
**Motor Traffic (Amendment) Ordinance
(No. 3) 1983**

No. 21 of 1983

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 23 August 1983.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

TOM UREN
Minister of State for Territories
and Local Government

An Ordinance to amend the *Motor Traffic Ordinance 1936*

Short title

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance (No. 3) 1983*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Motor Traffic Ordinance 1936*.²

Interpretation

3. Section 4 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:

"(8) A reference in a provision of this Ordinance to a determined fee shall be read as a reference to the fee determined under section 217A for the purposes of that provision."

Registration of trailers

4. Section 8 of the Principal Ordinance is amended by omitting from sub-section (1) "prescribed" and substituting "determined".

Provisions for persons learning to drive

5. Section 9 of the Principal Ordinance is amended by omitting sub-section (2) and substituting the following sub-section:

“(2) The determined fee is payable for the issue of a permit licence.”.

Granting of licences

6. Section 10 of the Principal Ordinance is amended—

- (a) by inserting in sub-section (4) “, upon payment of the determined fee,” after “may”;
- (b) by omitting from sub-section (6A) all words after “Commonwealth” and substituting “the determined fee”; and
- (c) by omitting paragraph (8) (b) and substituting the following paragraph:

“(b) the determined fee payable in respect of the grant or renewal of the second-mentioned licence was paid.”.

Special licences to drive

7. Section 13A of the Principal Ordinance is amended by omitting from sub-section (4) “a fee of \$17 plus 50 cents for each month or part of a month during which the licence is to remain in force” and substituting “the determined fee”.

Fees

8. Section 14 of the Principal Ordinance is amended by omitting “fees specified in the First Schedule, or such fees as are prescribed in lieu thereof, which are applicable to the case” and substituting “determined fee”.

Affixing of number-plates

9. Section 18 of the Principal Ordinance is amended by omitting from sub-section (4) “a fee of \$10” and substituting “the determined fee”.

Defaced or damaged number-plates

10. Section 19 of the Principal Ordinance is amended by omitting sub-section (2) and substituting the following sub-section:

“(2) The determined fee is payable for the issue of number-plates under sub-paragraph (1) (a) (i) or (ii) or paragraph (1) (b).”.

Loss or destruction of number-plates

11. Section 20 of the Principal Ordinance is amended by omitting from sub-section (2) “sum of \$10” and substituting “determined fee”.

Transferring of number-plates to vehicles of the same class

12. Section 23 of the Principal Ordinance is amended by omitting from sub-section (2) “a fee of \$5” and substituting “the determined fee”.

Reservation of registration number

13. Section 26C of the Principal Ordinance is amended by omitting from paragraph (3) (b) "fee of \$50" and substituting "determined fee".

Extension of period of reservation

14. Section 26E of the Principal Ordinance is amended by omitting from sub-paragraph (b) (ii) "a fee of \$50" and substituting "the determined fee".

Licences of public motor vehicles

15. Section 27 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (4) "fees specified in the First Schedule, or such fees as are prescribed in lieu thereof, which are applicable to the case" and substituting "determined fee"; and
- (b) by omitting from sub-section (7) "a fee of \$20" and substituting "the determined fee".

Licence to use motor car as private hire car

16. Section 28 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (4) "fees specified in the First Schedule, or such fees as are prescribed in lieu thereof, which are applicable to the case" and substituting "determined fee"; and
- (b) by omitting from sub-section (6) "a fee of \$20" and substituting "the determined fee".

Licences for the carriage of tourists

17. Section 29 of the Principal Ordinance is amended by omitting from sub-section (5) "a fee of \$20 or such other fees as are prescribed in lieu thereof" and substituting "the determined fee".

Licence to conduct motor omnibus service

18. Section 33 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (4) "a fee of \$30" and substituting "the determined fee";
- (b) by omitting from sub-section (5) "a fee of \$20" and substituting "the determined fee"; and
- (c) by omitting from sub-section (11) "a fee of \$20" and substituting "the determined fee".

Visiting motor omnibus licence

19. Section 34 of the Principal Ordinance is amended by omitting from sub-section (2) "fees prescribed in the First Schedule which are applicable to the case" and substituting "determined fee".

Trader's licences and trader's plates

20. Section 40 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (6) "appropriate fee prescribed by this section according to the number and type of trader's plates applied for" and substituting "determined fee or the fee calculated in accordance with sub-section (9), as the case requires";
- (b) by omitting sub-section (8);
- (c) by omitting from sub-section (9) "Notwithstanding the last preceding sub-section, where" and substituting "Where"; and
- (d) by omitting from sub-section (9) "fee that would be payable under the last preceding sub-section" and substituting "determined fee".

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

21. Section 43 of the Principal Ordinance is amended by omitting from sub-section (2) "a fee of \$40" and substituting "the determined fee".

Lost certificate

22. Section 98 of the Principal Ordinance is amended by omitting from sub-section (2) "a fee of \$2.50" and substituting "the determined fee".

Defaced licence, &c.

23. Section 102 of the Principal Ordinance is amended by omitting from sub-section (3) "a fee of \$2" and substituting "the determined fee".

Duration of registration and licences

24. Section 105 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (3) "or sum prescribed by or under this Ordinance to be"; and
- (b) by omitting from sub-section (4) "in addition to the fee prescribed in that sub-section, a fee of \$5" and substituting "the determined fee in addition to the fee calculated in accordance with that sub-section".

Certified vehicles

25. Section 149A of the Principal Ordinance is amended by omitting from sub-section (1) "a fee of \$50" and substituting "the determined fee".

Width of motor vehicles

26. Section 190 of the Principal Ordinance is amended by omitting from sub-section (2) "a fee of \$20" and substituting "the determined fee".

Remission or refund of fees

27. Section 209 of the Principal Ordinance is amended—

- (a) by omitting from paragraph (2) (d) "a fee of \$5" and substituting "the determined fee";

- (b) by omitting from paragraph (2) (d) "one fee of \$5 only" and substituting "only one determined fee referred to in this paragraph"; and
- (c) by omitting from sub-section (3) "sum of \$2" and substituting "determined fee".

Motor tractor

28. Section 210 of the Principal Ordinance is amended

- (a) by omitting from sub-section (1) "sum of Ten dollars" and substituting "determined fee";
- (b) by omitting from sub-section (2) "the sum of Ten dollars referred to in the last preceding sub-section" and substituting "the amount of the determined fee paid under sub-section (1)"; and
- (c) by omitting from sub-section (2) "otherwise the sum of Ten dollars" and substituting "otherwise the amount of that fee".

Special licences for the carriage of workmen

29. Section 213 of the Principal Ordinance is amended by omitting from sub-section (6) "fees specified in the First Schedule, or such fees as are prescribed in lieu thereof, which are applicable to the case" and substituting "determined fee".

Carriage of passengers on licensed goods vehicles

30. Section 214 of the Principal Ordinance is amended by omitting from sub-section (6) "such fee as is specified in the First Schedule" and substituting "the determined fee".

Licence to ply for hire for the carriage of goods

31. Section 215 of the Principal Ordinance is amended by omitting from sub-section (4) "fees specified in the First Schedule, or such fees as are prescribed in lieu thereof, which are applicable to the case" and substituting "determined fee".

Temporary licences

32. Section 216 of the Principal Ordinance is amended by omitting from sub-section (1) "a fee of \$2.50" and substituting "the determined fee".

Motor vehicle reliability trials and speed tests

33. Section 217 of the Principal Ordinance is amended by omitting from sub-section (3) "a fee of \$200" and substituting "the determined fee".

34. After section 217 of the Principal Ordinance the following section is inserted:

Power of Minister to determine fees

"217A. The Minister may, by notice in writing published in the *Gazette*, determine fees for the purposes of this Ordinance."

Regulations

35. Section 218 of the Principal Ordinance is amended—

- (a) by omitting paragraph (c);
- (b) by omitting from paragraph (w) all words after “trailers” (first occurring);
- (c) by omitting paragraph (ae); and
- (d) by omitting from paragraph (aj) “(which may include the payment of a prescribed fee)”.

Repeal of First Schedule

36. The First Schedule to the Principal Ordinance is repealed.

NOTES

- 1. Notified in the *Commonwealth of Australia Gazette* on 24 August 1983.
- 2. No. 45, 1936 as amended to date. For previous amendments see Note 2 to No. 14, 1983 and see also Nos. 14 and 18, 1983.