



New South Wales

# Road Transport (Driver Licensing) Amendment (Fee Exemption for Pensioners) Regulation 2010

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

DAVID BORGER, MP  
Minister for Roads

## Explanatory note

The object of this Regulation is to simplify the circumstances in which a pensioner will be exempt from the need to pay a fee for his or her driver licence by making them consistent with the pensioner exemption in the *Motor Vehicles Taxation Act 1988*. The main changes to the current pensioner exemption are as follows:

- (a) a person will now only need to prove that the person is entitled to hold a pensioner concession card rather than being required to actually hold the card (thereby allowing a person who has been given an interim card or voucher until his or her pensioner concession card is processed and issued to be entitled to the exemption),
- (b) additional cards will be accepted as evidence that a person is eligible to receive benefits as a member or former member of the Australian Defence Force or is a war widow or a war widower (being a person who is covered by the *Veterans' Entitlements Act 1986* of the Commonwealth or the *Military Rehabilitation and Compensation Act 2004* of the Commonwealth),
- (c) the exemption for members or former members of the Defence Force who receive a pension, or other amount, approved by the Roads and Traffic Authority will now apply to a person if the person's entitlement arises:
  - (i) under the *Veterans' Entitlements Act 1986* of the Commonwealth or the *Military Rehabilitation and Compensation Act 2004* of the Commonwealth, rather than just under the first of those Acts, and
  - (ii) because of any injury or disease rather than being limited to a war-caused disability that seriously affects the person's powers of movement,

## **2010 No 734**

Road Transport (Driver Licensing) Amendment (Fee Exemption for Pensioners) Regulation 2010

Explanatory note

---

- (d) the exemption also extends to war widowers rather than only to war widows and will apply regardless of how old the person is (the present exemption does not apply to a widow over 60 unless she holds a pensioner concession card),
- (e) the requirement to hold a driver licence, or to otherwise satisfy the Roads and Traffic Authority of eligibility, before obtaining a pensioner exemption is removed.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 19 (the general regulation-making power) and 20 (2) (f) and (w) (which provide for the fixing and waiver of fees).

## **Road Transport (Driver Licensing) Amendment (Fee Exemption for Pensioners) Regulation 2010**

under the

Road Transport (Driver Licensing) Act 1998

### **1 Name of Regulation**

This Regulation is the *Road Transport (Driver Licensing) Amendment (Fee Exemption for Pensioners) Regulation 2010*.

### **2 Commencement**

This Regulation commences on 1 January 2011 and is required to be published on the NSW legislation website.

### **3 Amendment of Road Transport (Driver Licensing) Regulation 2008**

#### **Clause 113 Fee exemption for eligible pensioners**

Omit the definition of *eligible pensioner* from clause 113 (2).

Insert instead:

*eligible pensioner* has the same meaning as it has in the *Motor Vehicles Taxation Act 1988*.