



New South Wales

# Road Transport (Vehicle Registration) Amendment (Suspension of Registration) Regulation 2011

under the

Road Transport (Vehicle Registration) Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Vehicle Registration) Act 1997*.

DAVID BORGER, MP  
Minister for Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (Vehicle Registration) Regulation 2007* to enable the RTA to suspend the registration of a motor vehicle if it appears to the RTA that a registered operator of the vehicle (being a corporation) has committed a second or subsequent offence under section 179 (6) of the *Road Transport (General) Act 2005* (of failing to nominate the driver of a vehicle at the time it was involved in a camera recorded offence) in relation to any vehicle of the registered operator in any 3 year period.

The amendments will also enable the RTA to have regard to such repeated contraventions of section 179 (6) in deciding whether or not exemptions from certain registration requirements should apply to a vehicle of the registered operator that is registered outside of NSW but that is temporarily in NSW.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including sections 8 (1) and 14 (the general regulation-making power).

**2011 No 36** Road Transport (Vehicle Registration) Amendment (Suspension of  
Clause 1 Registration) Regulation 2011

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## **Road Transport (Vehicle Registration) Amendment (Suspension of Registration) Regulation 2011**

under the

Road Transport (Vehicle Registration) Act 1997

### **1 Name of Regulation**

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Suspension of Registration) Regulation 2011*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

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## **Schedule 1      Amendment of Road Transport (Vehicle Registration) Regulation 2007**

**[1]    Clause 41 Suspension or cancellation of registration by Authority**

Insert after clause 41 (2):

- (2A)    The Authority may suspend the registration of a registrable vehicle if it appears to the Authority that a registered operator of the vehicle (being a corporation) has committed a second or subsequent offence under section 179 (6) of the *Road Transport (General) Act 2005* in relation to any vehicle of the registered operator in any 3 year period.

**[2]    Clause 41 (3)**

Omit “subclause (2)” and “that subclause”.

Insert instead “subclause (2) or (2A)” and “either subclause”, respectively.

**[3]    Clause 41 (3) (a)**

Insert “and the period of suspension” after “and (b)”.

**[4]    Clause 94 Savings and transitional provisions**

Insert after clause 94 (3):

- (3A)    A reference in clause 41 (2A), as inserted by the *Road Transport (Vehicle Registration) Amendment (Suspension of Registration) Regulation 2011*, to any 3 year period is taken to be a reference to any 3 year period beginning on or after (but not before) the commencement of that Regulation.

**[5]    Schedule 1 Application of Act and Regulation**

Omit “and (2)” from clause 2. Insert instead “, (2) and (2A)”.