

**2017**

**THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (THIRD-PARTY INSURANCE)  
AMENDMENT REGULATION 2017 (No 1)**

**SL2017-13**

**EXPLANATORY STATEMENT**

**Circulated by authority of  
Andrew Barr MLA  
Treasurer**

# ROAD TRANSPORT (THIRD-PARTY INSURANCE) AMENDMENT REGULATION 2017 (No 1)

## Introduction

This explanatory statement relates to the *Road Transport (Third-Party Insurance) Amendment Regulation 2017 (No 1)* (the regulation). It has been prepared in order to assist the reader of the regulation. This explanatory statement must be read in conjunction with the regulation. It is not, and is not meant to be, a comprehensive description of the regulation. What is said about a provision is not taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

## Outline

This regulation amends the *Road Transport (Third-Party Insurance) Regulation 2008* made under the *Road Transport (Third-Party Insurance) Act 2008*.

This regulation aligns the definition of a breakdown vehicle with the definition of a tow truck in the *Road Transport (Vehicle Registration) Regulation 2000*. This is to clarify that vehicles with significant flat areas (otherwise known as tilt-tray vehicles), including those with the capacity to carry a vehicle, are goods vehicles rather than tow trucks. The categorisation of a vehicle as either a breakdown vehicle or a goods vehicle is relevant to the compulsory third party insurance premium applicable for the vehicle.

There are no human rights implications arising from the amendment made by this regulation.

There are no climate change implications associated with this amendment.

## **Notes on Clauses**

### **Clause 1 Name of regulation**

This is a formal provision that sets out the name of the regulation.

### **Clause 2 Commencement**

This is a formal provision that provides for the commencement of the regulation.

### **Clause 3 Legislation amended**

This clause lists the legislation to be amended by the regulation. The regulation will amend the *Road Transport (Third-Party Insurance) Regulation 2008*.

### **Clause 4 Amendment**

This clause replaces the definition of breakdown vehicle in schedule 1, section 1.1 of the regulation to clarify that a breakdown vehicle is a tow truck within the meaning of the *Road Transport (Vehicle Registration) Regulation 2000*.

The schedule includes the definition of terms used to describe the compulsory third party premium classes.