 132(2) of the National Law.
38	An offence against section 132(3) of the National Law.
39	An offence against section 133(1) of the National Law.
40	An offence against section 133(2) of the National Law.
41	An offence against section 133(3) of the National Law.
42	An offence against section 134(1) of the National Law.

Heavy Vehicle National Law Application (Infringements) Regulations 2013
S.R. No. 152/2013
Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
43	An offence against section 134(2) of the National Law.
44	An offence against section 137 of the National Law.
45	An offence against section 150(1) of the National Law.
46	An offence against section 151(2) of the National Law.
47	An offence against section 151(3) of the National Law.
48	An offence against section 152(1) of the National Law.
49	An offence against section 152(2) of the National Law.
50	An offence against section 152(3) of the National Law.
51	An offence against section 153(1) of the National Law.
52	An offence against section 153(2) of the National Law.
52A	An offence against section 153A(1) of the National Law.
53	An offence against section 181(3) of the National Law.
54	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(a) of the National Law, where the relevant offence is a minor risk breach under section 96(1) of the National Law.
55	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(b) of the National Law, where the relevant offence is a minor risk breach under section 96(1) of the National Law.
56	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(c) of the National Law, where the relevant offence is a minor risk breach under section 96(1) of the National Law.
57	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(a) of the National Law, where the relevant offence is a substantial risk breach under section 96(1) of the National Law.
58	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(b) of the National Law, where the relevant offence is a substantial risk breach under section 96(1) of the National Law.

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S.R. No. 152/2013
Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
59	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(c) of the National Law, where the relevant offence is a substantial risk breach under section 96(1) of the National Law.
60	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(a) of the National Law, where the relevant offence is a breach under section 102(1)(a) of the National Law.
61	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(b) of the National Law, where the relevant offence is a breach under section 102(1)(a) of the National Law.
62	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(c) of the National Law, where the relevant offence is a breach under section 102(1)(a) of the National Law.
63	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(a) of the National Law, where the relevant offence is a minor risk breach under section 102(1)(b) of the National Law.
64	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(b) of the National Law, where the relevant offence is a minor risk breach under section 102(1)(b) of the National Law.
65	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(c) of the National Law, where the relevant offence is a minor risk breach under section 102(1)(b) of the National Law.
66	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(a) of the National Law, where the relevant offence is a substantial risk breach under section 102(1)(b) of the National Law.
67	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(b) of the National Law, where the relevant offence is a substantial risk breach under section 102(1)(b) of the National Law.

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S.R. No. 152/2013
Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
68	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(c) of the National Law, where the relevant offence is a substantial risk breach under section 102(1)(b) of the National Law.
69	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(a) of the National Law, where the relevant offence is a minor risk breach under section 111(1) of the National Law.
70	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(b) of the National Law, where the relevant offence is a minor risk breach under section 111(1) of the National Law.
71	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(c) of the National Law, where the relevant offence is a minor risk breach under section 111(1) of the National Law.
72	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(a) of the National Law, where the relevant offence is a substantial risk breach under section 111(1) of the National Law.
73	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(b) of the National Law, where the relevant offence is a substantial risk breach under section 111(1) of the National Law.
74	An offence against section 183(2) of the National Law by a person referred to in section 183(2)(c) of the National Law, where the relevant offence is a substantial risk breach under section 111(1) of the National Law.
75	An offence against section 184(1) of the National Law.
76	An offence against section 185(1) of the National Law.
77	An offence against section 185(2) of the National Law.
78	An offence against section 190(1) of the National Law.
79	An offence against section 191(1) of the National Law.
80	An offence against section 191(3) of the National Law.
81	An offence against section 192(1) of the National Law.
82	An offence against section 192(2) of the National Law.

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S.R. No. 152/2013
Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
83	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(a) of the National Law constituted by conduct described in paragraph (a) of the maximum penalty.
84	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(a) of the National Law constituted by conduct described in paragraph (b)(i) of the maximum penalty.
85	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(a) of the National Law constituted by conduct described in paragraph (b)(ii) of the maximum penalty.
86	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(a) of the National Law constituted by conduct described in paragraph (c)(i) of the maximum penalty.
87	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(a) of the National Law constituted by conduct described in paragraph (c)(ii) of the maximum penalty.
88	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(a) of the National Law constituted by conduct described in paragraph (d)(i) of the maximum penalty.
89	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(a) of the National Law constituted by conduct described in paragraph (e)(i) of the maximum penalty.
90	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(b) of the National Law constituted by conduct described in paragraph (a) of the maximum penalty.
91	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(b) of the National Law constituted by conduct described in paragraph (b)(i) of the maximum penalty.

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Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
92	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(b) of the National Law constituted by conduct described in paragraph (b)(ii) of the maximum penalty.
93	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(b) of the National Law constituted by conduct described in paragraph (c)(i) of the maximum penalty.
94	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(b) of the National Law constituted by conduct described in paragraph (c)(ii) of the maximum penalty.
95	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(b) of the National Law constituted by conduct described in paragraph (d)(i) of the maximum penalty.
96	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(b) of the National Law constituted by conduct described in paragraph (e)(i) of the maximum penalty.
97	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(c) of the National Law constituted by conduct described in paragraph (a) of the maximum penalty.
98	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(c) of the National Law constituted by conduct described in paragraph (b)(i) of the maximum penalty.
99	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(c) of the National Law constituted by conduct described in paragraph (b)(ii) of the maximum penalty.
100	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(c) of the National Law constituted by conduct described in paragraph (c)(i) of the maximum penalty.

Heavy Vehicle National Law Application (Infringements) Regulations 2013
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Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
101	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(c) of the National Law constituted by conduct described in paragraph (c)(ii) of the maximum penalty.
102	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(c) of the National Law constituted by conduct described in paragraph (d)(i) of the maximum penalty.
103	An offence against section 219(1) of the National Law by a person referred to in section 219(1)(c) of the National Law constituted by conduct described in paragraph (e)(i) of the maximum penalty.
104	An offence against section 250(1)(a) of the National Law that is a minor risk breach.
105	An offence against section 250(1)(b) of the National Law that is a minor risk breach.
106	An offence against section 250(1)(a) of the National Law that is a substantial risk breach.
107	An offence against section 250(1)(b) of the National Law that is a substantial risk breach.
108	An offence against section 251(1)(a) of the National Law that is a minor risk breach.
109	An offence against section 251(1)(b) of the National Law that is a minor risk breach.
110	An offence against section 251(1)(a) of the National Law that is a substantial risk breach.
111	An offence against section 251(1)(b) of the National Law that is a substantial risk breach.
112	An offence against section 254(1)(a) of the National Law that is a minor risk breach.
113	An offence against section 254(1)(b) of the National Law that is a minor risk breach.
114	An offence against section 254(1)(a) of the National Law that is a substantial risk breach.
115	An offence against section 254(1)(b) of the National Law that is a substantial risk breach.

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Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
116	An offence against section 256(1)(a) of the National Law that is a minor risk breach.
117	An offence against section 256(1)(b) of the National Law that is a minor risk breach.
118	An offence against section 256(1)(a) of the National Law that is a substantial risk breach.
119	An offence against section 256(1)(b) of the National Law that is a substantial risk breach.
120	An offence against section 258(1)(a) of the National Law that is a minor risk breach.
121	An offence against section 258(1)(b) of the National Law that is a minor risk breach.
122	An offence against section 258(1)(a) of the National Law that is a substantial risk breach.
123	An offence against section 258(1)(b) of the National Law that is a substantial risk breach.
124	An offence against section 260(1)(a) of the National Law that is a minor risk breach.
125	An offence against section 260(1)(b) of the National Law that is a minor risk breach.
126	An offence against section 260(1)(a) of the National Law that is a substantial risk breach.
127	An offence against section 260(1)(b) of the National Law that is a substantial risk breach.
128	An offence against section 263(1) of the National Law.
129	An offence against section 284(2) of the National Law.
130	An offence against section 286(1) of the National Law.
131	An offence against section 287(2) of the National Law.
132	An offence against section 287(3) of the National Law.
133	An offence against section 288(1) of the National Law.
134	An offence against section 288(2) of the National Law.
135	An offence against section 288(3) of the National Law.
136	An offence against section 293(1) of the National Law.

Heavy Vehicle National Law Application (Infringements) Regulations 2013
S.R. No. 152/2013
Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
137	An offence against section 296(1) of the National Law.
138	An offence against section 297(2) of the National Law.
139	An offence against section 298(1) of the National Law.
140	An offence against section 299 of the National Law.
141	An offence against section 301 of the National Law.
142	An offence against section 302 of the National Law.
143	An offence against section 303 of the National Law.
144	An offence against section 305(1) of the National Law.
145	An offence against section 305(2) of the National Law.
146	An offence against section 305(3) of the National Law.
147	An offence against section 306 of the National Law.
148	An offence against section 307(2) of the National Law.
148A	An offence against section 307(3) of the National Law.
149	An offence against section 308(1) of the National Law.
150	An offence against section 309(2) of the National Law.
151	An offence against section 310(2) of the National Law.
151A	An offence against section 312(3) of the National Law.
152	An offence against section 319(1) of the National Law.
153	An offence against section 321(1) of the National Law.
154	An offence against section 321(2) of the National Law.
155	An offence against section 322(2) of the National Law.
156	An offence against section 323(2) of the National Law.
156A	An offence against section 324A(2) of the National Law.
157	An offence against section 341(1) of the National Law.
158	An offence against section 341(2) of the National Law.
159	An offence against section 341(3) of the National Law.
160	An offence against section 341(4) of the National Law.
160A	An offence against section 341(7) of the National Law.
161	An offence against section 354(3) of the National Law.

Heavy Vehicle National Law Application (Infringements) Regulations 2013
S.R. No. 152/2013
Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
162	An offence against section 354(5) of the National Law.
163	An offence against section 355(2) of the National Law.
164	An offence against section 355(4) of the National Law.
165	An offence against section 355(6) of the National Law.
166	An offence against section 373(2) of the National Law.
167	An offence against section 375 of the National Law.
168	An offence against section 376(2) of the National Law.
169	An offence against section 376(3) of the National Law.
170	An offence against section 377 of the National Law.
171	An offence against section 392(2) of the National Law.
172	An offence against section 395 of the National Law.
173	An offence against section 396(2) of the National Law.
174	An offence against section 399(2) of the National Law.
174A	An offence against section 466(2A) of the National Law.
174B	An offence against section 466(2B) of the National Law.
175	An offence against section 467 of the National Law.
176	An offence against section 468(1) of the National Law.
177	An offence against section 468(3) of the National Law.
178	An offence against section 469(2) of the National Law.
179	An offence against section 470(3) of the National Law.
180	An offence against section 470(8) of the National Law.
181	An offence against section 471(2) of the National Law.
182	An offence against section 471(3) of the National Law.
183	An offence against section 476(2) of the National Law.
184	An offence against section 488 of the National Law.
185	An offence against section 513(4) of the National Law.
186	An offence against section 514(3) of the National Law.
187	An offence against section 516(3) of the National Law.
188	An offence against section 517(4) of the National Law.

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S.R. No. 152/2013
Schedule

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
189	An offence against section 522(5) of the National Law.
190	An offence against section 524(5) of the National Law.
191	An offence against section 526(4) of the National Law.
192	An offence against section 528(3) of the National Law.
193	An offence against section 529 of the National Law in respect of a vehicle defect notice that is a minor defect notice.
194	An offence against section 529 of the National Law in respect of a vehicle defect notice that is a major defect notice.
194A	An offence against section 531(4) of the National Law.
194B	An offence against section 531A(4) of the National Law.
194C	An offence against section 531A(5) of the National Law.
195	An offence against section 533(7) of the National Law.
196	An offence against section 534(5) of the National Law.
197	An offence against section 567(4) of the National Law.
198	An offence against section 568(3) of the National Law.
199	An offence against section 568(7) of the National Law.
200	An offence against section 569(2) of the National Law.
201	An offence against section 569(7) of the National Law.

**Part 2—Offences under the Heavy Vehicle
(Mass, Dimension and Loading) National
Regulation**

Sch. Pt 2
amended by
S.R. No.
75/2017
reg. 6(3)(4).

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
	* * * * *
203	An offence against section 16(2) of the MDL Regulation.
204	An offence against section 28 of the MDL Regulation.
205	An offence against section 34(2) of the MDL Regulation.
	* * * * *

**Part 3—Offences under the Heavy Vehicle
(Fatigue Management) National Regulation**

Sch. Pt 3
inserted by
S.R. No.
75/2017
reg. 6(5).

<i>Column 1</i>	<i>Column 2</i>
<i>Item No.</i>	<i>Prescribed infringement offence</i>
207	An offence against section 18A(1) of the FM Regulation.

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Heavy Vehicle National Law Application (Infringements) Regulations 2013, S.R. No. 152/2013 were made on 3 December 2013 by the Governor in Council under section 54 of the **Heavy Vehicle National Law Application Act 2013**, No. 30/2013 and came into operation on 10 February 2014: regulation 3.

The Heavy Vehicle National Law Application (Infringements) Regulations 2013 will sunset 10 years after the day of making on 3 December 2023 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

Heavy Vehicle National Law Application (Infringements) Regulations 2013
S.R. No. 152/2013
Endnotes

2 Table of Amendments

This publication incorporates amendments made to the Heavy Vehicle National Law Application (Infringements) Regulations 2013 by statutory rules, subordinate instruments and Acts.

Heavy Vehicle National Law Application (Infringements) Amendment
Regulations 2016, S.R. No. 25/2016

Date of Making: 12.4.16

Date of Commencement: 12.4.16

Heavy Vehicle National Law Application (Infringements) Amendment
Regulations 2017, S.R. No. 75/2017

Date of Making: 11.7.17

Date of Commencement: 21.7.17: reg. 3

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

Penalties

These Regulations are made under section 54 of the **Heavy Vehicle National Law Application Act 2013** to prescribe offences that are to be infringement offences in Victoria for the purposes of section 591 of the Heavy Vehicle National Law (Victoria).

In terms of the penalties for each offence listed in these Regulations, it was agreed by the Standing Council on Transport and Infrastructure on 25 February 2013 that it is 10% of the maximum penalty for the offence.

This penalty for the infringement offences is stated in section 25 of the **Heavy Vehicle National Law Application Act 2013**.

Section 737 of the Heavy Vehicle National Law (Victoria) sets out the method for increasing a penalty amount each 1 July. The new penalties that apply to an offence under the Heavy Vehicle National Law (Victoria) will be published under section 737(4) on the Regulator's website.

Since section 25 of the **Heavy Vehicle National Law Application Act 2013** provides that the infringement penalty is always 10% of the maximum penalty for the offence, amended regulations are not required to set the applicable infringement penalty as this is by force of the National Law.