

Road Transport (General) Non-Refundable Fees Determination 2025 (No 1)

Disallowable instrument DI2025—186

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.

The amended instrument introduces non-refundable booking fees for cancelling or changing a booked government examiner vehicle inspection or re-examination with less than 48 hours notice. Non-attendance and short-notice appointment cancellations or changes result in wastage of staffing resources and increased wait times for other customers, and so it is not appropriate that these fees be refundable.

The non-refundable fees disallowable instrument covers all appropriate vehicle registration and driver licence fees and charges, that are the responsibility of the Minister for Government and City Services. This 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.

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 change to non-refundable fees 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 the instrument

This clause states that the name of this instrument is the *Road Transport (General) Non-refundable Fees Determination 2025 (No 1)*.

Clause 2 Commencement

This clause states that the instrument commences on 1 September 2025.

Clause 3 Revocation

This clause states that disallowable instrument *Road Transport (General) Non-Refundable Fees Determination 2015 (No 1)* DI2015-289 is revoked.

Clause 4 Non-refundable fees

This clause states that the fees, charges and other amounts described in Schedule 1 of the disallowable instrument are non-refundable.

Clause 5 Expiry

This clause explains that the instrument is in effect until it is revoked.

Schedule 1 Fees

Schedule 1 provides the categories of fees payable to the Road Transport Authority that are non-refundable.