

No. 5218.

An Act to provide for the Remission of the Registration Fees payable in respect of Motor Cars owned by Incapacitated Discharged Servicemen.

[1st July, 1947.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *Motor Car (Registration Fees) Act 1947* and shall be read and construed as one with the *Motor Car Act 1928* (hereinafter called the Principal Act) and any Act and the enactment amending the same all of which Acts and which enactment and this Act may be cited together as the Motor Car Acts.

Short title construction and citation.

Nos. 3741, 3901, 3981, 4045, 4170, 4285, 4353, 4642, 4688, 4719, 4810, 4854, 4860, 4918 s. 3, 4925.

2. In this Act unless inconsistent with the context or subject-matter—

Interpretation.

“ Discharged serviceman ” means a person who served as a member of the naval military or air forces of His Majesty or the Commonwealth or any of His Majesty's Dominions or any of the services or bodies auxiliary to any of those forces during the war which commenced in the year One thousand nine hundred and fourteen or the war which commenced in the year One thousand nine hundred and thirty-nine and who has completed his war service.

“ Discharged serviceman ”.

“ War service ” means the service of any person during either of the wars referred to in the interpretation of discharged serviceman as a member of the forces services or bodies referred to in the said interpretation.

“ War service ”.

3. (1) Where an applicant for the registration or the renewal of registration of a motor car is a discharged serviceman who by reason of incapacity sustained or suffered as a result of his war service—

Provision for remission of fee for registration of motor cars of incapacitated discharged servicemen.

(a) is assessed by the Victorian branch of the Repatriation Commission of the Commonwealth of Australia as being totally incapacitated ; or

(b) is

(b) is seriously impeded in his powers of locomotion and is assessed by the said branch of the said Commission as being incapacitated to an extent of not less than Seventy-five per centum—
the Chief Commissioner if satisfied by statutory declaration or by such other evidence as he may require in any particular case—

that the motor car is owned by the applicant ;
that the applicant is so incapacitated as aforesaid ;
and

that the motor car will not be used for carrying passengers or goods for hire or reward and will be used primarily for the conveyance of the applicant and his wife and the other members of his family—

may direct that no fee shall be charged for the registration or renewal of registration of the motor car.

(2) Where more than one motor car is owned by such a discharged serviceman the foregoing provisions of this section shall apply only to one motor car constructed for the carriage of passengers.