

2008

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

ROAD TRANSPORT (GENERAL) AMENDMENT REGULATION 2008 (No 1)

SUBORDINATE LAW SL2008-36

EXPLANATORY STATEMENT

Presented by
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Minister for Territory and Municipal Services

OVERVIEW

This regulation is made under section 233 of the *Road Transport (General) Act 1999*.

The regulation inserts new section 13A into the *Road Transport (General) Regulation 2000*. The new provision applies where a fee, charge or other amount that is payable under the road transport legislation is not expressed in whole dollars. It allows the authority to round down that fee, charge or other amount to the nearest 10 cents.

The amendment is made because the electronic payment system automatically rounds down to the nearest 10 cents for many transactions, even though the correct amount specified in the relevant fee determination has been programmed into the system. In the future, the amounts set out in the fee determinations made under the road transport legislation will be calculated to the nearest 10 cents, so that automatic rounding down of these fees, charges and other amounts by the electronic payment system will not occur.

CLAUSE NOTES

Clause 1 **Name of Regulation**

This clause is a formal provision to set out the name of the regulation.

Clause 2 **Commencement**

This clause is a formal provision that sets the commencement of the regulation, which will be the day after notification on the Legislation Register.

Clause 3 **Legislation amended**

This clause explains that the amendments in the regulation apply to the *Road Transport (General) Regulation 2000*.

Clause 4 **New section 13A**

New section 13 A applies where a fee, charge or other amount that is payable under the road transport legislation is not expressed in whole dollars. While many of the fees, charges and other amounts determined under the road transport legislation are either whole dollar amounts or amounts ending in 10 cents, some of them are amounts ending in 5 cents (for example, the determined fee for the issue or renewal of a learner licence valid for 2 years is currently \$33.25). These amounts have been programmed into the electronic payment system (rego.act) but when a client is billed for the service or item to which the fee or charge relates, the payment system automatically rounds down the amount payable to the nearest ten cents. New section 13A will allow the road transport authority to bill the client for the rounded down amount, which means that payment of the rounded down amount will fully discharge the client's obligation to pay the relevant fee, charge or other amount.

Clause 5 **Dictionary**

This clause is a technical drafting provision to include a new dot point in note 3, referring to the definition of 'road transport authority' in section 16 of the *Road Transport (General) Act 1999*.