

Australian Capital Territory

Road Transport (General) Driver Licence and Related Fees Determination 2019 (No 2)

Disallowable instrument DI2019–265

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.

This disallowable instrument has the effect of determining fees, payable in advance, for transactions relating to driver licence and related fees under the road transport legislation.

This disallowable instrument contains minor and technical amendments increasing the term for which a learner licence or learner licence receipt is valid from 2 years to 5 years consequential on changes made to the ACT's driving licensing system for learner and provisional drivers by the *Road Transport (Driver Licensing) Amendment Regulation 2019 (No 1)*.

This disallowable instrument also has some minor amendments at clause 7 in relation to being exempt from paying for a replacement licence in certain circumstances. This is consequential on changes made to the ACT's driving licensing system for learner and provisional drivers by the *Road Transport (Driver Licensing) Amendment Regulation 2019 (No 1)*. Provisional driver training courses will not form part of the ACT's driving licensing scheme for provisional car and motorcycle drivers from 1 January 2020. Exemptions from displaying p-plates based on time held licence and age also do not form part of the ACT's driver licensing scheme for provisional drivers from 1 January 2020. Transitional arrangements provide that a person who has completed this course before 1 January 2020 retains any associated benefits.

The *Road Transport (Driver Licensing) Amendment Regulation 2019 (No 1)* increases the period for which a learner licence must be issued from 2 years to 5 years. This provides a longer timeframe for a learner licence holder to complete the new requirements to be issued with a provisional licence.

No driver licence and related fees have been increased.

Column 1 of schedule 1 lists the item number for which the fee is payable. Column 2 of schedule 1 describes the service or other matter in relation to the fee payable. Column 3 of schedule 1 lists the fee payable for a driver licence period commencing on or before 31 December 2019. Column 4 of schedule 1 lists the fee payable for a driver licence period commencing on or after 1 January 2020. While the instrument commences on 1 January 2020, the column 3 amounts, for services or other matters issued prior to 1 January 2020 have been retained to identify that the fees have not changed from 31 December 2019 to 1 January 2020.

The preference of the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) that Instruments or Explanatory Statements identify the amount of the old and new fee, any percentage increase and also the reason for any increase in the Instrument or the Explanatory Statement has been taken into account in the preparation of the Instrument and the Explanatory Statement.

There are no human rights or climate change implications arising from this instrument.

This determination is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.