NORTHERN TERRITORY OF AUSTRALIA

MOTOR VEHICLES ACT 1949

As in force at 6 November 2026

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 6November 2026

MOTOR VEHICLES ACT 1949

An Act relating to Motor Vehicles

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Motor Vehicles Act 1949*.

2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3 Repeal

(1) The *Motor Vehicles Ordinance 1930*, the *Motor Vehicles Ordinance 1938*, the *Motor Vehicles Ordinance 1940* and the *Motor Vehicles Ordinance 1946* are repealed.

(2) The officers appointed under or by virtue of any repealed Ordinance, and holding office immediately prior to the commencement of this Act, shall remain in office as if this Act had been in force at the time they were appointed, and they had been appointed thereunder, and this Act shall apply to them accordingly.

(3) Any licence, copy of entries in the Register, or general identification number issued, furnished or assigned under any repealed Ordinance and held immediately prior to the commencement of this Act, and any person and motor vehicle licensed or registered under such Ordinance shall, during the subsistence of such licence or registration be under and subject to this Act as if such licence or registration had been granted under this Act:

Provided that any such general identification number shall be deemed to be a motor vehicle trader's licence for the purposes of this Act and this Act shall apply accordingly.

5 Interpretation

(1) In this Act:

AIL, or ***alcohol ignition lock***, see section 19(1) of the *Traffic Act 1987*.

AIL licence, see section 10(4A).

AIL period, see section 19(1) of the *Traffic Act 1987*.

AIL vehicle, see section 10(4A).

approved means approved by the Registrar.

approved AIL means an AIL approved under section 10(4E).

approved supplier means a supplier approved under section 10(4E).

articulated vehicle means a motor vehicle the portion immediately following the prime mover of which is pivoted to, and a part of which (not being a pole, drawbar or an accessory thereof) is superimposed on, the prime mover.

attached, in relation to the connection between a motor vehicle and a trailer, includes connected indirectly through another trailer.

Australian Design Rule means a national road vehicle standard determined under section 12 of the *Road Vehicle Standards Act 2018* (Cth).

Australian Vehicle Standards Rules means the *Australian Vehicle Standards Rules* set out in Schedule 6 of the Standards.

commercial passenger vehicle has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act 1991*.

community order, for Part 2A, see section 25J.

compensation contributions means contributions payable in respect of the motor accident compensation scheme established by the *Motor Accidents (Compensation) Act 1979*.

configuration, in relation to a vehicle of a kind to which the Road Transport Charges Laws apply, or to which, if the vehicle were required to be registered under this Act, those Laws would apply, means a description, of a vehicle or vehicle combination, in the Road Transport Charges Laws, by reference to the:

(a) motor vehicle type;

(b) types and maximum number of trailers, if any, attached to the motor vehicle;

(c) MRC within the meaning of that Act; and/or

(d) number of axles of the motor vehicle and trailers, if any, attached to the motor vehicle,

comprising the vehicle, being a description in relation to which separate provision is made in the Road Transport Charges Laws for the amount of the registration charge.

Deputy Registrar means any Deputy Registrar of Motor Vehicles appointed in pursuance of this Act.

diameter, in relation to a wheel, means the diameter measured in a horizontal plane across the axis of the wheel and, in relation to a wheel to which the pneumatic tyre is attached, means the diameter of the tyre when that tyre is inflated.

digital licence document means a licence document that is issued in a digital form under section 14(2).

disqualifying offence has the same meaning as in the *Commercial Passenger (Road) Transport Act 1991*.

drive, in relation to a vehicle, means to drive, or be in control of, in a public place or in a public street and includes to ride and to haul.

driver means a person driving a vehicle.

driving program, for Part 2A, see section 25J.

fire management operation means any act done for the prevention or suppression of a fire or the mitigation of a fire hazard and includes fuel reduction, controlled burning and the construction of a fire break.

former owner, in relation to a motor vehicle or trailer that is sold or disposed of, means the person who owned the motor vehicle or trailer immediately before the sale or disposal.

GCM or ***gross combination mass***, of a motor vehicle, means the sum of the maximum laden mass of the motor vehicle and any other vehicle or vehicles it may tow at the same time, as determined in accordance with section 60B.

goods vehicle means a motor vehicle constructed primarily for the carriage of goods or animals.

GVM or ***gross vehicle mass***, of a vehicle, means the maximum laden mass at which the vehicle may be operated as determined in accordance with section 60A.

heavy vehicle means a vehicle that has a gross vehicle mass of more than 4.5 tonnes.

identification device means a plate or label that is:

(a) attached to a motor vehicle or trailer; and

(b) part of the identification requirements for the motor vehicle or trailer under section 101(1) or (2).

inspector means an inspector appointed in pursuance of this Act.

laden mass, in relation to a vehicle, means:

(a) the tare mass of the vehicle; and

(b) the mass of the load on that vehicle,

borne by the surface on which that vehicle is standing or running.

learner licence, see section 9.

length, in relation to a vehicle, means:

(a) in the case of a motor vehicle to which a trailer is attached, the distance from the foremost end of the motor vehicle, a projecting part of the motor vehicle or its load, to the hindmost part of the hindmost trailer, a projecting part of that trailer or its load, whichever is the greatest; and

(b) in any other case, the distance from the foremost end of the vehicle, a projecting part of the vehicle or its load, to the hindmost end of the vehicle, a projecting part of the vehicle or its load, whichever is the greatest,

but:

(c) other than for the purpose of determining the overall length of a motor vehicle to which a trailer is attached, a towbar which is detachable shall not be included in the measurement of the overall length of the trailer; and

(d) for the purpose of determining the overall length of a trailer, a portion of the trailer not exceeding the full width of that trailer

and contained within a radius of 1.9 metres forward of the point of articulation of that trailer shall not be included in the measurement of the overall length of that trailer.

licence means a licence under this Act.

licence disqualification, for Part 2A, see section 25J.

licence document, see section 14(2).

licensed means licensed under this Act.

licensed driver, for Part 2A, see section 25J.

licensee means any person to whom a licence has been granted.

limousine has the same meaning as in the *Commercial Passenger (Road) Transport Act 1991*.

MAC Commission means the Commission as defined in section 3 of the *Motor Accidents (Compensation) Commission Act 2014*.

mandatory period, see section 19(1) of the *Traffic Act 1987*.

minibus has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act 1991*.

motor cycle does not include any vehicle excluded by regulation.

motor omnibus means an approved motor vehicle fitted, equipped and constructed in accordance with the Australian Design Rules to carry more than 8 passengers and used to carry passengers for hire or reward.

motor tractor means any motor vehicle constructed principally for the purpose of supplying motive power for machinery, or for hauling any vehicle.

motor vehicle means any vehicle for use on land that is designed to be wholly or partly self-propelled and includes any trailer attached to it, but does not include any vehicle excluded by regulation.

motor vehicle trader's licence, see section 34(1).

new owner, in relation to a motor vehicle or trailer that is sold or disposed of, means the person to whom the motor vehicle or trailer is sold or disposed of.

offender, for Part 2A, see section 25K(1)(a).

officer means:

(a) a person appointed in pursuance of this Act; or

(b) a member of the Police Force.

operator, in relation to a vehicle, means:

(a) a person nominated under section 92A by the owner of the vehicle to be the operator of the vehicle; or

(b) if no person has been nominated as the operator of the vehicle – the owner of the vehicle.

owner means the person described in a certificate of registration as owner or new owner and includes the legal personal representative of that person, and, in relation to an application for registration or transfer or renewal of registration, a person who owns a motor vehicle or trailer or is purchasing a motor vehicle or trailer in pursuance of a hire purchase agreement.

pastoral vehicle permit means a pastoral vehicle permit granted or renewed under section 137B(1).

physical licence document means a licence document that is issued in a physical form under section 14(2).

pneumatic tyre means a tyre consisting of a flexible elastic shell inflated with, and supported by, no other substance other than:

(a) air;

(b) a gas other than air;

(c) a combination of air and another gas; or

(d) a prescribed substance,

whether with or without an inner tube.

Police Force means Police Force of the Territory.

previously licensed offender, for Part 2A, see section 25L(1)(a).

prime mover means a motor vehicle constructed so as to provide the motive power for an articulated vehicle.

private hire car has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act 1991*.

public place means any part (other than a public street) of a park, reserve, parking area, recreational or sporting ground, racecourse, drive-in theatre, beach or any other open place, that is open to or used by the public, whether with or without payment for admission, but does not include the track within an enclosed ground used for vehicle or animal speed races or trials.

public street means any street, road, lane, thoroughfare, footpath or place open to, or used by, the public and includes a road on land leased under the *Special Purposes Leases Act 1953* for use as a road, but does not include:

(b) a road, or part of a road, that is closed under the *Control of Roads Act 1953* or under the *Local Government Act 2019*; or

(c) a street, road, lane, thoroughfare, foot-path, or other place, under construction,

and not open to or used by the public.

RAV or ***Register of Approved Vehicles*** means the Register of Approved Vehicles kept under section 14(1) of the *Road Vehicle Standards Act 2018* (Cth).

reconfiguration period means, in relation to an amendment to the registration of a vehicle under section 107A, or a temporary permit under 107B, the period in respect of which the amendment or permit, as the case may be, is in force.

registered means registered under this Act.

registered person, see section 11(1A).

Registrar means the Registrar of Motor Vehicles appointed in pursuance of this Act.

Regulations means regulations made under this Act.

repealed Ordinance means any Ordinance repealed by section 3 and includes any such Ordinance as subsequently amended.

resident of the Territory means a person who has resided in the Territory for a continuous period of not less than 3 months.

rigid, in relation to a vehicle, means that the longitudinal axis of the vehicle cannot deviate from a straight line in the horizontal plane.

Road Transport Charges Laws means Schedule 2 of the *Motor Vehicles (Fees and Charges) Regulations 2008*.

second edition ADR means an Australian Design Rule incorporated in the document entitled "Australian Design Rules for Motor Vehicle Safety, Second Edition" originally published by the then Commonwealth Department of Transport.

self-tracking, in relation to a trailer, means equipped with a device which causes the distances between wheels on the same side of the trailer to vary as the trailer is hauled round a curve in a road in such manner that the trailer follows approximately round the curve the track of the motor vehicle to which it is attached.

special passenger vehicle has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act 1991*.

Standards means the *Motor Vehicles (Standards) Regulations 2003*.

suspension notice, see section 26.

suspension period, see section 26.

tare mass, in relation to a vehicle, means the unladen mass of the vehicle together with the equipment prescribed to be carried upon or fitted to the vehicle and, in the case of a vehicle which uses fuel, approximately 10 litres of fuel.

taxi has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act 1991*.

Territory of the Commonwealth means any Territory under the authority of the Commonwealth (including a Territory governed by the Commonwealth under a Mandate).

third edition ADR means an Australian Design Rule that is not a second edition ADR.

tourist vehicle has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act 1991*.

trader means a person to whom a motor vehicle trader's licence has been granted or transferred and, in the case of a trader being a company, firm or partnership, includes any director, manager or other officer of the company or any member of the firm or any partner of the partnership.

trader's plates, see section 34(1).

trailer means any vehicle without motive power constructed or adapted for being drawn by a motor vehicle.

unlicensed offender, for Part 2A, see section 25L(1)(b).

vehicle means any means of conveyance which runs on wheels but does not include any vehicle used on a railway.

vehicle identification number, of a motor vehicle or trailer, means:

(a) the vehicle identifier of the motor vehicle or trailer; or

(b) the number allotted by the Registrar to the motor vehicle or trailer under section 101AA(1) and marked on the motor vehicle or trailer under section 101AA(2).

vehicle identifier means:

(a) for a motor vehicle or trailer manufactured on or before 30 June 1988 – a number permanently marked on the motor vehicle or trailer by the manufacturer for its identification and accepted by the Registrar as a unique identifier; or

(b) for a motor vehicle or trailer manufactured after 30 June 1988 – the identification number allocated to and permanently marked on the motor vehicle or trailer by the manufacturer in accordance with an Australian Design Rule.

visiting vehicle means a vehicle that:

(a) is registered in a State, another Territory or another country; and

(b) if required under the law of that State, Territory or country – has affixed to it a current registration label and a number plate or plates; and

(c) is temporarily in the Northern Territory.

weighing device means a device approved by the Minister for the purposes of this Act and the Standards.

weighing machine means:

(a) a weighbridge; or

(b) a weighing device.

weighing station means a place on or near a public street or public place at which there is a weighing device.

width means:

(a) in relation to a vehicle, the distance from one side of the vehicle, a projecting part of that vehicle or its load, to the other side of that vehicle, a projecting part of that vehicle or its load, whichever is the greatest, but excluding rear vision mirrors and signalling devices on that vehicle;

(b) in relation to a tyre, the width of the surface of the tyre which ordinarily comes into contact with the surface of the road; and

(c) in relation to tyres on a group of co-axial wheels on one side of the longitudinal centre line of the vehicle, the sum of the widths of the surfaces of those tyres which ordinarily come into contact with the surface of the road.

Note for subsection (1)

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

(2) Unless otherwise provided, a reference in this Act to an Australian Design Rule is a reference to the rule as in force from time to time.

(3) A reference in this Act to an Australian Design Rule is a reference to the rule read in conjunction with:

(a) for a second edition ADR – the document entitled "Australian Design Rules - Definitions" that forms part of the document entitled "Australian Design Rules for Motor Vehicle Safety, Second Edition" originally published by the then Commonwealth Department of Transport; or

(b) for a third edition ADR – the *Vehicle Standard (Australian Design Rule - Definitions and Vehicle Categories) 2005* (Cth).

(4) If an Australian Design Rule mentioned in this Act refers to another document, the other document is taken to be incorporated with, and form part of, the Australian Design Rule.

(5) A reference in this Act to a second edition ADR, or third edition ADR, followed by a number is a reference to the second edition ADR, or third edition ADR, as appropriate, of that number.

(6) A reference in this Act to a number includes a reference to a letter of the alphabet.

(7) A word or expression defined in the *Australian Vehicle Standards Rules* applies to those Rules despite any inconsistent definition in this Act.

5A Provisions relating to motor vehicles also apply to trailers

(1) A provision of this Act that refers to a motor vehicle, other than an excluded provision, applies to a trailer in the same way that it applies to a motor vehicle.

(2) For subsection (1), each of the following is an excluded provision:

(a) the provisions of this Part;

(b) sections 8, 8A, 10, 10A, 11, 11A, 12, 12A, 13A(1A), 14(3) and (5), 16 to 18 and 23 to 25D;

(c) the provisions of Parts 2A and 3;

(d) sections 37, 45 and 47;

(e) the provisions of Part 5A;

(f) sections 60B, 101 to 102, 102AA, 103, 104, 106, 108, 109, 111, 113, 116, 117, 119(c)(ia) and 138;

(g) the provisions of Schedule 4;

(h) a provision of the Regulations prescribed by regulation.

Note for section 5A

In a provision specified in subsection (2), a reference to a motor vehicle includes a trailer at any time attached to the vehicle due to the definition ***motor vehicle*** *in section 5(1).*

6 Application of Act to Crown

Except where otherwise expressly prescribed, this Act shall bind the Crown and all persons in the service of the Crown:

Provided that the provisions of this Act in relation to the registration of motor vehicles and trailers and the provision of labels shall not apply to motor vehicles or trailers the property of the Commonwealth or of any authority under the Commonwealth.

7 Registrar, Deputy Registrar and other officers

(1) The Minister may appoint a person to be the Registrar of Motor Vehicles.

(2) Subject to the directions of the Minister, the Registrar may appoint such Deputy Registrars, inspectors and other officers as the Registrar considers necessary for carrying out this Act.

(4) Subject to the directions of the Minister, a Deputy Registrar has the powers and functions of the Registrar that the Registrar determines.

7A Delegation

(1) The Minister may, by instrument in writing, delegate to a person any of his powers and functions under this Act, other than this power of delegation.

(2) A power or function delegated under this section, when exercised or performed by the delegate, shall for the purpose of this Act, be deemed to have been exercised or performed by the Minister.

(3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Minister.

7B Approvals

(1) The Minister may, in writing, approve devices, methods and other matters for the purposes of this Act.

(2) The Registrar may, in writing, approve forms, devices, vehicles, persons, matters and things for the purposes of this Act.

Part 2 Registration of, and licences to drive, motor vehicles

8 Registration of motor vehicles and trailers

Subject to this Act, the Registrar:

(a) must register, and from time to time renew the registration of, a motor vehicle or trailer in respect of which the requirements of Schedule 4 and the Standards are complied with; and

(b) may register, and from time to time renew the registration of, a motor vehicle or trailer on such conditions as the Registrar thinks fit.

8A Registrar may grant exemption

(1) The Registrar may exempt a visiting vehicle from the requirement for registration for a period if the Registrar is satisfied the visiting vehicle would be registered if it was presented for registration.

(2) The Registrar shall not grant an exemption under subsection (1):

(a) for a period that exceeds the remainder of the period for which the vehicle is then currently registered in the place in which it is registered; or

(b) unless satisfied that:

(i) there has been paid the relevant amount of compensation contribution in respect of the vehicle as specified in a notice made in pursuance of section 47; or

(ii) there is in force in respect of the vehicle a policy of insurance complying with the provisions of a law in force in a State or another Territory of the Commonwealth requiring the owner or driver of the vehicle to be insured against liability in respect of the death of or bodily injury to a person caused by or arising out of the use of the vehicle.

(3) Subject to this Act, the Registrar may, in his discretion, if he is satisfied that a person is temporarily in the Territory, notwithstanding that he is a resident of the Territory within the meaning, and for the purposes, of the Act, exempt that person from the requirement to be licensed for a period.

(4) The Registrar shall not grant an exemption under subsection (3):

(a) unless the person is the holder of a licence to drive a motor vehicle granted in the place in which he normally resides; or

(b) for a period that exceeds the remainder of the period for which the person is licensed to drive a motor vehicle under that licence.

(5) The Registrar may exempt a resident of the Territory from holding a licence for a specified period if:

(a) the person holds a licence to drive a vehicle fitted with an AIL (whether or not an approved AIL) under the law of another jurisdiction (whether or not in Australia); and

(b) that licence has effect during that period.

9 Learner licence

(1) A learner licence permits the holder of the licence to learn to drive a vehicle of a class specified in the licence.

(2) A learner licence is valid for 2 years from the date of grant.

(3) An application for a learner licence must be accompanied by the prescribed fee.

(4) The Registrar may grant a learner licence to an applicant who has attained the age of 16 years and who satisfies the Registrar he or she understands the laws in force relating to the regulation of road traffic.

10 Granting of licences

(1) The Registrar may, on application by a person, grant the person a licence to drive a motor vehicle (other than a commercial passenger vehicle, heavy vehicle or AIL vehicle) of the class specified in the licence if:

(a) the person has previously held, in the Territory or elsewhere, a licence to drive that class of vehicle; or

(b) the person is the holder of a learner licence and the person satisfies the Registrar that the person:

(i) is capable of driving a motor vehicle of that class with safety to the public; and

(ii) is able to understand the notices, signs and devices in use from time to time for the regulation of road traffic.

(1A) If the learner licence was granted after the commencement of this section, the Registrar must not grant the licence under subsection (1) unless the person has held the learner licence for a continuous period of not less than 6 months immediately before the grant.

(1B) The Registrar may, from time to time, renew a licence granted under subsection (1).

(2) The Registrar may grant a licence to drive a commercial passenger vehicle of the class specified in the licence to a person who satisfies the Registrar that the person is not less than 18 years and 6 months of age, is capable of driving a commercial passenger vehicle of that class with safety to the public and, except where the Registrar otherwise approves, is able to read and write the English language, and the Registrar may renew that licence from time to time.

(2A) The Registrar may grant a licence to drive a heavy vehicle of the class specified in the licence to a person who satisfies him that he has attained the age of 17 years and 6 months, is capable of driving a motor vehicle of that class with safety to the public and has held a licence to drive a motor vehicle, not being a motor cycle, for not

less than 12 months.

(4) The Registrar shall not grant a licence or a renewal of a licence to drive a motor vehicle of a class specified in subsection (2) to a person who is the holder of a licence to drive that is provisional under section 10A or to a person who has not held for a period of, or for periods totalling, not less than 12 months, a licence or other authority (not being a learner licence) to drive a motor vehicle other than a motor cycle, issued under this Act or under the law of a State or Territory or of another country.

(4A) The Registrar may, on the application of a person, grant the person a licence (***AIL licence***) to drive a vehicle (***AIL vehicle***) that is:

(a) not a commercial passenger vehicle; and

(b) fitted with an approved AIL; and

(c) of a class specified in the licence.

(4B) The Registrar may do so only if:

(a) the person is disqualified from obtaining a licence because of section 21(3)(b)(ii), 22(3)(b)(ii), 24(5)(b)(ii), 25(6A)(a)(ii) or (b)(ii), 29AAA(3A)(b)(ii), 29AAE(3)(b)(ii) or 29AAH(3)(b)(ii) of the *Traffic Act 1987*; and

(b) within 5 years immediately before the person applies for the AIL licence, the person held a licence to drive a motor vehicle (***previous licence***) that:

(i) was granted in the Territory or another jurisdiction (whether or not in Australia); but

(ii) was not a learner licence or its equivalent in another jurisdiction; and

(c) the Registrar is satisfied this Act does not prevent the Registrar from granting the AIL licence.

Note

The Registrar may refuse to grant the licence because of section 102 or 102AA.

(4C) The AIL licence:

(a) must relate to the same class of vehicle to which the previous licence relates; and

(b) is subject to the same conditions of the previous licence and other conditions relating to the AIL prescribed by regulation (such as conditions relating to approved suppliers); and

(c) has effect from the granting of the licence to the end of the AIL period; and

(d) cannot be renewed.

(4D) However, if 1 or more suspension periods apply to the person under suspension notices issued during the mandatory period or AIL period (whether or not before the granting of the AIL licence):

(a) for a notice issued before or when the licence is granted – the licence may take effect only after the end of the suspension period to which it relates; and

(b) for a notice issued after the licence is granted – the licence is suspended during the suspension period to which it relates; and

(c) the licence has effect until the end of a period that:

(i) immediately follows the AIL period; and

(ii) is equal to the total of the suspension periods covered by paragraphs (a) and (b).

Example

If the person is subject to a suspension period of 3 months, the AIL licence ceases to have effect 3 months after the AIL period.

(4E) For this section, the Registrar may, by *Gazette* notice approve:

(a) an AIL; and

(b) a supplier of an AIL or of services relating to an AIL.

(5) A licence granted under this section shall not be transferable.

(7) Before granting a licence to drive a motor vehicle to a person, the Registrar may, subject to section 62(2A) of the *Fines and Penalties (Recovery) Act 2001*, test, or arrange for an approved person to test, whether the person is capable of driving a motor vehicle of the particular class in relation to which the licence is sought.

Note for subsection (7)

Under section 62(1) of the Fines and Penalties (Recovery) Act 2001, the Fines Recovery Unit may determine that the Registrar is to cease to test a person for the purpose of issuing a licence to drive.

10AA Requirement to have photograph

(1) The Registrar may require an applicant for a licence or a renewal of a licence under section 10 to:

(a) provide a recent photograph of himself of an approved type and size; or

(b) be photographed by an officer.

(2) Notwithstanding that an applicant for a licence or a renewal of a licence provides a photograph of himself in accordance with subsection (1)(a), the Registrar may, if he considers the photograph to be unsuitable or the appearance of the applicant has substantially changed to that in the photograph, require the applicant to provide another photograph of an approved type and size or to be photographed by an officer.

(3) The Registrar may exempt a person from complying with this section.

10AB Power of Registrar

Where an applicant for a licence or the renewal of a licence provides a photograph of himself or is photographed, in accordance with section 10AA, the Registrar shall, if he grants the applicant a licence or renews the licence, attach to or include in the licence the photograph of the applicant.

10AC Offence in respect of photograph

A person shall not:

(a) refuse to comply with a direction given by the Registrar; or

(b) provide a photograph other than of himself,

under section 10AA.

10A Provisional period of licence

(1) If a person:

(a) applies for a licence under section 10; and

(b) has not held, continuously for the relevant period, a licence to drive a motor vehicle;

a licence granted to the person by the Registrar under that section is provisional only until the end of the relevant period.

(2) The relevant period is as follows:

(a) if the person, at the beginning of the relevant period, is below the age of 25 years – 2 years;

(b) if the person, at the beginning of the relevant period, is 25 years of age or older – 12 months.

Note

Subsections (1) and (2) apply in relation to a licence granted after the commencement of this section. A licence granted under section 10 before the commencement of this section is provisional for the period that applied at the time of grant.

(3) The relevant period can be comprised of any of the following:

(a) a period of holding a licence in the Territory;

(b) a period of holding a licence in another jurisdiction;

(c) a continuous series of periods mentioned in paragraphs (a) and (b).

(4) If, while a licence is provisional, the licence is suspended, the provisional period is extended by the period for which the licence was suspended.

(5) If, while a licence is provisional, the licence is cancelled and (after any disqualification period) the former holder of the licence applies for a new licence, the new licence is provisional for the relevant period (to be determined according to the person's age at the time of grant of the new licence).

(6) In this section:

licence does not include a learner licence or the equivalent in another jurisdiction.

11 Physical or mental incapacity or unfitness to hold licence

(1) In this section a reference to a person who is licensed to drive a motor vehicle includes a reference to a person who is licensed to drive a motor vehicle under a law of another country, a State or another Territory of the Commonwealth.

(1A) A ***registered person*** is:

(a) a medical practitioner; or

(b) a person registered under the Health Practitioner Regulation National Law (other than as a student) to practise in the occupational therapy, optometry or physiotherapy profession.

(2) If the Registrar considers an applicant for, or the holder of, a licence to drive a motor vehicle (including a learner licence) may be:

(a) physically or mentally incapable of driving a motor vehicle with safety to the public; or

(b) otherwise physically or mentally unfit to be licensed;

the Registrar may require the person to be medically examined by a registered person approved by the Registrar.

(3) If a person who is licensed to drive a motor vehicle is suffering from a physical or mental incapacity that may affect the person's ability to drive a motor vehicle with safety to the public, the person, or the person's personal representative, must notify the Registrar of the nature of the incapacity or unfitness.

(4) If a registered person reasonably believes that a person the registered person has examined:

(a) is licensed to drive a motor vehicle; and

(b) is physically or mentally incapable of driving a motor vehicle with safety to the public or is physically or mentally unfit to be licensed,

the registered person must notify the Registrar in writing of the person's name and address and the nature of the incapacity or unfitness.

(5) A registered person who provides information or advice to the Registrar in good faith under this section is not civilly or criminally liable, or in breach of any professional code of conduct, for providing the information or advice.

11AA Inquiries about fitness to hold commercial passenger vehicle licence

(1) The Registrar may make inquiries about a person for deciding whether the person is fit and proper to hold, or continue to hold, a licence to drive a commercial passenger vehicle.

(2) For subsection (1), the Registrar may request the Commissioner of Police to provide the Registrar with the following:

(a) a written report of the criminal history for the person;

(b) other evidence in relation to the character of the person.

(3) Subject to other laws in force in the Territory, the Commissioner of Police must comply with the request.

(4) For subsection (2)(a), the criminal history of a person is that which is:

(a) in the possession of the Commissioner of Police; or

(b) ordinarily accessible to the Commissioner through arrangements with the police service of another jurisdiction, including a jurisdiction outside Australia.

11A Licence for person with disability

(1) This section applies in relation to an applicant for a licence, or for renewal of a licence, who is a person with a physical disability.

(2) The Registrar may issue the licence to the applicant on the conditions the Registrar thinks appropriate.

(3) Without limiting subsection (2), a condition may provide that the applicant may only drive:

(a) a specified kind of motor vehicle; or

(b) a motor vehicle specially constructed or adapted for the applicant's use.

(4) If the Registrar issues a licence under subsection (2), the Registrar may, by endorsement on the licence, exempt from this Act or the *Traffic Act 1987*, or from specified provisions of this Act or the *Traffic Act 1987*:

(a) the applicant; or

(b) a motor vehicle, or a class of motor vehicle, while it is being driven by the applicant in accordance with the licence.

13 Fees

(1) Prior to the registration or the renewal of registration of any motor vehicle, or the grant or renewal of a licence under section 10 payment shall be made of the prescribed fees.

(1B) Prior to a test being conducted for the purposes of section 10(7), payment shall be made of the prescribed fee.

(1C) Where a test is conducted by a person who is not an officer or employee of the Public Service of Australia or an employee as defined in the *Public Sector Employment and Management Act 1993*, the person may charge the prescribed fee for conducting the test.

(2) Where a motor vehicle is inspected prior to registration or renewal of registration by an inspector who is not an officer or employee of the Public Service of Australia or an employee as defined in the *Public Sector Employment and Management Act 1993*, the inspector may charge the prescribed fee for such an inspection.

13A Motor vehicle, &c., deemed to be registered, &c.

(1) Where:

(a) a person applies, in accordance with this Act, to a Deputy Registrar or other officer appointed for the purpose by the Registrar for the registration or renewal of the registration of a motor vehicle;

(b) that person pays to the Deputy Registrar or other officer the amount of the compensation contributions in respect of that motor vehicle; and

(c) that person pays to the Deputy Registrar or other officer the prescribed fee for registration or renewal of registration;

the Deputy Registrar or other officer shall, if he is satisfied that the application will be or is likely to be granted by the Registrar, issue to that person a certificate stating that the application has been made.

(1A) Where a person:

(a) applies, in accordance with this Act, to a Deputy Registrar or other officer appointed for the purpose by the Registrar for a licence or renewal of a licence to drive a motor vehicle; and

(b) pays to the Deputy Registrar or other officer such fees as are payable under this Act in respect of that application,

the Deputy Registrar or other officer shall, if he is satisfied that the application will be or is likely to be granted by the Registrar, issue to that person a certificate stating that the application has been made.

(2) Where a certificate is issued under this section, the motor vehicle in respect of which or the person in respect of whom the application is made is deemed to be registered or licensed, as the case may be, in accordance with the terms of the application, until the Registrar, by notice served on the applicant, otherwise determines.

(3) The provisions of this Act, the Regulations, the *Traffic Act 1987* and the *Traffic Regulations 1999* that relate to affixing or attaching registration labels or number plates do not apply to a motor vehicle in respect of which a certificate has been issued under this section until the day after the day on which the owner of the motor vehicle receives the registration label or number plates, as the case may be, issued by the Registrar in respect of the motor vehicle.

14 Form of certificates and licences

(1) If the Registrar registers, or renews the registration of, a motor vehicle under this Act, the Registrar must issue the owner of the motor vehicle a certificate of registration in an approved form.

(2) If the Registrar grants or renews a licence to drive a motor vehicle (including a learner licence) to a person under this Act, the Registrar must issue the person a document, in an approved form, containing the particulars of the licence (a ***licence document***).

(3) The Registrar may issue a certificate or licence document mentioned in subsection (1) or (2) in more than one approved form.

Example for subsection (3)

A person may be issued a licence document in both a physical form and a digital form.

14A Production, return and surrender of licence document

(1) If, under this or another Act, a person is required to produce the person's licence to drive a motor vehicle (including a learner licence), the person must produce a licence document issued in relation to the licence.

(2) For subsection (1), the regulations may prescribe the manner in which a digital licence document is to be produced.

(3) If, under this or another Act, a person is required to return or surrender the person's licence to drive a motor vehicle (including a learner licence), the person must:

(a) if the person holds a physical licence document in relation to the licence – return or surrender the document; and

(b) if the person holds a digital licence document in relation to the licence – remove the document from each mobile phone or other electronic device on which the document is capable of being displayed.

(4) To avoid doubt, the holder of a digital licence document is not required to return or surrender any mobile phone or other electronic device used to display or store the document.

(5) The holder of a digital licence document does not commit an offence under this or any other Act arising from the holder's use of a mobile phone or other electronic device for the purpose of displaying the holder's digital licence document in response to a request to do so by a police officer or other person authorised to require the production of the document.

15 Production of vehicle upon application for registration, &c.

Where application is made for registration or the renewal of registration of a motor vehicle, the vehicle shall be produced if directed by the Registrar for examination or inspection by an inspector.

16 Affixing of number plates

(1) Subject to subsection (3), on being issued 2 number plates by the Registrar, the owner of a registered motor vehicle, other than a motor cycle, must securely affix one number plate to the attachment at the front, and the other to the attachment at the rear, of the motor vehicle.

(2) Subject to subsection (3), on being issued a number plate, the owner of a registered motor cycle or trailer must securely affix the number plate to the attachment at the rear of the motor cycle or trailer.

(3) The Registrar may, in his discretion, upon such conditions as he deems fit, by instrument exempt a person from the requirements of subsection (1) or (2).

(4) The Registrar may:

(a) in writing, determine the design, type and material of number plates for motor vehicles and trailers; and

(b) subject to section 62(2A) of the *Fines and Penalties (Recovery) Act 2001*, issue number plates for motor vehicles and trailers.

Note for subsection (4)(b)

Under section 62(1) of the Fines and Penalties (Recovery) Act 2001, the Fines Recovery Unit may determine that the Registrar is to cease to issue number plates to a person.

(5) In this section:

attachment means an attachment for affixing a number plate that is required to be affixed to a motor vehicle or trailer under the Standards or Schedule 4, clause 3.

17 Defaced or damaged number plate

(1) If the number on a number plate becomes so defaced or damaged that it is not clearly legible, the owner of the motor vehicle or trailer to which the number plate is affixed must, within 14 days of the defacement or damage occurring, notify the Registrar.

(2) The Registrar must, on payment by the owner of the prescribed fee in respect of the defaced or damaged number plate, issue to the owner:

(a) if the plate was affixed to a motor vehicle, other than a motor cycle – 2 new number plates; or

(b) otherwise – a new number plate.

(3) On receipt of the new number plate or plates, the owner must immediately:

(a) affix the plate or plates to the motor vehicle or trailer in accordance with section 16; and

(b) return to the Registrar the number plate or plates previously affixed to the motor vehicle or trailer.

18 Loss or destruction of number plate

(1) If a number plate has been lost or destroyed, the owner of the motor vehicle or trailer to which it was affixed must, within 14 days after the loss or destruction, forward to the Registrar a statutory declaration of the loss or destruction.

(2) On payment by the owner of the prescribed fee, the Registrar must, if the motor vehicle or trailer has not also been lost or destroyed and the Registrar has no reason to believe that improper use has been or is being made of the number plate, issue to the owner:

(a) if the plate was affixed to a motor vehicle, other than a motor cycle – 2 new number plates; or

(b) otherwise – a new number plate.

(3) On receipt of the new number plate or plates, the owner must immediately:

(a) affix the plate or plates to the motor vehicle or trailer in accordance with section 16; and

(b) return to the Registrar any number plate that was not lost or destroyed.

19 Use of number plates restricted

Except as provided by section 22 or by the *Commercial Passenger (Road) Transport Act 1991* in relation to number plates issued for taxis and substitute taxis:

(a) the owner of a motor vehicle shall not transfer, or suffer to be transferred, a number plate issued for that vehicle, to another motor vehicle; and

(b) a person shall not drive a motor vehicle having upon it a number plate other than that which was issued for that motor vehicle.

19A Destruction of registered motor vehicle

(1) If a registered motor vehicle is destroyed, whether by accident or otherwise, the owner must deliver to the Registrar a notice of destruction not later than 14 days after:

(a) the date on which the motor vehicle is declared to be a total loss under a contract of insurance; or

(b) if the owner is not making a claim under a contract of insurance in respect of the destruction – the date on which the motor vehicle was destroyed.

(2) The notice is to be in an approved form and signed by the owner.

20 Sale or disposal of registered motor vehicle

(1) Where a registered motor vehicle is sold or disposed of, the former owner must, within 14 days after the sale or disposal:

(a) deliver to the Registrar a notice of disposal, in an approved form, signed by both the former owner and the new owner, if any, and showing:

(i) the full name, address and date of birth of the new owner, if any;

(ii) the date of the sale or disposal of the vehicle; and

(iii) the price paid for the vehicle;

(b) where the former owner was not the true owner of the vehicle, provide the Registrar with the written authority of the true owner or of his or her duly authorised agent for the sale and disposal of the vehicle; and

(c) provide the new owner of the vehicle with a transfer application form signed by the former owner in the place for the former owner's signature.

(2) Subject to section 21A, the new owner must, within 14 days of the sale or disposal, apply, in an approved form, to the Registrar to transfer the registration of the motor vehicle to the new owner.

(3) If the Registrar approves the transfer, the Registrar is, on payment of the prescribed fee, to issue to the new owner a certificate of registration in respect of the vehicle.

(4) The registration of a motor vehicle must not be transferred in any case where the Registrar is in receipt of a notice in writing from the true owner notifying that he or she does not authorise the sale or disposal.

(5) For the purposes of this section, a registered motor vehicle is deemed to be disposed of by the owner if it is repossessed in pursuance of a hire-purchase agreement or any other agreement entered into for the purpose of providing finance in respect of the vehicle, and the person repossessing the vehicle must comply with this section as if the person was the person to whom the vehicle was disposed of.

(6) This section applies to a motor vehicle the registration of which is suspended under section 61(2) of the *Fines and Penalties (Recovery) Act 2001* even though the vehicle is taken to be unregistered under section 61(4) of that Act during the period of the suspension.

(7) This section does not apply to a registered motor vehicle to which section 20A applies.

20A Sale of uncollected or abandoned registered motor vehicle

(1) If a registered motor vehicle is sold under Part 2 of the *Uncollected Goods Act 2004* or as an abandoned vehicle in accordance with regulations under the *Traffic Act 1987*, the receiver or competent authority must, within 14 days after the sale, deliver to the Registrar:

(a) a notice of disposal in the form of a statutory declaration; and

(b) a copy of the receipt provided to the purchaser under section 30 of that Act.

(2) Subject to section 21A, the purchaser must, within 14 days after the sale, apply, in the form of a statutory declaration, to the Registrar to transfer the registration of the motor vehicle to the purchaser.

(3) If satisfied the vehicle has been sold in accordance with Part 2 of the *Uncollected Goods Act 2004* or as an abandoned vehicle in accordance with the regulations under the *Traffic Act 1987*, the Registrar must, on payment of the prescribed fee, transfer the registration of the motor vehicle to the purchaser.

21 Liability of new owner

Notwithstanding any other provision of this Act to the contrary, where a record of the details of a notice of disposal delivered to the Registrar is made at the office of the Registrar, the new owner of the motor vehicle to which the notice of disposal relates is, on the making of the record, liable as if the owner of the motor vehicle for any breach of this Act, the *Traffic Act 1987* or the *Traffic Regulations 1999*.

21A Refund where new owner registers vehicle outside Territory

(1) Where a registered motor vehicle is sold or disposed of and the new owner wishes to register the vehicle in a State or another Territory of the Commonwealth, the new owner is not required to apply to the Registrar to transfer the registration of the motor vehicle to him or her under section 20, but if the new owner does not do so he or she, within 14 days after the sale or disposal of the vehicle, or such longer period approved by the Registrar:

(a) must surrender each number plate issued in connection with the registration of the motor vehicle in the Territory to the person or body responsible for the registration of motor vehicles in the State or other Territory; and

(b) may apply to the Registrar for a refund in respect of the unexpired registration of the vehicle.

(2) Where the Registrar receives and application for a refund under subsection (1), the Registrar is, on confirming the surrender of the number plates, to refund to the new owner the portion of the fee paid in respect of the registration of the vehicle that relates to the remainder of the period for which the vehicle is registered in the Territory.

22 Transfer of number plates

(1) Where the owner of a registered motor vehicle, who sells or disposes of the motor vehicle before the expiry of the registration thereof, is desirous of transferring the number plates to another motor vehicle of the same class to be registered by him in lieu of that motor vehicle, he shall, after the sale or disposal of the first-mentioned motor vehicle within such time as the Registrar allows, apply for registration of the other motor vehicle.

(2) Where a number plate is transferred from or to a commercial passenger vehicle, the Registrar shall advise the Director (within the meaning of the *Commercial Passenger (Road) Transport Act 1991*) of that fact and provide details of the vehicles affected.

23 Sales of motor vehicles or trailers on behalf of other persons

(1) Any person who, not being a trader, sells or otherwise disposes of any motor vehicle or trailer on behalf of any other person must within 14 days forward to the Registrar a notice, in writing, of the sale or disposal setting out:

(a) particulars of the type of body, make, engine number and vehicle identification number of the vehicle or trailer; and

(b) the full names and addresses of the owner of the vehicle or trailer, the person on whose behalf the vehicle or trailer was sold or disposed of and the person to whom the vehicle or trailer was sold or disposed; and

(c) the date of the sale or disposal; and

(d) the number appearing on the number plates, if any, issued in respect of the vehicle or trailer.

(2) This section shall not impair any obligation or liability imposed on any person by any other provision of this Act.

24 Alteration in description of motor vehicle or trailer

(1) Subject to subsection (3), where any alteration, affecting the accuracy of any particulars of the description in the certificate of registration of a motor vehicle or trailer, is made to that vehicle or

trailer, the owner shall, within 14 days after the completion of the alteration, produce the motor vehicle or trailer, as the case may be, for inspection at the office of the Registrar and return to the Registrar for amendment the certificate of registration.

(2) Subject to section 25, the Registrar shall, without fee, note the alterations on the certificate and return it to the owner.

(3) Where it is intended to make an alteration to a vehicle that shall alter the configuration in which it is registered or which is specified on a permit issued under section 107B in relation to the vehicle:

(a) subsection (1) does not apply; and

(b) the owner or driver of the vehicle shall, at the time of applying for an amendment to the registration under section 107A or the issue of a permit under section 107B or such other time as the Registrar approves, present the vehicle for inspection and return the certificate of registration and permit, if any, to the Registrar for amendment or replacement.

25 Registration of altered motor vehicle or trailer

(1) Subject to subsection (3), where any alteration is made in the construction, equipment or use of a motor vehicle or trailer by reason of which it is adapted for a purpose other than that for which it is registered, the owner shall, within 14 days after the completion of the alteration, produce the motor vehicle or trailer, as the case may be, for inspection at the office of the Registrar.

(2) If the Registrar is of the opinion that by reason of the alteration the motor vehicle or trailer is adapted for such other purpose, he may require the owner to register the altered motor vehicle or trailer, as the case may be, forthwith, and, until it is registered as required, it shall be deemed to be an unregistered motor vehicle or trailer.

(3) Where it is intended to make an alteration to the construction, equipment or use of a vehicle by reason of which it is adapted for a purpose other than that for which it is registered and that shall alter the configuration in which it is registered or which is specified on a permit issued under section 107B in relation to the vehicle:

(a) subsections (1) and (2) do not apply; and

(b) the owner or driver of the vehicle shall, at the time of applying for an amendment to the registration under section 107A or the issue of a permit under section 107B or such other time as the Registrar approves, present the vehicle for inspection and return the certificate of registration and permit, if any, to the Registrar for amendment or replacement.

25A Person who teaches for fee, &c., to be approved

A person shall not, except as provided in the Regulations, for fee, reward, salary, wages or other remuneration or consideration, teach another person to drive a motor vehicle unless that person is approved under section 25B as a driving instructor in respect of that class of motor vehicle.

25B Driving instructors

(1) A person who is the holder of a licence to drive a motor vehicle may apply to the Registrar, in an approved form, to become a driving instructor in respect of a class of motor vehicle or classes of motor vehicles.

(2) The Registrar, on receiving an application under subsection (1), may approve or refuse to approve the application.

(3) The Registrar shall not approve an application under subsection (2) unless satisfied that the applicant:

(a) is of good character;

(b) is proficient as a driving instructor in respect of the class of motor vehicle or classes of motor vehicles to which the application relates;

(c) is the holder of a licence to drive a motor vehicle of the class of motor vehicle or classes of motor vehicles to which the application relates; and

(d) has held a licence to drive a motor vehicle, whether in the Territory or elsewhere, for a continuous period of not less than 3 years immediately preceding the date of the application or has experience in driving a motor vehicle, which, in the opinion of the Registrar, is equivalent to that which the applicant would have gained had the applicant held a licence for that continuous period.

(4) On approving an application under subsection (2) the Registrar shall endorse the applicant's licence to drive a motor vehicle in the approved manner in respect of the class of motor vehicle or classes of motor vehicles to which the approval relates.

25C Approval may be subject to conditions, &c.

(1) An approval under section 25B may be subject to such conditions, restrictions or limitations as the Registrar thinks fit.

(2) Where an approval under section 25B is, in accordance with subsection (1), subject to a condition, restriction or limitation, the Registrar shall:

(a) notify the applicant of the condition, restriction or limitation; and

(b) endorse, in the approved manner, the applicant's licence to drive a motor vehicle.

(3) A person approved under section 25B shall not contravene or fail to comply with a condition, restriction or limitation to which the person's approval is subject.

25D Duration of approval

An approval of a person under section 25B shall remain in force, unless revoked or suspended in accordance with this Act, while the person's licence to drive a motor vehicle, and any renewal of that licence, remains in force.

25E Examination to determine fitness

(1) The Registrar may require:

(a) an applicant under section 25B(1); or

(b) at such times as may be prescribed, a person approved under section 25B(2),

to undergo:

(c) an approved test or examination, or both, to determine the proficiency of the applicant or person as a driving instructor; or

(d) a medical examination by a medical practitioner to determine that the applicant or person is in a fit state of health to be a driving instructor.

(2) A person required to undergo a test or examination under subsection (1)(c) shall, before undergoing the test or examination, pay to the Registrar the prescribed fee.

25F Revocation or suspension of approval

(1) The Registrar may revoke, or suspend for such period as the Registrar thinks fit, the approval of a person under section 25B where the Registrar is satisfied that the person:

(a) is no longer proficient as a driving instructor;

(b) has been guilty of conduct making the person unfit to be a driving instructor; or

(c) has failed, when required by the Registrar under section 25E, to undergo a test or examination at a time prescribed for the purposes of that section.

(2) For the purposes of subsection (1) and without limiting the generality of that subsection, a person is no longer proficient as a driving instructor if the person fails a test or examination referred to in section 25E.

25G Appeals against refusals, revocations, suspensions, &c.

(1) A person aggrieved by a decision of the Registrar under section 25B or 25F, or under section 25C imposing a condition, restriction or limitation on an approval, may, on giving to the Registrar not less than 14 days notice, appeal to the Local Court against the decision.

(2) The decision of the Local Court hearing an appeal under subsection (1) shall be final and conclusive and shall be given effect to by the Registrar.

25H Nature of appeal

A Local Court hearing an appeal under section 25G shall:

(a) re-determine the matter;

(b) hear relevant evidence tendered, whether by the appellant or the Registrar; and

(c) without limiting the generality of its discretion, take into consideration all matters which the Registrar ought to have taken into consideration in determining the matter.

Part 2A Special provisions for licence disqualifications for offenders under community orders

Division 1 Preliminary matters

25J Definitions

In this Part:

community order means:

(a) a community correction order or intensive community correction order made under the *Sentencing Act 1995*; or

(b) a community based order or community custody order made under the *Sentencing Act 1995* as in force before the commencement of Part 2 of the *Sentencing and Other Legislation Amendment Act 2022*.

driving program, for a community order, means a prescribed program as defined in section 3(1) of the *Sentencing Act 1995* that requires the offender for whom the order is made to undertake a program relating to:

(a) driving, including rehabilitation for drink or drug driving; or

(b) road safety.

licence disqualification, for an offender, means a disqualification applying to the offender in relation to holding a licence or the offender's ability to apply for a licence or renewal of a licence.

licensed driver, for a class of motor vehicle, means a person who holds:

(a) a licence to drive a motor vehicle of the class other than a learner licence or licence that is provisional under section 10A; or

(b) an equivalent licence granted in a State or another Territory.

offender, see section 25K(1)(a).

previously licensed offender, see section 25L(1)(a).

unlicensed offender, see section 25L(1)(b).

25K Application of Part

(1) This Part applies if:

(a) a person (the ***offender***) has been found guilty of an offence against the *Traffic Act 1987*; and

(b) because of the finding of guilt the offender incurs a licence disqualification under the *Traffic Act 1987*; and

(c) all of the offender's unexpired licence disqualifications total less than 5 years; and

(d) a community order was made for the offender for the offence (regardless of whether the order was also made for another offence); and

(e) the community order requires the offender to undertake a driving program.

(2) This Part applies despite a provision of the *Traffic Act 1987* that provides for:

(a) the cancellation or suspension of the offender's licence; or

(b) a licence disqualification applying to the offender.

Note for subsection (2)

If a person is found guilty of an offence against Part V, Division 2 of the Traffic Act 1987, the person's licence to drive is automatically cancelled and the person is disqualified from obtaining a licence for certain periods. Also, under section 41 of that Act, a court may disqualify a person from holding another licence for a period fixed by it.

Division 2 Provision for orders for licence while community order in force

25L Application for court order for licence

(1) To permit the offender to undertake practical training as part of the driving program under the community order, the offender may apply for a court order that the Registrar:

(a) if the offender held, in the Territory or elsewhere, a licence to drive a motor vehicle when the offender's licence disqualification mentioned in section 25K(1)(b) took effect (a ***previously licensed offender***) – grant the offender a licence to drive a motor vehicle of a stated class while the community order is in force; or

(b) if the offender did not hold, in the Territory or elsewhere, a licence to drive a motor vehicle when the offender's licence disqualification mentioned in section 25K(1)(b) took effect (an ***unlicensed offender***) – accept and deal with an application by the offender for a learner licence to drive a motor vehicle of a stated class while the community order is in force.

(2) However, the application cannot be made for a licence to drive a commercial passenger vehicle or motor cycle.

(3) The application must be made to the court that made the community order for the offender.

(4) The registrar of the court must immediately give written notice of the application to the Commissioner of Correctional Services.

25M Decision on application

The court may make the order sought only if satisfied it is appropriate in the circumstances to make the order for the offender.

Note for section 25M

For provisions about the revocation of the order and the effects of its revocation, see sections 39B and 48G *of the Sentencing Act 1995.*

25N Effect of order – previously licensed offender

(1) This section applies if:

(a) the offender is a previously licensed offender; and

(b) the court makes the order sought on the offender's application.

(2) The Registrar must grant the offender a licence to drive a motor vehicle of the class stated in the order.

(3) The licence is in force for the period the community order is in force.

(4) The licence is subject to the condition that the offender may drive a motor vehicle of the stated class only while under the direct supervision of a licensed driver for the class of motor vehicle:

(a) for undertaking practical driver training as part of the driving program under the community order; and

(b) after successfully completing the driving program, for undertaking further practical driver training during the remaining period the licence is in force.

25P Effect of order – unlicensed offender

(1) This section applies if:

(a) the offender is an unlicensed offender; and

(b) the court makes the order sought on the offender's application.

(2) The Registrar must:

(a) accept an application from the offender for a learner licence to drive a motor vehicle of the class stated in the order; and

(b) deal with the application under this Act.

Note for subsection (2)(b)

In particular, sections 9, 102 and 102AA are relevant to the Registrar's dealing with the application and to the grant of a licence.

(3) If the Registrar grants a learner licence to the offender, the licence is in force for the period the community order is in force.

(4) Subsection (3) applies despite section 9(2).

(5) The learner licence is subject to the condition that the offender may drive a motor vehicle of the stated class only while under the direct supervision of a licensed driver for the class of motor vehicle:

(a) for undertaking practical driver training as part of the driving program under the community order; and

(b) after successfully completing the driving program, for undertaking further practical driver training during the remaining period the learner licence is in force.

Division 3 Provision for orders for licence application after community order discharged

25Q Application for court order for licence

(1) To permit the offender to obtain a licence to drive a motor vehicle on the discharge of the community order, the offender may apply for a court order that the Registrar accept and deal with an application by the offender for a licence to drive a motor vehicle of a stated class.

(2) The application must be made to the court that made the community order for the offender.

(3) The registrar of the court must immediately give written notice of the application to the Commissioner of Correctional Services.

25R Decision on application

(1) The court may make the order sought only if:

(a) satisfied it is appropriate in the circumstances to make the order for the offender; and

(b) satisfied that the community order has ceased to be in force; and

(c) a statement has been given to the court by the provider of the driving program undertaken by the offender that the offender successfully completed the program.

(2) Without limiting subsection (1)(a), the court must have regard to the following:

(a) the type and seriousness of the offence for which the offender is disqualified from obtaining a licence;

(b) the safety of the community, including matters relating to the offender's rehabilitation;

(c) the offender's need for a licence to drive a motor vehicle of the class stated in the application:

(i) in the course of the offender's employment; or

(ii) to get to the offender's place of employment;

(d) the offender's employment prospects if the offender has a licence to drive a motor vehicle of the class stated in the application.

(3) However, if under Part V of the *Traffic Act 1987*, the offender is disqualified from obtaining a licence other than an AIL licence, the court may make the order only in relation to an application for an AIL licence.

Note for subsection (3)

Section 10(4A) to (4D) deals with an application for an AIL licence.

(4) In addition, if the offender is an unlicensed offender, the court may make the order only in relation to an application for a learner licence.

(5) Also, the court must refuse to make the order if, under section 102AA, the Registrar would be required to refuse to grant an application by the offender for the licence.

Note for section 25R

For provisions about the revocation of the order and the effects of its revocation, see sections 39B and 48G of the Sentencing Act 1995.

25S Effect of order

(1) If the court makes the order sought:

(a) subject to subsection (2), all licence disqualifications applying to the offender cease to have effect; and

(b) demerit points entered in the register against the offender's name for offences committed in the Territory cease to be active demerit points for Part 3; and

(c) the Registrar must:

(i) subject to section 25T, accept an application from the offender for a licence to drive a motor vehicle of the class stated in the order; and

(ii) subject to subsections (3) to (5), deal with the application under this Act.

Note for subsection (1)(b)

If the order is revoked under section 39B(5) or 48G(5) of the Sentencing Act 1995, the demerit points again become active demerit points under section 39B(6)(c)(ii) or 48G(6)(c)(ii) of that Act.

Note for subsection (1)(c)(ii)

In particular, sections 10, 102 and 102AA are relevant to the Registrar's dealing with the application and to the grant of a licence.

(2) A licence disqualification applying to the offender does not cease to have effect to the extent it disqualifies the offender from holding a licence, or applying for a licence or renewal of a licence, other than an AIL licence.

(3) If the offender held a learner licence granted on an application mentioned in section 25P(2), the offender is, for section 9(4), taken to understand the laws in force relating to the regulation of road traffic.

(4) Subsection (5) applies if:

(a) the offender held a learner licence granted on an application mentioned in section 25P(2) (the ***former licence***); and

(b) the Registrar is satisfied that, after successfully completing the driving program under the community order, the offender undertook further practical driver training during the remaining period the learner licence was in force; and

(c) the Registrar grants a learner licence on an application made under this section (the ***new licence***); and

(d) the former licence and new licence have effect for a continuous period.

(5) The period the former licence had effect must be taken into account for working out the continuous period mentioned in section 10(1A).

25T Undertaking to be of good driving behaviour

(1) If the licence disqualification mentioned in section 25K(1)(b) applies to the offender because of a demerit points offence under Part 3, the offender must lodge with the offender's application for a licence an undertaking to be of good driving behaviour for 1 year (the ***good driving period***).

(2) The undertaking must be in an approved form.

(3) If the Registrar grants a licence on the application, the good driving period starts on the day the licence starts.

(4) If the offender incurs 2 or more demerit points during the good driving period, the Registrar must serve on the offender a suspension notice specifying a suspension period that is double the period specified in the suspension notice for the offence mentioned in subsection (1).

Part 3 Demerit points scheme

Division 1 Preliminary matters

26 Definitions

In this Part:

another jurisdiction means a State or another Territory of the Commonwealth.

demerit points means:

(a) the points incurred under this Part by a person who commits a demerit points offence; or

(b) the points incurred under a law of another jurisdiction by a person who commits a traffic offence in the other jurisdiction.

demerit points offence means:

(a) an offence specified in Schedule 1 to the *Traffic Regulations 1999* for which demerit points are prescribed; or

(b) a traffic offence committed in another jurisdiction, that attracts demerit points under the law of that jurisdiction.

Fines Recovery Unit has the meaning in the *Fines and Penalties (Recovery) Act 2001*.

good driving period means the period (which may be discontinuous) for which an undertaking to be of good driving behaviour is effective.

licence means:

(a) a licence or permit to drive a motor vehicle (including a learner licence); and

(b) for a visiting driver – the right to drive in the Territory.

licensing authority, of another jurisdiction, means the Agency or office of the other jurisdiction responsible for administration of the scheme for licensing of drivers in that jurisdiction.

suspension includes disqualification from holding or obtaining a licence.

suspension notice means a notice under section 33C.

suspension period means the period (which may be discontinuous) for which the suspension is effective.

suspension threshold means the point at which a person becomes liable to suspension because of demerit points incurred by the person.

traffic offence means an offence under an Act of the Territory or another jurisdiction that regulates road use or use of road-related areas.

visiting driver means a person who is not a resident of the Territory but who is entitled to drive in the Territory under section 32 of the *Traffic Act 1987*.

27 Minister may give directions

(1) The Minister may give directions to the Registrar in relation to the general administration of the demerit points scheme under this Part.

(2) Subsection (1) does not authorise the giving, or following, of directions that relate to the impact of the scheme on a particular person.

Example

If a traffic infringement detection device is found to be defective, the Minister might direct the Registrar to delete from the register all demerit points incurred for offences detected by the device for the period the device was faulty. Even if only one person's records in the register were affected, such a direction would not offend subsection (2) because of the direction's general nature.

28 Active demerit points

(1) For this Part, demerit points are ***active demerit points*** if they are capable of being taken into account as the basis of a suspension notice.

(2) Demerit points cease to be active if:

(a) they are taken into account as the basis of a suspension notice; or

(b) the demerit points, together with any further points incurred in the ensuing 12 month period, or 3 year period (as the case may be), do not result in the suspension threshold being reached.

Notes for subsection (2)

1 Because substantial delay is possible between the date points are incurred and the date they are entered in the register, some points can remain active for more than 3 years.

2 Demerit points also cease to be active under section 25S(1)(b).

(3) This section has effect subject to:

(a) sections 39B(6)(c)(ii) and 48G(6)(c)(ii) of the *Sentencing Act 1995*; and

(b) sections 39N(5)(c)(ii), 48L(4)(c)(ii) and 48M(5)(c)(ii) of the *Sentencing Act 1995* as in force before the commencement of Part 2 of the *Sentencing and Other Legislation Amendment Act 2022* and continued by section 145 of the *Sentencing Act 1995*.

Division 2 Incurring demerit points

29 Demerit points only to natural persons

Demerit points can only be incurred by natural persons.

30 When demerit points are incurred

(1) Demerit points for a demerit points offence are incurred by the offender on the day the offence is committed.

(2) Demerit points are to be recorded in the register as incurred on the date the demerit points offence was committed.

(3) This section applies although the demerit points are not recorded in the register until a later time.

Division 3 Demerit points register

31 Demerit points register

(1) The Registrar must maintain a register of demerit points.

(2) The register is to be a record of:

(a) demerit points incurred for demerit points offences committed in the Territory; and

(b) certain demerit points incurred by residents of the Territory for demerit points offences committed in other jurisdictions.

Note

Section 33 deals with which demerit points incurred in another jurisdiction will be recorded in the register.

32 Demerit points for offence committed in the Territory

(1) The Registrar must enter in the register, against the name of a person, the relevant number of demerit points for a demerit points offence committed in the Territory if:

(a) the person is found guilty of the offence and:

(i) the time for lodging an appeal has passed and no appeal has been lodged; or

(ii) an appeal has been lodged and the appeal has been determined, withdrawn or discontinued; or

(b) the person is served with an infringement notice for the offence and:

(i) the infringement notice penalty is paid in full or in part; or

(ii) the Fines Recovery Unit enters into a scheme with the person allowing further time to pay, or payment by instalments; or

(iii) the period for payment of the infringement notice penalty expires without the person electing to have the matter heard by a court.

(2) The relevant number of demerit points for a demerit points offence is the number prescribed by regulation for the offence plus any additional points imposed for the offence under a Ministerial declaration.

33 Demerit points incurred in another jurisdiction

(1) If:

(a) the Registrar is advised by the licensing authority of another jurisdiction that demerit points have been incurred in that jurisdiction by a person who is a resident of the Territory; and

(b) the offence for which the demerit points were incurred corresponds to a demerit points offence under Territory law;

the Registrar must record against the name of the person in the Territory register the number of demerit points incurred in the other jurisdiction for the offence.

(2) The demerit points recorded under subsection (1)(b) must not include points incurred before the commencement of this Part.

33A Recording demerit points from other jurisdiction for person taking up residence in Territory

(1) If a person applies for a Territory licence after a period of residence in another jurisdiction, the Registrar must:

(a) enquire of the licensing authority of the other jurisdiction about active demerit points recorded against the person in that jurisdiction; and

(b) record those demerit points against the person in the register for the dates on which the points were incurred.

(2) The demerit points recorded under subsection (1)(b) must not include:

(a) points incurred before the commencement of this Part; or

(b) points for an offence where the register already contains a record of the same offence.

Note

Demerit points brought across from a previous jurisdiction under this section may include points for offences not recognised as demerit points offences in the Territory.

Division 4 When demerit points reach suspension threshold

33B When is suspension threshold reached?

(1) A person reaches the suspension threshold if the person incurs 12 or more demerit points within a period of 3 years or less.

(2) A person also reaches the suspension threshold if:

(a) the person is:

(i) the holder of a learner licence or a licence that is provisional; or

(ii) subject to subsection (3), a visiting driver; and

(b) the person incurs 5 or more demerit points within a period of 12 months or less.

(3) Subsection (2) does not apply to a visiting driver who holds a licence or permit from another jurisdiction unless the licence or permit is equivalent to a licence mentioned in subsection (2)(a)(i).

Note

Whenever demerit points are entered against a person's name in the Register, a computer check will be carried out to determine whether the aggregate active demerit points incurred by the person over any relevant period result in the suspension threshold being reached.

Division 5 Consequences of reaching suspension threshold

33C Suspension notice issued when suspension threshold reached

(1) If it appears from the register that a person has reached the suspension threshold, the Registrar must serve a suspension notice on the person.

(2) The notice must include the following:

(a) the date of the notice;

(b) the date on which the suspension is to take effect (the ***effective date***);

(c) details of the person's licence (if any);

(d) particulars of the relevant offences, including the date of each offence and the demerit points incurred in respect of each offence;

(e) the period for which:

(i) the licence is suspended; or

(ii) for a visiting driver – the right to drive in the Territory is suspended; or

(iii) if the person is unlicensed – the person is disqualified from obtaining a licence;

(f) details of the person's right to elect for the effective date to be brought forward;

(g) details of the person's right (if eligible) to undertake to be of good driving behaviour and the consequences of exercising or failing to exercise that right;

(h) further information as prescribed.

(3) Subject to section 33F, the effective date is 28 days after the date of the notice.

(4) The notice may be served personally or by post.

(5) Postal service may be effected by sending the notice by ordinary post to the postal address (including a Post Office Box) last notified to the Registrar, the Northern Territory Police Force or the Fines Recovery Unit by the person.

33D Effect of suspension

(1) The suspension notice has the following effect:

(a) if the person is the holder of a Territory licence – the licence is suspended and the person is disqualified from obtaining another licence;

(b) if the person is a visiting driver – the person's right to drive in the Territory is suspended;

(c) if the person is not licensed – the person is disqualified from obtaining a licence.

(2) If the person holds a Territory licence and the licence expires during the suspension period, the Registrar must not renew the licence until the suspension period (and any other period of suspension or disqualification) expires.

33E Suspension period

(1) When a suspension notice is issued, demerit points must be taken into account for the notice if:

(a) they were incurred within the relevant period; and

(b) they were recorded in the register as active points on the date of issue of the notice.

(2) For a suspension threshold of 5 demerit points within a period of 12 months or less, the suspension period is fixed as follows:

(a) if 5 to 8 points have been taken into account for the notice of suspension – 3 months;

(b) if 9 to 12 points have been taken into account for the notice of suspension – 4 months;

(c) if more than 12 points have been taken into account for the notice of suspension – 5 months.

(3) For a suspension threshold of 12 demerit points within a period of 3 years or less, the suspension period is fixed as follows:

(a) if 12 to 15 points have been taken into account for the notice of suspension – 3 months;

(b) if 16 to 19 points have been taken into account for the notice of suspension – 4 months;

(c) if more than 19 points have been taken into account for the notice of suspension – 5 months.

33F Early start to suspension period

(1) A person subject to a suspension notice may elect to begin the suspension period earlier than the effective date in the notice.

(2) To make the election, the person must:

(a) complete an approved form for making the election; and

(b) lodge the election form, in person, at any office of the Registrar within 21 days after the date of the notice.

(3) The effective date for the beginning of the suspension period becomes the day after the election form is lodged.

(4) In this section:

office of the Registrar includes a police station that functions as an office of the Registrar.

Division 6 Undertaking to be of good driving behaviour

33G Undertaking to be of good driving behaviour

(1) A person subject to a suspension notice may (if eligible) undertake, as an alternative to undergoing the suspension notified in the notice, to be of good driving behaviour for 12 months.

Note

Section 33H deals with a person's eligibility to undertake to be of good driving behaviour.

(2) To undertake to be of good driving behaviour, the person must:

(a) complete an approved form for giving the undertaking; and

(b) lodge the undertaking, in person, at any office of the Registrar within 21 days after the date of the notice.

(3) The effective date for the beginning of the good driving period becomes the day after the undertaking is lodged.

(4) The good driving period ceases to run (or does not begin to run, as the case may be) during a period of licence suspension or disqualification under another law, and whatever period of good driving behaviour has not been served begins to run immediately the period of suspension or disqualification ends.

(5) In this section:

office of the Registrar includes a police station that functions as an office of the Registrar.

33H Eligibility to undertake good driving behaviour

(1) A person subject to a suspension notice is eligible to undertake to be of good driving behaviour if:

(a) the person is the holder of a Territory licence; or

(b) the person becomes the holder of such a licence before the period of disqualification to obtain a licence commences.

(2) However, a person is not eligible to undertake to be of good driving behaviour if the suspension notice is issued under section 33L because the person has breached a previous undertaking to be of good driving behaviour.

33J Person may apply for extension of time for undertaking

(1) A person may apply to the Registrar for an extension of time to undertake to be of good driving behaviour.

(2) If the Registrar is satisfied:

(a) the person has not received the suspension notice in sufficient time to give the undertaking (for a reason other than wilful avoidance); or

(b) the circumstances are exceptional and warrant extending the time for the person to give the undertaking;

the Registrar may allow additional time (and may, if necessary, defer the date of commencement of the suspension period) for the person to give the undertaking.

(3) A person can make only one application under subsection (1), but nothing prevents the Registrar, on the Registrar's own initiative, granting a further extension if satisfied the circumstances warrant it.

33K Person may apply to give undertaking by other means

(1) The Registrar may, on application by a person, dispense with the requirement that the applicant attend in person at an office of the Registrar to give an undertaking to be of good driving behaviour.

(2) The Registrar will only give the dispensation if satisfied:

(a) as to the identity of the applicant; and

(b) that in the circumstances it would be unduly onerous to require personal attendance.

33L Breach of undertaking

(1) This section applies if a person:

(a) undertakes to be of good driving behaviour; and

(b) incurs 2 or more demerit points during the good driving period.

(2) The Registrar must serve on the person a further suspension notice specifying a suspension period that is double the period that was specified in the earlier notice of suspension that gave rise to the undertaking.

Division 7 Administrative matters

33M Advising other jurisdiction of offences committed in Territory

(1) If a resident of another jurisdiction commits a demerit points offence in the Territory, the Registrar must advise the licensing authority of the other jurisdiction of the details of the offence and the number of demerit points prescribed for the offence.

(2) The Registrar may also advise the licensing authority of another jurisdiction of the details of a traffic offence committed by a resident of the other jurisdiction, although the offence is not a demerit points offence in the Territory.

33N When Registrar advises other jurisdiction

The details are not to be advised to the licensing authority of the other jurisdiction until:

(a) the person is found guilty of the offence and:

(i) the time for lodging an appeal has passed and no appeal has been lodged; or

(ii) an appeal has been lodged and the appeal has been determined, withdrawn or discontinued; or

(b) the person is served with an infringement notice for the offence and:

(i) the infringement notice penalty is paid in full or in part; or

(ii) the Fines Recovery Unit enters into a scheme with the person allowing further time to pay, or payment by instalments; or

(iii) the period for payment of the infringement notice penalty expires without the person electing to have the matter heard by a court.

33P Registrar to provide details of active demerit points

(1) This section applies if the Registrar is advised by the licensing authority of another jurisdiction that a person who holds a Territory licence has applied for a licence in the other jurisdiction.

(2) The Registrar must provide the licensing authority with details from the register of the person's active demerit points.

(3) The Registrar must also advise the licensing authority of the details of any demerit points suspension period or good driving period applicable to the person.

33Q Demerit points no longer active once taken into account for notice of suspension or breach of undertaking

(1) Subject to subsection (4), demerit points for a particular offence can be taken into account only once as the basis of a suspension notice.

(2) Subsection (1) applies whether the suspension notice is issued because:

(a) the person's active demerit points have reached a suspension threshold: or

(b) the person has breached an undertaking to be of good driving behaviour.

(3) Subsection (1) also applies whether the suspension notice is issued under this Act or under the law of another jurisdiction.

(4) However, if the suspension notice is withdrawn, the points may again be taken into account as the basis of a later suspension notice.

33R Demerit points incurred but not taken into account for notice of suspension

Demerit points that had not been entered in the register before the date of a suspension notice are not affected by the notice (although they may have been incurred before the date of the notice) and can be taken into account as the basis of a later suspension notice.

33S Demerit points deleted from register

(1) The Registrar must, if satisfied the entry of demerit points in the Register was made in error, delete the demerit points from the register.

(2) The Registrar may make any further consequential adjustments to the register to ensure the records are correct.

(3) If:

(a) active demerit points are recorded in the register in relation to an offence; and

(b) the Fines Recovery Unit annuls an enforcement order that relates to a penalty for the offence;

the Registrar must delete the demerit points but must re-instate the points if the offence is referred to the Local Court and the court finds the offence proved.

(4) If:

(a) active demerit points are recorded in the register for an offence; and

(b) a court grants leave to appeal out of time against a finding of guilt in relation to the offence;

the Registrar must delete the demerit points but must re-instate the points if the appeal is unsuccessful.

33T Withdrawal of suspension notice

(1) The Registrar must withdraw a suspension notice if it later appears that the notice:

(a) was issued in error; or

(b) would not have issued, or would have specified a shorter suspension period but for taking into account demerit points since deleted.

(2) A notice of withdrawal may be served in the same manner as a notice of suspension.

(3) The withdrawal of a suspension notice does not prevent the issue of a fresh notice:

(a) specifying an amended suspension period (taking into account any period of suspension that had already run under the original notice); or

(b) taking into account demerit points that had been deleted but which were later re-instated.

33U Releasing information from register

(1) The Registrar may, for statistical purposes, retain in the register records of demerit points that are no longer active.

(2) However, information and details of demerit points must not be published, except as aggregated data for statistical purposes where the information does not permit any particular person to be identified.

(3) The Registrar may make available to a person the information in the register relating to the person's active demerit points.

Division 8 Other matters

33V Appeal against decision of Registrar

(1) An appeal against a decision of the Registrar under this Part may be made to the Local Court.

(2) The court may uphold, vary or quash the Registrar's decision and may substitute its own decision for that of the Registrar.

(3) However, a suspension under this Part occurs by force of this Part and cannot be appealed or reviewed in any court.

(4) If a person lodges an appeal against a refusal by the Registrar to allow additional time for the person to give an undertaking to be of good driving behaviour, the suspension does not take effect until the court rejects the appeal or the appeal is withdrawn or discontinued.

33W Court not take demerit points into account

When sentencing a person for a traffic offence, a court must not take into account that demerit points may be incurred by the person in relation to the offence.

33X Demerit points not affected by licence suspension under another law

(1) A suspension period under this Part is in addition to any period of licence suspension or disqualification otherwise imposed under a law in force in the Territory.

(2) Demerit points recorded in the register against a person are not affected by a period of licence suspension or disqualification imposed by a court in Australia or any other Territory law.

(3) If multiple periods of suspension or disqualification apply in relation to a person under different laws, the order in which the periods run is as follows:

(a) first – suspension or disqualification by a court or under another law (except fine default within the meaning of the *Fines and Penalties (Recovery) Act 2001*);

(b) secondly – demerit points suspension under this Part, concurrently with any fine default suspension under the *Fines and Penalties (Recovery) Act 2001*.

(4) Demerit points suspension under this Part ceases to run (or does not begin to run, as the case may be) during a period of licence suspension or disqualification under another law, and whatever portion of the demerit points suspension has not been served begins to run immediately the other period of suspension or disqualification ends.

33Z Offence by body corporate

(1) A body corporate that facilitates the avoidance of demerit points by natural persons commits an offence.

Maximum penalty: 20 penalty units.

(2) A body corporate facilitates the avoidance of demerit points by natural persons if the body fails, more than twice in a 3 year period, to identify the driver of a vehicle, under the control of the body corporate, involved in the commission of a demerit points offence detected by a traffic infringement detection device.

(3) It is a defence to a prosecution for an offence against subsection (1) if the body corporate:

(a) had taken all reasonable steps to ensure it would be in a position to identify the driver of a vehicle under its control should a demerit points offence be committed; and

(b) failed to identify the driver in the relevant instance because of exceptional circumstances.

Part 4 Traders' plates

34 Licensing of motor vehicle traders

(1) The Registrar may grant a licence (a ***motor vehicle trader's licence***) to any person bona fide engaged in manufacturing, dealing in or repairing motor vehicles, or in such other related pursuit as is approved by the Registrar, and having suitable premises for that person to use one or more number plates (***trader's plates***) in the circumstances specified in section 35.

(2) The Registrar may, from time to time, renew a motor vehicle trader's licence granted to a person under subsection (1).

(2A) A motor vehicle trader's licence must be:

(a) in an approved form; and

(b) for a renewal of the licence – endorsed with the word "Renewal".

(3) Prior to the grant or renewal of a motor vehicle trader's licence such fees shall be payable by such person as are prescribed.

(4) A motor vehicle trader's licence remains in force for the period (the ***licence period***) mentioned in subsection (5) unless it is cancelled or suspended.

(5) The licence period for a motor vehicle trader's licence is either:

(a) 12 months; or

(b) any shorter period decided by the Registrar under subsection (7).

(6) For subsections (4) and (5), the licence period for a motor vehicle trader's licence commences on:

(a) if the licence is granted to the person under subsection (1) – the day on which the motor vehicle trader's licence is granted; or

(b) if the renewal of the person's licence is granted under subsection (2) on or before the date on which the previous licence period of the person's licence expires – the day immediately after the date on which the previous licence period expired; or

(c) if the renewal of the person's licence is granted under subsection (2) after the date on which the previous licence period of the person's licence expires – the day on which the renewal of the licence is granted.

(7) The Registrar may grant a motor vehicle trader's licence to a person, or renew a person's motor vehicle trader's licence, for a licence period that is shorter than 12 months.

(8) The Registrar may grant or renew a motor vehicle trader's licence for a shorter period under subsection (7) on the application of the person or on the Registrar's own initiative.

(9) If the Registrar decides to grant or renew a motor vehicle trader's licence for a shorter period, the amount of the fee required to be paid under subsection (3) is to be calculated as a pro rata amount of the prescribed fee payable in respect of a 12-month licence period.

35 Conditions of use of trader's plates

(1) Subject to subsections (2) and (4), a trader's plate may be used on a motor vehicle which is standing or being driven upon a public street only where:

(a) the vehicle is in the possession or custody of the trader to whom the plate has been issued or transferred or his employee for manufacture, repair, painting, sale or exchange or delivery to another trader, purchaser or owner;

(b) the vehicle is being used bona fide for a purpose connected with the manufacture, repair, painting, testing, demonstration, sale or exchange of the vehicle or its delivery to another trader, purchaser or owner;

(c) any person in or upon the vehicle is being carried otherwise than for hire or any consideration and is bona fide interested in, or employed for, a purpose mentioned in paragraph (b);

(d) any loading in or upon the vehicle is being conveyed solely for the purpose of demonstrating the mass-carrying capacity of the vehicle to a bona fide prospective purchaser;

(e) in the case of a towing vehicle owned by the trader, the vehicle is being used by the trader or his employee for the purpose of proceeding to and towing any disabled motor vehicle; and

(f) the driver or person in charge of the vehicle is:

(i) the trader or an employee of the trader;

(ii) a prospective purchaser of the vehicle or his employee or agent who is accompanied by the trader or an employee of the trader; or

(iii) a prospective purchaser of the vehicle or his employee or agent where the trader is licensed as a motor vehicle dealer under the *Consumer Affairs and Fair Trading Act 1990*.

(2) A trader referred to in subsection (1)(f)(iii) shall not permit a prospective purchaser of a vehicle referred to in that subsection to drive the vehicle except where, in addition to any other information required to be kept by any other law in force in the Territory, the name, the driver's licence number, address and signature of the prospective purchaser has been recorded in a register kept by the trader for that purpose.

(3) A trader referred to in subsection (1)(f)(iii) shall, on demand at any reasonable time, produce the register required to be kept under subsection (2) for inspection by the Registrar, an inspector or member of the Police Force.

(4) The Registrar may, in his discretion, upon such conditions as he deems fit, by instrument exempt a person from the requirements of subsection (1).

(5) Where a motor vehicle bears a trader's plate in any of the circumstances specified in this section, the person driving the vehicle shall be deemed not to contravene section 33, 33A or 34 of the *Traffic Act 1987*.

36 Use of trader's plate

A trader shall not use any trader's plate, or permit it to be used, otherwise than in the circumstances specified in section 35.

37 Persons who may drive vehicle with trader's plate

(1) Subject to this section, a person shall not, upon any public street, drive a motor vehicle, other than a motor cycle having a trader's plate attached unless that person:

(a) is the holder of a licence to drive a motor vehicle; and

(b) is:

(i) the trader to whom the plate was issued or transferred or an employee of such trader;

(ii) a prospective purchaser of the vehicle or his employee or agent who is accompanied by the trader or an employee of the trader; or

(iii) a prospective purchaser of the vehicle or his employee or agent where the trader to whom the plate was issued or transferred is licensed as a motor vehicle dealer under the *Consumer Affairs and Fair Trading Act 1990*.

(2) A prospective purchaser of a motor cycle or his employee or agent may drive a motor cycle having a trader's plate attached if he produces to the trader his licence to drive a motor cycle.

(3) The Registrar may, in his discretion, upon such conditions as he deems fit, by instrument exempt a person from the requirements of subsection (1).

38 Sale, &c., of business and transfer of plates

(1) Where a trader sells or disposes of or ceases to carry on the business in respect of which he is licensed, he shall, within 14 days after the sale or disposal, notify the Registrar in writing of the sale or disposal and return to the Registrar the licence and trader's plates issued to him.

(2) Upon application by the person to whom the business has been sold or disposed of and upon payment by him of the prescribed fee, the Registrar may transfer the licence in respect of the business to that person for the unexpired period of the licence.

(3) If the Registrar approves of the transfer, he shall sign the licence in the space set apart therefor for his signature and return the licence

and the trader's plates to the person to whom the business has been sold or disposed of and such person shall then be deemed to be the licensee for the purposes of this Act.

39 Revocation or suspension of right to use trader's plates

The Court before which any trader is found guilty for a breach of any of the conditions relative to the use of a trader's plate may, in addition to imposing a penalty, revoke or suspend, for such period as the Court thinks fit, the motor vehicle trader's licence of that person.

40 Return of trader's plates to the Registrar

Where the Registrar is satisfied that a trader has ceased, by reason of the sale or disposal of his business or otherwise, to be entitled to be licensed, the Registrar may request that person to return to the Registrar any trader's plates issued to him and that person shall comply with the request forthwith.

42 Affixing of trader's plates

(1) A person must not drive a vehicle with a trader's plate attached to it on a public street unless the trader's plate is securely affixed at the rear of the vehicle so that, when the vehicle is on level ground:

(a) the plate is at all times in an upright position parallel to the vehicle's axles; and

(b) the number on the plate is clearly legible and visible from:

(i) if the vehicle is a heavy vehicle – any point that is up to 20 m from the plate and within an arc of 45 degrees from the surface of the plate above and on either side of the vehicle; or

(ii) otherwise – up to 20 m from the plate within an arc of 15 degrees from the surface of the plate above and 45 degrees on either side of the vehicle.

(2) However, the person does not contravene subsection (1)(b) if the number on the trader's plate affixed to the vehicle is not clearly legible and visible as mentioned in that subsection merely because the vehicle is towing another vehicle.

43 Record of use of trader's plate

A trader shall:

(a) keep a record, in accordance with an approved form, and record the particulars required to be inserted in that form within 24 hours after the time any vehicle to which a trader's plate is attached leaves his premises; and

(b) on demand at any reasonable time, produce the record for the preceding 6 months for inspection by the Registrar, an inspector or a member of the Police Force.

Part 5 Compensation contributions

Division 1 Interpretation

44 Definition

In this Part:

Minister means the minister administering the *Motor Accidents (Compensation) Commission Act 2014*.

Division 2 Payment of compensation contributions

45 Compensation contributions to be paid

(1) The Registrar must not register or renew the registration of a motor vehicle or trailer unless the applicant has paid to the Registrar the relevant amount of compensation contributions declared in a notice made under section 47.

(2) The Registrar shall not issue a trader's plate unless there has been paid to him the relevant amount of compensation contributions specified in a notice made in pursuance of section 47.

46 Moneys received

(1) The Registrar must pay to the MAC Commission all amounts received under section 45 and as compensation contributions under section 137, less such amounts to cover administrative costs as are determined by the Minister, or as are calculated in accordance with a determination of the Minister.

(2) Where the Minister makes a determination for the purposes of subsection (1), he shall cause a copy of that determination to be published in the *Gazette*.

47 Declaration of compensation contributions

(1) The Minister must, by *Gazette* notice, declare the amount of compensation contributions payable on and after the date stated in the notice for the following:

(a) the grant or renewal of the registration of a motor vehicle or trailer;

(b) the grant or renewal of a pastoral vehicle permit;

(c) the grant of an exemption from registration of a visiting vehicle under section 8A;

(d) the grant of a licence under section 137;

(e) the issuing of a trader's plate.

(2) The declared amount of the compensation contributions must be:

(a) the amount previously declared under this section indexed in accordance with a method decided by the Minister; or

(b) another amount decided by the Minister in accordance with a recommendation made on a review under section 47A.

47A Reviews

(1) The Minister must ensure the amounts of compensation contributions are reviewed by a competent person at intervals of not more than 3 years.

(2) In addition, the Minister may at any time require the review of:

(a) the amounts of compensation contributions; or

(b) another matter arising from the compensation scheme under the *Motor Accidents (Compensation) Act 1979*.

(3) Without limiting subsection (2)(b), the requirement may relate to any of the following:

(a) a benefit payable under the scheme;

(b) the design of the scheme;

(c) the contribution structure for the scheme, including, for example, the proportion of the contribution by the Territory, or any of the amounts of compensation contributions, to the overall contribution for the scheme.

(4) In this section:

competent person means a person who:

(a) is not a public sector employee or employee of the MAC Commission; and

(b) has the qualifications and experience to conduct the review.

Part 5A Use of public streets and public places by vehicles

Division 1 Preliminary

50 Application

(1) Subject to subsection (2), on and from 1 January 1987, Division 2 shall not apply to nonconforming vehicles other than nonconforming vehicles which are motor omnibuses.

(2) On and from 1 January 1992, Division 2, other than section 52(h), shall not apply to nonconforming vehicles which are motor omnibuses.

51 Interpretation

(1) In this Part, unless the contrary intention appears:

bogie axle means a group of 2 or more axles fitted to a nonconforming vehicle and which are:

(a) not more than 3 metres apart;

(b) on a vehicle with 3 or more axles; and

(c) not less than 3 metres from any other axle of the vehicle or a vehicle attached to the vehicle.

nonconforming vehicle means a vehicle:

(a) which was registered in the Territory on or before 1 January 1983 and which registration was in force on that date;

(b) in respect of which the person who was the owner on 1 January 1983 has, on and from that date, remained the owner; and

(c) which is subject to compliance with the requirements of this Part that are applicable to it but which does not comply with the like requirements of the Standards that would, but for this definition, be applicable to it.

(2) A reference in Division 2 to:

(a) a vehicle;

(b) a motor vehicle;

(c) an articulated vehicle;

(d) a prime mover; or

(e) a trailer,

shall be read as a reference to:

(f) a vehicle;

(g) a motor vehicle;

(h) an articulated vehicle;

(j) a prime mover; or

(k) a trailer,

respectively, which is a nonconforming vehicle.

Division 2 Length, width, height and mass of nonconforming vehicles

52 Maximum length, &c., of vehicles

A person shall not drive, or cause or permit to be driven:

(a) a motor vehicle, without a trailer, (other than an articulated vehicle) the length of which exceeds 12.2 metres;

(b) an articulated vehicle, the length of which exceeds 16.5 metres;

(c) an articulated vehicle, the length of a component portion of which exceeds 12.2 metres;

(d) a trailer, the length of which:

(i) where it is self-tracking, exceeds 16.8 metres;

(ii) where it is not self-tracking, exceeds 12.2 metres;

(iii) where it is one of 2 or 3 trailers attached to the same motor vehicle, exceeds 13.8 metres; or

(iv) where it is hauled behind an articulated vehicle, exceeds 12.2 metres;

(e) a motor vehicle to which one trailer is attached where the total length of the motor vehicle and trailer exceeds 30.5 metres;

(f) a motor vehicle to which 2 or 3 trailers are attached where the total length of the motor vehicle and trailers exceeds 4 metres;

(g) a vehicle where its width exceeds 2.5 metres; or

(h) a vehicle where the distance from the surface of the road to the highest part of the vehicle or the load on that vehicle exceeds 4.4 metres.

Maximum penalty: 8 penalty units.

53 Vehicle with pneumatic tyres

(1) Subject to section 57, a person shall not drive, or cause or permit to be driven, a vehicle to all of the wheels of which pneumatic tyres are fitted:

(a) if the load on an axle of the vehicle exceeds 9 tonnes;

(b) if the load on a wheel of the vehicle exceeds 4.5 tonnes;

(c) if the load on a tyre of the vehicle exceeds 2.7 tonnes;

(d) if the load on a bogie axle of the vehicle exceeds 16 tonnes; or

(e) if the aggregate of the load on each of any 2 axles, and of each intervening axle, if any, of the vehicle or the vehicle combination exceeds:

(i) where the distance between the centres of those first-mentioned axles is not less than one metre but does not exceed 3 metres – 16 tonnes;

(ii) where the distance between the centres of those first-mentioned axles exceeds 3 metres but does not exceed 3.5 metres – 19.4 tonnes;

(iii) where the distance between the centres of those first-mentioned axles exceeds 3.5 metres but does not exceed 4 metres – 21 tonnes;

(iv) where the distance between the centres of those first-mentioned axles exceeds 4 metres but does not exceed 4.5 metres – 22.3 tonnes; or

(v) where the distance between the centres of those first-mentioned axles exceeds 4.5 metres – 22.3 tonnes plus 1.15 tonnes for each half metre or part of a half metre by which that distance exceeds 4.5 metres.

Maximum penalty: 8 penalty units or imprisonment for 6 months.

(2) In this section, ***vehicle combination*** means a combination of a motor vehicle or prime mover and a trailer or trailers attached to the motor vehicle or prime mover, as the case may be.

(3) It shall be a defence to a prosecution for an offence against subsection (1) if the person charged with the offence proves to the satisfaction of the court hearing the charge that he made or caused to be made reasonable efforts to comply with the requirements of that subsection and that the respective load limits specified in that subsection have not been exceeded by more than 10% of such limits.

Division 3 Use of trailers

54 Maximum number of trailers to be drawn by rigid motor vehicle

A person shall not drive, or cause or permit to be driven, a rigid motor vehicle to which there are attached more than 3 trailers.

Maximum penalty: 8 penalty units.

55 Maximum number of trailers to be drawn by articulated vehicle

A person shall not drive, or cause or permit to be driven, an articulated vehicle to which there are attached more than 2 trailers.

Maximum penalty: 8 penalty units.

Division 4 Axle and wheel loads

56 Axle loads on axles not more than one metre apart and wheel loads on co-axial wheels

(1) For the purposes of sections 53 and 57, axles the centres of which may be included between 2 parallel transverse vertical planes not more than one metre apart shall be deemed to be one axle.

(2) For the purposes of sections 53, 57 and 62(2), a group of co-axial wheels on one side of the centre line of a vehicle shall be deemed to be one wheel.

Part 5B Alteration of maximum loads, granting of exemptions, and prohibition against certain vehicles

57 Alteration of maximum loads, &c.

(1) The Minister may, by notice in the *Gazette*, specify maximum mass, maximum axle, wheel or tyre loads, maximum tyre pressures, maximum speeds or maximum numbers of trailers, in place of those fixed under Part 5A or the Standards for vehicles, classes of vehicles or vehicles having tyres of a particular kind, travelling on a public street or in a public place, specified in that notice, during periods specified in that notice.

(2) A maximum mass, load, tyre pressure, speed or number of trailers specified in a notice under subsection (1) by the Minister shall be deemed to be substituted for that fixed by or under the appropriate provision of Part 5A or the Standards in respect of:

(a) vehicles of the class;

(b) vehicles having the kind of tyres;

(c) vehicles travelling on the public street or in the public place; and

(d) the period,

specified in the notice.

58 Prohibition against certain vehicles travelling on specified public streets or in specified public places

(1) The Registrar, in his discretion and subject to such conditions and for such period as he thinks fit, may, by notice in the *Gazette*, prohibit vehicles, classes of vehicles or vehicles having tyres of a particular kind, from travelling on a public street or in a public place specified in that notice.

(2) A person shall not drive, or cause or permit to be driven, a vehicle the subject of a notice referred to in subsection (1) in contravention of the requirements of the notice.

Maximum penalty: 8 penalty units.

59 Exemption of vehicles

(1) A person, on payment of the prescribed fee, may apply to the Registrar for an exemption under this section and the Registrar, on receipt of such an application, in his discretion and subject to such conditions and for such period as he thinks fit, may, by instrument in writing, exempt a particular vehicle or vehicles included in a particular class of vehicles from the operation of one or more of the provisions of Part 5A, the Standards or Schedule 4.

(2) The Registrar may, by notice in the *Gazette*, exempt a class of vehicles from Part 5A, the Standards or Schedule 4 on such conditions as the Registrar thinks fit and specifies in the notice, including the condition that the exemption only applies to vehicles in relation to which an application in an approved form, accompanied by the prescribed fee, has been made by the vehicle's owner and accepted by the Registrar.

60 Proof of exemption defence in certain cases

It shall be a defence to a prosecution for an offence against Part 5A, the Standards or Schedule 4 to show that the vehicle in respect of which the offence is alleged to have been committed was, at the time of the alleged offence, exempted from the operation of Part 5A, the Standards or Schedule 4, as the case may be, and was being used in pursuance of, and in accordance with, the conditions of an exemption granted under section 59 by the Registrar in respect of that vehicle.

Part 5C Weighing of vehicles

Division 1 Determination of GVM and GCM

60A Determination of GVM

(1) Subject to subsection (2), the GVM or gross vehicle mass of a vehicle is:

(a) the GVM stated on the RAV for the vehicle; or

(b) if the GVM is not stated on the RAV – the GVM stated by the vehicle's manufacturer on the identification device attached to the vehicle; or

(c) if the GVM is not stated as specified in paragraph (a) or (b), or the vehicle's manufacturer has amended the GVM – the GVM certified by the vehicle's manufacturer.

(2) If a circumstance specified in subsection (3) applies in relation to a vehicle, the GVM or gross vehicle mass of the vehicle is:

(a) for a vehicle that is registered in a State, another Territory or another country or an unregistered vehicle that was previously registered – the GVM accepted by the vehicle registration authority in the registering jurisdiction; or

(b) for any other vehicle or for a vehicle mentioned in paragraph (a) in relation to which the Registrar cannot reasonably ascertain the accepted GVM – the GVM recorded by the Registrar.

(3) For subsection (2), the following circumstances are specified:

(a) the GVM of the vehicle is not stated or certified as specified in subsection (1)(a), (b) or (c);

(b) the GVM of the vehicle determined under subsection (1)(a), (b) or (c) is no longer appropriate for the vehicle because the vehicle has been modified in accordance with the laws of the registering jurisdiction.

(4) In this section:

registering jurisdiction, for a vehicle, means:

(a) the jurisdiction in which the vehicle is registered; or

(b) for an unregistered vehicle that was previously registered – the jurisdiction in which the vehicle was last registered.

60B Determination of GCM

(1) Subject to subsection (2), the GCM or gross combination mass of a motor vehicle is:

(a) the GCM stated on the RAV for the motor vehicle; or

(b) if the GCM is not stated on the RAV – the GCM stated by the motor vehicle's manufacturer on the identification device attached to the motor vehicle; or

(c) if the GCM is not stated as specified in paragraph (a) or (b), or the motor vehicle's manufacturer has amended the GCM – the GCM certified by the motor vehicle's manufacturer.

(2) If a circumstance specified in subsection (3) applies in relation to a motor vehicle, the GCM or gross combination mass of the motor vehicle is:

(a) for a motor vehicle that is registered in a State, another Territory or another country or an unregistered motor vehicle that was previously registered – the GCM accepted by the vehicle registration authority in the registering jurisdiction; or

(b) for any other motor vehicle or for a motor vehicle mentioned in paragraph (a) in relation to which the Registrar cannot reasonably ascertain the accepted GCM – the GCM recorded by the Registrar.

(3) For subsection (2), the following circumstances are specified:

(a) the GCM of the motor vehicle is not stated or certified as specified in subsection (1)(a), (b) or (c);

(b) the GCM of the motor vehicle determined under subsection (1)(a), (b) or (c) is no longer appropriate for the motor vehicle because the motor vehicle has been modified in accordance with the laws of the registering jurisdiction.

(4) In this section:

registering jurisdiction, for a motor vehicle, means:

(a) the jurisdiction in which the motor vehicle is registered; or

(b) for an unregistered motor vehicle that was previously registered – the jurisdiction in which the motor vehicle was last registered.

Division 2 Determination of mass

61 Determination of mass of vehicle

Subject to section 62, for the purposes of Part 5A and the Standards:

(a) the mass supported on a part of a vehicle;

(b) the tare mass of a vehicle; or

(c) the laden mass of a vehicle,

shall be deemed to be that mass determined by weighing the vehicle, or part of the vehicle, as the case may be:

(d) on a weighbridge that has been verified under section 18GG of the *National Measurement Act 1960* (Cth); or

(e) by the use of a weighing device which has been tested, found accurate and sealed in accordance with section 63.

62 Determination of laden mass of vehicle, wheel load and load on tyre

(1) The laden mass of a vehicle shall be deemed to be:

(a) where all the wheels of the vehicle are weighed simultaneously on a weighing machine or weighing machines, the mass shown by the weighing machine or the total of the masses shown by the weighing machines, as the case may be; or

(b) in any other case, the aggregate of the axle loads on the axles or group of axles of the vehicle.

(2) The wheel load on a wheel of a vehicle shall be deemed to be the load on the axle to which the wheel is attached, divided by the number of wheels attached to the axle.

(3) The load on a tyre of a vehicle shall be deemed to be the axle load on the axle to which the wheel with the tyre is attached, divided by the number of tyres on the wheels attached to that axle.

63 Testing weighing machines

(1) For the purposes of section 61, an officer shall not use a weighing machine other than a weighing machine which has been tested, found accurate and sealed, and in respect of which a certificate has been issued and kept, in accordance with the requirements of this section.

(2) The requirements of this section with respect to testing, finding accurate and sealing a weighing machine, and issuing and keeping a certificate in respect of the weighing machine, shall be as follows:

(a) in respect of a weighing machine that is a weighbridge – the weighbridge must be tested by a servicing licensee or trade measurement inspector under the *National Measurement Act 1960* (Cth);

(b) in respect of a weighing machine which is a weighing device – the weighing device shall be tested by an officer appointed for that purpose by the Registrar;

(c) the weighing machine shall be tested at intervals of not more than 12 months;

(d) if the weighing machine has been tested and found accurate, it shall be sealed with a seal which prevents the mechanism of that weighing machine from being tampered or interfered with while the seal is unbroken; and

(e) a certificate shall be issued in respect of each test carried out on the weighing machine and, in respect of each such test, the certificate shall include particulars of:

(i) the identifying number of that weighing machine;

(ii) the date on which the test was made;

(iii) the result of the test; and

(iv) the signature of the person conducting the test.

(3) A copy of a certificate referred to in subsection (2)(e) shall be admissible as evidence as a record of the particulars referred to in that subsection without proof of the signature of the person by whom it purports to have been signed or of the fact that that person:

(a) where the certificate relates to a weighing machine that is a weighbridge – is a servicing licensee or trade measurement inspector under the *National Measurement Act 1960* (Cth); or

(b) where the certificate relates to a weighing machine which is a weighing device – is a person appointed under subsection (2)(b).

Part 5D Officers

64 Powers of officers for purposes of Part 5A and Standards

For the purposes of Part 5A and the Standards, an officer may require the driver of a vehicle:

(a) to stop the vehicle;

(b) to give information concerning the mass of the vehicle and the load, if any, on that vehicle;

(c) to state his name and place of abode;

(d) to drive or cause that vehicle to be driven to, and weighed at, a weighbridge or weighing station situated:

(i) within 30 kilometres of the place where the officer makes that requirement; or

(ii) within 30 kilometres of any place on the forward journey planned for that vehicle;

(e) to permit the officer to measure and examine the vehicle, its wheels, tyres and load;

(f) to permit the officer to weigh:

(i) the load on a tyre;

(ii) the wheel load on a wheel;

(iii) the axle load on an axle; and

(iv) the laden mass,

of the vehicle;

(g) to produce to the officer such books, records, licences, exemptions under section 59 and other documents, relating to the registration or operation of the vehicle or the licensing of the driver, as are in that driver's possession or within his control, and to permit that officer to record any particulars set out in such books, records, licences, exemptions under section 59, and other documents; or

(h) whom the officer, after the vehicle and its load have been weighed in pursuance of paragraph (d) or (f), considers to have committed an offence against Part 5A or the Standards, to take measures to prevent the further commission of that offence and, after taking such measures, to have that vehicle and its load weighed at a weighbridge or weighing station nominated by that officer and within the period specified by that officer at the time of making that requirement.

65 Person to comply with requirements, &c., of officers

(1) A person shall not fail or neglect to comply with a requirement made under section 64(a), (d), (e), (f) or (h) by an officer.

Maximum penalty: 8 penalty units or imprisonment for 2 years.

(2) A person shall not:

(a) fail or neglect to comply with a requirement made under section 64(b), (c) or (g) by an officer;

(b) when lawfully required to state his name and place of abode by an officer, state a false name or place of abode to the officer;

(c) when lawfully required by an officer to give information, give false or misleading information to the officer;

(d) use obscene language to an officer;

(e) assault, resist or obstruct an officer in the exercise of his powers under this Act; or

(f) impersonate an officer.

Part 5E Evidence

Division 1 Evidence

66 Evidence

(1) In a prosecution for an offence against Part 5A or the Standards, an averment in the information or the complaint:

(a) that a specified mass was, at the time the mass was determined:

(i) the load on a tyre of a vehicle;

(ii) the wheel load on a wheel of a vehicle;

(iii) the axle load on an axle of a vehicle; or

(iv) the laden mass of a vehicle;

(b) that the mass was determined as specified in Part 5C; and

(c) if a weighing machine was used to determine a mass, that the weighing machine had, not more than 12 months before the date when the mass was determined, been tested, found accurate and sealed in accordance with section 63,

shall be evidence of the matter averred.

(2) In a prosecution for an offence against Part 5A or the Standards, an averment in the information or the complaint that a specified measurement was, at the time the measurement was determined:

(a) the height of a vehicle;

(b) the width of a vehicle; or

(c) the length of a vehicle,

shall be evidence of the matter averred.

(3) In a prosecution for an offence against Part 5A or the Standards, an averment in the information or the complaint that a tyre was a pneumatic tyre shall be evidence of the matter averred.

67 Liability of owner, operator and actual offender

(1) Subject to subsection (2), where a vehicle is driven in contravention of Part 5A or the Standards, the owner, the operator and the driver of the vehicle at the time it was so driven shall each be guilty of the offence in respect of that contravention and liable on being found guilty to the penalty provided for the offence.

(2) It is a defence to a prosecution against the owner of a vehicle for an offence referred to in subsection (1) if the owner of the vehicle satisfies the court that the vehicle was being driven or operated at the time of the alleged offence without his or her express or implied authority.

(3) It is a defence to a prosecution against the operator of a vehicle for an offence referred to subsection (1) if the operator of the vehicle satisfies the court that the vehicle was being driven at the time of the alleged offence without his or her express or implied authority.

Part 6 General provisions relating to motor vehicles

92 Application for registration and licences

(1) An application for the registration of a motor vehicle, or the renewal or transfer of the registration of a motor vehicle, or for a permit under section 107B, or for a licence or the renewal of a licence, shall be lodged with the Registrar, and shall set out the full name and address of the applicant and any other particulars required by the Registrar including, in relation to any motor vehicle referred to in the application, the type, make, engine number, vehicle identification number, description of the body, and, in relation to a vehicle to which the Road Transport Charges Laws apply, each configuration in which the vehicle is to be used during the

registration period.

(2) Upon receipt of the application, the Registrar may:

(aa) require the applicant to provide further information to support the application;

(a) by notice to the applicant, require him to attend at his office on the date specified in the notice; or

(b) require the applicant to furnish to him a statutory declaration setting forth:

(i) the full name and address of the owner of the motor vehicle and of the person from whom the motor vehicle was purchased or acquired; and

(ii) particulars of the type, make, and date of purchase or acquisition of the vehicle and such other particulars as the Registrar requires.

(3) The Registrar may require an applicant for a licence or the renewal of a licence under section 10, to furnish a statutory declaration in relation to the particulars set out in his application under subsection (1).

92A Nomination of operator of vehicle

The owner of a vehicle may nominate a person to be the operator of the vehicle:

(a) when applying for the registration or the renewal or transfer of the registration of the vehicle – by setting out in the application the full name and address of the operator and any other particulars required by the Registrar; or

(b) at any time during a period of registration of the vehicle – by completing an approved form and lodging it with the Registrar.

93 Registration and issue of permits in case of joint owners and companies

Registration of a motor vehicle, a transfer of the registration of a motor vehicle, an amendment to the registration of a motor vehicle under section 107A or the issue of a permit in relation to a motor vehicle under section 107B, on behalf of a co-partnership or company may be applied for by, or granted to any partner of the co-partnership, or the secretary or manager of the company, as the case may be.

95 Change of address

(1) A person to whom a certificate of registration, a licence or a permit has been granted must give notice of any change of the person's address to the Registrar.

(2) Notice under subsection (1) must be given within 14 days of the change.

96 Lost certificate, licence or permit

(1) Whenever a certificate of registration, a licence or a permit has been lost or destroyed, the owner, the licensee or the holder of the permit shall forward to the Registrar a statutory declaration of the loss or destruction.

(2) The Registrar shall, if he has no reason to believe that improper use has been or is being made of the certificate, licence or permit, and upon payment by the owner, licensee or holder of the permit, of the prescribed fee, issue to him a certified copy of such certificate, licence or permit which shall be of the same force and effect as the original certificate, licence or permit.

97 Production of certificate, licence or permit

Despite any other provision of this Act, a person who has been granted a certificate of registration, licence or permit must, on demand by the Registrar:

(a) within 7 days – produce the certificate, licence or permit at the office of the Registrar for inspection or endorsement; and

(b) provide the Registrar with the particulars in relation to the certificate, licence or permit that the Registrar requires.

98 Return of certificate, licence or permit upon cancellation

(1) A person to whom a certificate of registration or a licence has been granted shall, forthwith upon receipt of a notification of the suspension or cancellation of the registration or licence:

(a) return to the Registrar:

(i) the certificate of registration or the licence, as the case may be; and

(ii) every number plate issued by the Registrar in connection with the registration or licence, but not including any number plate which has already been returned to the Registrar; or

(b) furnish to the Registrar a satisfactory reason for his failure to do so.

(2) A person to whom a permit has been issued under section 107B shall, upon cancellation or suspension of the permit, return it to the Registrar, or furnish to the Registrar a satisfactory reason for his failure to do so.

(3) A court finding a person guilty for an offence against subsection (1) may make an order directing:

(a) that the person return to the Registrar within the period specified for that purpose in the order, any number plate in respect of which the offence is proved; and

(b) that, in case of the person's neglect or refusal to do so, he shall be imprisoned for such time not exceeding 6 months as is specified for that purpose in the order.

100 Defaced certificate, licence or permit

(1) A person shall not:

(a) deface his certificate of registration, licence or permit; or

(b) lend or part with any such certificate, licence or permit.

(2) Any such certificate, licence or permit which becomes defaced shall be void.

(3) The holder of a certificate, licence or permit which is void by reason only of defacement may obtain a new certificate, licence or permit on returning to the Registrar the defaced certificate, licence or permit and paying the prescribed fee.

101 Identification requirements for motor vehicles and trailers

(1) Subject to subsection (3), the identification requirements for a motor vehicle are as follows:

(a) for a motor vehicle that was manufactured on or before 1 January 1971 – the motor vehicle has a vehicle identification number;

(b) for a motor vehicle that was manufactured during the period from 2 January 1971 to 1 August 1989, the motor vehicle:

(i) has a vehicle identification number; and

(ii) has a compliance plate that was placed on the motor vehicle in accordance with an approval by the body known as the Australian Motor Vehicle Certification Board;

(c) for a motor vehicle that was manufactured during the period from 2 August 1989 to the RVSA commencement date, the motor vehicle:

(i) has a vehicle identification number; and

(ii) has a plate or label that was placed on the motor vehicle in accordance with an approval given under the repealed Act before its repeal;

(d) for a motor vehicle that was manufactured after the RVSA commencement date, either:

(i) the motor vehicle:

(A) has been entered on the RAV; and

(B) has a vehicle identification number; and

(C) has a plate or label identifying the motor vehicle that was placed on it in accordance with requirements under the *Road Vehicle Standards Act 2018* (Cth); or

(ii) the motor vehicle:

(A) has a vehicle identification number; and

(B) has a plate or label that was placed on the motor vehicle in accordance with an approval mentioned in the transitional Act provisions.

(2) Subject to subsection (3), the identification requirements for a trailer are as follows:

(a) for a trailer that was manufactured on or before 1 August 1989 – the trailer has a vehicle identification number;

(b) for a trailer that was manufactured during the period from 2 August 1989 to the RVSA commencement date, the trailer:

(i) has a vehicle identification number; and

(ii) has a plate or label that was placed on the trailer in accordance with an approval given under the repealed Act before its repeal;

(c) for a trailer that was manufactured after the RVSA commencement date, either:

(i) the trailer:

(A) has been entered on the RAV; and

(B) has a vehicle identification number; and

(C) has a plate or label identifying the trailer that was placed on the trailer in accordance with requirements under the *Road Vehicle Standards Act 2018* (Cth); or

(ii) the trailer:

(A) has a vehicle identification number; and

(B) has a plate or label that was placed on the trailer in accordance with an approval mentioned in the transitional Act provisions.

(3) The identification requirement for a special vehicle is that it has a vehicle identification number.

(4) In this section:

repealed Act means the *Motor Vehicle Standards Act 1989* (Cth) (repealed).

RVSA commencement date means the day on which section 15 of the *Road Vehicle Standards Act 2018* (Cth) commences.

special vehicle means a vehicle that is not a road vehicle as defined in section 6 of the *Road Vehicle Standards Act 2018* (Cth).

transitional Act provisions means Schedule 3, Part 3, Division 1 of the *Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018* (Cth).

101AA Allocation, marking and interference with vehicle identification numbers

(1) The Registrar may allot a number to a motor vehicle or trailer if the motor vehicle or trailer does not have a vehicle identifier.

(2) The owner of the motor vehicle or trailer must permanently mark the number allotted by the Registrar under subsection (1) on the motor vehicle or trailer in accordance with any directions of the Registrar.

(3) Except in accordance with the Regulations or a written approval from the Registrar, a person must not:

(a) remove a vehicle identification number or identification device from a motor vehicle or trailer; or

(b) alter or interfere with a vehicle identification number on, or identification device attached to, a motor vehicle or trailer.

(4) A person must not mark a vehicle identification number on a motor vehicle or trailer other than in accordance with:

(a) a direction of the Registrar given under subsection (2); or

(b) the vehicle marking requirements under the *Road Vehicle Standards Act 2018* (Cth).

101A Holders of interstate licences

(1) The Registrar shall not grant a licence under section 10 to a person if the person holds a licence (or equivalent) to drive a motor vehicle granted under a law of a State or another Territory of the Commonwealth unless the person delivers to the Registrar:

(a) the licence (or equivalent) granted under that other law; and

(b) a written request for the cancellation of that licence (or equivalent) addressed to the person who or body which granted it.

(2) Where a person who holds a licence granted under section 10 is granted a licence (or equivalent) to drive a motor vehicle under a law of a State or another Territory of the Commonwealth:

(a) the person's licence granted under section 10 shall, by force of this section, be cancelled on and from the date the licence (or equivalent) is granted under that other law; and

(b) the person shall:

(i) immediately notify the Registrar of the grant of the other licence (or equivalent); and

(ii) surrender the licence granted under section 10 to the Registrar.

101B Revocation or suspension of entitlement to drive of holder of interstate licence, &c.

The Registrar may, by a notice in writing, revoke, or suspend for the period that the Registrar thinks fit, the entitlement to drive a motor vehicle of a person who holds:

(a) a licence or permit to drive a motor vehicle granted under a law of another country, a State or another Territory of the Commonwealth; or

(b) a current international driving permit,

if, in the opinion of the Registrar, having regard to:

(c) the mental or physical condition, disorder or disability of the person; or

(d) the person's previous conduct,

the public will be, or is likely to be, placed at risk by the person continuing to drive a motor vehicle.

102 Refusal, cancellation or suspension of authorities

(1) Subject to this Act, section 62(2A) of the *Fines and Penalties (Recovery) Act 2001* and to any directions of the Minister, the grant or renewal or transfer of any licence, permit or registration is to be in the discretion of the Registrar.

Note for subsection (1)

Under section 62(1) of the Fines and Penalties (Recovery) Act 2001, the Fines Recovery Unit may determine that the Registrar is to cease to perform a number of functions under this Act, including in relation to:

(a) the grant or renewal of a person's licence; and

(b) the grant or renewal of the registration of a motor vehicle owned by a person.

(2) Without affecting the generality of subsection (1) the Registrar may, subject to any directions of the Minister:

(a) refuse to grant a licence to any person who has been found guilty of driving or attempting to drive a motor vehicle while under the influence of intoxicating liquor or of negligently or recklessly driving a motor vehicle, or who, in the Registrar's opinion, is unfit to hold a licence; or

(aa) refuse to grant a licence to or renew the licence of a person, or may cancel a licence of a person, where the person is not, or does not have a genuine intention of, residing in the Territory; or

(ab) refuse to grant a licence to or renew the licence of a company, or may cancel a licence of a company, where the company is not incorporated or taken to be incorporated under the Corporations Act 2001 or is not a foreign company within the meaning of that Act; or

(ac) refuse to register or renew the registration of a motor vehicle or trailer, or cancel the registration of a motor vehicle or trailer, in the following circumstances:

(i) if the owner is an individual – the owner is not able to satisfy the Registrar that the owner is, or has a genuine intention of, residing in the Territory;

(ii) if the owner is a body corporate incorporated or taken to be incorporated under the Corporations Act 2001 or is a foreign company as defined in section 9 of that Act – the owner is not able to satisfy the Registrar that the vehicle or trailer is to be used primarily in the Territory or that there is an operational base for the vehicle or trailer in the Territory; or

(b) cancel, or suspend or restrict the use of, for such period as the Registrar thinks fit, a licence granted to a person where, in the opinion of the Registrar, the person is unfit to hold a licence or a licence with unrestricted use, having regard to:

(i) the person's finding of guilt for an offence in the Territory or in a State or another Territory of the Commonwealth; or

(ii) the person's age; or

(iii) any mental or physical condition, disorder or disability of the person; or

(ba) cancel a licence, a permit or the registration of a motor vehicle or trailer where the Registrar is satisfied it was obtained by fraud or deception; or

(c) refuse to register or to renew the registration of, or cancel or suspend for any period the Registrar thinks fit the registration of, a motor vehicle or trailer that:

(i) does not comply with the requirements of Schedule 4 and the Standards; or

(ii) does not comply with the identification requirements specified in section 101; or

(iii) cannot reasonably, in the opinion of the Registrar, be relied on to operate without being a source of danger or annoyance to a person, or a source of damage to public streets, due to its condition, design or construction; or

(d) cancel or suspend for such period as the Registrar thinks fit any motor vehicle trader's licence; or

(da) suspend, for such period as the Registrar thinks fit, a licence granted under section 10 to a person to drive a commercial passenger vehicle of the class specified in the licence where, in the opinion of the Registrar, having regard to any:

(i) mental or physical condition, disorder or disability; or

(ii) previous conduct,

of the person the public will be, or is likely to be, placed at risk by that person continuing to drive such a vehicle; or

(db) suspend, for such period not exceeding 4 weeks as the Registrar thinks fit, a licence granted under section 10 to a person to drive a commercial passenger vehicle of the class specified in the licence where the Registrar is satisfied that the person has contravened or failed to comply with this Act or the Regulations in respect of the person driving a commercial passenger vehicle of that class; or

(e) cancel or suspend a permit issued under section 107B, where the vehicle is driven in contravention of section 107, or cancel or suspend a permit issued under section 137B where the vehicle is driven in contravention of section 137B; or

(f) cancel the registration of, or the licence or permit issued in respect of, any motor vehicle or trailer which was, in the opinion of the Registrar, registered in error or where the licence or permit was issued in error or in any case where:

(i) the motor vehicle or trailer is destroyed by accident; or

(ii) application is made by the person in whose name the vehicle or trailer is registered, or the licence or permit is issued, for the cancellation of the registration, licence or permit; or

(iii) the vehicle or trailer is re-registered on account of an alteration in the construction, equipment or use thereof or an amendment to the registration is made under section 107A.

(2AA) The Registrar must not grant or renew a licence to drive a commercial passenger vehicle if the applicant has been convicted of a disqualifying offence.

(2AB) Subsection (2AA):

(a) applies regardless of when the offence was committed and despite subsection (2); but

(b) does not apply if:

(i) the applicant's criminal record for the conviction is a spent record within the meaning of the *Criminal Records (Spent Convictions) Act 1992*; or

(ii) the applicant was discharged without any penalty being imposed for the conviction.

(2AC) Subsection (2AA) does not apply to the renewal of a person's licence in relation to the person's conviction of a disqualifying offence if:

(a) the Chief Executive Officer has previously decided under this Act the person may hold, or continue to hold, the licence despite the conviction; or

(b) the Local Court has, after the commencement of this subsection, decided under this Act the person may hold, or continue to hold, the licence despite the conviction.

(3) Any licence, permit or registration cancelled under this section shall be of no effect, and any licence, permit or registration suspended under this section shall cease to be of any effect during the period of suspension.

(3A) Any licence or registration suspended by the Fines Recovery Unit under Part 5, Division 7 of the *Fines and Penalties (Recovery) Act 2001* is taken to have been suspended under this section, but notice of the suspension is not required to be given under subsection (7).

(4) A person shall not, upon the cancellation or suspension of a motor vehicle trader's licence, use or cause or permit to be used any trader's plate referred to in the licence.

(5) The Registrar may, subject to any direction of the Minister, take such action as the Registrar thinks fit:

(a) for the purpose of determining whether a licence, permit or the registration of a motor vehicle or trailer should be cancelled or suspended; and

(b) for preventing the driving on public streets of any motor vehicle or trailer that in the opinion of the Registrar, due to its condition, design or construction, cannot reasonably be relied on to operate without being a source of danger or annoyance to a person or a source of damage to public streets.

(5A) The Registrar may, subject to any direction of the Minister, grant or renew a licence under section 10 subject to such conditions as are prescribed or as the Registrar thinks fit.

(5B) The Registrar may cancel a licence, permit or registration granted or renewed under:

(a) this Act; or

(b) any other Act by or under which the Registrar is empowered to grant or renew a licence to a person or to register a motor vehicle or trailer;

where an amount required to be paid under the Act in respect of the grant or renewal is paid by cheque and the cheque is dishonoured when duly presented for payment.

(6) A cancellation or suspension of a licence to drive a commercial passenger vehicle takes effect 7 days after the day of the decision of the cancellation or suspension.

(7) The Registrar must give written notice of a decision, or action taken, under this section to the person in relation to whom the decision is made or the action is taken.

(8) The Territory is not liable for any loss or damage suffered by a person because of a decision under this section.

102AAA Cancellation of licence to drive commercial passenger vehicle for disqualifying offence

(1) The Registrar must cancel the licence of a licensee to drive a commercial passenger vehicle on becoming aware the licensee was convicted of a disqualifying offence (whether or not the conviction occurred after the commencement of this section).

(2) Subsection (1) does not apply if:

(a) the licensee's criminal record for the conviction is a spent record within the meaning of the *Criminal Records (Spent Convictions) Act 1992*; or

(b) the licensee was discharged without any penalty being imposed for the conviction.

(3) If the conviction occurs on or after the commencement of this section, subsection (1) does not apply if:

(a) the Chief Executive Officer has previously decided under this Act the licensee may hold, or continue to hold, the licence despite the conviction; or

(b) the Local Court has previously decided under this Act the licensee may hold, or continue to hold, the licence despite the conviction.

(4) If the conviction occurred before the commencement of this section, subsection (1) applies:

(a) whether or not the Registrar had previously decided under this Act the licensee may hold, or continue to hold, the licence despite the conviction; and

(b) whether or not the Local Court had previously decided under this Act the licensee may hold, or continue to hold, the licence despite the conviction; and

(c) whether or not the conviction had otherwise been taken into account in any decision under this Act to grant the licence to the licensee or renew the licence.

(5) The Registrar must give written notice to the licensee of the decision.

(6) The cancellation takes effect 7 days after the day of the decision.

(7) The lodging of an appeal against the conviction does not affect the operation of this section.

(8) However, if the appeal is successful, the licence is taken to be in force again on the decision on the appeal.

(9) The Territory is not liable for any loss or damage suffered by the licensee because of the decision.

(10) This section applies despite section 102.

102AAB Suspension of licence to drive commercial passenger vehicle for disqualifying offence

(1) If a licensee under a licence to drive a commercial passenger vehicle is charged with a disqualifying offence, the Registrar may suspend the licence for the period the Registrar considers appropriate.

(2) The Registrar must give written notice to the licensee of the decision.

(3) The suspension takes effect 7 days after the day of the decision.

(4) If the licensee is not convicted of the disqualifying offence, the licence is taken to be in force again on the decision on the charge.

(5) The Territory is not liable for any loss or damage suffered by the licensee because of the decision.

(6) This section applies despite section 102.

102AAC Reviews by Chief Executive Officer for disqualifying offences

(1) This section applies to a person if:

(a) under section 102(2AA), the Registrar refuses the person's application for a licence or the renewal of a licence to drive a commercial passenger vehicle because the person has been convicted of a disqualifying offence; or

(b) under section 102AAA, the Registrar cancels the person's licence to drive a commercial passenger vehicle because the person has been convicted of a disqualifying offence; or

(c) under section 102AAB, the Registrar suspends the person's licence to drive a commercial passenger vehicle because the person has been charged with a disqualifying offence.

(2) The person may request the Chief Executive Officer to review the decision to decide whether there are any exceptional circumstances that warrant the person holding, or continuing to hold, a licence to drive a commercial passenger vehicle despite the conviction or charge.

(3) The request must:

(a) be made within 28 days after the person receives notice of the Registrar's decision; and

(b) state the circumstances the person considers to be exceptional as referred to in subsection (2).

(4) On the review, the Chief Executive Officer must decide to confirm or revoke the Registrar's decision.

(5) The Chief Executive Officer must give the person written notice of the Chief Executive Officer's decision and the reasons for it.

(6) On and after the revocation of the cancellation or suspension by the Chief Executive Officer, the person's licence is taken to be in force again.

(7) If the Chief Executive Officer acts with reasonable timeliness in relation to the review of the cancellation or suspension of a person's licence, the Territory is not liable for any loss or damage suffered by the person because of the cancellation or suspension.

(8) If:

(a) the Chief Executive Officer revokes the Registrar's decision to refuse an application referred to in subsection (1)(a); and

(b) the Registrar did not refuse the application because of one or more provisions in this Act (other than section 102(2AA)) or the Regulations,

the Chief Executive Officer must substitute the Registrar's decision for the application and direct the Registrar to grant the licence to the person or renew the person's licence (as the case requires).

(9) The Registrar must comply with the request as soon as possible.

(10) The Chief Executive Officer may make procedural guidelines for reviews under this section.

102AAD Appeal to Local Court

(1) This section applies to a person (the ***aggrieved person***) who is aggrieved by:

(a) a decision under section 102 to refuse to grant, transfer or renew a licence, permit or registration other than a refusal under section 102(2AA); or

(b) a decision under section 102 to cancel, suspend or restrict the use of a licence to drive a commercial passenger vehicle; or

(c) a decision under section 102 to impose a condition on a licence granted or renewed under section 10; or

(d) a decision under section 102AAC confirming:

(i) the Registrar's decision to refuse to grant or renew a licence to drive a commercial passenger vehicle; or

(ii) the Registrar's decision to suspend a licence to drive a commercial passenger vehicle; or

(iii) the cancellation of a licence to drive a commercial passenger vehicle; or

(e) a decision under regulation 9A(1) of the *Motor Vehicles Regulations 1977* to refuse to grant or renew a licence to drive a commercial passenger vehicle.

(2) The aggrieved person may appeal to the Local Court against the decision.

(3) If a person is entitled to have a decision reviewed under section 102AAC, the person must first exhaust the remedy under that section before applying under subsection (1) in relation to the decision.

(4) Without limiting subsection (3), the person must first exhaust the remedy under section 102AAC before applying under subsection (1) if:

(a) the person may seek a review under section 102AAC of a decision arising from a particular provision in this Act (for example, a refusal to grant a licence to the person because of section 102(2AA)); and

(b) the person may also apply under subsection (1) in relation to the decision because it also arose from another provision in this Act (for example, if the refusal is also based on regulation 9A(a)(i) of the *Motor Vehicles Regulations 1977*.

(5) The application for the appeal must be made:

(a) within 28 days after:

(i) if subsection (3) does not apply – notice of the decision is given to the person; or

(ii) if subsection (3) applies – notice of the decision under section 102AAC is given to the person; or

(b) as otherwise decided by the Court if satisfied it is just and reasonable to do so in the circumstances.

(6) The appeal must be by way of hearing de novo.

(7) The Court must confirm the decision, or revoke it and substitute its own decision.

(8) At the hearing of the appeal, the Court may make an order about costs it considers appropriate.

102AA Applications made by certain offenders

(1) In this section:

approved course means the relevant course of education and training relating to the problems arising from driving a motor vehicle while affected by alcohol or a drug:

(a) approved by the Registrar in relation to the kind of offence in question; or

(b) accredited by a person or body approved by the Registrar.

approved treatment means an intervention course, the object of which is to promote responsible driver behaviour and raise awareness of the risks associated with driving while affected by alcohol or a drug:

(a) approved by the Registrar; or

(b) accredited by a person or body approved by the Registrar.

column means a column in the Table.

commercial passenger vehicle has the same meaning as in the *Commercial Passenger (Road) Transport Act 1991*.

heavy vehicle means a motor vehicle having a gross vehicle mass exceeding 15 tonnes.

item means an item in the Table.

order means:

(a) a conviction or finding of guilt; or

(b) a dismissal of a charge under section 10 of the *Sentencing Act 1995*; or

(c) a community correction order made under the *Sentencing Act 1995* without recording a conviction; or

(d) an order made under section 11 of the *Sentencing Act 1995* as in force before the commencement of Part 2 of the *Sentencing and Other Legislation Amendment Act 2022*.

Table means the Table to this section.

(2) In items 1 to 4 (inclusive) ***motor vehicle*** does not include a commercial passenger vehicle or a heavy vehicle.

(3) In item 5 ***motor vehicle*** means a commercial passenger vehicle or a heavy vehicle.

(4) This section is in addition to and not in derogation of the other provisions of this Act.

(5) Subject to subsections (6) and (7), the Registrar shall refuse to grant a licence or a licence of a class of licence on an application made by a person after an order has been made against that person in relation to an offence punishable under a provision of the *Traffic Act 1987* specified in column 1 and briefly described opposite in column 2 unless the Registrar is satisfied with respect to the matters specified opposite in column 3 in relation to the applicant.

(6) A person to whom item 4 or 5 applies who desires to obtain the approval of the Local Court for the purposes of making an application for a licence to drive a commercial passenger vehicle or a heavy vehicle shall not apply for that approval earlier than 3 months before the expiration of the period for which his or her licence is cancelled.

(7) For the purposes of considering an application made under subsection (6), the Court shall:

(a) consider the report (if any) made to the Court by the Registrar or the Commissioner of the Police Force with respect to any offence, an element of which includes being affected by alcohol or a drug, committed by the applicant during the period since the order was made cancelling or resulting in the cancellation of the person's licence; and

(b) consider such medical or other evidence as the Court considers relevant as to the applicant's fitness to hold a licence,

and may grant or refuse its approval of the application as it thinks fit.

TABLE

Item	Column 1 *Traffic Act 1987*	Column 2 Offence	Column 3 Requirements
1	section 22	A first offence of driving a motor vehicle with a medium range breath or blood alcohol content	
	section 29AAA	A first offence of driving a motor vehicle under the influence of alcohol or a drug	That the applicant has successfully completed an approved course
2	section 22	A second or subsequent offence of driving a motor vehicle with a medium range breath or blood alcohol content	
	section 29AAA	A second or subsequent offence of driving a motor vehicle under the influence of alcohol or a drug	That the applicant has successfully completed an approved course or undergone an approved treatment, or both, at the discretion of the Registrar
3	section 21	A first offence of driving a motor vehicle with a high range breath or blood alcohol content	That the applicant has successfully completed an approved course or undergone an approved treatment, or both, at the discretion of the Registrar

	section 29AAE	A first offence of failing or refusing to submit to a breath analysis in relation to the driving of a motor vehicle	
4	section 21	A second or subsequent offence of driving a motor vehicle with a high range breath or blood alcohol content committed within 3 years after being convicted of an offence referred to in item 3 or in this item	That the period for which the person was disqualified from obtaining a licence declared or imposed by the Court has elapsed since the making of the order and the approval of the Local Court to make an application for a licence has been obtained
	section 29AAE	A second or subsequent offence of failing or refusing to submit to a breath analysis in relation to the driving of a motor vehicle	
5	section 22	First or second or subsequent offence of driving a motor vehicle with a medium range breath or blood alcohol content	
	section 29AAA	First or second or subsequent offence of driving a motor vehicle while under the influence of alcohol or a drug	That the period for which the person was disqualified from obtaining a licence declared or imposed by the Court has elapsed since the making of the order and, if the application for a licence relates to a heavy vehicle, or commercial passenger vehicle, the approval of the Local Court to make the application has been obtained

section 29AAE	First or second or subsequent offence of failing or refusing to submit to a breath analysis in relation to the driving of a motor vehicle

102A Endorsement that registration is for restricted use only

(1) Subject to this section, the Registrar may endorse on the certificate of registration granted in respect of a motor vehicle a direction that the motor vehicle shall not be driven upon a public street except between such times as are specified in the endorsement.

(2) The Registrar shall not make such an endorsement unless he is satisfied that there are sufficient reasons related to the motor vehicle or its proposed use:

(a) for permitting the driving of the motor vehicle upon a public street between the times so specified; and

(b) for not permitting the driving of the motor vehicle upon a public street except between the times so specified.

103 Duration of registration of motor vehicle or trailer

(1) The registration of a motor vehicle or trailer remains in force for the period (the ***registration period***) mentioned in subsection (2) unless it is cancelled or suspended.

(2) The registration period for a motor vehicle or trailer is:

(a) for a motor vehicle or trailer of a class prescribed by regulation (a ***prescribed class***) – either:

(i) the maximum period prescribed by regulation (the ***prescribed period***) for that prescribed class; or

(ii) any shorter period decided by the Registrar under subsection (5); or

(b) for any other motor vehicle or trailer – either:

(i) 12 months; or

(ii) any shorter period decided by the Registrar under subsection (5).

(3) For the registration of a motor vehicle or trailer for the first time under this Act, the registration period for the motor vehicle or trailer commences on the day on which registration is granted.

(4) For the renewal of the registration of a motor vehicle or trailer, the renewed registration period for the motor vehicle or trailer commences on:

(a) if the renewal is granted on or before the date on which the previous registration period for the motor vehicle or trailer expires – the day immediately after the date on which the previous registration period expired; or

(b) if the renewal is granted after the date on which the previous registration period for the motor vehicle or trailer expires – the day on which the renewal of the registration is granted.

(5) On an application for the registration or renewal of the registration of a motor vehicle or trailer, the Registrar may register the motor vehicle or trailer for a period that is shorter than the period mentioned in subsection (2)(a)(i) or (b)(i) if:

(a) the applicant requests that the vehicle or trailer be registered for the shorter period by specifying the period in the application; or

(b) the Registrar considers it appropriate to register the motor vehicle or trailer for the shorter period.

(6) If the Registrar decides to register a motor vehicle or trailer for a shorter period under subsection (5), the amount of:

(a) the fee required to be paid under section 13 is to be calculated as a pro rata amount of the prescribed fee payable in respect of the period mentioned in subsection (2)(a)(i) or (b)(i); and

(b) the compensation contributions required to be paid under Part 5 is to be calculated as a pro rata amount of the compensation contributions payable in respect of the period mentioned in subsection (2)(a)(i) or (b)(i).

104 Duration of licences may be shorter

(1) An applicant for a licence or renewal of a licence under section 10 may request that the licence be granted or renewed for the prescribed period or a shorter period (being not less than 12 months).

(2) If the Registrar grants or renews a licence under section 10, the Registrar must endorse the licence to the effect that it is in force for:

(a) the prescribed period or a shorter period specified in the application; or

(b) a period the Registrar considers appropriate, having regard to:

(i) the applicant's age; and

(ii) any mental or physical condition, disorder or disability of the applicant; and

(iii) the applicant's driving record, including any previous offences relating to the use of a motor vehicle; and

(iv) any other matter which, in the opinion of the Registrar, may assist in determining the suitability of the applicant to drive a motor vehicle.

(3) A licence endorsed under subsection (2), unless cancelled or suspended, is in force for the period specified in the endorsement.

(4) This section does not apply to an AIL licence.

105 Endorsement of licence, permit or certificate

(1) If the Registrar endorses an existing licence, permit or certificate under this Act, the endorsement may be effected by:

(a) endorsing the existing licence, permit or certificate; or

(b) cancelling the licence, permit or certificate and issuing a replacement with the endorsement on it.

(2) An endorsement may be in the form of a notation prescribed by regulation.

106 Driver of Defence Force vehicle

The driver of a motor vehicle belonging to the Commonwealth and appropriated to the use of any part of the Defence Force shall, if he is a member of and is wearing a uniform of that part of the Defence Force, and if he is driving the motor vehicle in the performance of his duty and in pursuance of a permit issued to him by the authorities of that part of the Defence Force, be deemed to be licensed under this Act to drive the motor vehicle, and any reference in this Act to a licence shall, unless the contrary intention appears, include a reference to the permit.

Part 6B Vehicles to which Road Transport Charges Laws apply

107 Vehicles not to be driven in configuration attracting higher charge than that paid

(1) Where a person drives a vehicle to which the Road Transport Charges Laws apply, or to which, if the vehicle were required to be registered in the Territory, those Laws would apply, and:

(a) where no amendment of registration under section 107A or permit under section 107B was in force in relation to the vehicle at the time at which the vehicle was driven in contravention of this section – the amount paid for the registration of the vehicle under this Act, or a corresponding Act of a State or another Territory of the Commonwealth relating to the registration of motor vehicles (a ***corresponding Act***), was less than the amount that would have been payable under the Act under which the vehicle was registered if the configuration in which the vehicle was driven had been nominated in the application for registration under this Act or the corresponding Act;

(b) where the registration of the vehicle was amended under section 107A and the vehicle was being driven during the reconfiguration period in respect of the amendment – the amount paid for the amendment was less than the amount that would have been payable if the configuration in which the vehicle was driven had been nominated in the application for amendment; or

(c) where a permit was granted under section 107B in relation to the vehicle and the vehicle was being driven during the reconfiguration period in respect of the permit – the amount paid for the permit was less than the amount that would have been payable if the configuration in which the vehicle was driven had been nominated in the application for the permit,

the owner of the vehicle is guilty of an offence.

Maximum penalty: In the case of a natural person – 15 penalty units.

In the case of a body corporate – 85 penalty units.

(2) It is a defence to a prosecution for an offence against subsection (1) if:

(a) the owner proves that:

(i) accurate information as to the configuration in which the vehicle was subsequently driven, allegedly in contravention of subsection (1), was provided in the application for the registration of the vehicle; or

(ii) where the vehicle was being driven during a reconfiguration period in respect of:

(A) an amendment to the registration under section 107A; or

(B) a permit under section 107B in relation to the vehicle,

accurate information as to the configuration in which the vehicle was subsequently driven, allegedly in contravention of subsection (1), was provided in the application for the amendment or permit; or

(b) the owner satisfies the court that the vehicle was, at the time of the alleged offence:

(i) being driven; or

(ii) a vehicle of a particular configuration at the time of being driven,

without the owner's express or implied authority.

(3) In addition to any penalty that a court may impose under subsection (1), the Court shall order a person who is found guilty of an offence against that subsection to pay to the Registrar an amount equal to:

(a) where no amendment of registration under section 107A or permit under section 107B was in force in relation to the vehicle at the time the vehicle was driven in contravention of subsection (1) – the difference between:

(i) the amount paid for the registration of the vehicle:

(A) under this Act; or

(B) under the corresponding Act,

as the case may be, being, where the amount was paid in respect of a period of more than 12 months, the proportion of the amount that was paid for registration for 12 months; and

(ii) the amount that would have been payable at the time of registration of the vehicle under:

(A) where the vehicle was at the time of the offence registered under this Act – this Act; or

(B) where the vehicle was at the time of the offence registered under a corresponding Act – that Act,

being, where the registration was paid in respect of a period of more than 12 months, the amount payable for registration for 12 months, if the configuration in which the vehicle was driven had been nominated in the application for registration; or

(b) where an amendment of registration under section 107A or permit under section 107B was in force at the time the vehicle was driven in contravention of subsection (1) – the difference between:

(i) the amount paid for the amendment or permit; and

(ii) the amount that would have been payable, at the time of the amendment or the issue of the permit, for the amendment or permit if the configuration in which the vehicle was driven had been nominated in the application for an amendment or for a permit.

(4) For the purposes of subsection (3), where a person paid an amount for registration, for an amendment of registration under section 107A or permit under section 107B, calculated by taking into account a reduction or concession under this Act, or the corresponding Act under which the vehicle was registered at the time of the offence, the amount paid and the amount payable shall be deemed to be the amount that would have been paid or payable, respectively, if the reduction or concession were not taken into account.

107A Change in configuration of heavy vehicle registered in Territory

(1) Where:

(a) a vehicle of a kind to which the Road Transport Charges Laws apply has been registered;

(b) the owner, or a person authorised by the owner, intends to alter the configuration of the vehicle from that in which it is registered;

(c) if the vehicle had been, at the time at which the vehicle was registered, registered in the altered configuration, a charge would have been payable under this Act greater than the amount already paid for its registration (including an amount paid in respect of the vehicle in accordance with this section); and

(d) it is intended to alter the configuration of the vehicle for a period of more than 3 months or for the balance of the registration of the vehicle,

the owner of the vehicle, or a person authorised by the owner, may apply under this section to the Registrar for an amendment to the registration of the vehicle.

(2) Where:

(a) an application is made to the Registrar in an approved form providing such particulars as the Registrar requires; and

(b) the relevant fee, determined in accordance with subsection (3) and the prescribed fee, if any, have been paid,

the Registrar may amend the registration of the vehicle to permit the vehicle to be driven in the altered configuration during the reconfiguration period, being the balance of the registration of the vehicle or a period, not less than 3 months, specified by the Registrar on the altered certificate of registration or replacement certificate, as the case may be.

(3) For the purposes of subsection (2), the relevant fee in relation to a vehicle is, for each week, or part of a week, commencing on the first day of the reconfiguration period, 1/52 of the difference between:

(a) the amount that, at the time of the amendment, would be payable for 12 months registration of the vehicle in the configuration in which it has been registered; and

(b) the amount that, at the time of the amendment, would be payable for 12 months registration of the vehicle in the altered configuration.

(4) Where the Registrar amends the registration of a vehicle under subsection (2), the Registrar shall alter accordingly the certificate of registration provided to the owner of the vehicle, or issue a replacement certificate, altered accordingly, in its stead.

107B Temporary permit where configuration of Territory or interstate heavy vehicle altered

(1) Where:

(a) a vehicle of a kind to which the Road Transport Charges Laws apply or to which, if the vehicle were required to be registered in the Territory, those Laws would apply, has been registered under this Act or a corresponding Act of a State or another Territory of the Commonwealth relating to the registration of motor vehicles (a ***corresponding Act***);

(b) the owner, or a person authorised by the owner, intends to alter the configuration of the vehicle from that in which it is registered under this Act or the corresponding Act;

(c) if the vehicle had been, at the time at which the vehicle was registered under this Act or the corresponding Act, registered in the altered configuration, a charge would have been payable under the Act under which the vehicle was registered greater than the amount already paid for its registration (including an amount paid in accordance with this section in respect of the vehicle) under that Act; and

(d) in the case of a vehicle:

(i) registered under this Act – it is intended to alter the configuration of the vehicle for a period of 3 months or less or other than for the balance of the registration of the vehicle; or

(ii) registered under a corresponding Act – it is intended to alter the configuration of the vehicle for a period of 3 months or less,

the owner of the vehicle, or a person authorised by the owner, may apply under this section to the Registrar for a temporary permit in relation to the vehicle.

(2) Where:

(a) an application is made to the Registrar in an approved form providing such particulars as the Registrar requires; and

(b) the relevant fee, determined in accordance with subsection (3), and the prescribed fee, if any, have been paid,

the Registrar may issue a temporary permit in relation to the vehicle, permitting the vehicle to be driven, in the altered configuration specified in the permit, during the reconfiguration period, being a period less than 3 months, specified by the Registrar on the permit.

(3) For the purposes of subsection (2), the relevant fee in relation to a vehicle is, for each week, or part of a week, commencing on the first day of the reconfiguration period, 1/52 of the difference between:

(a) the amount that, at the time of the issue of the permit, is payable under this Act for 12 months registration of the vehicle in the configuration in which it has been registered under this Act or the corresponding Act; and

(b) the amount that, at the time of the issue of the permit, is payable under this Act for 12 months registration of the vehicle in the altered configuration,

taking into account any applicable reduction or concession under this Act.

Part 7 Offences

108 Driving motor vehicle different from description in certificate or permit

A person shall not drive a motor vehicle upon a public street which differs in any material particular from the description appearing in the certificate of registration of the motor vehicle, unless:

(a) a permit has been issued under section 107B in relation to the vehicle;

(b) the vehicle is driven during the reconfiguration period in respect of the permit; and

(c) the vehicle does not differ in any material particular from the description appearing in the permit, except where the vehicle is in a configuration in respect of which a lesser charge would have been payable under this Act for the issue of the permit than was paid for the permit.

109 Owner to require driver to produce licence

The owner of a motor vehicle shall, before permitting any person to drive that vehicle, require the licence of that person to drive a motor vehicle of the class to which that vehicle belongs to be produced to him or satisfy himself that that person is so licensed.

111 Certain numbers or plates not to be on vehicle

(1) Subject to subsections (2) and (3), the owner of a vehicle must not cause or permit to be on the vehicle:

(a) any number, other than the vehicle's registered number or vehicle identification number, that is likely to be taken to be the registered number of the motor vehicle; or

(b) any number plate, other than a number plate issued or approved by the Registrar for the purposes of this Act, that is likely to be taken to be the number plate of the vehicle.

(2) A visiting vehicle may have affixed to it:

(a) the number plate or plates allotted or authorised for it under the law of the State, Territory or country in which it is registered; or

(b) the distinguishing mark required to be carried under any convention relating to motor traffic to which the Commonwealth is a party.

(3) On the occasions and under the circumstances that are prescribed, or as the Minister directs, a number, other than the registered number, may be on a vehicle in such a position as not to obscure or be taken to be the registered number or vehicle identification number of the vehicle.

112 Number plates not to be covered

The owner of a motor vehicle must not use, or cause or permit to be used, the motor vehicle if:

(a) the number plate allotted or authorised for the vehicle is not securely affixed to the vehicle; or

(b) the number on the number plate is:

(i) not clearly legible; or

(ii) obscured by an article or thing affixed to or carried on the vehicle (other than a trailer that is attached to and being pulled by the vehicle).

113 Requirement to produce licence or give information

(1) The driver of a motor vehicle must produce his or her licence to the Registrar, an inspector or police officer for inspection immediately after the Registrar, inspector or officer requests him or her to do so.

Maximum penalty: 20 penalty units.

(2) The driver of a motor vehicle must state his or her name and address to the Registrar, an inspector or police officer immediately after the Registrar, inspector or officer requests him or her to do so.

Maximum penalty: 20 penalty units.

(3) It is a defence to a prosecution for an offence against subsection (1) or (2) if the defendant has a reasonable excuse.

114 Commercial passenger vehicle licensee to notify Registrar about charge for disqualifying offence

(1) A licensee under a licence to drive a commercial passenger vehicle must immediately give written notice to the Registrar if the licensee is charged with a disqualifying offence.

Maximum penalty: 100 penalty units.

(2) Immediately after a court has dealt with the charge, the licensee must give written notice to the Registrar of the outcome of the charge.

Maximum penalty: 100 penalty units.

115 Obtaining permit, licence, &c., by misrepresentation

(1) A person shall not:

(a) by any false statement or misrepresentation obtain or attempt to obtain a permit, licence, certificate, pass or label under this Act;

(b) without lawful excuse, have in his or her possession a permit, licence, certificate, pass, label or number plate granted or issued under this Act, or any article resembling, or purporting to be, a permit, licence, certificate, pass, label or number plate and calculated to deceive;

(c) forge or fraudulently alter or use, or fraudulently lend or allow to be used by any person, any permit, licence, certificate, pass, label or number plate, or mark for identifying a motor vehicle, granted or issued under this Act; or

(d) own or drive upon a public street any unregistered motor vehicle having upon it any numbers or number plate of a description prescribed to be affixed to registered motor vehicles, and calculated to deceive.

(2) If an inspector or officer:

(a) inspects a permit, licence, certificate, pass, label, number plate or a thing resembling a permit, licence, certificate, pass, label or number plate; and

(b) reasonably believes that it was obtained or is being used or is intended to be used in contravention of subsection (1),

he or she may seize the permit, licence, certificate, pass, label, number plate or thing.

(3) Subsection (2) does not authorise an inspector or officer to seize any mobile phone or other electronic device on which a digital licence document, or a document purporting to be a digital licence document, is displayed or stored.

(4) If an inspector or officer inspects a digital licence document, or a document purporting to be a digital licence document, and holds the reasonable belief mentioned in subsection (2)(b), the inspector or officer may direct the person to do one or both of the following:

(a) remove the document from the mobile phone or other electronic device on which the document was inspected;

(b) remove the document from any other mobile phone or other electronic device on which the document is capable of being displayed, within the period specified by the inspector or officer.

(5) A person commits an offence if the person fails to comply with a direction given under subsection (4).

Maximum penalty: 20 penalty units or imprisonment for 12 months.

(6) It is a defence to a prosecution for an offence against subsection (5) if the defendant has a reasonable excuse.

116 Production of licence in Court

Any licensed driver charged with an offence against this Act shall produce his licence to drive a motor vehicle to the Court at the time of hearing, and, if without reasonable cause he fails to do so, he shall be guilty of an offence.

117 Penalties for offences

(1) A person who commits an offence against, contravenes or fails to comply with any provision of this Act, may be prosecuted before any court of competent jurisdiction, and that court may, where no other penalty is expressly provided, impose in respect of any such offence, contravention, or failure, a maximum penalty of, in the case of a natural person, 15 penalty units or imprisonment for 6 months or, in the case of a body corporate, 85 penalty units, and may:

(a) if the person found guilty holds a licence under this Act, cancel the licence and, in addition, may direct that no licence shall be granted to that person during such time as the court thinks fit; or

(b) if the person found guilty is not the holder of a licence under this Act, direct that no licence shall be granted to that person during such time as the Court thinks fit.

(8) A licence cancelled pursuant to this section shall be of no effect.

(9) The court shall cause particulars of all findings of guilt and orders to be forwarded to the Registrar.

(10) For the purposes of this section, ***licence*** means a licence to drive a motor vehicle of any class whatsoever.

117A Regulatory offences

An offence against, or a contravention or failure to comply with, section 14(5), 16, 17, 18, 19, 20, 23, 24, 25, 25A, 35, 36, 37, 38, 40, 42, 43, 52, 53, 54, 55, 58, 65, 67, 95, 96, 97, 98, 100, 101(4), 102A, 107, 108, 108A, 109, 111, 112, 113, 115, 116, 126, 127, 128 or 128A is a regulatory offence.

Part 8 Miscellaneous

118 Record of registration and licences to be kept

(1) Particulars of:

(a) the registration of motor vehicles;

(b) the grant of certificates, licences and permits; and

(c) notices of disposal received by the Registrar under section 20,

are to be recorded at the office of the Registrar.

(2) An extract from or copy of, any entry contained in the record, certified by the Registrar, shall, in all courts and upon all occasions, be received as evidence and deemed sufficient proof of all particulars contained in that entry without requiring the production of the books, licence, permit requisition, notice or other document upon which the entry was founded.

119 Judicial notice of Registrar's, Deputy Registrar's and certain officers' signatures

All courts shall take judicial notice:

(a) of the official signature of a person who holds or has held the office of Registrar or Deputy Registrar;

(b) of the official signature of an officer having duties in connection with the registration of vehicles or the licensing of persons to drive vehicles in a State or another Territory of the Commonwealth;

(ba) of, in relation to a vehicle of a kind to which the Road Transport Charges Laws apply, a certificate in writing under the hand of the Registrar, the Deputy Registrar or an officer referred to in paragraph (b), that:

(i) a copy, attached to the certificate, of an application for registration of, for an amendment to the registration of, or for a permit under section 107B in relation to, a vehicle under the Act was a true copy of such an application made by or on behalf of the person specified in the certificate; or

(ii) on the day specified in the certificate, the vehicle specified was registered as being of a specified configuration, or that it was in fact of a specified configuration;

(c) of a certificate in writing under the hand of the Registrar, the Deputy Registrar, or an officer referred to in paragraph (b), that, on any day or during any period:

(i) a person was not licensed or has failed to do something which under this Act a person may be licensed or required to do;

(ia) a person was disqualified from holding a licence or a person's licence to drive a motor vehicle was cancelled, revoked or suspended;

(ib) a permit was or was not issued in relation to a vehicle, and, where it was so issued, the configuration specified in the permit and the name of the person in whose name the permit was issued;

(ic) a permit was, on a specified date, cancelled or suspended for a specified period;

(ii) a motor vehicle was not registered or licensed in a manner in which a motor vehicle may be registered or licensed under this Act; or

(iii) a motor vehicle was registered or licensed and the name of the person in whose name the vehicle was registered or licensed,

and such certificate shall be prima facie evidence of the matter contained in the certificate; and

(d) of a certificate in writing under the hand of the Registrar or a Deputy Registrar that:

(i) a document annexed to the certificate is a copy of an Australian Design Rule known by the name specified in the certificate;

(ii) a document annexed to the certificate is a copy of a document referred to in an Australian Design Rule; and

(iii) an Australian Design Rule was in force on a day or during a period specified in the certificate in respect of a motor vehicle specified in the certificate,

and such certificate shall be prima facie evidence of the matter contained in the certificate.

119A Defendant deemed to be person named in certificate

Where, in respect of a prosecution for an offence against this Act, the Regulations or any other Act or instrument of a legislative or administrative character in force in the Territory, a certificate is, in accordance with this Act, prima facie evidence of a matter stated in the certificate, it shall be presumed without the need for further proof, unless the contrary is proved, that the person named in the certificate and the person charged with the offence is the same person.

120 Laying of information

(1) Any information or complaint for an offence against or a contravention of any provision of this Act may be laid or made by any person.

(2) If any such information or complaint is laid or made by any person other than the Registrar or an officer therefor authorized by the Minister or a member of the Police Force, and the proceedings are dismissed or withdrawn, the court may, if it thinks fit, order that person to pay to the defendant, in addition to any costs, such compensation as it thinks reasonable.

121 Protection from liability

(1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as any of the following:

(a) the Registrar;

(b) a Deputy Registrar;

(d) an inspector or officer who is a public sector employee.

(2) Subsection (1) does not affect any liability the Territory would, apart from that subsection, have for the act or omission.

(3) In this section:

exercise of a power includes the purported exercise of the power.

performance of a function includes the purported performance of the function.

122 Evidence of registration

In any proceedings under this Act, proof that a motor vehicle has not upon it a number plate as prescribed, shall be prima facie evidence that the vehicle is not registered.

123 Evidence of ownership and operation of motor vehicle

(1) A certificate of registration in respect of a motor vehicle is, in all proceedings, prima facie evidence that:

(a) the person specified in the certificate as the registered owner is the owner of the motor vehicle; or

(b) the person specified in the certificate as the operator is the operator of the motor vehicle.

(2) For the purposes of subsection (1), the operator of a motor vehicle is not to be taken as the owner of the motor vehicle unless the operator is also specified in the certificate as the owner.

123A Registrar may approve credit arrangement

Notwithstanding any other provision of this Act, a reference in this Act to an action that may only be performed, or an instrument that may only be issued, on the payment of a fee or charge, may be taken or issued where arrangements, approved by the Registrar, have been made for the payment of the fee or charge.

124 Recovery of fees unpaid

(1) The Registrar may recover in the Local Court from the person liable any fee or other amount payable under this Act.

(2) In any proceeding under this section for the recovery of any fee or portion of a fee or any other amount, the onus of proof that the fee or portion of a fee or amount has been paid shall be upon the defendant.

125 Duties of Police, inspectors and officers

Each member of the Police Force, each inspector and each officer thereto authorized by the Minister shall do all things in his power to ensure that this Act is duly observed.

126 Power to demand name and address and to arrest without warrant

(1) A person shall not, when required by a member of the Police Force, or by an inspector, in the execution of his duty under this Act, to state his name or place of abode, refuse to do so, or when so required state a false name or place of abode.

(2) Any member of the Police Force may arrest without warrant any person committing or reasonably suspected of committing an offence against the provisions of this section, and may keep him in custody until he can be admitted to bail or taken before a court to be tried for an offence committed by him or of which he is suspected.

127 Production of motor vehicles

(1) Notwithstanding any other provision of this Act, the Registrar may, by notice in writing, require the owner or any person having the custody of a motor vehicle to produce the vehicle to an inspector, at the time and place stated in the notice, for examination or inspection.

(2) The owner or any such person shall not refuse or fail, without reasonable cause, to comply with any such notice.

128 Inspection of motor vehicles

The owner or any person having custody of a motor vehicle shall, upon request by an inspector or an officer authorized in that behalf by the Registrar or upon request by any member of the Police Force, permit the inspector, officer or member to examine or inspect the vehicle for any purpose of this Act.

128A Defective motor vehicles

(2) A member of the Police Force or an inspector may, if he considers that a motor vehicle that is standing or being driven or moved on a public street is defective:

(a) examine or inspect the motor vehicle; or

(b) direct the owner or any person having custody of the motor vehicle to produce the vehicle, at a specified time and place, for examination or inspection.

(3) The owner or any person having custody of a motor vehicle shall not:

(a) prevent or hinder the examination of the motor vehicle by a member of the Police Force or an inspector; or

(b) refuse or fail to comply with a direction given under subsection (2)(b).

(4) A member of the Police Force or an inspector who examines or inspects or causes to be examined or inspected a motor vehicle may, for the purpose of such examination or inspection, drive, move or test the motor vehicle or cause it to be driven, moved or tested.

(5) A member of the Police Force or an inspector who examines or inspects a motor vehicle or any person who is authorized by a member of the Police Force or an inspector to examine or inspect a motor vehicle shall not be liable for any damage to that vehicle caused by or arising from his reasonable actions in examining or

inspecting that vehicle.

(6) Where, upon examination or inspection, a motor vehicle is found to be defective, a member of the Police Force or an inspector may issue to the owner or any person having custody of the motor vehicle a notice (in this Act called a ***defect notice***) in accordance with an approved form:

(a) specifying the defects in the vehicle; and

(b) directing that the vehicle shall not, except as provided in the defect notice, be driven or moved on a public street after the issue of the defect notice until the vehicle has been produced at a place specified in the defect notice for examination or inspection by a member of the Police Force or an inspector and is found to be no longer defective.

(7) At the time that a member of the Police Force or an inspector issues a defect notice to a person, he or she must affix a label (a ***defect label***), in an approved form, on a conspicuous place on the vehicle that would not obstruct the view of a driver if the vehicle were to be driven.

(8) A defect notice:

(a) may provide that the motor vehicle to which it relates may be driven or moved as directed in the defect notice on public streets to a convenient place for the purpose of carrying out work on that vehicle to render it no longer defective; and

(b) shall provide that after such work to render the vehicle no longer defective has been completed, the vehicle may be driven or moved on public streets by the shortest practicable route to the place specified in the defect notice for examination or inspection of that vehicle.

(9) Where a motor vehicle has been produced in accordance with a direction in a defect notice for examination or inspection and it is found that, while the reasons stated in the defect notice for the vehicle being defective have been remedied, there are other reasons why the vehicle is defective, a further defect notice may be issued stating those other reasons.

(10) A person shall not, where a defect notice has been issued in respect of a motor vehicle, drive that vehicle or cause or permit that vehicle to be driven or moved on a public street contrary to the terms of the defect notice.

(11) Where a motor vehicle has been produced in accordance with a direction in a defect notice for examination or inspection and the member of the Police Force or the inspector who carries out that examination or inspection or causes that examination or inspection to be carried out is satisfied that the vehicle is no longer defective, he shall remove or shall authorize the removal of the defect label from the vehicle.

(12) A person, not being a member of the Police Force or an inspector, shall not remove, alter or deface a defect label on a motor vehicle unless he has been authorized to do so.

(13) Where, within the period of 28 days after a defect notice has been issued in respect of a motor vehicle or such further period as the Registrar may allow, the owner or any person having custody of that vehicle has not:

(a) produced it for examination or inspection; or

(b) applied to the Registrar for the registration of that vehicle to be cancelled,

the Registrar may, by notice in writing, require the owner or any such person to show cause, within 14 days after the date of the notice, why the registration of that vehicle should not be cancelled.

(14) The Registrar may cancel the registration of a motor vehicle where a person fails to show reasonable cause under subsection (13) why the registration of the vehicle should not be cancelled.

(15) Notwithstanding any other provision of this Act, where the Registrar cancels the registration of a motor vehicle in pursuance of subsection (14), the person in whose name the vehicle is registered shall not be entitled to a refund of any fee or portion of a fee paid for that registration.

(16) A motor vehicle produced in accordance with a direction in a defect notice for examination or inspection shall not be examined or inspected until the prescribed fee has been paid to the Registrar or an approved person.

(17) For this section, a motor vehicle is ***defective*** if:

(a) it does not comply with the requirements of Schedule 4 and the Standards; or

(b) due to its condition, design or construction, the motor vehicle cannot reasonably be relied on to operate without being a source of danger or annoyance to a person or a source of damage to public streets.

129 Service of notice

Any notice under this Act may be served upon any person, personally or by post addressed to the last address specified in or endorsed upon any licence or certificate granted to that person in pursuance of this Act.

130 Offence due to accident

Subject to section 117A, a person shall not be liable to be found guilty of an offence against or a contravention of a provision of this Act if he proves, to the satisfaction of the court hearing the case, that the offence or contravention could not have been avoided by any reasonable efforts on his part.

132 Remission or refund of fees

(1) The Minister may remit any fee or portion of any fee payable under this Act, or refund to any person any fee under this Act paid by that person or any portion of that fee.

(2) Subject to subsection (3) the Registrar may refund to any person:

(a) any excess payment made in respect of any matter under this Act by that person;

(b) any fee or other amount paid by that person in respect of the registration or licensing of, or the issue of a permit in relation to, a motor vehicle which was, in the opinion of the Registrar registered or licensed in error or where the permit was issued in error;

(c) any fee or other amount paid by that person with respect to the grant of a licence or permit or the registration of a motor vehicle where the licence or permit or the registration is refused;

(d) being the person in whose name a motor vehicle is registered, or a person who the Registrar is satisfied is the new owner of the motor vehicle – where compensation contributions have been made in the Territory, one month's compensation contributions for each complete calendar month in the unexpired period of such registration or licensing and:

(i) in the case of a vehicle to which the Road Transport Charges Laws apply:

(A) where the refund relates to money paid for the registration of the vehicle (other than for an amendment of the registration under

section 107A) – a proportionate amount for each day in the unexpired period of such registration of the moneys paid for the registration of the vehicle, equivalent to 1/365 of the annual registration fee that was, on the date on which the vehicle was registered, paid or which would have been payable on the date on which the vehicle was registered if the vehicle had been registered for 12 months;

(B) where the refund relates to money paid for the amendment of the registration of the vehicle under section 107A – an amount, for each day in the unexpired part of the reconfiguration period, calculated by dividing the money paid for the amendment by the number of days in the reconfiguration period;

(C) where the refund relates to money paid for the issue of a permit under section 107B – an amount for each day in the unexpired part of the reconfiguration period, calculated by dividing the money paid for the permit by the number of days in the reconfiguration period, but no such refund is payable in respect of any day within the first 7 days of the reconfiguration period; and/or

(D) where the refund relates to money paid for the issue of an exemption under section 59 – 1/12 of the fee payable for 12 months exemption for each complete calendar month in the unexpired period of the exemption;

(ii) in any other case – 1/12 of the annual licence fee or the annual registration fee for each complete calendar month in the unexpired period of such licensing or registration,

(less a deduction of a fee prescribed for the purposes of this subsection) in any of the following circumstances:

(iii) where the motor vehicle is destroyed by accident;

(iv) where, on the application of that person, the registration, amendment to registration, permit, exemption under section 59 or licence is cancelled; or

(v) where the motor vehicle is re-registered on account of an alteration in its construction, equipment or use.

(3) A refund under subsection (2)(b) or (d) shall not be made unless and until:

(a) the certificate of registration or such other evidence of the payment of the registration fee as is, in the opinion of the Registrar, sufficient, together with the 2 number plates issued in connection with the registration of the motor vehicle; or

(b) the licence or permit,

as the case may be, is produced to the Registrar:

Provided that, where the number plates are lost or destroyed, the refund may, upon payment of the prescribed fee, be made, unless the Registrar has reason to believe that improper use has been made or is being made of the plates.

(3A) A refund under subsection 2(b) or 2(d) in relation to the registration of a vehicle (other than an amendment of the registration of a vehicle under section 107A where the vehicle in relation to which the refund is sought is to be re-registered) shall be calculated from the day on which the number plates are produced to:

(a) the Registrar;

(b) a member of the Police Force; or

(c) a person holding, or acting on behalf of, a corresponding office in a State or another Territory of the Commonwealth,

or, where the number plates are lost or destroyed and the Registrar does not believe that improper use has or is being made of the plates, from the date on which the certificate of registration or such other evidence of the payment of the registration fee as is, in the opinion of the Registrar, sufficient, is produced.

(4) For the purposes of this section, any reference to a licence or to the registration of a motor vehicle shall be deemed to include a reference to any renewal of the licence or registration.

(5) For the purposes of this section, a reference to a licence or to the registration of a motor vehicle shall be deemed to include a reference to a pastoral vehicle permit and for the purposes of subsection (3), a reference in that subsection to number plates shall be deemed to include a reference to an identification plate issued under section 137B.

135 Exemption of motor vehicles

(1) The Registrar may, by *Gazette* notice, grant an exemption from the application of any provision of this Act or the Regulations for a specified class of motor vehicle and persons in relation to the use of that specified class.

(2) The Registrar may grant an exemption under subsection (1) subject to conditions that the Registrar considers appropriate.

(3) Without limiting subsection (2), an exemption may be subject to conditions that:

(a) provide for the exemption to remain in force for a specified period only; and

(b) limit or restrict the persons, or the class of persons, who may use a motor vehicle within the specified class under the exemption; and

(c) regulate the use of motor vehicles within the specified class under the exemption.

(4) In determining whether to grant an exemption for a class of motor vehicle under subsection (1), the Registrar must have regard to the following matters:

(a) the speed capacity of motor vehicles within the class;

(b) the frequency with which motor vehicles within the class may be used on public streets and in public places;

(c) any other special considerations or characteristics of the motor vehicles within the class that the Registrar considers appropriate in the circumstances.

(5) The notice mentioned in subsection (1) must:

(a) specify the class of motor vehicle for which the exemption is granted; and

(b) specify the provision or provisions of this Act from which the class of motor vehicle is exempt; and

(c) set out any conditions imposed on the exemption.

(6) A motor vehicle within the class specified in an exemption granted under subsection (1), and any person who uses the motor vehicle, is only exempt from the application of the specified provision of this Act or the Regulations if the motor vehicle and the person comply

with the conditions imposed, if any, on the exemption.

(7) In this section:

use, of a motor vehicle, includes drive or operate.

137 Temporary licences

Notwithstanding anything contained in this Act but without prejudice to any other powers conferred on him by this Act, the Registrar may, upon payment of the prescribed fee and a compensation contribution as specified in a notice made in pursuance of section 47, grant to any person who is desirous of obtaining permission:

(a) to drive an unregistered vehicle on a public street; or

(b) to operate, upon the public streets, a registered motor vehicle for any purpose in relation to which a greater compensation contribution would be required under section 47 than that paid as compensation contribution at the time the vehicle was registered,

a licence permitting the vehicle to be so driven or operated for any period not exceeding 7 days on a route specified in the licence.

137B Pastoral vehicle permit

(1) Notwithstanding anything contained in this Act but without prejudice to any other powers conferred on him by this Act, the Registrar may, upon payment to him of the prescribed fee and a compensation contribution specified in a notice made in pursuance of section 47, grant or renew a pastoral vehicle permit in respect of a motor vehicle.

(2) A pastoral vehicle permit shall remain in force for 12 months and shall specify the motor vehicle in respect of which it relates.

(3) The Registrar may, upon payment to him of the prescribed fee, transfer to another vehicle a pastoral vehicle permit granted or renewed in respect of a vehicle.

(4) Where the Registrar transfers a pastoral vehicle permit under subsection (3), he shall amend the permit to specify the motor vehicle to which the transferred permit relates.

(5) A pastoral vehicle permit transferred under subsection (3) remains in force for the remainder of the period for which the permit was granted or renewed, as the case may be, but may be renewed in accordance with this section.

(6) The Registrar shall not grant or renew a pastoral vehicle permit under subsection (1), or transfer a pastoral vehicle permit under subsection (3), unless he is satisfied that the motor vehicle to which it relates complies with the approved standards.

(7) A pastoral vehicle permit may be granted or renewed subject to such conditions as the Registrar thinks fit and endorses on the permit.

(8) The Registrar shall, where he grants a pastoral vehicle permit, issue to the owner of the motor vehicle to which it relates an identification plate of an approved form, and the owner shall affix the plate or cause it to be affixed to the rear of that motor vehicle.

(9) The owner of a motor vehicle to which a pastoral vehicle permit relates who:

(a) fails to affix or fails to cause to be affixed the identification plate to the vehicle as required by subsection (8); or

(b) drives or permits the vehicle to be driven on a public street without the identification plate issued under subsection (8) affixed to the vehicle,

is guilty of a regulatory offence.

(10) A person who affixes, or causes to be affixed an identification plate issued under subsection (8) to a motor vehicle other than the motor vehicle to which the identification plate in accordance with that subsection is to be affixed, is guilty of a regulatory offence.

(11) Notwithstanding anything contained in this Act, a motor vehicle in respect of which a pastoral vehicle permit is in force may be driven on:

(a) a public street on the property specified in the permit, or on a public street outside that property while travelling to or from another part of the property for the purpose of being used in or after being used in an activity related to the operation or management of the property; and

(b) where endorsed on the permit as a permitted use, any public street outside the property specified in the permit, when it is being driven:

(i) to a place at which the vehicle is to be used in or the occupants of it are to take part in;

(ii) at a place at which the vehicle is used in or the occupants of it are taking part in; or

(iii) to the property specified in the permit from a place at which the vehicle was used in or the occupants took part in,

a fire management operation or an operation relating to the control of a bushfire at that place.

(12) A person who drives a motor vehicle in respect of which a pastoral vehicle permit is in force or who permits it to be driven:

(a) other than on a public street on which, in pursuance of subsection (11), the vehicle is permitted to be driven; or

(b) other than in accordance with the conditions, if any, of the permit,

is guilty of a regulatory offence.

(13) In a prosecution for an offence against subsection 12(a) the onus shall be on the defendant to prove that the vehicle in which the alleged offence was committed was at that time being driven on a public street on which it was permitted to be driven in pursuance of subsection (11).

137C Acquisition on just terms

If, but for this section, property is acquired under this Act other than on just terms:

(a) the person from whom the property is acquired is entitled to receive the compensation necessary to ensure the acquisition is on just terms; and

(b) a court of competent jurisdiction may determine the amount of compensation or make the orders it considers necessary to ensure the acquisition is on just terms.

137D Discovery for purpose of recovery of debts under car parking contracts

(1) Any entitlement that a person (the ***applicant***) might otherwise have to a preliminary discovery order against the Registrar in relation to the recovery by the applicant of a car parking debt is abrogated by this section.

(2) A ***preliminary discovery order in relation to the recovery of a car parking debt*** means an order of a court or tribunal sought to assist the applicant to obtain information about a person for the purpose of enabling the applicant to commence civil proceedings against the person for the recovery of a car parking debt alleged to

be owed by the person to the applicant under a contract.

(3) In this section:

contract includes an arrangement or understanding, but does not include a contract that is in writing and signed or executed by the parties to it.

car parking debt means an amount payable by a person under a contract in relation to the use by the person of a car park (whether as a fee to use the car park, an amount payable for breaching the contract or otherwise).

137E Information sharing

(1) The Registrar may share the following information with any registered person who is assisting the Registrar to assess an applicant's capacity or fitness to hold a licence in accordance with section 11:

(a) medical information received from a licensed driver or an applicant for a licence;

(b) any driving history of a licensed driver or an applicant for a licence.

(2) A person who receives information shared by the Registrar under subsection (1) must not intentionally disclose that information to any other person, unless:

(a) the Registrar requires or authorises the disclosure; or

(b) the licensed driver or applicant authorises the disclosure; or

(c) the disclosure is authorised or required by law; or

(d) the information is public knowledge.

Maximum penalty: 200 penalty units or imprisonment for 2 years.

(3) The Minister may, by *Gazette* notice, authorise the Registrar to share information, of a type or class specified in the notice and held by the Registrar, with the person, body or entity specified in the notice.

(4) Despite anything to the contrary in the *Information Act 2002*, the Registrar may be authorised to share information under subsection (3) that would be considered personal and confidential information under that Act.

(5) The Registrar may share or give prescribed information to a prescribed person or class of persons in accordance with the regulations.

137F Use of computer programs

(1) The Registrar may arrange for the use, under the Registrar's control, of computer programs for any purposes for which the Registrar may, or must, under a relevant Act:

(a) make a decision; or

(b) exercise a power or perform a function; or

(c) do anything related to making a decision, exercising a power or performing a function.

(2) The Registrar is taken to have made any decision, exercised any power, performed any function or done any other thing that was made, exercised, performed or done by the operation of a computer program used under subsection (1).

(3) The Registrar may substitute a decision for a decision the Registrar is taken to have made under subsection (2) if:

(a) the Registrar is satisfied that the decision made by the operation of the computer program is incorrect; or

(b) that the Registrar would not have made that decision.

(4) In this section:

relevant Act means any of the following:

(a) this Act, other than this section;

(b) the *Traffic Act 1987*;

(c) any other law prescribed by regulation.

138 Regulations

(1) The Administrator may make regulations, not inconsistent with this Act, prescribing all matters which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and in particular prescribing matters providing for and in relation to:

(a) the demerit points scheme set out in Part 3;

(g) the form, construction and equipment of commercial passenger vehicles (within the meaning of the *Commercial Passenger (Road) Transport Act 1991*);

(o) the medical condition and physical and character fitness of an applicant for a driver's licence for a commercial passenger vehicle (within the meaning of the *Commercial Passenger (Road) Transport Act 1991*);

(p) the qualifications of drivers of motor vehicles and riders of motor cycles;

(s) the width and type of tyres of vehicles;

(t) the provision of labels relating to the registration of motor vehicles and trailers and to the issue of traders' plates and the affixing and maintaining of those labels on motor vehicles and trailers;

(u) the grant of international certificates for vehicles or international driving permits in accordance with any convention to which the Commonwealth is a party;

(v) visiting vehicles;

(w) the exemption, subject to such conditions (if any) as are specified, from the operation of all or any of the provisions of this Act of:

(i) vehicles or specified classes of vehicles which are owned by persons ordinarily resident outside the Territory and which are temporarily in the Territory;

(ii) vehicles of any other specified class;

(iii) persons in respect of a specified class or specified classes of vehicles (including vehicles or specified classes of vehicles which are owned by persons ordinarily resident outside the Territory and which are temporarily in the Territory);

(iv) specified areas in the Territory;

(y) the circumstances under which and the conditions (which may include the payment of a prescribed fee) subject to which the records kept and documents filed in the Motor Registry for the purposes of this Act may be inspected or the information contained in such records or documents may be made available, or certificates of the Registrar or a prescribed officer may be given;

(ac) permitting persons in the employment of the Crown to drive any motor vehicle belonging to the Crown and providing that such persons shall be deemed to be licensed for the purposes of this Act;

(ad) the registration and proof of ownership of vehicles belonging to the Crown;

(ae) the imposition of maximum penalties of 15 penalty units in respect of an individual or 85 penalty units in respect of a corporation for breaches of the regulations;

(af) the fees to be paid for and in relation to the registration, renewal of registration or transfer of registration of vehicles, the grant, renewal, transfer or replacement of licences, labels or identification plates, the issue, transfer or replacement of number plates and the inspection of vehicles; and

(ag) prescribing:

(i) the standards of, and equipment to be fitted to, vehicles and requiring vehicles or equipment to be maintained in a specified manner;

(ii) the manner in which weighing machines may be tested and used;

(iii) loading and unloading practices in respect of vehicles;

(iv) the dimensions of vehicles;

(v) the maximum laden mass of particular vehicles, or classes of vehicles, including maximum axle loads or combination of axles loads; and

(vi) the manner in which persons driving vehicles shall minimize any danger and annoyance that may thereby be caused to the public.

(2) Notwithstanding that the Regulations may prescribe a fee for the issue of number plates, the Registrar may offer number plates for sale by tender, auction, or other method approved by the Minister, and the purchase price paid by a person for number plates so offered shall be deemed to be the fee prescribed for the issue of those number plates.

Part 9 Transitional matters for Territory Insurance Office and Other Legislation Amendment Act 2010

139 Compensation contributions

The amount specified by *Gazette* notice made under section 47 and in force immediately before the commencement of section 52 of the *Territory Insurance Office and Other Legislation Amendment Act 2010* is taken to be the amount previously declared for section 47(2)(a).

Part 10 Transitional matter for Motor Vehicles (Private Car Parking) Amendment Act 2015

140 Certain orders taken never to have been made

(1) Any existing preliminary discovery order is taken never to have been made.

(2) In this section:

existing preliminary discovery order means a preliminary discovery order in relation to the recovery of a car parking debt (as defined in section 137D(3)) that was made:

(a) on or after 1 June 2015; but

(b) before the day on which the Administrator's assent to the *Motor Vehicles (Private Car Parking) Amendment Act 2015* is declared.

Part 11 Transitional matter for Traffic and Other Legislation Amendment Act 2015

141 Offences – before and after commencement

(1) Section 102AA(7)(a), as amended by the *Traffic and Other Legislation Amendment Act 2015*, applies only in relation to offences committed after the commencement of that Act (the ***commencement***).

(2) Section 102AA(7)(a), as in force before the commencement, continues to apply in relation to offences committed before the commencement.

(3) For this section, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.

Part 12 Transitional matters for Transport Legislation Amendment Act 2025

142 Definition

In this Part:

amending Act means the *Transport Legislation Amendment Act 2025*.

143 Savings for existing registration of motor vehicles and motor vehicle trader's licences

Despite the repeal of section 103, as in force immediately before the commencement of section 34 of the amending Act:

(a) the registration of a motor vehicle that was, immediately before the commencement, in force for a particular period under this Act continues to be in force after the commencement for the remainder of that period; and

(b) a motor vehicle trader's licence that was, immediately before the commencement, in force for a particular period under this Act continues to be in force after the commencement for the remainder of that period.

144 Duration of registration of certain trailers registered before commencement

(1) Subsection (2) applies in relation to a trailer (a ***relevant trailer***) of the class prescribed by the regulation inserted by section 40 of the amending Act if:

(a) the trailer was registered, or purported to be registered, before the commencement for a period (a ***longer period***) specified in the trailer's certificate of registration that was longer than the 12-month period provided by section 103, as in force immediately before the commencement; and

(b) the longer period was specified in the trailer's certificate of registration in reliance on an exemption from the application of section 103 that was granted, or purported to be granted, under section 135 before the commencement; and

(c) the longer period specified in the trailer's certificate of registration had not yet expired immediately before the commencement.

(2) After the commencement, the registration of the relevant trailer:

(a) is in force for the remainder of the unexpired longer period specified in the trailer's certificate of registration; and

(b) has effect as if the longer period of registration had been granted under section 103, as inserted by the amending Act.

(3) In this section:

commencement means the commencement of section 34 of the amending Act.

145 Savings for exemptions in force before commencement

An exemption granted under section 135 that was in force immediately before the commencement of section 36 of the amending Act continues in force according to its terms, and may be revoked or amended, as if the exemption had been granted under section 135, as inserted by section 36 of the amending Act.

Schedule 4 Vehicle requirements

sections 8(a), 16(5), definition ***attachment***, 59(1) and (2), 60, 102(2)(c)(i) and 128A(17), definition ***defective***

1 A motor vehicle or trailer must be structurally sound and designed and constructed to operate safely on a public street.

2 All brake and steerage connections must be secured with fasteners that are tensioned sufficiently to operate safely and any secondary locking mechanisms must be in use.

3 (1) This clause applies to a motor vehicle or trailer if none of the requirements of the Australian Design Rules regarding number plates or registration plates apply to it.

(2) A suitable attachment must be securely fastened at the front and rear of a motor vehicle, other than a motor cycle, and at the rear of a motor cycle or trailer, in a location that enables number plates to be affixed to the motor vehicle or trailer in accordance with the requirements of third edition ADR 43/00.

(3) No part of a vehicle, or fitting to the vehicle, may be located in a place that would obscure any portion of a number plate affixed to the vehicle.

4 (1) Subclause (2) applies to a motor cycle if none of the requirements of the Australian Design Rules regarding the attachment of a side-car apply to it.

(2) A side-car must not be attached to the right-hand side of the motor cycle.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

***Motor Vehicles Ordinance 1949* (Act No. 15, 1949)**
Assent date 14 December 1949
Commenced 9 September 1953 (*Gaz* No. 35, 9 September 1953, p 125)

***Motor Vehicles Regulations* (SL No. 6, 1953)**
Notified 16 September 1953
Commenced 9 September 1953

Amending Legislation

***Motor Vehicles Regulations* (SL No. 14, 1961)**
Notified 13 September 1961
Commenced 1 November 1961 (r 2)

***Motor Vehicles Regulations* (SL No. 19, 1961)**
Notified 18 October 1961
Commenced 1 November 1961 (r 1)

Amending Legislation

***Motor Vehicles Regulations* (SL No. 6, 1962)**
Notified 21 February 1962
Commenced 1 May 1962

Amending Legislation

***Motor Vehicles Regulations* (SL No. 6, 1962)**
Notified 21 February 1962
Commenced 1 May 1962

Motor Vehicles Regulations **(SL No. 11, 1954)**

Notified	25 August 1954
Commenced	25 August 1954

Amending Legislation

Motor Vehicles Regulations **(SL No. 19, 1961)**

Notified	18 October 1961
Commenced	1 November 1961 (r 1)

Motor Vehicles Ordinance 1954 **(Act No. 7, 1954)**

Assent date	8 December 1954
Commenced	12 May 1955 (*Gaz* No. 19, 11 May 1955, p 56)

Motor Vehicles Ordinance 1956 **(Act No. 24, 1956)**

Assent date	28 June 1956
Commenced	24 October 1957 (*Gaz* No. 43, 23 October 1957, p 140)

Motor Vehicles Ordinance 1958 **(Act No. 3, 1958)**

Assent date	12 May 1958
Commenced	7 May 1959 (*Gaz* No. 19, 6 May 1959, p 60)

Administrator's Council Ordinance 1959 **(Act No. 22, 1959)**

Assent date	7 July 1959
Commenced	28 April 1960 (*Gaz* No. 18, 24 April 1960, p 65)

Motor Vehicles Ordinance 1961 **(Act No. 24, 1961)**

Assent date	16 August 1961
Commenced	13 September 1961 (*Gaz* No. 42, 13 September 1961, p 172)

Amending Legislation

Motor Vehicles Ordinance (No. 3) 1962 **(Act No. 45, 1962)**

Assent date	13 November 1962
Commenced	5 June 1963

Amending Legislation

Motor Vehicles Ordinance 1966 **(Act No. 12, 1966)**

Assent date	26 March 1966
Commenced	17 August 1966 (*Gaz* No. 36, 27 July 1966, p150)

Motor Vehicles Ordinance 1962 **(Act No. 26, 1962)**

Assent date	26 June 1962
Commenced	26 June 1962

Motor Vehicles Ordinance (No. 2) 1962 **(Act No. 33, 1962)**

Assent date	3 October 1962
Commenced	3 October 1962

Motor Vehicles Ordinance (No. 4) 1962 **(Act No. 16, 1963)**

Assent date	13 February 1963
Commenced	30 October 1963 (*Gaz* No. 43, 23 October 1963, p 206)

Amending Legislation

Motor Vehicles Ordinance 1966 **(Act No. 12, 1966)**

Assent date	26 March 1966
Commenced	17 August 1966 (*Gaz* No. 36, 27 July 1966, p 150)

Motor Vehicles Ordinance 1965 **(Act No. 56, 1965)**

Assent date	17 December 1965
Commenced	14 February 1966

Amending Legislation

Motor Vehicles Ordinance 1966 **(Act No. 12, 1966)**

Assent date	26 March 1966
Commenced	17 August 1966 (*Gaz* No. 36, 27 July 1966, p 150)

Motor Vehicles Ordinance 1966 **(Act No. 12, 1966)**

Assent date	26 March 1966
Commenced	17 August 1966 (*Gaz* No. 36, 27 July 1966, p 150)

Motor Vehicles Ordinance 1967 **(Act No. 14, 1967)**

Assent date	17 May 1967
Commenced	17 May 1967

Motor Vehicles Ordinance (No. 3) 1967 **(Act No. 12, 1967)**

Assent date	19 April 1967
Commenced	19 April 1967

Motor Vehicles Ordinance (No. 4) 1967 **(Act No. 27, 1967)**

Assent date	20 June 1967
Commenced	20 September 1967 (*Gaz* No. 47, 20 September 1967, p 245)

Motor Vehicles Ordinance 1968 **(Act No. 14, 1968)**

Assent date	1 May 1968
Commenced	1 July 1968 (*Gaz* No. 29, 26 June 1968, p 160)

Amending Legislation

Motor Vehicles Ordinance (No. 2) 1968 **(Act No. 47, 1968)**

Assent date	28 June 1968
Commenced	28 June 1968

Motor Vehicles Ordinance 1969 **(Act No. 42, 1969)**

Assent date	27 November 1969
Commenced	27 November 1969

Motor Vehicles Ordinance (No. 2) 1969 **(Act No. 7, 1970)**

Assent date	8 April 1970
Commenced	1 July 1971 (*Gaz* No. 14, 7 April 1971, p 112)

Motor Vehicles Ordinance 1970 **(Act No. 27, 1970)**
Assent date 30 June 1970
Commenced 30 June 1970

Amending Legislation

Motor Vehicles Ordinance (No. 3) 1970 **(Act No. 61, 1970)**
Assent date 8 December 1970
Commenced 8 December 1970

Motor Vehicles Ordinance (No. 2) 1970 **(Act No. 69, 1970)**
Assent date 10 December 1970
Commenced 3 February 1971 (*Gaz* No. 3, 20 January 1971, p 13)

Motor Vehicles Ordinance (No. 3) 1970 **(Act No. 61, 1970)**
Assent date 8 December 1970
Commenced 8 December 1970

Motor Vehicles Ordinance (No. 2) 1970 **(Act No. 69, 1970)**
Assent date 10 December 1970
Commenced 3 February 1971 (*Gaz* No. 3, 20 January 1971, p 13)

Motor Vehicles Ordinance 1971 **(Act No. 32, 1971)**
Assent date 16 June 1971
Commenced 16 June 1971

Motor Vehicles Ordinance (No. 2) 1971 **(Act No. 46, 1971)**
Assent date 27 September 1971
Commenced 27 September 1971

Motor Vehicles Ordinance 1972 **(Act No. 76, 1972)**
Assent date 12 December 1972
Commenced 12 August 1977 (*Gaz* No. 32, 12 August 1977, p 1241)

Motor Vehicles Ordinance 1973 **(Act No. 24, 1973)**
Assent date 17 May 1973
Commenced 1 November 1974

Amending Legislation

Motor Vehicles Ordinance 1974 **(Act No. 57, 1974)**
Assent date 10 October 1974
Commenced 10 October 1974

Motor Vehicles Ordinance (No. 2) 1973 **(Act No. 39, 1973)**
Assent date 12 July 1973
Commenced 12 July 1973

Motor Vehicles Ordinance (No. 3) 1973 **(Act No. 49, 1973)**
Assent date 18 July 1973
Commenced 1 October 1973 (*Gaz* No. 39, 27 September 1973, p 330)

Motor Vehicles Ordinance (No. 4) 1973 **(Act No. 69, 1973)**
Assent date 11 December 1973
Commenced 2 December 1974 (*Gaz* No. 41, 21 November 1974, p 533)

Motor Vehicles Ordinance (No. 5) 1973 **(Act No. 75, 1973)**
Assent date 11 December 1973
Commenced 11 December 1973

Ordinances Revision Ordinance 1973 **(Act No. 87, 1973)**
Assent date 11 December 1973
Commenced 11 December 1973 (s 12(2))

Amending Legislation

Ordinances Revision Ordinance 1974 **(Act No. 34, 1974)**
Assent date 26 August 1974
Commenced 11 December 1973 (s 3(2))

Ordinances Revision Ordinance (No. 2) 1974 **(Act No. 69, 1974)**
Assent date 24 October 1974
Commenced 11 December 1973 (s 3)

Ordinances Revision Ordinance 1976 **(Act No. 27, 1976)**
Assent date 28 June 1976
Commenced ss 1, 2 and 6: 28 June 1976 (s 6(2));
ss 3 and 4: 11 December 1973; s 5: 24 October 1974

Age of Majority Ordinance 1974 **(Act No. 37, 1974)**
Assent date 23 September 1974
Commenced 1 November 1974 (*Gaz* No. 42, 17 October 1974, p 475)

Motor Vehicles Ordinance (No. 2) 1975 **(Act No. 28, 1975)**
Assent date 7 November 1975
Commenced 7 November 1975

Motor Vehicles Ordinance (No. 3) 1975 **(Act No. 12, 1976)**
Assent date 5 March 1976
Commenced 2 April 1976 (*Gaz* No. 14, 2 April 1976, p 392)

Ordinances Revision Ordinance 1976 **(Act No. 27, 1976)**
Assent date 28 June 1976
Commenced ss 1, 2 and 6: 28 June 1976 (s 6(2));
ss 3 and 4: 11 December 1973; s 5: 24 October 1974 (s 2)

Motor Vehicles Ordinance 1976 **(Act No. 37, 1976)**
Assent date 8 September 1976
Commenced 1 October 1976 (*Gaz* No. 40, 1 October 1976, p 1183)

Transfer of Powers Ordinance 1976 **(Act No. 64, 1976)**
Assent date 22 December 1976
Commenced 1 January 1977 (*Gaz* No. 53, 24 December 1976, p 1573)

Amending Legislation

Transfer of Powers Ordinance (No. 2) 1976 **(Act No. 65, 1976)**
Assent date 22 December 1976
Commenced 22 December 1976

Motor Vehicles Ordinance 1977 **(Act No. 30, 1977)**

Assent date	5 July 1977
Commenced	5 July 1977

Motor Vehicles Ordinance 1978 **(Act No. 6, 1978)**

Assent date	31 March 1978
Commenced	5 May 1978 (*Gaz* No. 18, 5 May 1978, p 6)

Motor Vehicles Ordinance (No. 2) 1978 **(Act No. 21, 1978)**

Assent date	31 May 1978
Commenced	1 July 1978 (*Gaz* No. 26B, 30 June 1978, p 4)

Motor Vehicles Ordinance (No. 3) 1978 **(Act No. 44, 1978)**

Assent date	29 June 1978
Commenced	1 July 1978 (s 3)

Transfer of Powers (Self-Government Ordinance 1978 **(Act No. 54, 1978)**

Assent date	1 July 1978
Commenced	s 5: 1 July 1978 (s 8)

Motor Vehicles Act (No. 4) 1978 **(Act No. 90, 1978)**

Assent date	5 September 1978
Commenced	5 September 1978

Statute Law Revision Act 1978 **(Act No. 95, 1978)**

Assent date	5 September 1978
Commenced	5 September 1978

Motor Vehicles Act (No. 5) 1978 **(Act No. 4, 1979)**

Assent date	3 January 1979
Commenced	3 January 1979

Motor Vehicles Act 1979 **(Act No. 24, 1979)**

Assent date	27 March 1979
Commenced	27 March 1979

Motor Vehicles Act (No. 2) 1979 **(Act No. 70, 1979)**

Assent date	26 June 1979
Commenced	1 July 1979 (s 3)

Motor Vehicles Act (No. 3) 1979 **(Act No. 133, 1979)**

Assent date	19 October 1979
Commenced	19 October 1979

Motor Vehicles Act (No. 4) 1979 **(Act No. 153, 1979)**

Assent date	12 December 1979
Commenced	11 July 1980 (*Gaz* G26, 27 June 1980, p 2)

Motor Vehicles Amendment Act 1981 **(Act No. 89, 1981)**

Assent date	21 September 1981
Commenced	20 November 1981 (*Gaz* G46, 20 November 1981, p 2)

Motor Vehicles Amendment Act (No. 2) 1981 **(Act No. 100, 1981)**

Assent date	21 December 1981
Commenced	19 February 1982 (*Gaz* G17, 19 February 1982, p 16)

Motor Vehicles Amendment Act 1982 **(Act No. 69, 1982)**

Assent date	8 October 1982
Commenced	1 January 1983 (s 2)

Motor Vehicles Amendment Act 1983 **(Act No. 42, 1983)**

Assent date	3 October 1983
Commenced	1 February 1984 (*Gaz* G3, 24 January 1984, p 8)

Criminal Law (Regulatory Offences) Act 1983 **(Act No. 68, 1983)**

Assent date	28 November 1983
Commenced	1 January 1984 (s 2 s 2 *Criminal Code Act 1983* (Act No. 47, 1983), *Gaz* G46, 18 November 1983, p 11 and *Gaz* G8, 26 February 1986, p 5)

Motor Vehicles Amendment Act 1984 **(Act No. 14, 1984)**

Assent date	12 July 1984
Commenced	12 July 1984

Motor Vehicles Amendment Act (No. 2) 1984 **(Act No. 15, 1984)**

Assent date	12 July 1984
Commenced	12 July 1984

Motor Vehicles Amendment Act 1985 **(Act No. 38, 1985)**

Assent date	18 September 1985
Commenced	6 May 1986 (*Gaz* G16, 23 April 1986, p 11)

Statute Law Revision Act 1985 **(Act No. 49, 1985)**

Assent date	1 October 1985
Commenced	1 October 1985

Motor Vehicles Amendment Act 1986 **(Act No. 28, 1986)**

Assent date	14 July 1986
Commenced	1 February 1987 (*Gaz* S8, 30 January 1987)

Motor Vehicles Amendment Act (No. 2) 1986 **(Act No. 34, 1986)**

Assent date	19 September 1986
Commenced	5 November 1986 (*Gaz* G44, 5 November 1986, p 6)

Criminal Law **(*Regulatory Offences) Act 1986*** **(Act No. 35, 1986)**

Assent date	19 September 1986
Commenced	19 September 1986

Motor Accidents (Compensation) Amendment Act (No. 2) 1986 **(Act No. 51, 1986)**

Assent date	19 December 1986
Commenced	1 January 1987 (*Gaz* S90, 24 December 1986)

Statute Law Revision Act 1986 **(Act No. 64, 1986)**

Assent date	19 December 1986
Commenced	19 December 1986

Motor Vehicles Amendment Act 1987 **(Act No. 38, 1987)**

Assent date	13 October 1987
Commenced	ss 12, 13 and 18: 7 March 1988 (*Gaz* S12, 7 March 1988); rem: 2 November 1987 (*Gaz* S71, 29 October 1987)

***Motor Vehicles Amendment Act (No. 2) 1987* (Act No. 55, 1987)**

Assent date	4 December 1987
Commenced	4 December 1987

***Statute Law Revision Act 1988* (Act No. 66, 1988)**

Assent date	22 December 1988
Commenced	22 December 1988

***Motor Vehicles Amendment Act 1989* (Act No. 30, 1989)**

Assent date	28 June 1989
Commenced	s 14: nc (rep by Act No 39, 2005 before comm); ss 6, 8, 13 and 20: 1 August 1990 (*Gaz* S47, 1 August 1990); rem: 1 August 1989 (*Gaz* S38, 1 August 1989)

Amending Legislation

***Legislation Repeal Act 2005* (Act No. 39, 2005)**

Assent date	22 November 2005
Commenced	22 November 2005

***Local Court (Consequential Amendments) Act 1990* (Act No. 31, 1990)**

Assent date	11 June 1990
Commenced	s 5: 11 June 1990; rem: 1 January 1991 (s 2, s 2 *Small Claims Amendment Act 1988* (Act No. 43, 1988), *Gaz* G17, 3 May 1989, p 2, s 2 *Local Court Act 1989* (Act No. 31, 1989) and *Gaz* G49, 12 December 1990, p 2)

***Corporations (Consequential Amendments) Act 1990* (Act No. 59, 1990)**

Assent date	14 December 1990
Commenced	1 January 1991 (s 2, s 2 *Corporations (NT) Act 1990* (Act No. 56, 1990) and *Gaz* S76, 21 December 1990)

***Motor Vehicles Amendment Act 1991* (Act No. 30, 1991)**

Assent date	17 June 1991
Commenced	27 October 1992 (s 2, s 2 *Commercial Passenger (Road) Transport Act 1991* (Act No. 34, 1991) and *Gaz* G42, 21 October 1992, p 2)

***Motor Vehicles Amendment Act 1992* (Act No. 35, 1992)**

Assent date	25 June 1992
Commenced	ss 4, 5 and 7: 1 July 1994; rem: 1 January 1994 (s 2, s 2 *Traffic Amendment Act 1992* (Act No. 31, 1992) and *Gaz* G51, 22 December 1993, p 4)

Amending Legislation

***Motor Vehicles Amendment Act 1992 Amendment Act 1993* (Act No. 82, 1993)**

Assent date	16 December 1993
Commenced	16 December 1993

***Public Sector Employment and Management (Consequential Amendments) Act 1993* (Act No. 28, 1993)**

Assent date	30 June 1993
Commenced	1 July 1993 (s 2, s 2 *Public Sector Employment and Management Act 1993* (Act No. 11, 1993) and *Gaz* S53, 29 June 1993)

Motor Vehicles Amendment Act 1994 **(Act No. 19, 1994)**

Assent date	18 April 1994
Commenced	1 March 1995 (*Gaz* G7, 15 February 1995, p 4)

Motor Vehicles Amendment Act (No. 2) 1994 **(Act No. 27, 1994)**

Assent date	18 May 1994
Commenced	1 July 1994 (s 2 and s 2 *Motor Vehicles Amendment Act 1992* (Act No. 35, 1992))

Statute Law Revision Act 1994 **(Act No. 50, 1994)**

Assent date	20 September 1994
Commenced	20 September 1994

Financial Management (Consequential Amendments) Act 1995 **(Act No. 5, 1995)**

Assent date	21 March 1995
Commenced	1 April 1995 (s 2, s 2 *Financial Management Act 1992* (Act No. 4, 1995) and *Gaz* S13, 31 March 1995)

Motor Vehicles Amendment Act 1995 **(Act No. 23, 1995)**

Assent date	26 June 1995
Commenced	26 June 1995

Sentencing (Consequential Amendments) Act 1996 **(Act No. 17, 1996)**

Assent date	19 April 1996
Commenced	s 7: 19 April 1996; rem: 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz* S15, 13 June 1996)

Motor Vehicles Amendment Act 1996 **(Act No. 24, 1996)**

Assent date	25 June 1996
Commenced	25 June 1996

Motor Vehicles Amendment Act 1998 **(Act No. 3, 1998)**

Assent date	25 March 1998
Commenced	25 March 1998

Motor Vehicles Amendment Act (No. 2) 1998 **(Act No. 98, 1998)**

Assent date	29 December 1998
Commenced	9 February 1999 (*Gaz* S4, 9 February 1999)

Statute Law Revision Act 2001 **(Act No. 3, 2001)**

Assent date	22 March 2001
Commenced	22 March 2001

Corporations Reform (Consequential Amendments NT) Act 2001 **(Act No. 17, 2001)**

Assent date	29 June 2001
Commenced	15 July 2001 (s 2, s 2 Corporations Act 2001 (Cth Act No. 50, 2001) and Cth *Gaz* S285, 13 July 2001)

Motor Vehicles Amendment Act 2001 **(Act No. 58, 2001)**

Assent date	28 November 2001
Commenced	28 November 2001

Amending Legislation

Motor Vehicles Amendment Act 2001 Amendment Act 2003 **(Act No. 39, 2003)**

Assent date	30 June 2003
Commenced	30 June 2003

Fines and Penalties (Recovery) (Consequential Amendments) Act 2001 **(Act No. 60, 2001)**

Assent date	11 December 2001
Commenced	1 January 2002 (s 2, s 2 *Fines and Penalties (Recovery) Act 2001* (Act No. 60, 2002) and *Gaz* G50, 19 December 2001, p 3)

Statute Law Revision Act (No. 2) 2001 **(Act No. 62, 2001)**

Assent date	11 December 2001
Commenced	11 December 2001

Commercial Passenger (Road) Transport Amendment Act 2003 **(Act No. 1, 2003)**

Assent date	27 February 2003
Commenced	1 March 2003 (*Gaz* S3, 28 February 2003)

Commercial Passenger (Road) Transport (Consequential Amendments) Act 2003 **(Act No. 41, 2003)**

Assent date	7 July 2003
Commenced	1 August 2003 (*Gaz* G30, 30 July 2003, p 2)

Uncollected Goods (Consequential Amendments) Act 2004 **(Act No. 34, 2004)**

Assent date	4 June 2004
Commenced	1 July 2004 (s 2, s 2 *Uncollected Goods Act 2004* (Act No. 33, 2004) and *Gaz* G26, 30 June 2004, p 3)

Statute Law Revision Act 2005 **(Act No. 44, 2005)**

Assent date	14 December 2005
Commenced	14 December 2005

Commercial Passenger Vehicles Legislation Amendment Act 2006 **(Act No. 3, 2006)**

Assent date	8 March 2006
Commenced	8 March 2006

Motor Vehicles Amendment Act 2006 **(Act No. 14, 2006)**

Assent date	18 May 2006
Commenced	18 October 2006 (*Gaz* G42, 18 October 2006, p 2)

Transport Legislation (Road Safety) Amendment Act 2007 **(Act No. 10, 2007)**

Assent date	21 June 2007
Commenced	1 July 2007 (*Gaz* S16, 27 June 2007)

Transport Legislation (Demerit Points) Amendment Act 2007 **(Act No. 13, 2007)**

Assent date	28 August 2007
Commenced	1 September 2007 (s 2)

Statute Law Revision Act 2008 **(Act No. 6, 2008)**

Assent date	11 March 2008
Commenced	11 March 2008

Transport Legislation (Drug Driving) Amendment Act 2008 **(Act No. 7, 2008)**

Assent date	11 March 2008
Commenced	1 July 2008 (*Gaz* G25, 25 June 2008, p 4)

Transport Legislation (Alcohol Ignition Locks) Amendment Act 2008 **(Act No. 32, 2008)**

Assent date	21 November 2008
Commenced	9 April 2009 (*Gaz* S15, 9 April 2009)

Statute Law Revision Act 2009 **(Act No. 25, 2009)**

Assent date	1 September 2009
Commenced	16 September 2009 (*Gaz* G37, 16 September 2009, p 3)

Trade Measurement Legislation Repeal Act 2010 **(Act No. 6, 2010)**

Assent date	17 March 2010
Commenced	pt 4: 17 March 2010; rem: 1 July 2010 (s 2)

Health Practitioner (National Uniform Legislation) Implementation Act 2010 **(Act No. 18, 2010)**

Assent date	20 July 2010
Commenced	1 July 2010 (s 2)

Territory Insurance Office and Other Legislation Amendment Act 2010 **(Act No. 35, 2010)**

Assent date	18 November 2010
Commenced	pt 4: 1 January 2011; rem: 18 November 2010 (s 2)

Traffic and Other Legislation Amendment Act 2011 **(Act No. 22, 2011)**

Assent date	22 August 2011
Commenced	1 September 2011 (*Gaz* G35, 31 August 2011, p 9)

Justice (Corrections) and Other Legislation Amendment Act 2011 **(Act No. 24, 2011)**

Assent date	31 August 2011
Commenced	ss 3, 9 to 11, 15 to 17, 19, 20, 24, 33, 42, schs 1 and 2, sch 4 pt 1 and sch 5: 31 August 2011 (s 2); rem: 27 February 2012 (*Gaz* S9, 21 February 2012)

Fines and Penalties (Recovery) and Other Legislation Amendment Act 2011 **(Act No. 43, 2011)**

Assent date	21 December 2011
Commenced	1 March 2012 (*Gaz* S9, 21 February 2012)

Health Practitioner (National Uniform Legislation) Implementation Act 2012 **(Act No. 17, 2012)**

Assent date	22 May 2012
Commenced	1 July 2012 (s 2)

Motor Vehicles Amendment Act 2013 **(Act No. 19, 2013)**

Assent date	28 June 2013
Commenced	1 July 2013 (s 2)

Penalties Amendment (Miscellaneous) Act 2013 **(Act No. 23, 2013)**

Assent date	12 July 2013
Commenced	28 August 2013 (*Gaz* G35, 28 August 2013, p 2)

Correctional Services (Related and Consequential Amendments) Act 2014 **(Act No. 27, 2014)**

Assent date	4 September 2014
Commenced	9 September 2014 (*Gaz* S80, 9 September 2014, p 2)

Territory Insurance Office (Sale) Act 2014 **(Act No. 41, 2014)**

Assent date	28 November 2014
Commenced	pt 6, divs 1 and 2: nc (exp without commencing); pt 6, div 3: 00:01hrs 1 January 2015 (*Gaz* S131, 19 December 2014, p 8); rem: 28 November 2014 (s 2)

Motor Vehicles (Private Car Parking) Amendment Act 2015 **(Act No. 21, 2015)**

Assent date	6 July 2015
Commenced	1 June 2015 (s 2)

Traffic and Other Legislation Amendment Act 2015 **(Act No. 35, 2015)**

Assent date	17 December 2015
Commenced	1 February 2016 (*Gaz* G3, 20 January 2016, p 10)

Local Court (Related Amendments) Act 2016 **(Act No. 8, 2016)**

Assent date	6 April 2016
Commenced	1 May 2016 (s 2, s 2 *Local Court (Repeals and Related Amendments) Act 2016* (Act No. 9, 2016) and *Gaz* S34, 29 April 2016)

Statute Law Revision Act 2018 **(Act No. 10, 2018)**

Assent date	23 May 2018
Commenced	20 June 2018 (*Gaz* S41, 20 June 2018)

Transport Legislation Amendment Act 2019 **(Act No. 35, 2019)**

Assent date	6 November 2019
Commenced	s 11: nc (Act rep by Act No. 23, 2020, before comm); rem: 11 December 2019 (*Gaz* S70, 11 December 2019)

Local Government Act 2019 **(Act No. 39, 2019)**

Assent date	13 December 2019
Commenced	pt 8.6: 1 July 2022; rem: 1 July 2021 (*Gaz* S27, 30 June 2021)

Amending Legislation

Statute Law Revision Act 2020 **(Act No. 26, 2020)**

Assent date	19 November 2020
Commenced	20 November 2020 (s 2)

Local Government Amendment Act 2021 **(Act No. 15, 2021)**

Assent date	25 May 2021
Commenced	26 May 2021 (s 2)

Transport Legislation Amendment Act 2020 **(Act No. 23, 2020)**

Assent date	10 July 2020
Commenced	1 July 2021 (*Gaz* G23, 9 June 2021, p 1)

Amending Legislation

Statute Law Revision Act 2020 **(Act No. 26, 2020)**

Assent date	19 November 2020
Commenced	20 November 2020 (s 2)

Transport Legislation Amendment Act 2022 **(Act No. 1, 2022)**

Assent date	1 March 2022
Commenced	4 May 2022 (*Gaz* S20, 29 April 2022)

Justice and Other Legislation Amendment Act 2024 **(Act No. 4, 2024)**

Assent date	14 March 2024
Commenced	pt 5, div 1: 30 October 2023 (s 2(2)); pt 3, div 2: 25 March 2024 (s 2(3), s 2 *Sentencing and Other Legislation Amendment Act 2022* (Act No. 28, 2022) and *Gaz* S19, 22 March 2024); pt 4: 25 March 2024 (s 2(4), s 2 *Criminal Justice Legislation Amendment (Sexual Offences) Act 2023* (Act No. 20, 2023) and *Gaz* S20, 22 March 2024); rem: 15 March 2024 (s 2(1))

Fines and Penalties (Recovery) Legislation Amendment Act 2024 **(Act No. 23, 2024)**

Assent date	9 December 2024
Commenced	10 December 2024 (s 2 and s 2 *Fines and Penalties (Recovery) Amendment (Validation) Act 2024* (Act No. 22, 2024)

Transport Legislation Amendment Act 2025 **(Act No. 23, 2025)**

Assent date	12 September 2025
Commenced	pts 2, 4, 5 and 6: 21 January 2026 (s 2(1) and *Gaz* S5, 19 January 2026); rem: 18 November 2025 (*Gaz* S69, 17 November 2025)

Motor Vehicles Legislation Amendment (Digital Licences) Act 2026 **(Act No. 27, 2026)**

Assent date	5 November 2026
Commenced	6 November 2026 (s 2)

3 *GAZETTE* NOTICES

Gaz G31, 8 August 1984, pp 14 – 15
Gaz G6, 13 February 1985, pp 7 – 8
Gaz S64, 17 October 1985, pp 1 – 2
Gaz G16, 23 April 1986, pp 9 – 11
Gaz S90, 24 December 1986, p 1
Gaz G45, 9 November 1988, pp 5 – 6
Gaz G31, 9 August 1989, pp 3 – 4

4 SAVINGS AND TRANSITIONAL PROVISIONS

s 5 *Motor Vehicles Ordinance (No. 3) 1967* (Act No. 12, 1967)
s 4 *Motor Vehicles Ordinance (No. 2) 1978* (Act No. 21, 1978)
s 4 *Motor Vehicles Ordinance (No. 3) 1978* (Act No. 44, 1978)
s 4 *Motor Vehicles Act (No. 4) 1978* (Act No. 90, 1978)
s 4 *Motor Vehicles Act (No. 6) 1978* (Act No. 21, 1979)
s 7 *Motor Vehicles Act (No. 2) 1979* (Act No. 70, 1979)
s 9 *Motor Vehicles Amendment Act (No. 2) 1986* (Act No. 34, 1986)
s 20 *Motor Vehicles Amendment Act 1989* (Act No. 30, 1989)
s 7 *Motor Vehicles Amendment Act 1992* (Act No. 35, 1992)
s 31 *Motor Vehicles Amendment Act 1996* (Act No. 24, 1996)
s 5 *Motor Vehicles Amendment Act 2001* (Act No. 58, 2001)

5 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Ordinances Revision Ordinance 1973* (Act No. 87, 1973) (as amended) to the following provisions: ss 5, 9, 10, 13, 13A, 14, 16 – 20, 22, 24, 25, 25B, 25D – 25K, 27A, 27B, 28A, 30, 32, 34 – 36, 38, 43 – 50, 51 – 53, 55 – 60, 62 – 64, 66 – 69, 71 – 76, 82 – 88, 91, 95 – 98, 100 – 102, 103, 105, 107, 107A, 110, 113, 114, 117, 132, 133, 135 – 138.

6 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22 2018) to: ss 1, 5, 10, 11A, 12, 13, 13A, 19, 20, 20A, 21, 22, 25J, 25K, 25M, 25R, 25S, 26, 28, 33X, 35, 37, 44, 47A, 49, 102, 102AAA, 102AAD, 102AA and 138.

7 LIST OF AMENDMENTS

lt	amd No. 89, 1981, s 11
pt 1 hdg	amd No. 23, 2020, s 26
ss 1 – 3	amd No. 89, 1981, s 11
s 4	amd No. 12, 1966, s 3 rep No. 89, 1981, s 11
s 5	amd No. 24, 1956, s 3; No. 24, 1961, s 3; No. 12, 1966, s 4; No. 7, 1970, s 3; No. 76, 1972, s 4; No. 87, 1973, s 12; No. 27, 1976, s 6; No. 64, 1976, s 4; No. 44, 1978, s 5; No. 54, 1978, s 3; No. 4, 1979, s 3; No. 70, 1979, s 4; No. 89, 1981, s 11; No. 100, 1981, s 4; No. 69, 1982, s 4; No. 15, 1984, s 3; No. 28, 1986, s 4; No. 38, 1987, s 4; No. 30, 1989, s 4; No. 30, 1991, s 4; No. 24, 1996, s 3; No. 98, 1998, s 4; No. 1, 2003, s 17; No. 41, 2003, s 3; No. 3, 2006, s 10; No. 10, 2007, s 4; No. 6, 2008, s 3; No. 32, 2008, s 4; No. 25, 2009, s 10; No. 24, 2011, s 35; No. 41, 2014, s 53; No. 35, 2015, s 4; No. 10, 2018, s 6; No. 35, 2019, s 7; No. 23, 2020, s 4; No. 39, 2019, s 370; No. 1, 2022, s 12; No. 23, 2025, s 29; No. 27, 2026, s 4
s 5A	ins No. 23, 2020, s 5 amd No. 23, 2025, s 30
s 6	amd No. 89, 1981, s 11
s 7	amd No. 28, 1975, s 3; No. 64, 1976, s 4; No. 54, 1978, s 3; No. 89, 1981, s 11; No. 28, 1987, s 3; No. 35, 2019, s 8; No. 23, 2025, s 31
s 7A	ins No. 69, 1982, s 5
s 7B	ins No. 1, 2022, s 13
pt 2 hdg	amd No. 23, 2020, s 26
s 8	sub No. 26, 1962, s 2 amd No. 89, 1981, s 11; No. 100, 1981, s 5 sub No. 24, 1996, s 4 amd No. 23, 2020, s 6
s 8A	ins No. 6, 1978, s 4 amd No. 38, 1987, s 5; No. 30, 1989, s 5; No. 32, 2008, s 5; No. 23, 2020, s 7
s 9	amd No. 27, 1967, s 6; No. 47, 1968, s 2; No. 32, 1971, s 2; No. 69, 1973, s 4; No. 27, 1976, s 6; No. 21, 1978, s 5; No. 54, 1978, s 4; No. 89, 1981, s 11; No. 42, 1983, s 4; No. 66, 1988, s 6; No. 30, 1989, s 6; No. 35, 1992, s 4 sub No. 10, 2007, s 5

s 10	amd No. 7, 1954, s 3; No. 12, 1966, s 5; No. 27, 1970, s 2; No. 32, 1971, s 3; No. 69, 1973, s 5; No. 87, 1973, s 12; No. 27, 1976, s 6; No. 21, 1978, s 6; No. 89, 1981, s 11; No. 42, 1983, s 5; No. 38, 1987, s 6; No. 30, 1989, s 7; No. 30, 1991, s 5; No. 35, 1992, s 5; No. 27, 1994, s 3; No. 24, 1996, s 5; No. 98, 1998, s 5; No. 1, 2003, s 17; No. 41, 2003, s 3; No. 10, 2007, s 6; No. 32, 2008, s 6; No. 23, 2024, s 34
ss 10AA – 10AC	ins No. 38, 1985, s 4
s 10A	ins No. 69, 1973, s 6 amd No. 87, 1973, s 12; No. 28, 1975, s 4; No. 12, 1976, s 4; No. 37, 1976, s 4; No. 89, 1981, s 11; No. 55, 1987, s 2; No. 66, 1988, s 6 sub No. 10, 2007, s 7
s 11	amd No. 69, 1973, s 7; No. 89, 1981, s 11 sub No. 98, 1998, s 6 amd No. 44, 2005, s 22; No. 10, 2007, s 8; No. 18, 2010, s 89; No. 17, 2012, s 55; No. 35, 2019, s 9
s 11AA	ins No. 3, 2006, s 11
s 11A	ins No. 28, 1975, s 5 amd No. 30, 1977, s 3; No. 89, 1981, s 11 sub No. 23, 2025, s 32
s 12	rep No. 30, 1989, s 21 ins No. 58, 2001, s 4 rep No. 23, 2025, s 32
s 12A	ins No. 58, 2001, s 4 rep No. 23, 2025, s 32
s 13	amd No. 28, 1975, s 6; No. 21, 1978, ss 7 and 15; No. 54, 1978, s 4; No. 89, 1981, s 11; No. 64, 1986, s 4; No. 28, 1993, s 3; No. 24, 1996, s 6; No. 6, 2008, s 3
s 13A	ins No. 7, 1954, s 4 amd No. 24, 1973, s 4; No. 70, 1979, s 5; No. 89, 1981, s 11; No. 49, 1985, s 4; No. 24, 1996, s 7; No. 98, 1998, s 7; No. 6, 2008, s 3
s 14	amd No. 12, 1966, s 6; No. 76, 1972, s 5; No. 89, 1981, s 11; No. 30, 1989, s 21; No. 24, 1996, s 32; No. 10, 2007, s 9 sub No. 27, 2026, s 5
s 14A	ins No. 27, 2026, s 5
s 16	sub No. 89, 1981, s 4 amd No. 30, 1989, s 21; No. 23, 2020, s 8; No. 23, 2024, s 35
ss 17 – 18	amd No. 27, 1967, s 6; No. 21, 1978, s 15; No. 54, 1978, s 4 sub No. 23, 2020, s 9
s 19	amd No. 49, 1973, s 4; No. 30, 1991, s 6; No. 41, 2003, s 3
s 19A	ins No. 98, 1998, s 8 amd No. 27, 2026, s 7
s 20	amd No. 12, 1966, s 7; No. 27, 1967, s 6; No. 21, 1978, s 15; No. 54, 1978, s 4; No. 89, 1981, s 11; No. 24, 1996, s 32 sub No. 3, 1998, s 3 amd No. 60, 2001, s 12; No. 34, 2004, s 3; No. 23, 2024, s 36; No. 27, 2026, s 7
s 20A	ins No. 34, 2004, s 4 amd No. 35, 2019, s 10
s 21	rep No. 12, 1966, s 8 ins No. 3, 1998, s 3 amd No. 62, 2001, s 15
s 21A	ins No. 3, 1998, s 3
s 22	amd No. 45, 1962, s 3; No. 21, 1978, s 8; No. 30, 1991, s 7; No. 98, 1998, s 17; No. 41, 2003, s 3
s 23	amd No. 28, 1975, s 7; No. 21, 1978, s 15; No. 89, 1981, s 11; No. 3, 1998, s 4; No. 23, 2020, s 10

s 24	sub No. 12, 1966, s 9
	amd No. 24, 1996, s 8
s 25	amd No. 24, 1996, s 9
s 25A	ins No. 12, 1966, s 10
	sub No. 30, 1989, s 8
s 25B	ins No. 12, 1966, s 10
	amd No. 37, 1974, s 11; No. 89, 1981, s 11; No. 38, 1987, s 7
	sub No. 30, 1989, s 8
s 25C	ins No. 12, 1966, s 10
	amd No. 76, 1972, s 6
	sub No. 30, 1989, s 8
s 25D	ins No. 12, 1966, s 10
	amd No. 89, 1981, s 11
	sub No. 30, 1989, s 8
s 25E	ins No. 12, 1966, s 10
	amd No. 21, 1978, s 9
	sub No. 30, 1989, s 8
s 25F	ins No. 12, 1966, s 10
	sub No. 30, 1989, s 8
s 25G	ins No. 12, 1966, s 10
	amd No. 89, 1981, s 11
	sub No. 30, 1989, s 8
	amd No. 31, 1990, s 7
s 25H	ins No. 12, 1966, s 10
	sub No. 30, 1989, s 8
pt 2A hdg	ins No. 24, 2011, s 36
pt 2A	
div 1 hdg	ins No. 24, 2011, s 36
s 25J	ins No. 12, 1966, s 10
	rep No. 30, 1989, s 8
	ins No. 24, 2011, s 36
	amd No. 4, 2024, s 41
s 25K	ins No. 12, 1966, s 10
	amd No. 89, 1981, s 11
	rep No. 30, 1989, s 8
	ins No. 24, 2011, s 36
pt 2A	
div 2 hdg	ins No. 24, 2011, s 36
s 25L	ins No. 24, 2011, s 36
	amd No. 27, 2014, s 57; No. 8, 2016, s 45
s 25M	ins No. 24, 2011, s 36
	amd No. 4, 2024, s 42
ss 25N – 25P	ins No. 24, 2011, s 36
pt 2A	
div 3 hdg	ins No. 24, 2011, s 36
s 25Q	ins No. 24, 2011, s 36
	amd No. 27, 2014, s 57; No. 8, 2016, s 45
s 25R	ins No. 24, 2011, s 36
	amd No. 4, 2024, s 43
s 25S	ins No. 24, 2011, s 36
	amd No. 4, 2024, s 44
s 25T	ins No. 24, 2011, s 36
	amd No. 27, 2026, s 7
pt 3 hdg	rep No. 30, 1991, s 8
	ins No. 13, 2007, s 4
	amd No. 23, 2020, s 26

pt 3	
div 1 hdg	rep No. 30, 1991, s 8 ins No. 13, 2007, s 4
s 26	amd No. 76, 1972, s 7; No. 49, 1973, s 5; No. 54, 1978, s 4; No. 90, 1978, s 3; No. 38, 1987, s 8 rep No. 30, 1991, s 8 ins No. 13, 2007, s 4
s 27	amd No. 76, 1972, s 8; No. 49, 1973, s 6; No. 27, 1978, s 15; No. 54, 1978, s 4; No. 38, 1987, s 9 rep No. 30, 1991, s 8 ins No. 13, 2007, s 4
s 27AA	ins No. 38, 1987, s 10 rep No. 30, 1991, s 8
s 27A	ins No. 49, 1973, s 7 amd No. 27, 1976, s 6; No. 64, 1976, s 4; No. 54, 1978, s 3; No. 89, 1981, s 11; No. 34, 1986, s 5; No. 38, 1987, s 11 rep No. 30, 1991, s 8
s 27B	ins No. 49, 1973, s 7 amd No. 27, 1976, s 6; No. 64, 1976, s 4, No. 54, 1978, s 3; No. 89, 1981, s 11; No. 34, 1986, s 6; No. 38, 1987, s 12 rep No. 30, 1991, s 8
s 27E	ins No. 24, 1979, s 3 rep No. 30, 1991, s 8
ss 27F – 27G	ins No. 38, 1987, s 13 rep No. 30, 1991, s 8
s 28	amd No. 76, 1972, s 9; No. 21, 1978, s 10; No. 54, 1978, s 4; No. 89, 1981, s 11; No. 30, 1989, s 21 rep No. 30, 1991, s 8 ins No. 13, 2007, s 4 amd No. 24, 2011, s 37; No. 4, 2024, s 45
s 28A	ins No. 33, 1962, s 2 amd No. 27, 1967, s 6; No. 64, 1976, s 4; No. 54, 1978, s 3; No. 89, 1981, s 11 rep No. 30, 1991, s 8
pt 3	
div 2 hdg	ins No. 13, 2007, s 4
s 29	rep No. 30, 1991, s 8 ins No. 13, 2007, s 4
s 30	amd No. 27, 1967, s 6; No. 76, 1972, s 10; No. 64, 1976, s 4; No. 21, 1978, s 15; No. 54, 1978, ss 3 and 4; No. 89, 1981, s 11; No. 30, 1989, s 21 rep No. 30, 1991, s 8 ins No. 13, 2007, s 4
pt 3	
div 3 hdg	ins No. 13, 2007, s 4
s 31	rep No. 30, 1991, s 8 ins No. 13, 2007, s 4
s 32	amd No. 7, 1970, s 4; No. 64, 1976, s 4; No. 54, 1978, ss 3 and 4; No. 89, 1981, s 11 rep No. 30, 1991, s 8 ins No. 13, 2007, s 4
s 33	rep No. 30, 1991, s 8 ins No. 13, 2007, s 4
s 33A	ins No. 13, 2007, s 4
pt 3	
div 4 hdg	ins No. 13, 2007, s 4
s 33B	ins No. 13, 2007, s 4
pt 3	
div 5 hdg	ins No. 13, 2007, s 4

ss 33C – 33E	ins No. 13, 2007, s 4
s 33F	ins No. 13, 2007, s 4 amd No. 27, 2026, s 7
pt 3	
div 6 hdg	ins No. 13, 2007, s 4
s 33G	ins No. 13, 2007, s 4 amd No. 27, 2026, s 7
ss 33H – 33L	ins No. 13, 2007, s 4
pt 3	
div 7 hdg	ins No. 13, 2007, s 4
ss 33M – 33R	ins No. 13, 2007, s 4
s 33S	ins No. 13, 2007, s 4 amd No. 8, 2016, s 45
ss 33T – 33U	ins No. 13, 2007, s 4
pt I3II	
div 8 hdg	ins No. 13, 2007, s 4
ss 33V – 33X	ins No. 13, 2007, s 4
s 33Y	ins No. 13, 2007, s 4 rep No. 1, 2022, s 14
s 33Z	ins No. 13, 2007, s 4 amd No. 23, 2020, s 26
pt 4 hdg	amd No. 23, 2020, s 26
s 34	amd No. 76, 1972, s 11; No. 39, 1973, s 2; No. 87, 1973, s 3; No. 54, 1978, s 4; No. 89, 1981, s 11; No. 30, 1989, s 21; No. 23, 2025, s 33; No. 27, 2026, s 7
s 35	amd No. 28, 1975, s 8; No. 89, 1981, s 5; No. 50, 1994, s 16; No. 24, 1996, s 32
s 37	amd No. 89, 1981, s 6; No. 24, 1996, s 32
s 38	amd No. 27, 1967, s 6; No. 21, 1978, s 15; No. 54, 1978, s 4; No. 89, 1981, s 11
s 39	amd No. 17, 1996, s 6
s 41	rep No. 89, 1981, s 7
s 42	amd No. 89, 1981, s 11 sub No. 23, 2020, s 11
s 43	amd No. 89, 1981, s 8; No. 27, 2026, s 7
pt 5 hdg	sub No. 70, 1979, s 6 amd No. 23, 2020, s 26
pt 5	
div 1 hdg	ins No. 14, 2006, s 4 sub No. 35, 2010, s 51
s 44	amd No. 28, 1975, s 9 rep No. 89, 1981, s 9 ins No. 30, 1991, s 9 sub No. 14, 2006, s 4; No. 35, 2010, s 51 amd No. 41, 2014, s 53
pt 5	
div 2 hdg	ins No. 14, 2006, s 4
s 45	amd No. 87, 1973, s 12; No. 64, 1976, s 4; No. 54, 1978, ss 3 and 4 sub No. 70, 1979, s 6 amd No. 89, 1981, s 11; No. 51, 1986, s 4; No. 30, 1991, s 10; No. 23, 2020, s 12
s 46	amd No. 54, 1978, s 4 sub No. 70, 1979, s 6 amd No. 133, 1979, s 3; No. 30, 1991, s 16; No. 41, 2014, s 53; No. 23, 2020, s 13

s 47	amd No. 27, 1967, s 6; No. 24, 1973, s 5 sub No. 70, 1979, s 6 amd No. 28, 1986, s 5; No. 51, 1986, s 4; No. 30, 1989, s 9; No. 30, 1991, s 16 sub No. 14, 2006, s 5; No. 35, 2010, s 52 amd No. 23, 2020, s 14
s 47A	ins 47, 2006, s 5 sub No. 35, 2010, s 52 amd No. 41, 2014, s 53
ss 47B– 47C	ins 47, 2006, s 5 rep No. 35, 2010, s 52
s 48	sub No. 70, 1979, s 6 amd No. 30, 1991, s 16; No. 41, 2014, s 53 rep No. 23, 2020, s 15
s 49	sub No. 70, 1979, s 6 amd No. 30, 1991, s 16; No. 5, 1995, s 19 rep No. 23, 2020, s 15
pt 5	
div 3 hdg	ins No. 14, 2006, s 6 rep No. 35, 2010, s 52
ss 49A – 49C	ins No. 14, 2006, s 6 rep No. 35, 2010, s 52
pt 5A hdg	ins No. 69. 1982, s 6 amd No. 23, 2020, s 26
pt 5A	
div 1 hdg	ins No. 69. 1982, s 6
s 50	amd No. 27, 1967, s 6; No. 24, 1973, s 6; No. 44, 1978, s 6 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6
s 50A	ins No. 24, 1973, s 7 amd No. 28, 1975, s 10; No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 70, 1979, s 6
s 51	amd No. 24, 1973, s 8 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 15, 1984, s 4
pt 5A	
div 2 hdg	ins No. 69, 1982, s 6
s 52	amd No. 12, 1967, s 2; No. 27, 1967, s 6; No. 69, 1970, s 3 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 23, 2013, s 4
s 53	amd No. 61, 1970, s 2; No. 32, 1971, s 4 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 23, 2013, s 4
pt 5A	
div 3 hdg	ins No. 69, 1982, s 6
s 54	rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 23, 2013, s 4
s 55	amd No. 69, 1970, s 4 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 23, 2013, s 4
pt 5A	
div 4 hdg	ins No. 69, 1982, s 6

s 56	amd No. 69, 1970, s 5; No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6
pt 5B hdg	ins No. 69, 1982, s 6 amd No. 23, 2020, s 26
s 57	amd No. 28, 1975, s 11; No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 23, 2020, s 26
s 58	amd No. 27, 1967, s 6 sub No. 69, 1970, s 6 amd No. 24, 1973, s 9; No. 28, 1975, s 12 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 23, 2013, s 4
s 59	amd No. 12, 1967, s 3; No. 61, 1970, s 3; No. 87, 1973, s 12 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 38, 1987, s 14; No. 24, 1996, s 10; No. 23, 2020, s 26; No. 27, 2026, s 7
s 60	amd No. 69, 1970, s 7; No. 87, 1973, s 12; No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 24, 1996, s 11; No. 23, 2020, s 26
pt 5C hdg	ins No. 69, 1982, s 6 amd No. 23, 2020, s 26
pt 5C div 1 hdg	ins No. 23, 2020, s 16
ss 60A – 60B	ins No. 23, 2020, s 16
pt 5C div 2 hdg	ins No. 23, 2020, s 16
s 61	rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 3, 2001, s 8; No. 6, 2010, s 18; No. 23, 2020, s 26
s 62	rep No. 70, 1979, s 6 ins No. 69, 1982, s 6
s 63	rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 98, 1998, s 17; No. 6, 2010, s 19
pt 5D hdg	ins No. 69, 1982, s 6 amd No. 23, 2020, s 26
s 64	amd No. 12, 1967, s 4 rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 23, 2020, s 26
s 65	rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 98, 1998, s 17; No. 23, 2013, s 4
pt 5E hdg	ins No. 69, 1982, s 6 amd No. 23, 2020, s 26
pt 5E div 1 hdg	ins No. 69, 1982, s 6
s 66	rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 15, 1984, s 5; No. 23, 2020, s 26

s 67	rep No. 70, 1979, s 6 ins No. 69, 1982, s 6 amd No. 17, 1996, s 6; No. 98, 1998, s 9; No. 23, 2020, s 26
ss 68 – 70	rep No. 70, 1979, s 6
s 71	amd No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 70, 1979, s 6
ss 72 – 74	amd No. 27, 1967, s 6 rep No. 70, 1979, s 6
ss 75 – 79	rep No. 70, 1979, s 6
s 80	amd No. 27, 1976, s 6; No. 7, 1970, s 5 rep No. 37, 1976, s 5
ss 80A – 80B	ins No. 75, 1973, s 4 rep No. 37, 1976, s 5
s 81	amd No. 27, 1976, s 6; No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 70, 1979, s 6
s 82	amd No. 32, 1971, s 5 rep No. 70, 1979, s 6
s 83	amd No. 27, 1967, s 6; No. 54, 1978, s 4 rep No. 70, 1979, s 6
s 84	amd No. 76, 1972, s 12; No. 54, 1978, s 4 rep No. 70, 1979, s 6
s 85	rep No. 70, 1979, s 6
s 86	amd No. 27, 1967, s 6 rep No. 70, 1979, s 6
s 87	rep No. 70, 1979, s 6
s 88	amd No. 27, 1967, s 6; No. 24, 1973, s 10 rep No. 70, 1979, s 6
ss 89 – 90	rep No. 70, 1979, s 6
s 91	sub No. 12, 1966, s 11 amd No. 61, 1970, s 4 rep No. 70, 1979, s 6
pt 6 hdg	amd No. 23, 2020, s 26
s 92	amd No. 38, 1985, s 5; No. 30, 1989, s 10; No. 24, 1996, s 12; No. 3, 1998, s 5
s 92A	ins No. 98, 1998, s 10 amd No. 27, 2026, s 7
s 93	amd No. 24, 1996, s 13
s 94	rep No. 27, 1967, s 3
s 95	amd No. 12, 1966, s 12; No. 24, 1996, s 14; No. 98, 1998, s 17 sub No. 23, 2020, s 17
s 96	amd No. 27, 1967, s 6; No. 21, 1978, s 15; No. 54, 1978, s 4; No. 24, 1996, s 15
s 97	amd No. 89, 1981, s 11; No. 24, 1996, s 16 sub No. 98, 1998, s 11
s 98	amd No. 45, 1962, s 4; No. 12, 1966, s 13 sub No. 27, 1967, s 4 amd No. 21, 1978, s 11; No. 89, 1981, s 11; No. 17, 1996, s 6; No. 24, 1996, ss 17 and 32
s 99	amd No. 24, 1961, s 4 rep No. 27, 1967, s 5
s 100	amd No. 27, 1967, s 6; No. 21, 1978, s 15; No. 54, 1978, s 4; No. 24, 1996, s 18
s 101	amd No. 27, 1967, s 6 rep No. 21, 1978, s 12 ins No. 30, 1989, s 11 sub No. 23, 2020, s 18
s 101AA	ins No. 23, 2020, s 18
s 101A	ins No. 35, 1992, s 6

s 101B	ins No. 98, 1998, s 12
s 102	amd No. 26, 1962, s 3; No. 28, 1975, s 13; No. 64, 1976, s 4; No. 54, 1978, s 3; No. 89, 1981, s 11; No. 100, 1981, s 6; No. 38, 1987, s 15; No. 30, 1989, s 12; No. 59, 1990, s 4; No. 30, 1991, s 11; No. 23, 1995, s 2; No. 17, 1996, s 6; No. 24, 1996, s 19; No. 98, 1998, s 13; No. 17, 2001, s 21; No. 60, 2001, s 12; No. 1, 2003, s 17; No. 3, 2006, s 12; No. 43, 2011, s 33; No. 23, 2020, s 19; No. 23, 2024, s 37
ss 102AAA – 102AAD	ins No. 3, 2006, s 13
s 102AA	ins No. 19, 1994, s 4 amd No. 17, 1996, s 6; No. 24, 1996, s 32; No. 3, 1998, s 6; No. 7, 2008, s 19; No. 22, 2011, s 48; No. 35, 2015, s 4; No. 23, 2020, s 20; No. 4, 2024, s 46
s 102A	ins No. 24, 1961, s 5
s 103	amd No. 16, 1963, s 3; No. 27, 1967, s 6; No. 76, 1972, s 13; No. 27, 1976, s 6; No. 54, 1978, s 4; No. 70, 1979, s 8; No. 89, 1981, s 11; No. 30, 1989, s 13; No. 98, 1998, s 14; No. 10, 2007, s 10; No. 23, 2020, s 26 sub No. 23, 2025, s 34
s 104	rep No. 98, 1998, s 17 ins No. 10, 2007, s 11 amd No. 32, 2008, s 7
s 105	amd No. 24, 1961, s 6; No. 89, 1981, s 11 rep No. 50, 1994, s 16 ins No. 23, 2025, s 35
s 106	amd No. 89, 1981, s 11
pt 6A hdg	ins No. 100, 1981, s 7 rep No. 23, 2020, s 21
s 106A	ins No. 100, 1981, s 7 amd No. 98, 1998, s 17 rep No. 23, 2020, s 21
ss 106B – 106E	ins No. 100, 1981, s 7 rep No. 23, 2020, s 21
pt 6B hdg	ins No. 24, 1996, s 20 amd No. 23, 2020, s 26
s 107	sub No. 12, 1966, s 14 amd No. 6, 1978, s 5; No. 133, 1979, s 4; No. 38, 1987, s 16 rep No. 66, 1988, s 6 ins No. 24, 1996, s 20 amd No. 23, 2013, s 4
s 107A	ins No. 24, 1961, s 7 rep No. 66, 1988, s 6 ins No. 24, 1996, s 20 amd No. 6, 2008, s 3; No. 27, 2026, s 7
s 107B	ins No. 133, 1979, s 5 sub No. 14, 1984, s 2 amd No. 64, 1986, s 4 rep No. 66, 1988, s 6 ins No. 24, 1996, s 20 amd No. 6, 2008, s 3; No. 27, 2026, s 7
pt 7 hdg	amd No. 23, 2020, s 26
s 108	amd No. 24, 1996, s 21
s 108A	ins No. 30, 1977, s 4 amd No. 89, 1981, s 11 rep No. 23, 2020, s 21
s 110	amd No. 27, 1967, s 6; No. 89, 1981, s 11; No. 100, 1981, s 8; No. 30, 1989, s 15 rep No. 30, 1991, s 12

s 111	amd No. 87, 1973, s 12; No. 64, 1976, s 4; No. 54, 1978, s 3; No. 89, 1981, s 11; No. 30, 1989, s 21 sub No. 23, 2020, s 22
s 112	sub No. 3, 1998, s 7 amd No. 23, 2020, s 26
s 113	sub No. 32, 2008, s 8 amd No. 23, 2020, s 26
s 114	amd No. 89, 1981, s 11; No. 64, 1986, s 4; No. 38, 1987, s 17 rep No. 66, 1988, s 6 ins No. 3, 2006, s 14 amd No. 23, 2013, s 4
s 115	amd No. 89, 1981, s 11; No. 24, 1996, s 22; No. 98, 1998, s 15; No. 27, 2026, s 6
s 116	amd No. 89, 1981, s 11
s 117	amd No. 27, 1967, s 6; No. 76, 1972, s 14; No. 89, 1981, s 11; No. 30, 1989, s 16; No. 17, 1996, s 6; No. 24, 1996, s 23; No. 23, 2013, s 4 No. 8, 2016, s 45
s 117A	ins No. 68, 1983, s 73 amd No. 49, 1985, s 4 sub No. 35, 1986, s 2 amd No. 38, 1987, s 18; No. 30, 1989, s 21; No. 24, 1996, s 24
pt 8 hdg	amd No. 23, 2020, s 26
s 118	amd No. 24, 1996, s 25; No. 3, 1998, s 8
s 119	amd No. 89, 1981, s 11 sub No. 69, 1982, s 7 amd No. 38, 1987, s 19; No. 30, 1989, s 17; No. 24, 1996, s 26
s 119A	ins No. 30, 1989, s 18
s 120	amd No. 64, 1976, s 4; No. 54, 1978, s 3; No. 89, 1981, s 11
s 121	amd No. 89, 1981, s 11 sub No. 1, 2022, s 15
s 122	amd No. 89, 1981, s 11
s 123	amd No. 12, 1966, s 15; No. 89, 1981, s 11 sub No. 3, 1998, s 9; No. 98, 1998, s 16
s 123A	ins No. 24, 1996, s 27
s 124	amd No. 54, 1978, s 4; No. 89, 1981, s 11 No. 8, 2016, s 45
s 125	amd No. 64, 1976, s 4; No. 54, 1978, s 3; No. 89, 1981, s 11
ss 126 – 128	amd No. 89, 1981, s 11
s 128A	ins No. 153, 1979, s 4 amd No. 89, 1981, s 11; No. 100, 1981, s 9; No. 38, 1987, s 20; No. 98, 1998, s 17; No. 19, 2013, s 4; No. 23, 2020, s 23; No. 27, 2026, s 7
s 129	amd No. 69, 1970, s 8; No. 89, 1981, s 11
s 130	amd No. 89, 1981, s 11; No. 68, 1983, s 73; No. 17, 1996, s 6
s 131	rep No. 24, 1961, s 8
s 132	amd No. 22, 1959, s 6; No. 27, 1967, s 6; No. 64, 1976, s 4; No. 21, 1978, s 15; No. 54, 1978, ss 3 and 4; No. 70, 1979, s 9; No. 89, 1981, s 11; No. 28, 1986, s 6; No. 24, 1996, s 28
s 133	amd No. 27, 1967, s 6; No. 54, 1978, s 4; No. 89, 1981, s 11 rep No. 98, 1998, s 17
s 134	amd No. 54, 1978, s 4; No. 89, 1981, s 11 rep No. 98, 1998, s 17
s 135	amd No. 76, 1972, s 15; No. 64, 1976, s 4; No. 21, 1978, s 15; No. 54, 1978, ss 3 and 4; No. 89, 1981, s 11 rep No. 30, 1989, s 21 ins No. 24, 1996, s 29 sub No. 23, 2025, s 36
s 136	amd No. 76, 1972, s 16; No. 64, 1976, s 4; No. 21, 1978, s 15; No. 54, 1978, ss 3 and 4; No. 89, 1981, s 11 rep No. 30, 1989, s 21

s 137	amd No. 27, 1967, s 6; No. 21, 1978, s 15; No. 54, 1978, s 4; No. 133, 1979, s 6; No. 89, 1981, s 11; No. 30, 1989, s 19; No. 24, 1996, s 30
s 137A	ins No. 34, 1986, s 7 rep No. 30, 1991, s 13
s 137B	ins No. 28, 1986, s 7
s 137C	ins No. 3, 2006, s 15
s 137D	ins No. 21, 2015, s 4
s 137E	ins No. 35, 2019, s 12 amd No. 1, 2022, s 16
s 137F	ins No. 23, 2025, s 37
s 138	amd No. 14, 1967, s 2; No. 27, 1967, s 6; No. 7, 1970, s 6; No. 28, 1975, s 14; No. 64, 1976, s 4; No. 21, 1978, s 13; No. 54, 1978, s 3; No. 95, 1978, s 14; No. 70, 1979, s 10; No. 89, 1981, s 11; No. 69, 1982, s 8; No. 34, 1986, s 8; No. 38, 1987, s 21; No. 30, 1991, s 14; No. 24, 1996, s 32; No. 98, 1998, s 17; No. 13, 2007, s 5; No. 23, 2013, s 4; No. 23, 2020, s 24
pt 9 hdg	ins No. 35, 2010, s 54 amd No. 23, 2020, s 26
s 139	ins No. 35, 2010, s 54
pt 10 hdg	ins No. 21, 2015, s 5 amd No. 23, 2020, s 26
s 140	ins No. 21, 2015, s 5
pt 11 hdg	ins No. 35, 2015, s 6 amd No. 23, 2020, s 26
s 141	ins No. 35, 2015, s 6
pt 12 hdg	ins No. 23, 2025, s 38
ss 142 – 145	ins No. 23, 2025, s 38
first sch	amd No. 16, 1963, s 4; No. 12, 1966, s 16; No. 27, 1967, s 6; No. 47, 1968, s 3; No. 49, 1973, s 8; No. 28, 1995, s 15; No. 27, 1976, s 6 rep No. 76, 1972, s 17
sch 2 hdg	amd No. 89, 1981, s 11
sch 2	sub SL No. 6, 1953, r 4 amd SL No. 11, 1954, r 3; No. 16, 1963, s 5 sub No. 56, 1965, s 3; No. 14, 1968, s 3 amd No. 42, 1969, s 2; No. 28, 1975, s 16 rep No. 21, 1978, s 14 ins No. 70, 1979, s 11 amd No. 133, 1979, s 7; *Gaz* G31; *Gaz* G6; *Gaz* S64; *Gaz* G16; *Gaz* S90; *Gaz* G45; *Gaz* G31 rep No. 30, 1991, s 15
sch 3	rep No. 89, 1981, s 10
sch 4 hdg	amd No. 89, 1981, s 11
sch 4	amd No. 3, 1958, s 3; No. 24, 1961, s 9; SL No. 6, 1962, r 4; No. 26, 1962, s 4; No. 46, 1971, s 2; No. 28, 1975, s 17; No. 30, 1977, s 5; No. 89, 1981, s 11; No. 100, 1981, s 10; No. 24, 1996, s 32 sub No. 23, 2020, s 25
sch 5	rep No. 89, 1981, s 10
sch 6	ins No. 100, 1981, s 11 rep No. 23, 2020, s 25