

Road Transport (General) (Driver Licence and Related Fees) Determination 2009 (No 1)

Disallowable Instrument DI 2009 – 70

made under the

Road Transport (General) Act 1999, section 96 (Determination of fees, charges and other amounts)

1. Name of instrument

The name of this instrument is the Road Transport (General) (Driver Licence and Related Fees) Determination 2009 (No 1).

2. Commencement

This instrument commences on the day after notification on the ACT Legislation Register.

3. Revocation of previous determination

Disallowable instrument DI 2008-295 Road Transport (General) (Driver Licence and Related Fees) Determination 2008 (No 2) is revoked.

4. Determination of fees

- (1) The fee payable for a matter listed in an item in column 2 of Part 1 of the Schedule which occurs on or before 30 June 2009 is the amount for that item in column 3.
- (2) The fee payable for a matter listed in an item in column 2 of Part 1 of the Schedule which occurs on or after 1 July 2009 is the amount for that item in column 4.
- (3) The fee for a full or provisional licence for a period other than those listed in Part 1 of the Schedule is determined in accordance with the formula set out in Part 2 of the Schedule.

5. Payment of fee

A fee listed in the Schedule is payable to the Authority by the applicant for the licence or other matter to which the application relates.

6. Exclusions

- (1) For item 12 in column 1 of Part 1 of the Schedule, a surcharge for changing a practical driving test booking is not payable if the change is required for reasons beyond the control of the applicant for the changed booking.
- (2) For item 13 in column 1 of Part 1 of the Schedule, a fee for the replacement of a driver licence listed in columns 3 or 4 of Part 1 of the Schedule is not payable if the replacement is required:
 - (a) because of a defect in the manufacture of the driver licence; or

- (b) the driver licence was sent to a person by post but was not received by the person.
- (3) For item 15 in column 1 of Part 1 of the Schedule, a fee listed in columns 3 or 4 of Part 1 of the Schedule is not payable if the search is requested by:
 - (a) a Commonwealth agency; or
 - (b) a State or Territory authority;

and the provision of the results of the search to the Commonwealth agency or State or Territory authority is:

- (c) required or authorised by law; or
- (d) reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

7. Definitions

In this determination:

Commonwealth agency means an agency under section 6 of the *Privacy Act 1988* (Commonwealth), definition of ***agency***.

State or Territory authority means a State or Territory authority under section 6C (3) of the *Privacy Act 1988* (Commonwealth).

Authority means the Australian Capital Territory Road Transport Authority under the Road Transport (General) Act 1999, section 16.

Jon Stanhope MLA
Minister for Transport

10 May 2009

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The Schedule

Part 1 – Fees

column 1	column 2	column 3	column 4
Item Number	Description of Matter for which fee is payable	Fee payable on or before 30 June 2009	Fee payable on or after 1 July 2009
1.	Issue or renewal of a learner licence valid for 2 years	\$33.25	\$34.40
2.	Issue or renewal of a learner licence receipt valid for 2 years	\$33.25	\$34.40
3.	Issue or renewal of a provisional licence valid for 3 years	\$85.15	\$87.00
4.	Issue or renewal of a full licence valid for 5 years	\$141.90	\$145.00
5.	Issue of a learner motorcycle licence where special circumstances exist, valid for 2 years	\$40.30	\$41.70
6.	Issue of a provisional licence where special circumstances exist, valid for 12 months	\$40.30	\$41.70
7.	Issue of a full licence where special circumstances exist, valid for 12 months	\$40.30	\$41.70
8.	Issue of a restricted licence to comply with a Court Order	\$155.40	\$160.80
9.	Issue or renewal of a probationary licence valid for 12 months	\$155.40	\$160.80
10.	Issue or renewal of a certificate of accreditation for an accredited driving instructor, per 12 months of accreditation	\$62.85	\$65.00
11.	First or subsequent practical driving test	\$78.40	\$81.10
12.	Surcharge for the changing of a practical driving test booking	\$12.80	\$13.20
13.	Issue of a replacement licence	\$29.00	\$30.00
14.	Certified extract from licence records	\$49.40	\$51.10
15.	Search of records (statement of licence details)	\$18.75	\$19.40

Part 2 – Formula For Short Term Licence Periods

The fee payable for:

- (a) a full licence issued or renewed for a period other than five years; or
- (b) a provisional licence issued or renewed for a period other than three years,

shall be calculated using the formula:

$$(F/60) \times N$$

Where:

F is the five-year fee for a full licence payable at the time of the application for the licence; and

N is the number of months for which the full or provisional licence is to be issued or renewed. Any part of a month shall be treated as one month.

Minister's Initials _____