

Road Transport (General) Driver Licence and Related Fees Determination 2020 (No 1)

Disallowable Instrument DI2020–35

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 2020 (No 1)*.

2 Commencement

This instrument commences on 1 April 2020.

3 Revocation

This instrument revokes the *Road Transport (General) Driver Licence and Related Fees Determination 2019 (No 2)* DI2019-265.

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 March 2020 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 April 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 March 2020 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 April 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

30 March 2020

Road Transport (General) Driver Licence and Related Fees Determination 2020 (No 1)
Schedule 1

Part 1 — Driver licence fees

column 1 Item number	column 2 Description of thing for which fee is payable	column 3 Fee payable for driver licence periods commencing on or before 31 March 2020	column 4 Fee payable for driver licence periods commencing on or after 1 April 2020
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

column 1 Item number	column 2 Description of thing for which fee is payable	column 3 Fee payable on or before 31 March 2020	column 4 Fee payable on or after 1 April 2020
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

column 1 Item number	column 2 Description of thing for which fee is payable	column 3 Fee payable on or before 31 March 2020	column 4 Fee payable on or after 1 April 2020
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
18	Second or subsequent hazard perception test	Nil	\$25.00

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.

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