

AUSTRALIAN CAPITAL TERRITORY

SALE OF MOTOR VEHICLES ACT 1977

DETERMINATION OF FEES AND CHARGES

NO. 69 OF 1995

EXPLANATORY STATEMENT

The Sale of Motor Vehicles Act 1977 relates to the sale of motor vehicles and the licensing of motor vehicle dealers. Section 90A enables the Minister to determine fees for the purposes of the Act.

This Determination revokes Determination No. 68 of 1994 dated 22 June 1994 and published in the Australian Capital Territory Gazette No. S126 of 27 June 1994 and determines new fees for the purposes of the Act.

This Determination generally increases fees by 4% in accordance with the anticipated movement in 1995/96 of the Consumer Price Index. Minor fees under \$20 are reviewed on a two yearly basis. Contributions to the ACT Motor Vehicle Dealers Compensation Fund have remained the same as there is sufficient money within the fund to meet all but an extraordinary number of claims which may arise during the 1995/96 financial year. This fund accounts for contributions from motor vehicle traders to allow for compensation payments to private car buyers who suffer pecuniary loss as a result of the failure of a licensed motor vehicle dealer to meet any of his/her legal obligations (good title, warranty, repairs etc) under the Sale of Motor Vehicles Act 1977.

This Determination establishes a new application fee for a motor vehicle dealer's licence. The new fee is a once only fee which will be payable at the time of making the application and will be in addition to the fee for the licence or renewal of licence which is payable once the licence or renewal of licence is approved. The new fee is to recover costs incurred in processing applications for a dealer's licence which include the cost of assessing an applicant's suitability as a licensed motor vehicle dealer and the cost of processing applications which are later withdrawn.

This Determination establishes a new fee for amendment of a motor vehicle dealer's licence. The new fee is to recover costs of processing applications for amendment of an existing licence and of issuing an amended licence. At present, these costs are borne by the licensing agency. Motor vehicle dealers sometimes seek an amendment to a licence because of a change in business location, company name or other circumstance. A like fee is imposed in New South Wales.

A statement of the new and old fees follows:

<u>Description</u>	<u>Former Fee or Charge</u>	<u>New Fee or Charge</u>
Issue of a licence for a period of 12 months or less (s. 14(1))	\$318.00 or an amount that bears the same proportion to 318 as the number of days for which the licence is issued bears to 365	\$331.00 or an amount that bears the same proportion to 331 as the number of days for which the licence is issued bears to 365

Renewal of a licence for a further period of 12 months (s. 14(2))	\$318.00 or an amount that bears the same proportion to 318 as the number of days for which the licence is issued bears to 365	\$331.00 or an amount that bears the same proportion to 331 as the number of days for which the licence is issued bears to 365
Contributions to the ACT Motor Vehicle Dealers Compensation Fund (s. 59)	\$300.00	\$300.00
Issue of a copy of a licence (s. 72)	\$28.00	\$29.00
Inspection and taking extracts from the Register of Motor Vehicle Dealers (s. 78)	\$6.00	\$6.00
Application Fee for Motor Vehicle Dealer Licence for an individual (s. 90A)	New Fee	\$100.00
Application Fee for Motor Vehicle Dealer Licence for a Corporation (s. 90A)	New Fee	\$200.00
Licence Amendments (s. 90A)	New Fee	\$50.00

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