



Motor Dealers Amendment (Fees) Regulation 2003

under the

Motor Dealers Act 1974

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Dealers Act 1974*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Motor Dealers Regulation 1999* in connection with the application to licences under the *Motor Dealers Act 1974* of the *Licensing and Registration (Uniform Procedures) Act 2002*. In particular, this Regulation sets out the various fees payable in connection with such licences and omits an obsolete provision.

This Regulation is made under the *Motor Dealers Act 1974*, including section 57 (the general power to make regulations) and sections 12 and 20.

2003 No 134

Clause 1 Motor Dealers Amendment (Fees) Regulation 2003

Motor Dealers Amendment (Fees) Regulation 2003

under the

Motor Dealers Act 1974

1 Name of Regulation

This Regulation is the *Motor Dealers Amendment (Fees) Regulation 2003*.

2 Commencement

This Regulation commences on 28 February 2003.

3 Amendment of Motor Dealers Regulation 1999

The *Motor Dealers Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clauses 60 and 61

Omit the clauses. Insert instead:

60 Fees

- (1) The fees payable for the purposes of the Act are listed in Column 1 of Schedule 1.
- (2) The amount of each fee is to be calculated by adding together the various components set out in Columns 2, 3, 4 and 5 of Schedule 1 in relation to that fee.
- (3) An amount specified in relation to an application fee in Column 2 of Schedule 1 under the heading **Processing component** is taken to be a fee to cover the costs incurred by the Director-General in processing the application.
Note. This amount is consequently a **processing fee** for the purposes of Part 2 of the *Licensing and Registration (Uniform Procedures) Act 2002*.
- (4) If payment of an amount specified in relation to an annual fee in Column 2 of Schedule 1 under the heading **Processing component** is made by means of electronic communication (within the meaning of the *Licensing and Registration (Uniform Procedures) Act 2002*), the fee otherwise payable:
 - (a) is to be reduced by \$5, or
 - (b) is to be reduced by 10 per cent, and rounded to the nearest whole dollar,whichever results in the greater reduction.
- (5) For the purposes of section 39 (3) of the Act, the proportions in which fees for dealers' licences and car market operators' licences are to be distributed between the Motor Dealers Compensation Fund and the Consolidated Fund are as set out in Column 5 of Schedule 1 (in relation to the Compensation Fund) and Columns 2, 3 and 4 of Schedule 1 (in relation to the Consolidated Fund), respectively.

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Schedule 1 Amendments

61 Modification of Part 2 of Licensing and Registration (Uniform Procedures) Act 2002

Part 2 of the *Licensing and Registration (Uniform Procedures) Act 2002* is modified in such a manner that sections 24 (2) and 25 of that Act do not apply in relation to a licence.

[2] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clause 60)

Column 1	Column 2	Column 3	Column 4	Column 5
Nature of fee payable	Processing component	Fixed component	Variable component	Compensation Fund contribution
Application fee for granting or restoration of dealer's licence (general)	\$150	nil	\$227 per place of business	\$649 per place of business
Annual fee under section 20 (1) of the Act for dealer's licence (general)	\$50	nil	\$227 per place of business	\$94 per place of business
Application fee for granting or restoration of dealer's licence (motor cycles)	\$150	nil	\$227 per place of business	\$649 per place of business
Annual fee under section 20 (1) of the Act for dealer's licence (motor cycles)	\$50	nil	\$227 per place of business	\$94 per place of business

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Amendments

Schedule 1

Column 1	Column 2	Column 3	Column 4	Column 5
Nature of fee payable	Processing component	Fixed component	Variable component	Compensation Fund contribution
Application fee for granting or restoration of dealer's licence (caravans)	\$150	nil	\$227 per place of business	nil
Annual fee under section 20 (1) of the Act for dealer's licence (caravans)	\$50	nil	\$227 per place of business	nil
Application fee for granting or restoration of dealer's licence (trailers)	\$150	nil	\$227 per place of business	nil
Annual fee under section 20 (1) of the Act for dealer's licence (trailers)	\$50	nil	\$227 per place of business	nil
Application fee for granting or restoration of dealer's licence (commercial vehicles)	\$150	nil	\$227 per place of business	nil
Annual fee under section 20 (1) of the Act for dealer's licence (commercial vehicles)	\$50	nil	\$227 per place of business	nil

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Schedule 1 Amendments

Column 1	Column 2	Column 3	Column 4	Column 5
Nature of fee payable	Processing component	Fixed component	Variable component	Compensation Fund contribution
Application fee for granting or restoration of car market operator's licence	\$150	nil	\$227 per place of business	\$649 per place of business
Annual fee under section 20 (1) of the Act for car market operator's licence	\$50	nil	\$227 per place of business	\$94 per place of business
Application fee for granting or restoration of auto dismantler's licence	\$150	nil	\$227 per place of business	nil
Annual fee under section 20 (1) of the Act for auto dismantler's licence	\$50	nil	\$227 per place of business	nil
Application fee for granting or restoration of wholesaler's licence	\$150	nil	\$227 per place of business	nil

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Amendments

Schedule 1

Column 1	Column 2	Column 3	Column 4	Column 5
Nature of fee payable	Processing component	Fixed component	Variable component	Compensation Fund contribution
Annual fee under section 20 (1) of the Act for wholesaler's licence	\$50	nil	\$227 per place of business	nil
Application fee for granting or restoration of motor vehicle parts reconstructor's licence	\$150	nil	\$227 per place of business	nil
Annual fee under section 20 (1) of the Act for motor vehicle parts reconstructor's licence	\$50	nil	\$227 per place of business	nil
Application fee for granting or restoration of motor vehicle consultant's licence	\$150	nil	\$227 per place of business	nil
Annual fee under section 20 (1) of the Act for motor vehicle consultant's licence	\$50	nil	\$227 per place of business	nil

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Schedule 1 Amendments

Column 1	Column 2	Column 3	Column 4	Column 5
Nature of fee payable	Processing component	Fixed component	Variable component	Compensation Fund contribution
Late fee under section 20 (6) of the Act	nil	\$45	nil	nil
Application fee for replacement of licence	\$23	nil	nil	nil
Issue of certificate under section 18 of the Act	nil	\$18	nil	nil

BY AUTHORITY