



New South Wales

Road Transport (Vehicle Registration) Amendment (Primary Producer's Vehicle) Regulation 2022

under the

Road Transport Act 2013

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

SAM FARRAWAY, MLC
Minister for Regional Transport and Roads

Explanatory note

The object of this Regulation is to amend the *Road Transport (Vehicle Registration) Regulation 2017*, definition of **primary producer's vehicle** so that a heavy vehicle can only be a primary producer's vehicle if it is used solely for specified primary production purposes.

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1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Primary Producer's Vehicle) Regulation 2022*.

2 Commencement

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

Schedule 1 Amendment of Road Transport (Vehicle Registration) Regulation 2017

[1] Clause 127AA

Insert before clause 127B—

127AA Definition of “primary producer’s vehicle”

In this Division and Schedule 4A—

primary producer’s vehicle means the following motor vehicles, other than a motor vehicle used by a primary producer for a prohibited purpose—

- (a) a light vehicle owned by a primary producer or a rural society that while on a road or road related area is used solely or principally for—
 - (i) carting goods for use in the household of the owner or of another primary producer or of a member of the society who is a primary producer, or
 - (ii) a relevant purpose,
- (b) a heavy vehicle owned by a primary producer or a rural society that while on a road or road related area is used solely for a relevant purpose.

prohibited purpose means—

- (a) hiring the vehicle out, whether under a formal lease or otherwise, or
- (b) using the vehicle for the benefit of another person for a fee or other consideration.

relevant purpose means—

- (a) carting primary products the owner or another primary producer has produced, or
- (b) carting leaves the owner or another primary producer has gathered and from which eucalyptus or other oil is to be distilled, or
- (c) carting goods for use in the primary production business of the owner or of another primary producer, or
- (d) purposes connected with clearing land the owner or another primary producer proposes to use for primary production.

rural society means a co-operative or a participating co-operative, within the meaning of the *Co-operatives National Law (NSW)*, in which at least 75% of the shares are held by primary producers.

[2] Dictionary

Omit the definition of **primary producer’s vehicle**. Insert instead—

primary producer’s vehicle—see clause 127AA.