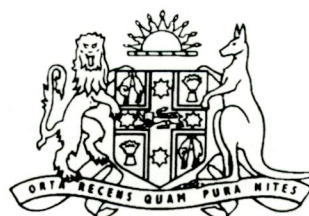


First print



New South Wales

Road Transport Legislation Amendment Bill 1995

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

This Bill is cognate with the *Road Transport (Heavy Vehicles Registration Charges) Bill 1995*.

Overview of Bill

The object of this Bill is to amend various Acts as a consequence of the enactment of the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides that the proposed Act will commence on a day or days to be proclaimed.

Clause 3 is a formal provision that gives effect to Schedule 1 which amends the *Motor Vehicles Taxation Act 1988*.

Clause 4 is a formal provision that gives effect to Schedule 2 which amends the *Roads Act 1993*.

Clause 5 is a formal provision that gives effect to Schedule 3 which amends the *Traffic Act 1909*.

Clause 6 is a formal provision that gives effect to Schedule 4 which amends the *Transport Administration Act 1988*.

Schedule 1 Amendment of Motor Vehicles Taxation Act 1988

Schedule 1 [1] and [2] update the definition of *pensioner* for the purposes of pensioner exemptions.

Schedule 1 [3] inserts proposed section 3B which excludes from the operation of the Act vehicles in respect of which charges (including nil charges) are imposed or which are exempt from charges under the proposed *Road Transport (Heavy Vehicles Registration Charges) Act 1995*. It also contains a regulation making power to enable appropriate regulations to be made of a savings or transitional nature when that proposed Act expires.

Schedule 1 [4], [7] and [11] make it clear that the tax set out in clauses 3, 4 and 8 of Schedule 1 (the schedule of motor vehicle tax) does not apply to vehicles charged under the proposed *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

Schedule 1 [5] and [6] amend clause 3 of Schedule 1 as a consequence of the amendments made by Schedule 1 [8] and [12].

Schedule 1 [8] substitutes clause 5 (1) in Schedule 1 to replace the tax rate currently set for light special purpose vehicles with a rate for light self-propelled plant.

Schedule 1 [9] and [10] amend clause 5 of Schedule 1 as a consequence of the amendments made by Schedule 1 [8].

Schedule 1 [12] inserts clause 9 into Schedule 1. The clause caps the motor vehicle tax payable for light motor lorries at \$393.

Schedule 2 Amendment of the Roads Act 1993

Schedule 2 [1], [2] and [3] repeal provisions relating to excess weight charges and fees for excess weight permits. These charges are to be replaced with registration charges and permit charges under the proposed *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

Schedule 3 Amendment of Traffic Act 1909

Schedule 3 [1] enables penalty notices to be issued for prescribed offences under the proposed *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

Schedule 3 [2] enables charges payable under that proposed Act to be included with motor vehicle tax as an amount that must be paid in any amounts payable to avoid forfeiture of an unregistered vehicle.

Schedule 4 Amendment of Transport Administration Act 1988

Schedule 4 [1] confers on the RTA the functions referred to in the proposed *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

Schedule 4 [2] makes an amendment as a consequence of the appropriation of money into the Roads and Traffic Authority Fund under that proposed Act.

Schedule 4 [3] includes amounts of charges under that proposed Act for the purpose of determining the ceiling on the amount that the Minister may distribute in grants to local councils in connection with buses.



New South Wales

Road Transport Legislation Amendment Bill 1995

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New South Wales

Road Transport Legislation Amendment Bill 1995

No. , 1995

A Bill for

An Act to amend various Acts as a consequence of the enactment of the
Road Transport (Heavy Vehicles Registration Charges) Act 1995.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Road Transport Legislation Amendment Act 1995*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation. 5

3 Amendment of Motor Vehicles Taxation Act 1988 No 111

The *Motor Vehicles Taxation Act 1988* is amended as set out in Schedule 1.

4 Amendment of Roads Act 1993 No 33

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The *Roads Act 1993* is amended as set out in Schedule 2.

5 Amendment of Traffic Act 1909 No 5

The *Traffic Act 1909* is amended as set out in Schedule 3.

6 Amendment of Transport Administration Act 1988 No 109

The *Transport Administration Act 1988* is amended as set out in Schedule 4. 15

Schedule 1 Amendment of Motor Vehicles Taxation Act 1988

(Section 3)

[1] Section 3 Definitions

Omit paragraph (a) of the definition of *pensioner*. Insert instead: 5

- (a) who is the holder of a Pensioner Concession Card which is in force issued by the Commonwealth Department of Social Security or the Commonwealth Department of Veterans' Affairs, or 10

[2] Section 3

Omit paragraph (b1) of the definition of *pensioner*. Insert instead:

- (b1) who is an armed services widow within the meaning of the *Social Security Act 1991* of the Commonwealth and: 15
 - (i) who is in receipt of a pension under Part II or IV of the *Veterans' Entitlements Act 1986* of the Commonwealth at the maximum rate applicable under section 1064 (5) of the *Social Security Act 1991* of the Commonwealth, and 20
 - (ii) who is under the applicable pension age for the person set out in section 5QA of the *Veterans' Entitlements Act 1986* of the Commonwealth, 25

Insert after section 3A:

(1)	This Act applies to motor vehicles in respect of which an amount of tax (including a nil amount) is specified in Schedule 1 but does not apply to a vehicle in respect of which a charge (including a nil charge) is imposed under the <i>Road Transport (Heavy Vehicles Registration Charges) Act 1995</i> or which is exempt from charges under Part 4 of that Act.	5 10
(2)	The regulations may contain provisions of a savings or transitional nature consequent on the expiry of the <i>Road Transport (Heavy Vehicles Registration Charges) Act 1995</i> .	15
(3)	Without limiting subsection (2), provision may be made for or with respect to:	
	(a) establishing amounts of tax payable in respect of vehicles to which the expired Act applied or exempting any such vehicle from tax, and	20
	(b) the construction of references to the expired Act and matters under the expired Act, and	
	(c) the treatment and enforcement of, and other matters relating to, liabilities under the expired Act, and	25
	(d) the temporary operation of provisions in other Acts relating to the expired Act or affected by the expiry.	
(4)	Any such savings or transitional provision may, if the regulations so provide, take effect on or before the expiry date or a later date.	30

-
- (5) To the extent to which any savings or transitional provision takes effect on a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
- (a) to affect, in a manner prejudicial to any person (other than the State or any authority of the State), the rights of that person existing before the date of its publication, or 5
- (b) to impose liabilities on any person (other than the State or any authority of the State) in respect of anything done or omitted to be done before the date of its publication. 10
- (6) Despite subsection (5), it is not prejudicial to any person to impose an amount of tax that is the same or less than the amount of registration charges payable under the expired Act and a liability may be imposed on a person in respect of such an amount. 15

[4] Schedule 1 Motor vehicle tax

Insert "and is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act" after "2 500 kilograms" in clause 3 (a). 20

[5] Schedule 1, clause 3 (c)

Omit the paragraph. Insert instead:

- (c) is not a motor omnibus, a motor lorry or light self-propelled plant as defined in clause 5, 25

[6] Schedule 1, Table to clause 3

Omit "light special purpose vehicle" from the heading to column 2. Insert instead "motor lorry or light self-propelled plant".

Road Transport Legislation Amendment Bill 1995

Schedule 1 Amendment of Motor Vehicles Taxation Act 1988

[7] Schedule 1, clause 4

Insert "and which is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act" after "2 500 kilograms".

5

[8] Schedule 1, clause 5 (1)

Omit clause 5 (1). Insert instead:

(1) In this clause, ***light self-propelled plant*** means plant (other than a trailer) which is of a weight exceeding 2 500 kilograms and:

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(a) is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act, and

(b) is not used substantially for private purposes.

15

[9] Schedule 1, clause 5 (2)

Omit "light special purpose vehicle".

Insert instead "light self-propelled plant".

[10] Schedule 1, Table to clause 5

Omit "light special purpose vehicle" from the heading to column 2.

20

Insert instead "light self-propelled plant".

[11] Schedule 1, clause 8

Insert "and which is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act" after "3 560 kilograms".

25

[12] Schedule 1, clause 9

Insert after clause 8:

9 Motor lorries exceeding 2 500 kg

In respect of a motor lorry which is of a weight exceeding 2 500 kilograms and:

5

(a) is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act, and

(b) is not used substantially for private purposes,

10

the amount of tax is \$393.

Schedule 2 Amendment of Roads Act 1993

(Section 4)

[1] Section 109 Excess weight permits

Omit section 109 (2).

[2] Section 110 Excess weight charges

5

Omit the section.

[3] Section 111 Excess weight charges to be held in RTA Fund

Omit the section.

Schedule 3 Amendment of Traffic Act 1909

(Section 5)

[1] Section 18B Penalty notices for certain offences

Insert after section 18B (1) (cb):

- (cc) has committed any prescribed offence under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or any regulation made under that Act, 5

[2] Section 24 Power to seize unregistered vehicles

Insert "or the charges or administration fees imposed under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*" after "Motor Vehicles Taxation Act 1988" in section 24 (5) (b). 10

**Schedule 4 Amendment of Transport
Administration Act 1988**

(Section 6)

[1] Section 46 Constitution of RTA

Insert “, the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” after “*Motor Vehicles Taxation Act 1988*” in section 46 (2) (a). 5

[2] Section 78 Payments into Roads and Traffic Authority Fund

Insert “or charges and administration fees paid under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” after “*Motor Vehicles Taxation Act 1988*” in section 78 (1) (b) (i). 10

[3] Section 106 Grants to councils in connection with use of buses

Omit section 106 (2). Insert instead:

- (2) The amount approved by the Minister for distribution in any financial year must not exceed the amount of tax and charges which the Minister estimates was received under the *Motor Vehicles Taxation Act 1988* and the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* during the previous financial year in connection with the registration of buses. 15
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Second print



New South Wales

Road Transport Legislation Amendment Bill 1995

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly,
Legislative Assembly,
Sydney, , 1995*



New South Wales

Road Transport Legislation Amendment Bill 1995

Act No , 1995

*An Act to amend various Acts as a consequence of the enactment of the
Road Transport (Heavy Vehicles Registration Charges) Act 1995.*

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Road Transport Legislation Amendment Act 1995*.

2 Commencement

This Act commences on 1 July 1996, unless commenced sooner 5
by proclamation.

3 Amendment of Motor Vehicles Taxation Act 1988 No 111

The *Motor Vehicles Taxation Act 1988* is amended as set out in
Schedule 1.

4 Amendment of Roads Act 1993 No 33 10

The *Roads Act 1993* is amended as set out in Schedule 2.

5 Amendment of Traffic Act 1909 No 5

The *Traffic Act 1909* is amended as set out in Schedule 3.

6 Amendment of Transport Administration Act 1988 No 109

The *Transport Administration Act 1988* is amended as set out in 15
Schedule 4.

Schedule 1 Amendment of Motor Vehicles Taxation Act 1988

(Section 3)

[1] Section 3 Definitions

Omit paragraph (a) of the definition of *pensioner*. Insert instead: 5

- (a) who is the holder of a Pensioner Concession Card which is in force issued by the Commonwealth Department of Social Security or the Commonwealth Department of Veterans' Affairs, or 10

[2] Section 3

Omit paragraph (b1) of the definition of *pensioner*. Insert instead:

- (b1) who is an armed services widow within the meaning of the *Social Security Act 1991* of the Commonwealth and: 15
 - (i) who is in receipt of a pension under Part II or IV of the *Veterans' Entitlements Act 1986* of the Commonwealth at the maximum rate applicable under section 1064 (5) of the *Social Security Act 1991* of the Commonwealth, and 20
 - (ii) who is under the applicable pension age for the person set out in section 5QA of the *Veterans' Entitlements Act 1986* of the Commonwealth, 25

[3] Section 3B

Insert after section 3A:

3B Effect of Road Transport (Heavy Vehicles Registration Charges) Act 1995

- (1) This Act applies to motor vehicles in respect of which an amount of tax (including a nil amount) is specified in Schedule 1 but does not apply to a vehicle in respect of which a charge (including a nil charge) is imposed under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or which is exempt from charges under Part 4 of that Act. 5 10
- (2) The regulations may contain provisions of a savings or transitional nature consequent on the expiry of the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*. 15
- (3) Without limiting subsection (2), provision may be made for or with respect to:
 - (a) establishing amounts of tax payable in respect of vehicles to which the expired Act applied or exempting any such vehicle from tax, and 20
 - (b) the construction of references to the expired Act and matters under the expired Act, and
 - (c) the treatment and enforcement of, and other matters relating to, liabilities under the expired Act, and 25
 - (d) the temporary operation of provisions in other Acts relating to the expired Act or affected by the expiry.
- (4) Any such savings or transitional provision may, if the regulations so provide, take effect on or before the expiry date or a later date. 30

-
- (5) To the extent to which any savings or transitional provision takes effect on a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
- (a) to affect, in a manner prejudicial to any person (other than the State or any authority of the State), the rights of that person existing before the date of its publication, or 5
 - (b) to impose liabilities on any person (other than the State or any authority of the State) in respect of anything done or omitted to be done before the date of its publication. 10
- (6) Despite subsection (5), it is not prejudicial to any person to impose an amount of tax that is the same or less than the amount of registration charges payable under the expired Act and a liability may be imposed on a person in respect of such an amount. 15

[4] Schedule 1 Motor vehicle tax

Insert "and is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act" after "2 500 kilograms" in clause 3 (a). 20

[5] Schedule 1, clause 3 (c)

Omit the paragraph. Insert instead:

- (c) is not a motor omnibus, a motor lorry or light self-propelled plant as defined in clause 5, 25

[6] Schedule 1, Table to clause 3

Omit "light special purpose vehicle" from the heading to column 2. Insert instead "motor lorry or light self-propelled plant".

Road Transport Legislation Amendment Bill 1995

Schedule 1 Amendment of Motor Vehicles Taxation Act 1988

[7] Schedule 1, clause 4

Insert "and which is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act" after "2 500 kilograms".

5

[8] Schedule 1, clause 5 (1)

Omit clause 5 (1). Insert instead:

(1) In this clause, ***light self-propelled plant*** means plant (other than a trailer) which is of a weight exceeding 2 500 kilograms and:

10

(a) is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act, and

(b) is not used substantially for private purposes.

15

[9] Schedule 1, clause 5 (2)

Omit "light special purpose vehicle".

Insert instead "light self-propelled plant".

[10] Schedule 1, Table to clause 5

Omit "light special purpose vehicle" from the heading to column 2.

20

Insert instead "light self-propelled plant".

[11] Schedule 1, clause 8

Insert "and which is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act" after "3 560 kilograms".

25

[12] Schedule 1, clause 9

Insert after clause 8:

9 Motor lorries exceeding 2 500 kg

In respect of a motor lorry which is of a weight exceeding 2 500 kilograms and:

5

(a) is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act, and

(b) is not used substantially for private purposes, 10
the amount of tax is \$393.

Schedule 2 Amendment of Roads Act 1993

(Section 4)

[1] Section 109 Excess weight permits

Omit section 109 (2).

[2] Section 110 Excess weight charges

5

Omit the section.

[3] Section 111 Excess weight charges to be held in RTA Fund

Omit the section.

Schedule 3 Amendment of Traffic Act 1909

(Section 5)

[1] Section 18B Penalty notices for certain offences

Insert after section 18B (1) (cb):

- (cc) has committed any prescribed offence under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or any regulation made under that Act, 5

[2] Section 24 Power to seize unregistered vehicles

Insert "or the charges or administration fees imposed under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*" after "Motor Vehicles Taxation Act 1988" in section 24 (5) (b). 10

**Schedule 4 Amendment of Transport
Administration Act 1988**

(Section 6)

[1] Section 46 Constitution of RTA

Insert “, the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” after “*Motor Vehicles Taxation Act 1988*” in section 46 (2) (a). 5

[2] Section 78 Payments into Roads and Traffic Authority Fund

Insert “or charges and administration fees paid under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” after “*Motor Vehicles Taxation Act 1988*” in section 78 (1) (b) (i). 10

[3] Section 106 Grants to councils in connection with use of buses

Omit section 106 (2). Insert instead:

- (2) The amount approved by the Minister for distribution in any financial year must not exceed the amount of tax and charges which the Minister estimates was received under the *Motor Vehicles Taxation Act 1988* and the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* during the previous financial year in connection with the registration of buses. 15
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New South Wales

Road Transport Legislation Amendment Act 1995 No 73

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New South Wales

Road Transport Legislation Amendment Act 1995 No 73

Act No 73, 1995

An Act to amend various Acts as a consequence of the enactment of the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*. [Assented to 12 December 1995]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Road Transport Legislation Amendment Act 1995*.

2 Commencement

This Act commences on 1 July 1996, unless commenced sooner by proclamation.

3 Amendment of Motor Vehicles Taxation Act 1988 No 111

The *Motor Vehicles Taxation Act 1988* is amended as set out in Schedule 1.

4 Amendment of Roads Act 1993 No 33

The *Roads Act 1993* is amended as set out in Schedule 2.

5 Amendment of Traffic Act 1909 No 5

The *Traffic Act 1909* is amended as set out in Schedule 3.

6 Amendment of Transport Administration Act 1988 No 109

The *Transport Administration Act 1988* is amended as set out in Schedule 4.

Schedule 1 Amendment of Motor Vehicles Taxation Act 1988

(Section 3)

[1] Section 3 Definitions

Omit paragraph (a) of the definition of *pensioner*. Insert instead:

- (a) who is the holder of a Pensioner Concession Card which is in force issued by the Commonwealth Department of Social Security or the Commonwealth Department of Veterans' Affairs, or

[2] Section 3

Omit paragraph (b1) of the definition of *pensioner*. Insert instead:

- (b1) who is an armed services widow within the meaning of the *Social Security Act 1991* of the Commonwealth and:
 - (i) who is in receipt of a pension under Part II or IV of the *Veterans' Entitlements Act 1986* of the Commonwealth at the maximum rate applicable under section 1064 (5) of the *Social Security Act 1991* of the Commonwealth, and
 - (ii) who is under the applicable pension age for the person set out in section 5QA of the *Veterans' Entitlements Act 1986* of the Commonwealth,

[3] Section 3B

Insert after section 3A:

3B Effect of Road Transport (Heavy Vehicles Registration Charges) Act 1995

- (1) This Act applies to motor vehicles in respect of which an amount of tax (including a nil amount) is specified in Schedule 1 but does not apply to a vehicle in respect of which a charge (including a nil charge) is imposed under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or which is exempt from charges under Part 4 of that Act.
- (2) The regulations may contain provisions of a savings or transitional nature consequent on the expiry of the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.
- (3) Without limiting subsection (2), provision may be made for or with respect to:
 - (a) establishing amounts of tax payable in respect of vehicles to which the expired Act applied or exempting any such vehicle from tax, and
 - (b) the construction of references to the expired Act and matters under the expired Act, and
 - (c) the treatment and enforcement of, and other matters relating to, liabilities under the expired Act, and
 - (d) the temporary operation of provisions in other Acts relating to the expired Act or affected by the expiry.
- (4) Any such savings or transitional provision may, if the regulations so provide, take effect on or before the expiry date or a later date.

-
- (5) To the extent to which any savings or transitional provision takes effect on a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
- (a) to affect, in a manner prejudicial to any person (other than the State or any authority of the State), the rights of that person existing before the date of its publication, or
 - (b) to impose liabilities on any person (other than the State or any authority of the State) in respect of anything done or omitted to be done before the date of its publication.
- (6) Despite subsection (5), it is not prejudicial to any person to impose an amount of tax that is the same or less than the amount of registration charges payable under the expired Act and a liability may be imposed on a person in respect of such an amount.

[4] Schedule 1 Motor vehicle tax

Insert “and is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act” after “2 500 kilograms” in clause 3 (a).

[5] Schedule 1, clause 3 (c)

Omit the paragraph. Insert instead:

- (c) is not a motor omnibus, a motor lorry or light self-propelled plant as defined in clause 5,

[6] Schedule 1, Table to clause 3

Omit “light special purpose vehicle” from the heading to column 2. Insert instead “motor lorry or light self-propelled plant”.

[7] Schedule 1, clause 4

Insert "and which is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act" after "2 500 kilograms".

[8] Schedule 1, clause 5 (1)

Omit clause 5 (1). Insert instead:

- (1) In this clause, *light self-propelled plant* means plant (other than a trailer) which is of a weight exceeding 2 500 kilograms and:
 - (a) is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act, and
 - (b) is not used substantially for private purposes.

[9] Schedule 1, clause 5 (2)

Omit "light special purpose vehicle".
Insert instead "light self-propelled plant".

[10] Schedule 1, Table to clause 5

Omit "light special purpose vehicle" from the heading to column 2.
Insert instead "light self-propelled plant".

[11] Schedule 1, clause 8

Insert "and which is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act" after "3 560 kilograms".

[12] Schedule 1, clause 9

Insert after clause 8:

9 Motor lorries exceeding 2 500 kg

In respect of a motor lorry which is of a weight exceeding 2 500 kilograms and:

- (a) is not liable to charges (including a nil charge) under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or is exempt from charges under Part 4 of that Act, and
 - (b) is not used substantially for private purposes,
- the amount of tax is \$393.

Schedule 2 Amendment of Roads Act 1993

(Section 4)

[1] Section 109 Excess weight permits

Omit section 109 (2).

[2] Section 110 Excess weight charges

Omit the section.

[3] Section 111 Excess weight charges to be held in RTA Fund

Omit the section.

Schedule 3 Amendment of Traffic Act 1909

(Section 5)

[1] Section 18B Penalty notices for certain offences

Insert after section 18B (1) (cb):

- (cc) has committed any prescribed offence under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or any regulation made under that Act,

[2] Section 24 Power to seize unregistered vehicles

Insert “or the charges or administration fees imposed under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” after “*Motor Vehicles Taxation Act 1988*” in section 24 (5) (b).

Schedule 4 Amendment of Transport Administration Act 1988

(Section 6)

[1] Section 46 Constitution of RTA

Insert “, the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” after “*Motor Vehicles Taxation Act 1988*” in section 46 (2) (a).

[2] Section 78 Payments into Roads and Traffic Authority Fund

Insert “or charges and administration fees paid under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” after “*Motor Vehicles Taxation Act 1988*” in section 78 (1) (b) (i).

[3] Section 106 Grants to councils in connection with use of buses

Omit section 106 (2). Insert instead:

- (2) The amount approved by the Minister for distribution in any financial year must not exceed the amount of tax and charges which the Minister estimates was received under the *Motor Vehicles Taxation Act 1988* and the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* during the previous financial year in connection with the registration of buses.

[Minister's second reading speech made in—
Legislative Assembly on 15 November 1995
Legislative Council on 4 December 1995]

BY AUTHORITY