

Road Transport (General) Non-Refundable Fees Determination 2015 (No 1)

Disallowable instrument DI2015—289

made under the

Road Transport (General) Act 1999, Section 96 (Determination of fees, charges and other amounts)

EXPLANATORY STATEMENT

Section 96 of the *Road Transport (General) Act 1999* authorises the Minister to determine fees, charges and other amounts payable under the ACT road transport legislation.

Clauses 1 and 2 of the instrument are formal provisions dealing with the name and commencement of the instrument.

Clause 3 revokes disallowable instrument DI2000-313.

Clause 4 determines that those fees, charges and other amounts described in the Schedule to the disallowable instrument are non-refundable.

The non-refundable fees disallowable instrument has been updated to ensure that all appropriate vehicle registration and driver licence fees and charges, that are the responsibility of the Minister for Justice, are included. The updated instrument now includes the Road Safety Contribution at Item 3 in Schedule 1, noting that the instrument provides that the Road Safety Contribution is refundable where the registration is surrendered prior to the start date of the new registration to which the Road Safety Contribution is attached. This aligns with the arrangements for the Road Rescue Fee.

The majority of the non-refundable fees are one-off fees for a service provided such as vehicle inspections, replacing certificates or driver licenses, and fees related to providing non-standard numberplates. As such the cost of delivering the service has been borne by the Road Transport Authority and, unlike an ongoing registration that may have a pro-rata refund provided for the unexpired portion of the registration should the registration be surrendered, it is not appropriate that these fees be refundable in part or full once the service has been provided.

The exception is in relation to the Road Rescue Fee and the Road Safety Contribution where the registration to which these fees are attached is surrendered prior to the registration period that they relate to commences. Given the level of those fees and the purposes to which they are ascribed it is not considered appropriate that they be refundable, in part or full, once the registration to which they relate has commenced.

Clause 5 explains that the instrument is in effect until it is revoked.