



New South Wales

Road Transport (Driver Licensing) Amendment (10-Year Licences, Overseas Visitors and Permanent Residents) Regulation 2015

under the

Road Transport Act 2013

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport Act 2013*.

DUNCAN GAY, MLC
Minister for Roads and Freight

Explanatory note

The objects of this Regulation are:

- (a) to remove certain special eligibility criteria for temporary overseas visitors to be issued a NSW driver licence, and
- (b) to clarify the period of residency in Australia after which the exemption from the requirement to hold a NSW driver licence that is given to visiting drivers from foreign countries ceases to operate, and
- (c) to prescribe the fee for the issue of a 10-year driver licence.

This Regulation is made under the *Road Transport Act 2013*, including section 23 (the general statutory rule-making power) and Schedule 1.

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1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (10-Year Licences, Overseas Visitors and Permanent Residents) Regulation 2015*.

2 Commencement

This Regulation commences on 16 March 2015 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Road Transport (Driver Licensing) Regulation 2008

[1] Clause 11 Code on licences issued to temporary overseas visitors

Omit “subject to clause 43 (Special eligibility criteria for temporary overseas visitors)”.

Insert instead “to a temporary overseas visitor”.

[2] Clause 11 (2)

Insert at the end of clause 11:

(2) In this clause, *temporary overseas visitor* means a person who:

- (a) is not an Australian or New Zealand citizen, and
- (b) is not a permanent resident of Australia.

[3] Clause 37 Application of Part to learner licences

Omit “, 42 and 43”. Insert instead “and 42”.

[4] Clause 43 Special eligibility criteria for temporary overseas visitors

Omit the clause.

[5] Clause 99 Interstate and international visitors

Omit clause 99 (4) (b). Insert instead:

- (b) in the case of a visiting driver visiting the State from a foreign country (other than New Zealand)—the driver holds a permanent visa under the *Migration Act 1958* of the Commonwealth and has resided in this State for a continuous period of more than 3 months since the granting of the visa,
- (b1) in the case of a visiting driver visiting the State from a foreign country (other than New Zealand) who is an Australian citizen—the driver has resided in this State for a continuous period of more than 3 months,

[6] Schedule 3 Fees

Insert after Item 1 (c):

- (d) for a 10-year period \$316

[7] Schedule 3, Item 2 (b)

Omit “(other than to a temporary overseas visitor within the meaning of clause 43)”.

[8] Schedule 3, Item 2 (c)

Omit the item.