

Road Transport (General) Driver Licence and Related Fees Determination 2011

Disallowable Instrument DI2011–104

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 2011*.

2 Commencement

This instrument commences on the day after its notification.

3 Revocation

Disallowable instrument DI2010-74, *Road Transport (General) Driver Licence and Related Fees Determination 2010*, is revoked.

4 Determination of fees

- (1) The fee payable for a thing listed in an item in column 2 of part 1 of schedule 1 for driver licence periods commencing on or before 30 June 2011 is the amount listed for that item in column 3.
- (2) The fee payable for a thing listed in an item in column 2 of part 1 of schedule 1 for driver licence periods commencing on or after 1 July 2011 is the amount listed for that item in column 4.
- (3) The fee payable for a thing listed in an item in column 2 of part 2 of schedule 1 which is paid for on or before 30 June 2011 is the amount for that item in column 3.
- (4) The fee payable for a thing listed in an item in column 2 of part 2 of schedule 1 which is paid for on or after 1 July 2011 is the amount for that item in column 4.
- (5) The fee for a full or provisional licence for a period other than those listed in part 1 of schedule 1 is the amount worked out in accordance with the applicable formula in part 3 of schedule 1.

5 Payment of fees

A fee for a thing in schedule 1 is payable to the road transport authority by the applicant for the thing to which the application relates.

6 Exemption from item 12—surcharge for changing practical driving test

A fee in columns 3 or 4 for item 12 in part 2 of schedule 1 is not payable if the change of the practical driving test booking is required for reasons beyond the control of the applicant for the changed booking.

7 Exemptions from item 13—issue of replacement driver licences

- (1) A fee in columns 3 or 4 for item 13 in part 2 of schedule 1 is not payable by the holder of a provisional licence if the replacement of the licence is required because the licence holder:
 - (a) has completed an approved provisional driver training course; or
 - (b) has held a provisional licence for at least 6 months and is at least 26 years old.
- (2) A fee in columns 3 or 4 for item 13 in part 1 of schedule 1 is not payable by the holder of a driver licence endorsed with ‘Valid without photo’ if the licence holder is returning to the ACT and the replacement licence is a photographic licence.
- (3) A fee in columns 3 or 4 for item 13 in part 1 of schedule 1 is not payable if the replacement of the driver licence is required because:
 - (a) of a defect in the manufacture of the driver licence; or
 - (b) the driver licence was posted to a person but was not received by the person.

- (4) In this clause:

approved provisional driver training course—see the *Road Transport (Driver Licensing) Regulation 2000*, dictionary.

8 Exemption from item 15—Commonwealth agencies and State and Territory authorities

- (1) A fee in columns 3 or 4 for item 15 in part 2 of schedule 1 is not payable if the search of records is requested by a Commonwealth agency or a State or Territory authority and the provision of the results of the search to the agency or authority is:
 - (a) required or authorised by law; or
 - (b) 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.

- (2) In this clause:

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

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

9 Definitions

In this instrument:

accreditation—see the *Road Transport (Driver Licensing) Regulation 2000*, dictionary.

fee includes a charge or other amount.

full licence—see the *Road Transport (Driver Licensing) Regulation 2000*, dictionary.

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Attorney-General

27 May 2011

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Schedule 1

Part 1 – Driver licence and accreditation fees

column 1 Item number	column 2 Description of thing for which fee is payable	column 3 Fee payable on or before 30 June 2011	column 4 Fee payable on or after 1 July 2011
1	Issue or renewal of a learner licence valid for 2 years	\$35.60	\$36.80
2	Issue or renewal of a learner licence receipt valid for 2 years	\$35.60	\$36.80
3	Issue or renewal of a provisional licence valid for 3 years	\$90.00	\$93.10
4	Issue or renewal of a full licence valid for 5 years	\$151.00	\$153.00
5	Issue of a learner motorcycle licence where special circumstances exist, valid for 2 years	\$43.10	\$44.60
6	Issue of a provisional licence where special circumstances exist, valid for 12 months	\$43.10	\$44.60
7	Issue of a full licence where special circumstances exist, valid for 12 months	\$43.10	\$44.60
8	Issue of a restricted licence to comply with a court order	\$166.40	\$172.20
9	Issue or renewal of a probationary licence valid for 12 months	\$166.40	\$172.20
10	Issue or renewal of a certificate of accreditation, per 12 months of accreditation	\$67.20	\$69.50

Part 2 – Miscellaneous driver licence related fees

column 1 Item number	column 2 Description of thing for which fee is payable	column 3 Fee payable on or before 30 June 2011	column 4 Fee payable on or after 1 July 2011
11	First or subsequent practical driving test	\$83.90	\$86.80
12	Surcharge for the changing of a practical driving test booking	\$13.60	\$14.00
13	Issue of a replacement driver licence	\$31.00	\$32.00
14	Certified extract from driver licence records	\$52.80	\$54.60
15	Search of records (statement of driver licence details)	\$20.00	\$20.70
16	Certificate of competency book containing 25 certificates	\$31.70	\$32.80

Part 3 – Formulas for non-standard full and provisional licence periods

- (1) The fee payable for a full licence issued or renewed for a period other than 5 years is the amount worked out in accordance with the following formula:

Schedule 1

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

where:

F is the 5-year fee for a full licence; and

N is the number of months, and part months, rounded up to the nearest number of whole months for which the licence is to be issued or renewed.

Example

Carol's full licence is issued for a period of 5 years, 2 months and 3 weeks. For the formula, *N* is 63. This is because there are 60 months in a 5-year period and the 2 months and 3 weeks are rounded up to 3 months, making a total of 63.

Note An example is part of the instrument, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (2) The fee payable for a provisional licence issued or renewed for a period other than 3 years is the amount worked out in accordance with the following formula:

$$(F/36) \times N$$

where:

F is the 3-year fee for a provisional licence; and

N is the number of months, and part months, rounded up to the nearest number of whole months for which the licence is to be issued or renewed.