



New South Wales

Road Transport (Vehicle Registration) Amendment (Registration Charge Exemptions and Refunds) Regulation 2012

under the

Road Transport (Vehicle Registration) Act 1997

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

DUNCAN GAY, MLC
Minister for Roads and Ports

Explanatory note

The object of this Regulation is to amend the *Road Transport (Vehicle Registration) Regulation 2007*:

- (a) to provide exemptions from the requirement to pay registration charges for certain heavy vehicle trailers that are converter dollies or owned by small operators, and
- (b) to provide for the refund of registration charges that have already been paid for the 2012–2013 financial year in respect of such trailers.

The exemptions will not affect any requirement to pay administrative fees with respect to the registration of such heavy vehicle trailers.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including sections 14 (the general regulation-making power) and 17A.

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Clause 1 Road Transport (Vehicle Registration) Amendment (Registration Charge Exemptions and Refunds) Regulation 2012

**Road Transport (Vehicle Registration) Amendment
(Registration Charge Exemptions and Refunds)
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Road Transport (Vehicle Registration) Act 1997

1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Registration Charge Exemptions and Refunds) Regulation 2012*.

2 Commencement

This Regulation commences on 1 September 2012 and is required to be published on the NSW legislation website.

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

[1] Clause 76DA

Insert after clause 76D:

76DA Refund of certain registration charges paid during 2012–2013 financial year

- (1) The Authority may refund the whole or part of the registration charges for a chargeable heavy vehicle paid during the 2012–2013 financial year if:
 - (a) the charges were paid before 1 September 2012, and
 - (b) the Authority is satisfied that, as a result of the current use of the vehicle, it would be wholly or partially exempt from registration charges under clause 76JA if its registration were renewed.
- (2) The amount to be refunded under subclause (1) is to be calculated by reference to the same percentages or amounts of the registration charges from which the chargeable heavy vehicle would be exempt under clause 76JA if its registration were renewed.

[2] Clause 76JA

Insert after clause 76J:

76JA Exemptions relating to certain types of converter dolly and small operators

- (1) A chargeable heavy vehicle that is a tri-axle converter dolly is exempt from any registration charges for the vehicle.
- (2) A chargeable heavy vehicle that is a tandem axle converter dolly is exempt from registration charges for the vehicle to the extent of an amount that is equivalent to 50 percent of those registration charges.
- (3) A chargeable heavy vehicle that is a non-converter dolly trailer (the *current trailer*) is exempt from registration charges for the trailer to the extent of the exempt amount for that trailer if, at the time of its registration, the registered operator of the current trailer is also the registered operator of:
 - (a) only one hauling unit, and one (but not more than 4) other non-converter dolly trailers, that are registered at the same

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Schedule 1

Amendment of Road Transport (Vehicle Registration) Regulation 2007

time as the current trailer or were previously registered in the current financial year, or

- (b) only 2 hauling units, and 2 (but not more than 4) other non-converter dolly trailers, that are registered at the same time as the current trailer or were previously registered in the current financial year.
- (4) The *exempt amount* for a current trailer for the purposes of the exemption under subclause (3) is:
- (a) if the registered operator of the current trailer has previously paid lesser registration charges in the current financial year for one or more other non-converter dolly trailers and there was no entitlement to claim the exemption for any of those earlier registered trailers—an amount equivalent to 50 percent of the amount of the lowest registration charges paid for an earlier registered trailer, or
 - (b) in any other case—an amount that is equivalent to 50 percent of the registration charges for the current trailer.
- (5) The exemption provided by subclause (3) only applies in relation to registration charges payable for the registration of a chargeable heavy vehicle for a period of 12 months.
- (6) A term or expression used in this clause that is defined for the purposes of Schedule 4 has the same meaning as in that Schedule.
- (7) In this clause:
- non-converter dolly trailer* means a trailer other than a converter dolly.
 - tandem axle converter dolly* means a trailer with 2 axles and a fifth wheel coupling designed to convert a semi trailer into a dog trailer.
 - tri-axle converter dolly* means a trailer with 3 axles and a fifth wheel coupling designed to convert a semi trailer into a dog trailer.