



Australian Capital Territory

# Road Transport (Vehicle Registration) Amendment Regulation 2008 (No 1)

**Subordinate Law SL2008-16**

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The Australian Capital Territory Executive makes the following regulation under the *Road Transport (Vehicle Registration) Act 1999* and the *Road Transport (General) Act 1999*.

Dated 2 April 2008.

JOHN HARGREAVES  
Minister

ANDREW BARR  
Minister

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Subordinate Law SL2008-16

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**Road Transport (Vehicle Registration) Act 1999 and the Road Transport  
(General) Act 1999**

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## 1 Name of regulation

This regulation is the *Road Transport (Vehicle Registration) Amendment Regulation 2008 (No 1)*.

## 2 Commencement

This regulation commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

### **3 Legislation amended**

This regulation amends the *Road Transport (Vehicle Registration) Regulation 2000*.

*Note* This regulation also amends the *Road Transport (General) Regulation 2000* (see s 6 and s 7).

### **4 New section 77A**

*insert*

#### **77A Transfer of suspended registration**

- (1) This section applies if—
  - (a) a vehicle's registration is suspended under section 85; and
  - (b) the registration is suspended because a registration payment made by the registered operator is dishonoured; and

*Note 1* The *Road Transport (General) Regulation 2000*, s 16 and s 17 relate to dishonour notices and suspension notices for dishonoured payments of amounts payable under the road transport legislation.

*Note 2* The suspension period for a dishonoured payment is 14 days (see *Road Transport (General) Regulation 2000*, s 17).

  - (c) a person acquires the vehicle; and
  - (d) the road transport authority is satisfied on reasonable grounds that the person did not know, and could not reasonably be expected to have known, about the suspension when the person acquired the vehicle.
- (2) The person may apply to the road transport authority to re-establish the vehicle's registration.

- (3) The application must—
  - (a) nominate the registration period in accordance with section 31 (Duration of registration); and
  - (b) be accompanied by the vehicle registration fee for the period.
- (4) On application, the road transport authority must—
  - (a) cancel the vehicle's registration and re-establish the registration for the period applied for; or
  - (b) refuse the application.
- (5) However—
  - (a) section 78 applies to an application under this section as if it were an application to register the transfer of registration of a registrable vehicle; and
  - (b) the road transport authority may refuse an application under this section only if allowed or required to refuse it under section 78.
- (6) If the road transport authority re-establishes the vehicle's registration under subsection (4) (a), the person is not liable to pay a surcharge otherwise payable on re-establishing registration because the registration is cancelled.

## **5 New section 85A**

*in part 4.4, insert*

### **85A Re-establishment of cancelled registration**

- (1) This section applies if—
  - (a) a vehicle's registration is cancelled under section 85; and

- (b) the registration is cancelled because a registration payment made by the previous registered operator is dishonoured; and

*Note* The *Road Transport (General) Regulation 2000*, s 16 and s 19 relate to dishonour notices and cancellation notices for dishonoured payments of amounts payable under the road transport legislation.

- (c) a person acquires the vehicle; and
  - (d) the road transport authority is satisfied on reasonable grounds that the person did not know, and could not reasonably be expected to have known, about the cancellation when the person acquired the vehicle.
- (2) The person may apply to the road transport authority to re-establish the vehicle's registration.
  - (3) On application, the road transport authority must—
    - (a) re-establish the vehicle's registration; or
    - (b) refuse the application.
  - (4) However—
    - (a) section 32 (Deciding applications for registration—general) applies to an application under this section as if it were an application for registration of a registrable vehicle; and
    - (b) the road transport authority may refuse an application under this section only if allowed or required to refuse it under section 32.
  - (5) If the road transport authority re-establishes the vehicle's registration under subsection (3) (a), the person is not liable to pay a surcharge otherwise payable on re-establishing registration because the registration is cancelled.

*Note* The Minister may determine a fee payable as a surcharge for the registration of a vehicle if the registration has lapsed or been cancelled (see *Road Transport (General) Act 1999*, s 96).

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**6 Road Transport (General) Regulation 2000, schedule 1, part 1.11, new item 34A**

*insert*

34A	77A (4)	road transport authority—refuse application to re-establish registration of vehicle
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**7 Road Transport (General) Regulation 2000, schedule 1, part 1.11, new item 40A**

*insert*

40A	85A (3)	road transport authority—refuse application to re-establish registration of vehicle
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**Endnotes**

**1 Notification**

Notified under the Legislation Act on 17 April 2008.

**2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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