

# Road Transport (General) Driver Licence and Related Fees Determination 2019 (No 2)

## Disallowable Instrument DI2019–265

made under the

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

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### **1 Name of instrument**

The name of this instrument is the *Road Transport (General) Driver Licence and Related Fees Determination 2019 (No 2)*.

### **2 Commencement**

This instrument commences on 1 January 2020.

### **3 Revocation**

This instrument revokes the *Road Transport (General) Driver Licence and Related Fees Determination 2019 (No 1)* DI2019-95.

### **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 a driver licence period commencing on or before 31 December 2019 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 a driver licence period commencing on or after 1 January 2020 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 31 December 2019 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 January 2020 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 13—surcharge for changing practical driving test**

A fee in columns 3 or 4 for item 13 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 14—issue of replacement driver licences**

- (1) A fee in columns 3 or 4 for item 14 in part 2 of schedule 1 is not payable by the holder of an old 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 14 in part 2 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 14 in part 2 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 pre-amendment regulation.

*old licence*—see section 172 of the *Road Transport (Driver Licensing) Regulation 2000*.

*pre-amendment regulation*—see section 172 of the *Road Transport (Driver Licensing) Regulation 2000*.

## **8 Exemption from item 16—Commonwealth agencies and State and Territory authorities**

- (1) A fee in columns 3 or 4 for item 16 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.

Shane Rattenbury MLA

Minister for Justice, Consumer Affairs and Road Safety

9 December 2019

**Road Transport (General) Driver Licence and Related Fees Determination 2019 (No 2)**  
**Schedule 1**

**Part 1 — Driver licence fees**

| <b>column 1</b><br><b>Item number</b> | <b>column 2</b><br><b>Description of thing for which fee is payable</b>               | <b>column 3</b><br><b>Fee payable for driver licence periods commencing on or before 31 December 2019</b> | <b>column 4</b><br><b>Fee payable for driver licence periods commencing on or after 1 January 2020</b> |
|---------------------------------------|---|---|--|
| 1                                     | Issue or renewal of a learner licence (other than motorcycle) valid for 5 years       | \$48.00   | \$48.00  |
| 2                                     | Issue or renewal of a learner motorcycle licence valid for 1 year                     | \$24.10   | \$24.10  |
| 3                                     | Issue or renewal of a learner licence receipt valid for 5 years                       | \$48.00   | \$48.00  |
| 4                                     | Issue or renewal of a provisional licence valid for 3 years                           | \$121.30  | \$121.30   |
| 5                                     | Issue or renewal of a full licence valid for 5 years                                  | \$197.50  | \$197.50   |
| 6                                     | Issue or renewal of a full licence valid for 10 years                                 | \$367.30  | \$367.30   |
| 7                                     | Issue of a provisional licence where special circumstances exist, valid for 12 months | \$58.20   | \$58.20  |
| 8                                     | Issue of a full licence where special circumstances exist, valid for 12 months        | \$58.20   | \$58.20  |
| 9                                     | Issue of a restricted licence to comply with a court order                            | \$224.20  | \$224.20   |
| 10                                    | Issue or renewal of a probationary licence valid for 12 months                        | \$224.20  | \$224.20   |

**Part 2 — Miscellaneous driver licence related fees and accreditation fees**

| <b>column 1</b><br><b>Item number</b> | <b>column 2</b><br><b>Description of thing for which fee is payable</b>            | <b>column 3</b><br><b>Fee payable on or before 31 December 2019</b> | <b>column 4</b><br><b>Fee payable on or after 1 January 2020</b> |
|---------------------------------------|--|---|--|
| 11                                    | Issue or renewal of a certificate of accreditation, per 12 months of accreditation | \$86.90   | \$86.90  |
| 12                                    | First or subsequent practical driving test   | \$108.30  | \$108.30   |
| 13                                    | Surcharge for the changing of a practical driving test booking                     | \$17.70   | \$17.70  |
| 14                                    | Replacement of defaced, damaged, lost, stolen or destroyed driver licence          | \$40.00   | \$40.00  |
| 15                                    | Certified extract from driver licence records                                      | \$65.70   | \$65.70  |

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**Schedule 1**

| <b>column 1</b><br><b>Item number</b> | <b>column 2</b><br><b>Description of thing for which fee is payable</b> | <b>column 3</b><br><b>Fee payable on or before 31 December 2019</b> | <b>column 4</b><br><b>Fee payable on or after 1 January 2020</b> |
|---------------------------------------|---|---|--|
| 16                                    | Search of records (statement of driver licence details)                 | \$26.00   | \$26.00  |
| 17                                    | Certificate of competency book containing 25 certificates               | \$31.00   | \$31.00  |

**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 not more than 6 years is the amount worked out in accordance with the following formula:

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

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 full licence issued or renewed for a period that is more than 6 years is the amount worked out in accordance with the following formula:

$$X + \{[(Y - X) / 48] \times M\}$$

where:

**X** is the fee for the issue of a full licence for 6 years;

**Y** is the 10-year fee for a full licence; and

**M** is the number of months, and part months, rounded up to the nearest number of whole months, between 6 years and the date for which the licence is to be issued or renewed.

**Example 1**

Greg's full licence is issued for a period of 7 years, 4 months and 2 weeks. For the formula, **M** is 17. This is because there are 12 months in a one year period and the 4 months and 2 week period is rounded up to 5 months, making a total of 17.

**Example 2**

Michelle's licence is issued for a period of 10 years, 7 months and 1 week. For the formula, **M** is 56. This is because there are 48 months in a 4 year period and the 7 months and 1 week are rounded up to 8 months, making a total of 56.

*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).

- (3) 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.

- (4) Licence fees are rounded down to the nearest 10 cents after doing the above calculations.