



Australian Capital Territory

# Road Transport (Third-Party Insurance) Regulation 2008

**SL2008-37**

made under the

**Road Transport (Third-Party Insurance) Act 2008**

**Republication No 9**

**Effective: 27 July 2017 – 14 August 2017**

Republication date: 27 July 2017

Last amendment made by [SL2017-19](#)

## About this republication

### The republished law

This is a republication of the *Road Transport (Third-Party Insurance) Regulation 2008*, made under the *Road Transport (Third-Party Insurance) Act 2008* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 27 July 2017. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 27 July 2017.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



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**Road Transport (Third-Party Insurance) Act 2008**

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Australian Capital Territory

# Road Transport (Third-Party Insurance) Regulation 2008

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made under the

**Road Transport (Third-Party Insurance) Act 2008**

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## Part 1 Preliminary

### 1 Name of regulation

This regulation is the *Road Transport (Third-Party Insurance) Regulation 2008*.

### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition '*tax invoice*—see the [A New Tax System \(Goods and Services Tax\) Act 1999](#) (Cwlth), dictionary.' means that the term 'tax invoice' is defined in that dictionary and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

### 4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.



## 5 Offences against regulation—application of Criminal Code etc

Other legislation applies in relation to offences against this regulation.

*Note 1 Criminal Code*

The [Criminal Code](#), ch 2 applies to all offences against this regulation (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2 Penalty units*

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

## Part 2 Insurance industry deed

### 6 What must be included in an insurance industry deed— Act, s 10 (2)

- (1) The CTP regulator must approve the required content for an insurance industry deed.
- (2) An approval is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (3) An insurance industry deed must be substantially in accordance with the content approved under this section.

## Part 3 CTP premiums

### 7 Meaning of *annual CTP premium*

In this part:

*annual CTP premium*, for a CTP policy, means the premium payable for insurance under the CTP policy for 1 year.

### 8 Meaning of *CTP premium class*—pt 3

In this part:

*CTP premium class* means a class mentioned in an item in schedule 1, part 1.2, consisting of—

- (a) a class number mentioned in column 2 for the item; and
- (b) a kind of motor vehicle or trader's plate mentioned in column 3 for the item; and
- (c) a case (if any) mentioned in column 4 for the item; and
- (d) an entitlement to an input tax credit mentioned in column 5 for the item.

### 9 Licensed insurers to have annual CTP premium approved for CTP premium classes

A licensed insurer must have an annual CTP premium approved by the CTP regulator under the [Act](#), division 2.6.1 (Approval of CTP premiums), for each CTP premium class.

## 10 CTP premium if vehicle or plate in multiple classes

- (1) This section applies if a motor vehicle or trader's plate fits into 2 or more CTP premium classes.
- (2) The maximum CTP premium payable for a CTP policy for the vehicle or plate is the higher of the maximum premiums that apply to the vehicle or plate.

### Example

Phillipe uses his ute for car sharing. This means the ute fits into both CTP premium class 3 (goods vehicle) and class 25B (personal share vehicle). If the CTP premium is higher for class 25B than class 3, Phillipe must pay the class 25B premium.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

## 11 CTP premiums for policies for less than 1 year

- (1) This section applies if a person—
  - (a) registers a motor vehicle for less than 1 year; or
  - (b) renews the registration of a motor vehicle for less than 1 year; or
  - (c) is issued with a trader's plate for less than 1 year.

*Note* A CTP premium for a CTP policy must be paid when—

- (a) registering a vehicle (see [Act](#), s 28); and
  - (b) renewing the registration of a vehicle (see [Act](#), s 29); and
  - (c) when applying for a trader's plate (see [Act](#), s 30).
- (2) The maximum CTP premium payable for a CTP policy for the vehicle or plate must be worked out in accordance with the CTP premium guidelines.

**12 Additional CTP premium payable if change in construction or use of vehicle**

- (1) This section applies if—
  - (a) a CTP premium (the *original premium*) has been paid for a CTP policy for a motor vehicle; and
  - (b) a change is made in the construction or use of the motor vehicle; and
  - (c) because of the change, a higher CTP premium than the original premium would be payable if a new CTP policy were issued for the motor vehicle.
- (2) The owner of the motor vehicle is liable to pay an additional CTP premium, starting on the day the change happens, worked out in accordance with the CTP premium guidelines.

## Part 4 Compulsory third-party insurance

### 14 Circumstances in which motor vehicle has sufficient connection with ACT—Act, s 61 (5)

For the [Act](#), section 61 (1) (b) (i), a motor vehicle has sufficient connection with the ACT if—

- (a) the motor vehicle is usually used and garaged in the ACT; or
- (b) the motor vehicle is usually used for a business that has its principal place of business in the ACT; or
- (c) the motor vehicle is in the ACT at the time of the motor accident and there is no place outside the ACT where a claim in relation to personal injury could be made against a nominal defendant in relation to the motor accident.

## Part 5                      Early payment for treatment of motor accident injuries

### 19                      Insurer payment of medical expenses—accounting requirements—Act, s 73 (2)

- (1) For the [Act](#), section 73 (2) (What kinds of expenses must be paid by insurer?)—
  - (a) an account must include the following details:
    - (i) when the medical expenses were incurred;
    - (ii) when the account was issued;
    - (iii) the amount of the medical expenses;
    - (iv) the name and address of the medical provider for the account;
    - (v) the goods or services obtained for the medical expenses; and
  - (b) a receipt must be a tax invoice.
- (2) For the [Act](#), section 73 (2), an insurer must verify an account or receipt by—
  - (a) being satisfied of the accuracy of the account or receipt; or
  - (b) asking the medical provider for the account or receipt to state whether the information in the account or receipt is accurate.
- (3) In this section:

***medical provider***, for an account or receipt for medical expenses, means the person to whom payment for the medical expenses was, or is to be, made.

## Part 6 Motor accident claims

### 20 Information for notice of claim—Act, s 84 (2) (a)

The notice of claim must contain a statement to the effect that the claimant intends to proceed with the claim.

*Note* For other provisions about forms, see the [Legislation Act](#), s 255.

### 21 Time for adding later respondent—Act, s 91 (2) (a)

The claimant may only add a later respondent not later than 28 days after the day the notice of claim is first given to a respondent.

### 22 Time for giving notice of addition of later respondents—Act, s 91 (5) (b)

If the claimant adds a later respondent, the claimant must tell each other respondent of the addition not later than 28 days after the day the notice of claim is given to the later respondent.

### 23 Time for adding contributor—Act, s 93 (1)

A respondent who receives a complying notice of claim may add someone else as a contributor not later than 28 days after the day the respondent receives the complying notice of claim.

### 24 Time for giving copy of contribution notice—Act, s 93 (5)

A respondent who adds a contributor must give a copy of the contribution notice to each other party not later than 28 days after the day the contribution notice is given to the contributor.

### 25 Consultation for composition of panel of recognised experts—Act, s 117 (2) (a)

- (1) The CTP regulator must consult with each of the following professional bodies:
  - (a) the ACT Branch of the Australian Medical Association;



- (b) the Australasian College for Emergency Medicine;
  - (c) the Australasian Faculty of Rehabilitation Medicine;
  - (d) the Royal Australian College of General Practitioners;
  - (e) the Royal Australasian College of Physicians;
  - (f) the Royal Australasian College of Surgeons;
  - (g) the Royal Australian and New Zealand College of Psychiatrists;
  - (h) the Australian Psychological Society.
- (2) The CTP regulator may consult with any other professional body the CTP regulator considers relevant.

**26 Accounts for payment of person's medical expenses—  
Act, s 122 (2)**

- (1) For the [Act](#), section 122 (2) (Respondent to pay injured person's medical expenses)—
- (a) an account must include the following details:
    - (i) when the medical expenses were incurred;
    - (ii) when the account was issued;
    - (iii) the amount of the medical expenses;
    - (iv) the name and address of the medical provider for the account;
    - (v) the goods or services obtained for the medical expenses;  
and
  - (b) a receipt must be a tax invoice.
- (2) For the [Act](#), section 122 (2), an insurer must verify an account or receipt by—
- (a) being satisfied of the accuracy of the account or receipt; or

(b) asking the medical provider for the account or receipt to state whether the information in the account or receipt is accurate.

(3) In this section:

*medical provider*, for an account or receipt for medical expenses, means the person to whom payment for the medical expenses was, or is to be, made.

**27 Costs—mandatory final offer accepted—Act, s 144 (2)**

If a mandatory final offer for more than \$30 000 but not more than \$50 000 is accepted, costs (including disbursements) must not exceed \$5 000.

**28 Costs—small awards of damages—Act, s 155 (2) (c)**

Costs awarded to a claimant under the [Act](#), section 155 (2) (c) must—

- (a) if the amount of the court order is at least 15% more than the amount of the respondent's mandatory final offer—
  - (i) be worked out on a party and party basis; and
  - (ii) not exceed \$10 000; or
- (b) in any other case—be \$0.

**29 Costs—small awards of damages—Act, s 155 (2) (d)**

Costs awarded to a respondent under the [Act](#), section 155 (2) (d) must—

- (a) if the amount of the court order is at least 15% less than the amount of the claimant's mandatory final offer—
  - (i) be worked out on a party and party basis; and
  - (ii) not exceed \$2 500; or
- (b) in any other case—be \$0.

**30 Costs—small awards of damages—Act, s 155 (3) (b) (i)**

If the amount of the court order is at least 15% more than the amount of the respondent's mandatory final offer, the maximum amount for costs for the [Act](#), section 155 (3) (b) (i) is \$15 000.

*Note* In any other case, the maximum amount is \$2 500 (see [Act](#), s 155 (3) (b) (i)).

**30A Collections for nominal defendant fund—prescribed person—Act, s 163C (1)**

For the [Act](#), section 163C (1), the following people (each of whom is a *prescribed person*) are prescribed:

- (a) each licensed insurer;
- (b) the Territory;
- (c) the Commonwealth.

**30B Collections for nominal defendant fund—arrangements—Act, s 163C (1) (b)**

- (1) This section applies if the CTP regulator decides an amount to be collected for a financial year under the [Act](#), section 163C (2).
- (2) The CTP regulator must decide what proportion of the amount is to be paid by each prescribed person each quarter.
- (3) In deciding a prescribed person's proportion for a quarter, the CTP regulator must have regard to—
  - (a) for a licensed insurer—the income received by the insurer for third-party policy premiums in the previous quarter; and
  - (b) for the Territory—the premiums that would have been payable for territory government vehicles in the previous quarter if the vehicles had been insured under third-party policies; and

(c) for the Commonwealth—the premiums that would have been payable for commonwealth government vehicles in the previous quarter if the vehicles had been insured under third-party policies.

(4) In this section:

*commonwealth authority* means a body, whether or not incorporated, established under a Commonwealth Act.

*commonwealth government vehicle* means a motor vehicle usually used in the ACT and owned by the Commonwealth or a commonwealth authority.

*territory government vehicle* means a motor vehicle usually used in the ACT and owned by the Territory or a territory authority.

*Note* *Territory authority* is defined in the [Legislation Act](#), dictionary, pt 1.

### **30C Collections for nominal defendant fund—collection notice—Act, s 163C (1) (b)**

- (1) The CTP regulator must give written notice (a *collection notice*) of a decision under section 30B to each prescribed person.
- (2) A collection notice must state—
  - (a) the amount payable by the prescribed person; and
  - (b) that the amount must be paid to the nominal defendant fund not later than a stated date (the *due date*).
- (3) The CTP regulator may amend or revoke a prescribed person's collection notice by giving written notice to the prescribed person before the due date.
- (4) The due date for a prescribed person's collection notice, or an amended collection notice must be at least 42 days after the day the collection notice is given to the prescribed person.

**30D Offence—failure to pay contribution—Act, s 163C (1) (b)**

- (1) A licensed insurer commits an offence if—
- (a) a collection notice is in force for the licensed insurer; and
  - (b) the licensed insurer does not pay the amount stated in the notice to the nominal defendant fund on or before the due date for the collection notice.

Maximum penalty: 20 penalty units.

- (2) If the Magistrates Court convicts a licensed insurer, or finds a licensed insurer guilty, of an offence against this section, the court may order the insurer to pay any unpaid amount to the nominal defendant fund.
- (3) An order under subsection (2) is in addition to a penalty imposed for the offence.
- (4) For the enforcement of payment of the order and the calculation of interest in relation to a judgment, the order is taken to be a final judgment of the Magistrates Court for the amount stated in the order.

## Part 7 Licensing of insurers

### 31 Application requirements—Act, s 182 (2)

An application must be accompanied by—

- (a) a copy of the applicant's authority to carry on an insurance business under the *Insurance Act 1973* (Cwlth); and
- (b) if the insurer is licensed to carry on business as a CTP insurer in another Australian jurisdiction—a copy of the license from the other jurisdiction; and
- (c) if the insurer is not licensed to carry on business as a CTP insurer in another Australian jurisdiction—
  - (i) a copy of all documents given to the Australian Prudential Regulation Authority in applying for authority to carry on an insurance business under the *Insurance Act 1973* (Cwlth); and
  - (ii) a copy of the latest annual return for the insurer given to the Australian Prudential Regulation Authority.

## Part 8 Information collection and secrecy

### 32 Monthly returns to be provided by licensed insurers— Act, s 269 (1) (a)

- (1) A licensed insurer must, not later than 7 days after the end of each month, give the CTP regulator a return (a *monthly return*) for the month.

*Note* If a respondent's claim manager is acting for all respondents for the claim, the insurer may not need to provide information (see s 34).

- (2) A monthly return must be in a form approved by the CTP regulator.
- (3) A monthly return must include the following information for the insurer:
  - (a) for each notice of claim received by the insurer in the month—
    - (i) the required claim details; and
    - (ii) if the notice of claim is not disputed—the required further claim details;
  - (b) for each disputed notice of claim for which the dispute was resolved in the month—the required further claim details;
  - (c) for each notifiable step in the processing of a claim that takes place in the month—
    - (i) the nature of the step; and
    - (ii) the date when the step was taken; and
    - (iii) other details of the notifiable step the CTP regulator requires by written notice given to all licensed insurers.
- (4) A monthly return must include details updating information supplied in previous returns about motor vehicle accidents, claims, estimates and costs.

(5) In this section:

***compliance date***, for a notice of claim, for a motor accident claim, means the day the respondent received (or is taken to have received) a complying notice of claim for the motor accident claim.

*Note* In some circumstances a noncomplying notice of claim may be taken to be a complying notice of claim (see [Act](#), s 95).

***disputed notice of claim*** means a notice of claim that is not a complying notice of claim.

***notifiable step***, in the processing of a motor accident claim, means the following steps:

- (a) a dispute affecting the notice of claim is resolved;
- (b) the insurer gives the claimant a written notice (an ***additional information form***), under the [Act](#), section 88 (1) (b) (Preliminary response to claimant), about the further information the respondent reasonably needs to decide whether the respondent is properly a respondent for the claim;
- (c) the claimant gives the insurer the further information, under the [Act](#), section 88 (2) (a), indicated in the additional information form;
- (d) the insurer admits liability on the claim, with or without an allegation of contributory negligence against the claimant, or denies liability on the claim;
- (e) the insurer makes a decision about the provision of rehabilitation services for the claimant or agreement is reached on the rehabilitation services to be provided for the claimant;
- (f) a compulsory conference is held;
- (g) the claim is settled;
- (h) a proceeding based on the claim is begun in a court;



- (i) a court makes a decision about liability or the amount of damages;
- (j) the claim is finalised.

**registration number**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**required claim details**, for a motor accident claim, means the following details:

- (a) the date the notice of claim for the claim was received by the insurer;
- (b) the date the insurer opened a file for the claim;
- (c) the date, time and place of the motor accident for the claim;
- (d) an identifying motor accident number assigned by the insurer;
- (e) an identifying claim number;
- (f) the traffic incident number (if any) for the motor accident assigned by the Australian Federal Police;
- (g) for each claimant for the claim—
  - (i) the claimant's full name and address; and
  - (ii) the claimant's date of birth.

**required further claim details**, for a motor accident claim, means the following details:

- (a) the compliance date for the notice of claim for the claim;
- (b) the make, model, type and year of manufacture of each motor vehicle involved in the motor accident for the claim;
- (c) for each registered motor vehicle involved in the motor accident for the claim—the registration number of the motor vehicle;

- (d) for each motor vehicle with a valid trader's plate attached that is involved in the motor accident for the claim—the unique identifying number on the trader's plate;
- (e) the name and address of—
  - (i) the responsible person for each motor vehicle involved in the motor accident for the claim; and
  - (ii) the driver of each motor vehicle involved in the motor accident for the claim;
- (f) the name and address of each witness to the motor accident for the claim known to the insurer;
- (g) the circumstances of the motor accident for the claim, including how the claimant came to be involved in the accident;
- (h) the nature of the personal injury caused by the motor accident to the claimant;
- (i) the date, as shown in the notice of claim for the claim, when the claimant was first examined by a doctor in relation to the personal injury caused by the motor accident;
- (j) the date, as shown in the notice of claim, when the claimant first consulted a lawyer about the possibility of making a claim in relation to the motor accident for the claim.

***resolved***—a disputed notice of claim is ***resolved*** if the claimant is taken to have given the respondent a complying notice of claim under the [Act](#), section 95 (Noncomplying notice of claim may be complying notice of claim).

**33 Returns to be provided by licensed insurers—  
Act, s 269 (1) (a)**

- (1) A licensed insurer must, not later than 15 days after the end of each reporting period, give the CTP regulator a return for the reporting period.

*Note* If a respondent's claim manager is acting for all respondents for the claim, the insurer may not need to provide information (see s 34).

- (2) A return must state—
- (a) the insurer's costs for each motor accident claim for the reporting period; and
  - (b) any amount recovered in relation to the claim by the insurer under the [Act](#), part 4.11 (CTP insurer and nominal defendant may recover costs incurred).
- (3) A return must include details updating information supplied in previous returns about motor vehicle accidents, claims, estimates and costs.
- (4) In this section:

*insurer's costs*, for a motor accident claim, means the following:

- (a) professional legal costs and disbursements incurred by the insurer in relation to the claim;
- (b) costs incurred by the insurer investigating the facts and circumstances of the claim;
- (c) the cost of medical treatment and rehabilitation services incurred in relation to the claimant for the personal injury for the claim;
- (d) the cost of medical examinations and medical reports incurred in relation to the claimant;

- (e) the cost of expert reports arranged under the [Act](#), section 118 (Parties may jointly arrange for expert report) incurred in relation to the claimant;
- (f) any other cost the CTP regulator, by notice to the licensed insurer, requires to be reported in a return.

*reporting period*, for a return, means—

- (a) unless the CTP regulator gives licensed insurers a notice mentioned in paragraph (b)—a quarter; or
- (b) if the CTP regulator gives licensed insurers written notice that the reporting period is to be reduced to 1 month from a stated date at least 3 months after the day the notice is given—1 month.

**34 Monthly returns and returns—respondent’s claim manager—Act, s 269 (1) (a)**

- (1) This section applies if—
  - (a) a respondent’s claim manager is acting under the [Act](#), section 92 (Multiple respondents) for all respondents for a motor accident claim; and
  - (b) another insurer has—
    - (i) told the CTP regulator about the respondent’s claim manager for the claim; and
    - (ii) given the required claim details for the claim under section 32.
- (2) The insurer need not provide other information required under section 32 or section 33 about the claim.

**35 Information to be provided by licensed insurers—  
Act, s 269 (1) (c)**

- (1) If a licensed insurer provides accounts, returns or other information under the [Corporations Act](#) or the [Insurance Act 1973](#) (Cwlth), the licensed insurer must also give a copy of the accounts, returns or other information to the CTP regulator.
- (2) If a licensed insurer receives a request for information or explanation from the APRA, the insurer must, not later than 1 month after responding to the request, give a copy of the request and the licensed insurer's response to the request to the CTP regulator.
- (3) If the CTP regulator asks a licensed insurer for an actuarial report on the insurer's financial position, the insurer must give the report to the CTP regulator not later than 3 months after receiving the request.
- (4) If a transaction happens that may affect control of a licensed insurer, the insurer must give complete details of the transaction to the CTP regulator not later than 1 month after the transaction happens.
- (5) If a change of the manager responsible for managing a licensed insurer's CTP business happens, the insurer must give complete details of the change to the CTP regulator not later than 1 month after the change happens.

## Schedule 1 CTP premium classes

(see s 8)

### Part 1.1 Definitions

#### 1.1 Definitions—sch 1

In this schedule—

***ambulance*** means a motor vehicle built to transport sick or injured people.

***breakdown vehicle*** means a tow truck within the meaning of the [Road Transport \(Vehicle Registration\) Regulation 2000](#).

***bus*** means a motor vehicle used to carry paying passengers but does not include—

- (a) a demand responsive service vehicle; or
- (b) a taxi; or
- (c) a private hire car; or
- (d) a restricted hire car; or
- (e) a rideshare vehicle.

***car rental service*** means a business operating a fleet of 5 or more motor vehicles, under common ownership or management, for hire.

***demand responsive service vehicle***—see the [Road Transport \(Public Passenger Services\) Act 2001](#), section 81.

***drive-yourself vehicle***—

- (a) means a motor vehicle let for hire, without the services of a driver, by a car rental service; but
- (b) does not include a motor vehicle let for hire under a lease or hire-purchase agreement.

**firefighting vehicle** means a motor vehicle used mainly for firefighting.

**goods vehicle** means a motor vehicle built mainly to transport goods.

**GVM**, of a vehicle—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

**hire car**—see the *Road Transport (Public Passenger Services) Act 2001*, section 67.

**historic vehicle**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**implement**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**input tax credit entitlement** means an entitlement to an input tax credit for the CTP premium for a CTP policy.

**miscellaneous vehicle** means a tractor or implement but does not include a primary producer's tractor.

**mobile crane** means a motor vehicle built mainly as a crane but does not include—

- (a) a breakdown vehicle; or
- (b) a tractor.

**motorbike**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**motorcycle** means a motorbike or motortrike.

**motortrike**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

***passenger vehicle*** means a motor vehicle built mainly to carry people but does not include the following:

- (a) an ambulance;
- (b) a bus;
- (c) a demand responsive service vehicle;
- (d) a drive-yourself vehicle;
- (e) a motorcycle;
- (f) a police vehicle;
- (g) a private hire car;
- (h) a rideshare vehicle;
- (i) a personal share vehicle;
- (j) a taxi.

***personal share vehicle***—

- (a) means a passenger vehicle, a goods vehicle with a GVM not over 4.5t or a motorcycle let for hire without the services of a driver; but
- (b) does not include a vehicle let for hire by a car rental service.

***police vehicle***—see the [Road Transport \(Vehicle Registration\) Regulation 2000](#), dictionary.

***primary producer's tractor*** means a tractor used by a primary producer for his or her operations as a primary producer.

***private hire car*** means a hire car that is not a restricted hire car.

***restricted hire car***—see the [Road Transport \(Public Passenger Services\) Act 2001](#), section 68.

***rideshare vehicle***—see the [Road Transport \(Public Passenger Services\) Act 2001](#), section 60A.



**tractor**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**undertaker's vehicle** means a motor vehicle used only as an undertaker's hearse.

**veteran vehicle**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**vintage vehicle**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

## Part 1.2 CTP premium classes

column 1 item	column 2 class number	column 3 kind of motor vehicle or trader's plate	column 4 case (if any)	column 5 input tax credit entitlement
1	1	passenger vehicle		not entitled
2	1	passenger vehicle		entitled
3	3	goods vehicle	GVM not over 4.5t	not entitled
4	3	goods vehicle	GVM not over 4.5t	entitled
5	4	goods vehicle	GVM over 4.5t	not entitled
6	4	goods vehicle	GVM over 4.5t	entitled
7	5A	bus or demand responsive service vehicle	vehicle has seating for more than 16 adults (including driver)	not entitled
8	5A	bus or demand responsive service vehicle	vehicle has seating for more than 16 adults (including driver)	entitled
9	5B	bus or demand responsive service vehicle	vehicle has seating for not more than 16 adults (including driver)	not entitled
10	5B	bus or demand responsive service vehicle	vehicle has seating for not more than 16 adults (including driver)	entitled
11	6	taxi		not entitled
12	6	taxi		entitled
13	7	private hire car		not entitled
14	7	private hire car		entitled

<b>column 1 item</b>	<b>column 2 class number</b>	<b>column 3 kind of motor vehicle or trader's plate</b>	<b>column 4 case (if any)</b>	<b>column 5 input tax credit entitlement</b>
15	8	drive-yourself vehicle		not entitled
16	8	drive-yourself vehicle		entitled
17	9A	motorcycle	engine capacity over 600cc	not entitled
18	9A	motorcycle	engine capacity over 600cc	entitled
19	9B	motorcycle	engine capacity over 300cc but not over 600cc	not entitled
20	9B	motorcycle	engine capacity over 300cc but not over 600cc	entitled
21	9C	motorcycle	engine capacity not over 300cc	not entitled
22	9C	motorcycle	engine capacity not over 300cc	entitled
23	9D	motorcycle	electrically powered motor	not entitled
24	9D	motorcycle	electrically powered motor	entitled
25	10	firefighting vehicle		not entitled
26	10	firefighting vehicle		entitled
27	11	undertaker's vehicle		not entitled
28	11	undertaker's vehicle		entitled
29	12	breakdown vehicle		not entitled
30	12	breakdown vehicle		entitled
31	14	miscellaneous vehicle		not entitled
32	14	miscellaneous vehicle		entitled

**Schedule 1**  
**Part 1.2**

CTP premium classes  
CTP premium classes

<b>column 1 item</b>	<b>column 2 class number</b>	<b>column 3 kind of motor vehicle or trader's plate</b>	<b>column 4 case (if any)</b>	<b>column 5 input tax credit entitlement</b>
33	15	primary producer's tractor		not entitled
34	15	primary producer's tractor		entitled
35	16	mobile crane		not entitled
36	16	mobile crane		entitled
37	17	trader's plate	to be attached to a motorcycle	not entitled
38	17	trader's plate	to be attached to a motorcycle	entitled
39	18	trader's plate	to be attached to a motor vehicle other than a motorcycle	not entitled
40	18	trader's plate	to be attached to a motor vehicle other than a motorcycle	entitled
41	18D	trader's plate	to be attached to a registrable vehicle other than a motor vehicle	not entitled
42	18D	trader's plate	to be attached to a registrable vehicle other than a motor vehicle	entitled
43	19	veteran vehicle		not entitled
44	19	veteran vehicle		entitled
45	20	vintage vehicle		not entitled
46	20	vintage vehicle		entitled
47	21	historic vehicle		not entitled

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<b>column 1 item</b>	<b>column 2 class number</b>	<b>column 3 kind of motor vehicle or trader's plate</b>	<b>column 4 case (if any)</b>	<b>column 5 input tax credit entitlement</b>
48	21	historic vehicle		entitled
49	22	ambulance		not entitled
50	22	ambulance		entitled
51	23	police vehicle		not entitled
52	23	police vehicle		entitled
53	25A	rideshare vehicle		not entitled
54	25A	rideshare vehicle		entitled
55	25B	personal share vehicle		not entitled
56	25B	personal share vehicle		entitled

## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- Commonwealth
- quarter
- Territory
- territory authority.

*Note 3* Terms used in this regulation have the same meaning that they have in the [Road Transport \(Third-Party Insurance\) Act 2008](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Road Transport \(Third-Party Insurance\) Act 2008](#), dict:

- APRA
- complying notice of claim
- compulsory conference
- CTP policy (see s 18)
- CTP premium
- CTP regulator (see s 14)
- drive a vehicle
- insurer
- licensed insurer
- medical expenses (see s 71)
- medical treatment
- nominal defendant (see s 13)
- notice of claim
- rehabilitation services (see s 124)
- respondent's claim manager
- trader's plate
- unregistered vehicle permit
- valid trader's plate.

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*Note 4* The [Road Transport \(General\) Act 1999](#) contains definitions relevant to this Regulation. For example, the following terms are defined in the [Road Transport \(General\) Act 1999](#), dictionary:

- driver
- jurisdiction
- motor vehicle
- registrable vehicle
- taxi.

***annual CTP premium***, for part 3 (CTP premiums)—see section 7.

***collection notice***—see section 30C.

***CTP premium class***, for part 3 (CTP premiums)—see section 8.

***due date***—see section 30C.

***input tax credit***—see the [A New Tax System \(Goods and Services Tax\) Act 1999](#) (Cwlth), section 195-1 (Dictionary).

***monthly return***—see section 32.

***prescribed person***—see section 30A.

***rideshare vehicle***, for schedule 1 (CTP premium classes)—see schedule 1, section 1.1

***tax invoice***—see the [A New Tax System \(Goods and Services Tax\) Act 1999](#) (Cwlth), dictionary.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired



### 3 Legislation history

#### **Road Transport (Third-Party Insurance) Regulation 2008 SL2008-37**

notified LR 25 August 2008

s 1, s 2 commenced 25 August 2008 (LA s 75 (1))

remainder commenced 1 October 2008 (s 2 and see [Road Transport \(Third-Party Insurance\) Act 2008 A2008-1 s 2](#) (as am by [A2008-39 s 4](#)))

as amended by

#### **[Road Transport \(Third-Party Insurance\) Amendment Regulation 2008 \(No 2\) SL2008-45](#)**

notified LR 30 September 2008

s 1, s 2 commenced 30 September 2008 (LA s 75 (1))

remainder commenced 1 October 2008 (s 2)

#### **[Road Transport \(Third-Party Insurance\) Amendment Regulation 2008 \(No 3\) SL2008-48](#)**

notified LR 1 December 2008

s 1, s 2 commenced 1 December 2008 (LA s 75 (1))

remainder commenced 2 December 2008 (s 2)

#### **[Road Transport \(Third-Party Insurance\) Amendment Regulation 2009 \(No 1\) SL2009-28](#)**

notified LR 4 June 2009

s 1, s 2 commenced 4 June 2009 (LA s 75 (1))

remainder commenced 5 June 2009 (s 2)

#### **[Road Transport \(Third-Party Insurance\) Amendment Act 2009 A2009-16 sch 2](#)**

notified LR 30 June 2009

s 1, s 2 commenced 30 June 2009 (LA s 75 (1))

remainder commenced 5 July 2009 (s 2)

#### **[Statute Law Amendment Act 2010 A2010-18 sch 3 pt 3.23](#)**

notified LR 13 May 2010

s 1, s 2 commenced 13 May 2010 (LA s 75 (1))

sch 3 pt 3.23 commenced 3 June 2010 (s 2)

## Endnotes

3 Legislation history

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**Road Transport (Public Passenger Services) (Exemptions) Amendment Regulation 2015 (No 1) SL2015-34 sch 1**

notified LR 29 October 2015  
s 1, s 2 commenced 29 October 2015 (LA s 75 (1))  
sch 1 commenced 30 October 2015 (s 2)

**Road Transport (Taxi Industry Innovation) Legislation Amendment Regulation 2016 (No 1) SL2016-20 sch 1 pt 1.5**

notified LR 26 July 2016  
s 1, s 2 commenced 26 July 2016 (LA s 75 (1))  
sch 1 pt 1.5 commenced 1 August 2016 (s 2 (1))

**Road Transport (Third-Party Insurance) Amendment Regulation 2017 (No 1) SL2017-13**

notified LR 1 June 2017  
s 1, s 2 commenced 1 June 2017 (LA s 75 (1))  
remainder commenced 2 June 2017 (s 2)

**Road Transport (Third-Party Insurance) Amendment Regulation 2017 (No 2) SL2017-19**

notified LR 13 July 2017  
s 1, s 2 commenced 13 July 2017 (LA s 75 (1))  
remainder commenced 27 July 2017 (s 2)

## 4 Amendment history

### Commencement

s 2 om LA s 89 (4)

### Meaning of *CTP premium class*—pt 3

s 8 am [A2009-16](#) amdt 2.1  
sub [SL2017-19](#) s 4

### Licensed insurers to have annual CTP premium approved for CTP premium classes

s 9 am [SL2009-28](#) s 4

### CTP premium if vehicle or plate in multiple classes

s 10 sub [A2009-16](#) amdt 2.2  
am [SL2017-19](#) s 5

### CTP premiums for policies for less than 1 year

s 11 sub [A2009-16](#) amdt 2.2

### Additional CTP premium payable if change in construction or use of vehicle

s 12 sub [A2009-16](#) amdt 2.2

### Transitional arrangements for ridesharing

s 13 om [A2009-16](#) amdt 2.2  
ins [SL2015-34](#) amdt 1.1  
om [SL2016-20](#) amdt 1.43

### Circumstances in which motor vehicle has sufficient connection with ACT—Act, s 61 (5)

s 14 am [SL2008-45](#) s 4

### Collections for nominal defendant fund—prescribed person—Act, s 163C (1)

s 15 reloc and renum as s 30A

### Collections for nominal defendant fund—arrangements—Act, s 163C (1) (b)

s 16 reloc and renum as s 30B

### Collections for nominal defendant fund—collection notice—Act, s 163C (1) (b)

s 17 reloc and renum as s 30C

### Offence—failure to pay contribution—Act, s 163C (1) (b)

s 18 reloc and renum as s 30D

### Consultation for composition of panel of recognised experts—Act, s 117 (2) (a)

s 25 sub [SL2008-45](#) s 5

### Collections for nominal defendant fund—prescribed person—Act, s 163C (1)

s 30A hdg (prev s 15 hdg) am [A2009-16](#) amdt 2.3  
s 30A (prev s 15) am [A2009-16](#) amdt 2.4  
reloc and renum as s 30A [A2009-16](#) amdt 2.5

## Endnotes

4 Amendment history

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### **Collections for nominal defendant fund—arrangements—Act, s 163C (1) (b)**

s 30B hdg (prev s 16 hdg) am [A2009-16](#) amdt 2.6  
s 30B (prev s 16) am [A2009-16](#) amdt 2.7  
reloc and renum as s 30B [A2009-16](#) amdt 2.8

### **Collections for nominal defendant fund—collection notice—Act, s 163C (1) (b)**

s 30C hdg (prev s 17 hdg) am [A2009-16](#) amdt 2.9  
s 30C (prev s 17) am [A2009-16](#) amdt 2.10  
reloc and renum as s 30C [A2009-16](#) amdt 2.11

### **Offence—failure to pay contribution—Act, s 163C (1) (b)**

s 30D hdg (prev s 18 hdg) am [A2009-16](#) amdt 2.12  
s 30D (prev s 18) reloc and renum as s 30D [A2009-16](#) amdt 2.13

### **Monthly returns to be provided by licensed insurers—Act, s 269 (1) (a)**

s 32 am [A2009-16](#) amdt 2.14; pars renum R4 LA

### **Transitional**

pt 20 hdg om [A2009-16](#) amdt 2.14

### **Definitions—pt 20**

s 100 om [A2009-16](#) amdt 2.14

### **Transitional—trader's plates—Act, s 286 (1)**

s 101 om [A2009-16](#) amdt 2.14

### **Transitional—unregistered vehicle permits—Act, s 286 (1)**

s 102 om [A2009-16](#) amdt 2.14

### **Transitional—modification of Act, ch 9—Act, s 286**

s 103 om [A2009-16](#) amdt 2.14

### **Expiry—pt 20**

s 104 om [A2009-16](#) amdt 2.14

### **Definitions**

sch 1 pt 1.1 def **any other vehicle** sub [A2009-16](#) amdt 2.16  
om [SL2017-19](#) s 6  
def **breakdown vehicle** sub [SL2017-13](#) s 4  
def **bus** am [SL2015-34](#) amdt 1.2; [SL2017-19](#) s 7  
def **business use** sub [A2009-16](#) amdt 2.17  
om [SL2017-19](#) s 8  
def **car rental service** ins [SL2017-19](#) s 9  
def **drive-yourself hire vehicle** om [SL2017-19](#) s 10  
def **drive-yourself vehicle** ins [SL2017-19](#) s 11  
def **general hire car** om [SL2017-19](#) s 12  
def **goods vehicle** sub [SL2009-28](#) s 5  
def **GVM** ins [SL2009-28](#) s 6  
def **input tax credit** om [SL2017-19](#) s 12  
def **input tax credit entitlement** ins [SL2017-19](#) s 13

def **passenger vehicle** am [SL2015-34](#) amdt 1.3; pars renum R6 LA; [SL2017-19](#) s 14  
def **personal share vehicle** ins [SL2017-19](#) s 15  
def **primary producer's goods vehicle** om [SL2009-28](#) s 7  
def **private hire car** ins [SL2017-19](#) s 15  
def **private use** sub [A2009-16](#) amdt 2.18  
om [SL2017-19](#) s 16  
def **rideshare vehicle** ins [SL2015-34](#) amdt 1.4  
sub [SL2016-20](#) amdt 1.44  
def **taxi** om [A2010-18](#) amdt 3.103

**CTP premium classes**

sch 1 pt 1.2 am [SL2008-45](#) s 6; [SL2008-48](#) s 4; [SL2009-28](#); items renum R3 LA; [A2009-16](#) amdt 2.19, amdt 2.20; items renum R4 LA; [SL2015-34](#) amdt 1.5; items renum R6 LA  
sub [SL2017-19](#) s 17

**Modification—Road Transport (Public Passenger Services) Act 2001**

sch 20 om [A2009-16](#) amdt 2.21

**Dictionary**

dict am [A2009-16](#) amdts 2.22-2.24; [A2010-18](#) amdt 3.104; [SL2017-19](#) s 18  
def **collection notice** am [A2009-16](#) amdt 2.25  
def **due date** am [A2009-16](#) amdt 2.26  
def **input tax credit** ins [SL2017-19](#) s 19  
def **prescribed person** am [A2009-16](#) amdt 2.27  
def **rideshare vehicle** ins [SL2015-34](#) amdt 1.6

## Endnotes

### 5 Earlier republications

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#### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 1 Oct 2008	1 Oct 2008– 1 Dec 2008	<a href="#">SL2008-45</a>	new regulation and amendments by <a href="#">SL2008-45</a>
R2 2 Dec 2008	2 Dec 2008– 4 June 2009	<a href="#">SL2008-48</a>	amendments by <a href="#">SL2008-48</a>
R3 5 June 2009	5 June 2009– 4 July 2009	<a href="#">SL2009-28</a>	amendments by <a href="#">SL2009-28</a>
R4 5 July 2009	5 July 2009– 2 June 2010	<a href="#">A2009-16</a>	amendments by <a href="#">A2009-16</a>
R5 3 June 2010	3 June 2010– 29 Oct 2015	<a href="#">A2010-18</a>	amendments by <a href="#">A2010-18</a>
R6 30 Oct 2015	30 Oct 2015– 31 July 2016	<a href="#">SL2015-34</a>	amendments by <a href="#">SL2015-34</a>
R7 1 Aug 2016	1 Aug 2016– 1 June 2017	<a href="#">SL2016-20</a>	amendments by <a href="#">SL2016-20</a>
R8 2 June 2017	2 June 2017– 26 July 2017	<a href="#">SL2017-13</a>	amendments by <a href="#">SL2017-13</a>

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