

**2009**

**The Legislative Assembly for  
Australian Capital Territory**

**Road Transport (Third-Party Insurance)  
Amendment Regulation 2009 (No 1)**

**SL2009-28**

**Explanatory Statement**

**Circulated by authority of  
Treasurer  
Katy Gallagher MLA**

## Road Transport (Third-Party Insurance) Amendment Regulation 2009 (No 1)

### Overview

The *Road Transport (Third-Party Insurance) Amendment Regulation 2009 (No 1)* made under the *Road Transport (Third-Party Insurance) Act 2008* (the principal Act) amends the *Road Transport (Third-Party Insurance) Regulation 2009* (the principal Regulation). It aligns the vehicle classification structure of goods vehicles for compulsory third party (CTP) insurance premium pricing purposes with the definitions of heavy vehicles and light vehicles as defined in the *Road Transport (Vehicle Registration) Act 1999* and the *Road Transport (Vehicle Registration) Regulation 2000*.

The *Road Transport (Vehicle Registration) Act 1999* defines a heavy vehicle as meaning a motor vehicle or trailer with a gross vehicle mass (GVM) of more than 4.5 tonnes. A light vehicle is any registrable vehicle that is not a heavy vehicle.

The former premium classes for goods vehicles, expressed in unladen (or tare) weight, date from the inception of the old CTP scheme in 1948 and no longer reflect either the design or construction of modern commercial vehicles used to carry goods or the CTP insurance risk profiles of such vehicles.

Previously there were separate CTP premium classes for primary producers' goods vehicles. These were charged concessional rates of premium that were not risk based. As the risks are the same as for other similar goods vehicles, the classes have been simplified and consolidated.

Section 9 of the principal Regulation is also amended to reflect the premium approval process under the principal Act more comprehensively.

### Detail

**Sections 1, 2 and 3** are formal clauses specifying the name of the regulation, when it commences and the principal Regulation that is amended.

**Section 4** amends section 9 of the principal Regulation to replace the reference to section 41 of the principal Act with 'division 2.6.1'. As the CTP regulator may reconsider rejected premiums under section 44 of the Act and section 45 provides for the arbitration of premiums if they are rejected for a second time, this rewording reflects the CTP premium approval process under the Act more comprehensively.

**Sections 5, 6 and 7** revise definitions in part 1.1 of Schedule 1.

Section 5 amends the definition of a goods vehicle consequent upon the omission of a separate definition of a primary producer's goods vehicle.

Section 6 inserts a definition of the GVM (gross vehicle mass) of a vehicle, as defined in the *Road Transport (Vehicle Registration) Act 1999*.

Section 7 omits the definition of a primary producer's goods vehicle.

**Sections 8 and 9** amend and simplify the classification structure in part 1.2 of Schedule 1 as it relates to goods vehicles.

Section 8 establishes four CTP premium classes for goods vehicles based on whether or not the goods vehicle is a heavy vehicle over 4.5 tonnes GVM. These replace six previously existing classes expressed in terms of unladen (tare) weight.

Section 9 omits four CTP premium classes for primary producers' goods vehicles. These are replaced by the four new goods vehicle classes established by section 8.

**Descriptions of CTP insurance premium classes for goods vehicles in Schedule 1, Part 1.2 of the Road Transport (Third-Party Insurance) Regulation 2008**

Former descriptions:

<b>column 1 item</b>	<b>column 2 kind of motor vehicle</b>	<b>column 3 case (if any)</b>	<b>column 4 use</b>
7.1	goods vehicle	unladen weight not over 975kg	private
7.2	goods vehicle	unladen weight not over 975kg	business
7.3	goods vehicle	unladen weight over 975kg but not over 2t	private
7.4	goods vehicle	unladen weight over 975kg but not over 2t	business
7.5	goods vehicle	unladen weight over 2t	private
7.6	goods vehicle	unladen weight over 2t	business
14.1	primary producer's goods vehicle	unladen weight not over 2t	private
14.2	primary producer's goods vehicle	unladen weight not over 2t	business
14.3	primary producer's goods vehicle	unladen weight over 2t	private
14.4	primary producer's goods vehicle	unladen weight over 2t	business

New descriptions:

<b>column 1 item</b>	<b>column 2 kind of motor vehicle</b>	<b>column 3 case (if any)</b>	<b>column 4 use</b>
7.1	goods vehicle	GVM not over 4.5t	private
7.2	goods vehicle	GVM not over 4.5t	business
7.3	goods vehicle	GVM over 4.5t	private
7.4	goods vehicle	GVM over 4.5t	business