

Motor Car (Fees) Bill

EXPLANATORY MEMORANDUM

The principal purposes of this Bill are—

1. To adjust the registration fees payable in respect of all motor cars and trailers.

2. To provide for a concessional fee on the registration of motor cars owned by certain age, invalid and widow pensioners.

3. To provide a single category of goods-carrying motor cars owned by primary producers which will attract flat-rate concessional registration fees and to provide for the free registration of all agricultural machinery, tractors, farm motor cycles and trailers owned by primary producers and used in connexion with primary production.

4. To provide for no fee to be payable on the registration of a caravan or trailer owned by an incapacitated discharged serviceman.

5. To provide an exemption from the requirement to pay the additional fee on transfer of the registration of a motor car previously owned by a deceased spouse to the name of the surviving spouse.

6. To extend to classic and historic cars certain of the provisions relating to the permit system applicable to veteran and vintage cars.

Clause 1 cites the short title and the commencement wording which provides for the provisions of the Act, with the exception of section 3 (d), to come into operation on 1 January 1980. Section 3 (d) is deemed to have come into operation on 1 November 1978.

Clause 2 defines "Carrying capacity" for the purpose of making provision for the application of a separate registration fee in respect of commercial goods vehicles having a carrying capacity in excess of 4.1 tonnes.

Clause 3: Paragraph (a) provides for the free registration of commercial trailers and motor cycles owned by primary producers and used solely in connexion with the business of primary production.

Paragraph (b) provides for the granting of concessional registration fees equal to 50 per cent of the applicable fee in respect of a motor car used solely for social, domestic or pleasure purposes and owned by an age, invalid or widows pensioner who is the holder of a Concession Card issued by the Commonwealth Department of Social Security which entitles him or her to concessions in respect of medical treatment, municipal, water and sewerage rates, and fares on public transport.

Paragraph (c) provides for the free registration of caravans and private trailers owned by discharged servicemen who, as a result of war service, are assessed as being totally incapacitated or as being seriously impeded in their powers of locomotion and incapacitated to an extent of not less than 75 per cent.

Paragraph (d) restores the entitlement to free registration to those discharged servicemen who, prior to 1 November 1978, were assessed as being incapacitated to an extent of not less than 75 per cent and whose incapacity was caused solely or in part by pulmonary tuberculosis. Pursuant to an amendment to the Repatriation Act of the Commonwealth, which came into operation on that date, many such discharged servicemen have been re-assessed as being incapacitated to an extent of less than 75 per cent and as a result have lost their entitlement to free registration under the provisions of the Motor Car Act.

Paragraph (e) effects an amendment to the provisions of section 7 (2) of the Principal Act consequent upon the previous paragraph.

Paragraph (f) restricts the free registration entitlement in respect of caravans and trailers owned by incapacitated discharged servicemen to one such caravan or trailer.

Clause 4: Paragraph (a) exempts widows and widowers from the requirement to pay the additional fee of \$12.50 on the transfer of the registration of a motor car previously owned by the deceased spouse from the name of that spouse to the name of the surviving spouse.

Paragraph (b) effects an amendment to the description of motor cars, the owners of which are exempted from the requirement to pay the additional fee on transfer of registration, consequent upon the reduction in registration fees applicable to those motor cars.

Clause 5 effects an amendment to the provisions of section 8A (1) (a) (ii) of the Principal Act consequent upon the creation of a single category of goods—carrying motor cars owned by primary producers pursuant to sub-paragraph (vi) of paragraph (b) of clause 8 of the Bill.

Clause 6: Paragraph (a) provides for the issue of permits to owners of classic and historic cars who reside outside Victoria, pursuant to which these vehicles may be driven in or through Victoria for a period of up to 28 days in order to participate in classic and historic car rallies.

Paragraph (b) exempts the holders of classic and historic car permits from the requirement to return the identifying number plates, issued with the permit, on expiry of the permit where a further permit is issued.

Clause 7 provides a regulation-making power which will enable the making of regulations in respect of the issue of duplicate motor cycle licences and duplicate motor cycle learners' permits and the fees payable in relation thereto.

Clause 8 effects a number of amendments to the registration fees payable in respect of all motor cars and trailers.

Paragraph (a) reduces the fee payable in respect of the registration of motor cycles by approximately 15 per cent and abolishes the registration fee applicable to motor cycles owned by primary producers and used solely in connexion with the business of primary production.

Paragraph (b) effects amendments to the registration fees applicable to motor cars other than motor cycles:

Sub-paragraphs (i), (ii) and (iii) effect an approximate 15 per cent reduction in the registration fees applicable to commercial buses.

Sub-paragraph (iv) effects a 50 per cent reduction in the registration fees applicable to taxi-cabs and hire cars.

Sub-paragraph (v) effects an approximate 15 per cent reduction in the registration fees applicable to commercial motor cars, both above and below 3 tonnes in weight unladen, with the exception of commercial motor cars having a carrying capacity in excess of 4.1 tonnes. The sub-paragraph effects an approximate 20 per cent increase in the registration fee applicable to the latter.

Sub-paragraph (vi):

- (a) abolishes the separate registration fee applicable to a motor car which is owned by a primary producer, is specially equipped to facilitate the carriage of a particular class of primary produce, and is used solely for carrying primary produce of that class;
- (b) alters the basis of assessment of registration fees for a goods-carrying motor car which is owned by a primary producer and which is used in connexion with the business of primary production. The specification of the fee in terms of a rate per power-weight unit has been replaced with a flat fee of \$50 in respect of motor cars of less than 3 tonnes in weight unladen and a flat fee of \$100 in respect of motor cars of 3 tonnes or more in weight unladen; and
- (c) effects an approximate 15 per cent reduction in the registration fee applicable to motor cars owned by residents of French Island and which are used solely on the island.

Sub-paragraph (vii) effects an approximate 15 per cent reduction in the registration fee applicable to motor cars owned by municipal councils and a number of water and sewerage authorities.

Sub-paragraph (viii) effects an approximate 15 per cent reduction in the registration fee applicable to motor cars owned by the trustees or committee of management of Crown lands.

Sub-paragraph (ix) effects a 15 per cent reduction in the registration fee applicable to special purpose motor cars.

Sub-paragraph (x) effects a 15.5 per cent reduction in the registration fees applicable to motor cars used solely for social, domestic or pleasure purposes or principally in connexion with the management or business of any hospital, any charitable, benevolent or religious institution or any trade union.

Sub-paragraph (xi) effects an approximate 15 per cent reduction in the registration fee applicable to any other motor car.

Sub-paragraph (xii) reduces the minimum registration fee payable in any case by approximately 15 per cent and exempts route service buses from the application of the provision specifying a minimum fee.

Paragraph (c) effects an approximate 15 per cent reduction in the registration fees applicable to commercial and private trailers and reduces proportionately the minimum fees payable in respect of both classes of trailer.

Clause 9 affects an amendment to Part XXI. of the Third Schedule to the *Stamps Act 1958* consequent upon the reduction of the registration fee payable in respect of motor cars owned by municipalities, certain water or sewerage authorities and Lands Committees of Management. Pursuant to that Part, applications for registration and notices of acquisition in respect of such vehicles are exempt from stamp duty. As the category of vehicle is defined by reference to the amount of registration fee payable, it is necessary to amend that reference to accord with the reduced fee.

