

Road Transport (General) Driver Licence and Related Fees Determination 2025 (No 2)

Disallowable instrument DI2025-183

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.

The fees for driver licences in Part 1 of Schedule 1 have been increased by 10.69% in accordance with the 2025-26 ACT budget, rounded down to the nearest ten cents.

The instrument also adds a priority print fee as an optional service to allow a driver licence to be printed and delivered to a customer more quickly than with regular processing. The fee covers the extra cost arising from printing out a driver licence urgently and then sending it to the customer with express postage.

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. Part 1, Column 3 of schedule 1 lists the fee payable for a driver licence period commencing on or before 31 August 2025. Part 1, Column 4 of schedule 1 lists the fee payable for a driver licence period commencing on or after 1 September 2025. For services or other matters other than driver licences, Part 2, Column 3 lists the fees payable on or before 31 August 2025 and Part 2, Column 4 lists the fees payable on or after 1 September 2025.

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.

A Regulation Impact Statement (RIS) is not required for this fee determination due to section 36(1)(k) of the Legislation Act, which states that a RIS need not be prepared for an amendment of a fee consistent with announced government policy. The driver licence fee increases made by this instrument are consistent with the Government's policies.

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*.

Clause notes

Clause 1 Name of instrument

This clause states that the name of this instrument is the *Road Transport (General) Driver Licence and Related Fees Determination 2025 (No 2)*.

Clause 2 Commencement

This clause states that the instrument commences on the day after it is notified.

Clause 3 Revocation

This clause states that Disallowable Instrument DI2025-59, *Road Transport (General) Driver Licence and Related Fees Determination 2025 (No 1)* is revoked.

Clause 4 Determination of fees

This clause provides for the fees payable for driver licence periods commencing on or before 31 August 2025 and the fees payable for driver licence periods commencing on or after 1 September 2025. The clause also provides for the calculation of fees for non-standard driver licence periods.

Clause 5 Payment of fees

This clause states that a fee for a thing in schedule 1 is payable to the road transport authority by the applicant for the thing to which the application relates.

Clause 6 Exemption from item 13—surcharge for changing practical driving test

This clause provides for fees in item 13 of schedule 1 to be not payable if the change is required for reasons beyond the control of the applicant for the changed booking.

Clause 7 Exemptions from item 14—issue of replacement driver licences

This clause provides for a fee in columns 3 or 4 for item 14 in part 2 of schedule 1 to be not payable:

1. by the holder of a driver licence endorsed with 'Valid without photo' if the licence holder is returning to the ACT and the replacement licence is a photographic licence; or
2. if the replacement of the driver licence is required because of a defect in the manufacture of the driver licence; or the driver licence was posted to a person but was not received by the person.

Clause 8 Exemption from item 16—Commonwealth agencies and State and Territory authorities

This clause provides for a fee in columns 3 or 4 for item 16 in part 2 of schedule 1 to be not payable if the search of records is requested by a Commonwealth agency or a State or Territory authority and the provision of the results of the search to the agency or authority is required or authorised by law, or reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

Clause 9 Definitions

This clause provides definitions relevant to the interpretation of the instrument.

Schedule 1 Fees

This schedule lists the driver licence fees, driver licence related fees, accreditation fees, and the formulas for non-standard licence periods.