



# Road Transport (General) Amendment (Driver Licence Appeals) Regulation 2004

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to remove the right to appeal against:

- (a) a decision not to grant an application for issue or variation of a driver licence on the basis that if the applicant were already licensed he or she would be liable to have his or her licence cancelled because of the number of demerit points incurred, or
- (b) a decision to suspend a driver licence because the number of demerit points incurred by its holder.

The Regulation also removes any doubt as to whether certain other decisions are appealable.

This Regulation is made under section 71 (the general regulation-making power) of the *Road Transport (General) Act 1999*.

**2004 No 212**

Clause 1 Road Transport (General) Amendment (Driver Licence Appeals) Regulation 2004

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**Road Transport (General) Amendment (Driver Licence Appeals) Regulation 2004**

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Road Transport (General) Act 1999

**1 Name of Regulation**

This Regulation is the *Road Transport (General) Amendment (Driver Licence Appeals) Regulation 2004*.

**2 Amendment of Road Transport (General) Regulation 1999**

The *Road Transport (General) Regulation 1999* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 2)

### [1] Schedule 2 Savings and transitional provisions

Omit clause 6 (1) (b) and (c). Insert instead:

- (b) a decision not to grant an application for the issue, variation or renewal of a driver licence under the *Road Transport (Driver Licensing) Regulation 1999*, not being a decision made under clause 18 (2) (d) of that Regulation,
- (c) a decision to suspend or cancel the person's driver licence under section 17 or 33 of the *Road Transport (Driver Licensing) Act 1998*,
- (d) a decision to vary the person's driver licence under clause 19 or 38 of the *Road Transport (Driver Licensing) Regulation 1999*,
- (e) a decision to suspend or cancel the person's driver licence under clause 15, 15A or 38 of the *Road Transport (Driver Licensing) Regulation 1999*.

### [2] Schedule 2, clause 6 (1A)

Omit "subclause (1) (c)". Insert instead "subclause (1) (c)–(e)".