



New South Wales

# Motor Dealers and Repairers Amendment (Fees) Regulation 2017

under the

Motor Dealers and Repairers Act 2013

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Dealers and Repairers Act 2013*.

MATT KEAN, MP  
Minister for Innovation and Better Regulation

## Explanatory note

The object of this Regulation is to amend the *Motor Dealers and Repairers Regulation 2014* as follows:

- (a) to increase the fees payable in connection with the administration of the *Motor Dealers and Repairers Act 2013*,
- (b) to provide for a mechanism for the automatic adjustment for inflation of those fees in future.

The fee increases effected by this Regulation are generally in line with movements in the Consumer Price Index (rounded to the nearest dollar).

This Regulation is made under the *Motor Dealers and Repairers Act 2013*, including sections 21, 24, 34 (2), 36, 166, 177 (5) and 186 (the general regulation-making power).

## **Motor Dealers and Repairers Amendment (Fees) Regulation 2017**

under the

Motor Dealers and Repairers Act 2013

### **1 Name of Regulation**

This Regulation is the *Motor Dealers and Repairers Amendment (Fees) Regulation 2017*.

### **2 Commencement**

This Regulation commences on 1 July 2017 and is required to be published on the NSW legislation website.

## Schedule 1 Amendment of Motor Dealers and Repairers Regulation 2014

**[1] Clause 3 Definitions**

Insert in alphabetical order in clause 3 (1):

*fee unit*—see Part 2 of Schedule 1.

**[2] Clauses 8, 9 (4) (definition of “processing component”) and 11**

Insert “Part 1 of” before “Schedule 1” wherever occurring.

**[3] Schedule 1**

Omit the Schedule. Insert instead:

### Schedule 1 Fees

(Clause 8)

#### Part 1 Fees payable

Item	Column 1	Column 2	Column 3	Column 4
	Type of fee	Fixed component (in fee units)	Processing component (in fee units)	Compensation Fund contribution (in fee units)
<b>Motor dealer</b>				
1	Application for grant of licence—1 year	3.29 per place of business	2.19	9.48 per place of business
2	Application for grant of licence—3 years	9.88 per place of business	2.19	12.24 per place of business
3	Application for renewal of licence—1 year	3.29 per place of business	0.71	1.39 per place of business
4	Application for renewal of licence—3 years	9.88 per place of business	0.71	4.14 per place of business
5	Application for restoration of licence—1 year	3.29 per place of business	1.47	1.39 per place of business
6	Application for restoration of licence—3 years	9.88 per place of business	1.47	4.14 per place of business
7	Amendment of licence to include additional place of business	nil	0.71	1.39
<b>Motor vehicle repairer</b>				
8	Application for grant of licence—1 year	2.24 per place of business	2.19	2.79 per place of business
9	Application for grant of licence—3 years	4.42 per place of business	2.19	3.69 per place of business

<b>Item</b>	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
	<b>Type of fee</b>	<b>Fixed component (in fee units)</b>	<b>Processing component (in fee units)</b>	<b>Compensation Fund contribution (in fee units)</b>
10	Application for renewal of licence—1 year	1.09 per place of business	0.71	0.45 per place of business
11	Application for renewal of licence—3 years	3.27 per place of business	0.71	1.34 per place of business
12	Application for restoration of licence—1 year	1.09 per place of business	1.47	0.45 per place of business
13	Application for restoration of licence—3 years	3.27 per place of business	1.47	1.34 per place of business
14	Amendment of licence to include additional place of business	nil	0.71	0.45
	<b>Motor vehicle recycler</b>			
15	Application for grant of licence—1 year	3.29 per place of business	2.19	nil
16	Application for grant of licence—3 years	9.88 per place of business	2.19	nil
17	Application for renewal of licence—1 year	3.29 per place of business	0.71	nil
18	Application fee for renewal of licence—3 years	9.88 per place of business	0.71	nil
19	Application for restoration of licence—1 year	3.29 per place of business	1.47	nil
20	Application for restoration of licence—3 years	9.88 per place of business	1.47	nil
21	Amendment of licence to include additional place of business	nil	0.71	nil
	<b>Tradesperson's certificate</b>			
22	Application for grant of certificate—3 years	nil	0.69	nil
23	Application for renewal of certificate—3 years	nil	0.48	nil
24	Application for restoration of certificate—3 years	nil	0.48	nil

Item	Column 1	Column 2	Column 3	Column 4
	Type of fee	Fixed component (in fee units)	Processing component (in fee units)	Compensation Fund contribution (in fee units)
25	Amendment of certificate to include additional class of repair work	nil	0.48	nil
26	Issue of replacement tradesperson's certificate	nil	0.46	nil
<b>Fees for motor dealers, motor vehicle repairers and motor vehicle recyclers</b>				
27	Issue of duplicate licence	nil	0.46	nil
28	Issue of certificate under section 177 of the Act	nil	0.31	nil

## Part 2 Adjustment of fees for inflation

### 1 Definitions

In this Part:

**CPI number** means the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics in the latest published series of that index.

**financial year** means a period of 12 months commencing on 1 July.

### 2 Calculation of fee unit for purposes of Regulation

- (1) For the purposes of this Regulation, a **fee unit** is:
- in the financial year 2017–18—\$100, and
  - in each subsequent financial year—the amount calculated as follows:

$$\$100 \times \frac{A}{B}$$

where:

**A** is the CPI number for the March quarter in the financial year immediately preceding the financial year for which the amount is calculated.

**B** is the CPI number for the March quarter of 2017.

- The amount of a fee unit is to be rounded to the nearest cent (and an amount of 0.5 cent is to be rounded down).
- However, if the amount of a fee unit calculated for any financial year is less than the amount that applied for the previous financial year, then the amount for that previous financial year applies instead.

**3 Rounding of fee amounts**

The amount of a fee calculated by reference to a fee unit (including the amount of a component of a fee) is to be rounded to the nearest dollar (and an amount of 50 cents is to be rounded down).

**4 Notice of indexed fees**

- (1) As soon as practicable after the CPI number for the March quarter is first published by the Australian Statistician, the Secretary is required to:
  - (a) notify the Parliamentary Counsel of the amount of the fee unit for the next financial year so that notice of that amount can be published on the NSW legislation website, and
  - (b) give public notice on an appropriate government website of the actual amounts of the fees applying in each financial year resulting from the application of the amount of a fee unit calculated under this Part.
- (2) This Part operates to change an amount of a fee that is calculated by reference to a fee unit and that change is not dependent on the notification or other notice required by this clause.