



New South Wales

Motor Traffic (Competency Based Assessment) Regulation 1996

under the

Traffic Act 1909

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Traffic Act 1909*.

CARL SCULLY

Acting Minister for Roads

Explanatory note

The object of this Regulation is to prescribe the conditions of entry into a scheme known as competency based assessment. The scheme is to be conducted by assessors approved by the Roads and Traffic Authority and will operate as an alternative to assessment by a driving test conducted by the Authority.

This Regulation is made under section 3 of the *Traffic Act 1909*, in particular section 3 (1) (m1) and (s).

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Clause 1 Motor Traffic (Competency Based Assessment) Regulation 1996

**Motor Traffic (Competency Based Assessment)
Regulation 1996**

1 Name of Regulation

This Regulation is the *Motor Traffic (Competency Based Assessment) Regulation 1996*

2 Commencement

This Regulation commences on 24 July 1996.

3 Amendment of Motor Traffic Regulations 1935

The *Motor Traffic Regulations 1935* are amended as set out in Schedule 1

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment of Motor Traffic Regulations 1935

(Clause 3)

[1] Regulation 11A

Insert after Regulation 11:

11A Competency based assessment

- (1) The Authority may approve a scheme (to be known as competency based assessment) under which a person's competency may be assessed for the purposes of a determination in relation to a licence held or to be held by the person. The scheme applies to the extent approved by the Authority. An example of such a determination is one made under Regulation 11.
- (2) The Authority may request the person's participation in the scheme as a prerequisite to the making of the determination, or may instead offer Participation in the scheme as an alternative to other means of testing (or provision of information) for the purposes of the determination.
- (3) The Authority may, on application by a person requesting entry into the scheme, issue to the person the log book appropriate to the class of driver's licence in which the person is interested together with documentation explaining the operation of the scheme and its relationship to the issue of drivers' licences.
- (4) A person making application under clause (3) must:
 - (a) complete the form of application provided by the Authority, and
 - (b) produce such evidence of identity and residence as the Authority may require, and

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- (c) hold a driver’s licence of the class required by the Authority, or satisfy such other requirements as the Authority may impose, with regard to the purpose for which the applicant desires entry into the scheme, and
 - (d) pay the scheme participation fee prescribed in Schedule A.
- (5) The Authority may issue a replacement log book, on payment of the fee in that behalf prescribed in Schedule A, if it is satisfied that a log book has been lost, stolen or damaged.
- (6) In this Regulation, **log book** means a book, in a form approved by the Authority in relation to a particular class of driver’s licence:
 - (a) listing the driving competencies required to be achieved in order to obtain a licence of that class, and
 - (b) providing for the recording and authentication, in space provided in the book, of particulars of assessment, in relation to those competencies, of the person to whom the book is issued.

[2] Schedule A Fees and other charges

Insert after item 4:

4A	Competency based assessment—Regulation11A:	
(a)	Scheme participation fee	15
(b)	Replacement log book	5