



New South Wales

# Road Transport (General) Amendment (Written-off Vehicles) Regulation 2011

under the

Road Transport (General) Act 2005

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 2005*.

DAVID BORGER, MP  
Minister for Roads

## Explanatory note

The objects of this Regulation are:

- (a) to omit provisions about written-off and wrecked vehicles from the regulations under the *Road Transport (General) Act 2005*. As a result of the enactment of the *Road Transport (Vehicle Registration) Amendment (Written-off Vehicles) Act 2010*, such vehicles are dealt with under the *Road Transport (Vehicle Registration) Act 1997*, and
- (b) to provide that Part 2AA of the *Road Transport (Vehicle Registration) Act 1997* (which deals with written-off vehicles) is an applicable road law for the purposes of provisions of the *Road Transport (General) Act 2005* that provide for the issue of improvement notices to assist in enforcement of such laws, and
- (c) to provide for appeals to the Local Court from decisions of the Roads and Traffic Authority under the *Road Transport (Vehicle Registration) Act 1997* to refuse to issue an authorisation to repair a written-off vehicle, and
- (d) to prescribe as penalty notice offences certain offences relating to written-off vehicles.

This Regulation is made under the *Road Transport (General) Act 2005*, including the definition of **applicable road law** in section 3 (1) and sections 183 (relating to penalty notices), 242 (relating to appeals) and 10 (the general regulation-making power).

**2011 No 23**

Clause 1

Road Transport (General) Amendment (Written-off Vehicles) Regulation  
2011

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**Road Transport (General) Amendment (Written-off  
Vehicles) Regulation 2011**

under the

Road Transport (General) Act 2005

**1 Name of Regulation**

This Regulation is the *Road Transport (General) Amendment  
(Written-off Vehicles) Regulation 2011*.

**2 Commencement**

This Regulation commences on 31 January 2011 and is required to be  
published on the NSW legislation website.

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## Schedule 1      Amendment of Road Transport (General) Regulation 2005

**[1] Clause 3A**

Insert after clause 3:

**3A Meaning of “applicable road law”**

For the purposes of paragraph (e) of the definition of *applicable road law* in section 3 (1) of the Act, Part 2AA of the *Road Transport (Vehicle Registration) Act 1997* is prescribed for the purposes only of Division 2 of Part 3.5 of Chapter 3 of the *Road Transport (General) Act 2005*.

**[2] Clause 15 Appeals against certain registration decisions**

Insert after clause 15 (1) (f):

- (g) a decision of the Authority not to issue an authorisation to repair under section 16E (5) of the *Road Transport (Vehicle Registration) Act 1997*.

**[3] Part 4 Written off and wrecked vehicles**

Omit the Part.

**[4] Schedule 3 Penalty notice offences**

Insert before the first item of the matter relating to the *Road Transport (Vehicle Registration) Act 1997*, in Columns 1, 2 and 3 respectively:

Section 16I (1); Section 16K (1); Section 16O; Section 16P	Class 2	Level 8
Section 16J; Section 16K (2); Section 16L; Section 16M; Section 16Q (6)	Class 2	Level 12

**[5] Schedule 3**

Insert at the end of the matter relating to the *Road Transport (Vehicle Registration) Regulation 2007*, in Columns 1, 2 and 3 respectively:

Clause 83K (2); Clause 83N (1); Clause 83N (2); Clause 83O; Clause 83W	Class 1, 2	Level 5
Clause 83R	Class 2	Level 8
Clause 83U	Class 2	Level 12