



NORTHERN TERRITORY OF AUSTRALIA

No. 28 of 1986

AN ACT

to amend the *Motor Vehicles Act*

[Assented to 14 July 1986]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Motor Vehicles Amendment Act 1986*.

2. COMMENCEMENT

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

3. PRINCIPAL ACT

The *Motor Vehicles Act* is in this Act referred to as the Principal Act.

4. INTERPRETATION

Section 5 of the Principal Act is amended -

- (a) by inserting after the definition of "driver" the following:

"'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;" and

- (b) by inserting after the definition of "passenger car derivative" the following:

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

5. MINISTER MAY VARY RATES OF CONTRIBUTION

Section 47 of the Principal Act is amended -

- (a) by omitting "the grant or renewal of the registration of a motor vehicle," and substituting "the grant or renewal of the registration of a motor vehicle or of a pastoral vehicle permit,"; and
- (b) by omitting "specified in that notice" and substituting "specified in that notice, the grant or renewal of those permits".

6. REMISSION OR REFUND OF FEES

Section 132 of the Principal Act is amended by adding at the end the following:

"(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."

7. NEW SECTION

The Principal Act is amended by inserting after section 137 the following:

"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.

Motor Vehicles Amendment

"(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

Motor Vehicles Amendment

(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)."
