

No. 3 of 1976

AN ORDINANCE

To amend the *Motor Traffic Ordinance 1936-1974*.*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this fifth day of February, 1976.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

ERIC L. ROBINSON
Minister of State for the Capital Territory.

MOTOR TRAFFIC ORDINANCE 1976

1. (1) This Ordinance may be cited as the *Motor Traffic Ordinance 1976*.* Short title and citation.

(2) The *Motor Traffic Ordinance 1936-1974*† is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Motor Traffic Ordinance 1936-1976*.

2. Section 10 of the Principal Ordinance is amended by inserting after sub-section (6) the following sub-sections:— Grant of licences to drive.

“(6A) Where, for the purposes of sub-section (6), the Registrar requires an applicant for a licence to undergo a driving test, the Registrar shall not fix the date and time for the test unless the applicant has paid to the Commonwealth—

- (a) if the applicant has not, for the purposes of his application, previously undergone a driving test—a fee of \$5; or
- (b) if the applicant has, for the purposes of his application, previously undergone a driving test—a fee of \$2.

* Notified in the *Australian Government Gazette* on 6 February 1976.

† Ordinance No. 45, 1936, as amended by Nos. 25 and 41, 1938; No. 16, 1941; No. 14, 1942; Nos. 2 and 13, 1943; No. 3, 1945; Nos. 6 and 13, 1947; No. 7, 1950; No. 17, 1951; Nos. 1 and 7, 1955; No. 6, 1956; No. 19, 1957; Nos. 10 and 15, 1958; Nos. 7 and 21, 1959; No. 11, 1960; Nos. 16 and 17, 1962; No. 21, 1963; No. 8, 1964; Nos. 9 and 13, 1965; No. 19, 1966; No. 2, 1968; Nos. 27 and 29, 1969; No. 27, 1970; Nos. 13, 17, 37 and 39, 1971; Nos. 3 and 10, 1972; Nos. 1, 32, 38, 41, 42 and 57, 1973; and Nos. 4, 12, 23, 37, 48 and 49, 1974.

“(6B) An applicant for a licence is entitled to have repaid to him a fee paid under sub-section (6A) if—

- (a) the driving test in respect of which the fee was paid is cancelled by the Registrar; or
- (b) not less than 48 hours before the time fixed for the test, the applicant informs the Registrar that he does not intend to undergo the test at the time so fixed.”.

Repeal.

3. Section 103 of the Principal Ordinance is repealed.

Schedule 1.

4. The First Schedule to the Principal Ordinance is repealed and the following Schedule substituted:—

SCHEDULE 1

SCALE OF FEES PAYABLE FOR REGISTRATION OF MOTOR VEHICLES
AND LICENCES AND FOR EACH RENEWAL

| | |
|--|-------|
| 1. (1) Registration or renewal of registration of a motor vehicle, being a motor car, motor lorry, motor tractor or public motor vehicle:— | \$ |
| (a) motor car or public motor vehicle (other than a motor omnibus)—a fee calculated at the rate of 81 cents per 25 kilograms of its weight; | |
| (b) motor lorry— | |
| (i) of weight not exceeding 2 tonnes—a fee calculated at the rate of 81 cents per 25 kilograms of its weight; | |
| (ii) of weight exceeding 2 tonnes but not exceeding 4 tonnes—a fee of 98 cents per 25 kilograms of its weight; | |
| (iii) of weight exceeding 4 tonnes—a fee calculated at the rate of \$1.16 per 25 kilograms of its weight; | |
| (c) motor omnibus—a fee calculated at the rate of \$1.16 per 25 kilograms of its weight; | |
| (d) motor tractor— | |
| (i) where the tractor is owned by a farmer and used solely for the carting of his own produce and not let out on hire | 4.70 |
| (ii) in any other case | 23.52 |
| (2) In the case of a motor lorry owned by a farmer and used solely for the carting of his own produce and not let out on hire, the fee payable by virtue of sub-clause (1) for the registration, or the renewal of the registration, of the motor lorry is one-half of the amount that would, but for this sub-clause, be payable by virtue of sub-clause (1). | |
| (3) In addition to the amount payable by virtue of sub-clause (1), a fee of \$15 is payable for the registration of a motor vehicle referred to in sub-clause (1). | |
| 2. (1) Registration of motor cycle— | |
| (i) without side-car | 14.56 |
| (ii) with side-car | 19.26 |
| (2) Renewal of registration of motor cycle— | |
| (i) without side-car | 7.06 |
| (ii) with side-car | 11.76 |
| 3. (1) Registration of any other motor vehicle | 38.52 |
| (2) Renewal of registration of any other motor vehicle | 23.52 |
| 4. (a) Except where sub-clause 5 (a) applies, a licence or renewal of a licence to drive a motor vehicle, other than a motor vehicle referred to in sub-clause (b) of this clause— | |
| (i) for a period of 1 year | 7.00 |
| (ii) for a period of 2 years | 12.00 |
| (iii) for a period of 3 years | 15.00 |
| (b) Except where sub-clause 5 (b) applies, a licence or renewal of a licence to drive a taxi, a private hire car or a motor omnibus plying for hire .. | 7.00 |
| (c) Where a licence is in respect of a licensed goods motor vehicle or a motor vehicle licensed to carry workmen to and from their work, in addition | 1.25 |

SCHEDULE 1—*continued*

| | \$ |
|---|-------|
| 5. (a) Licence or renewal of a licence to drive a motor vehicle, other than a motor vehicle referred to in sub-clause 4 (b), where the applicant for the licence or renewal is, at the time of the application, the holder of a licence referred to in sub-clause 4 (a) or 4 (b)— | |
| (i) for a period of 1 year | 1.00 |
| (ii) for a period of 2 years | 2.00 |
| (iii) for a period of 3 years | 3.00 |
| (b) Licence or renewal of a licence to drive a motor vehicle of the kind referred to in sub-clause 4 (b), where the applicant for the licence or renewal is, at the time of the application, the holder of a licence referred to in sub-clause 4 (a) | 1.00 |
| 6. Licence or renewal of licence to ply for hire in respect of— | |
| (a) motor omnibus not registered under this Ordinance as a motor omnibus .. | 20.00 |
| (b) taxi | 10.00 |
| 7. Visiting motor omnibus licence or renewal thereof— | |
| (a) for a period not exceeding 7 days | 1.25 |
| (b) for a period of 1 year | 10.00 |
| 8. Licence or renewal of licence for use of motor car as private hire car .. | 10.00 |
| 9. Licence, or renewal of licence, for the use of a motor vehicle for the carriage, for monetary or other material consideration, or workmen to and from their work .. | 20.00 |
| 10. Licence or renewal of licence for motor vehicle to ply for hire for carriage of goods | 2.50 |
| 11. Permit to carry persons on a licensed goods vehicle | 1.75 |

5. The Principal Ordinance is amended as set out in the Schedule.

Further amendments.

SCHEDULE

Section 5

| Provision amended | Omit— | Insert— |
|-----------------------------|-------------------|----------|
| Sub-section 19 (2) | Fifty cents | \$5 |
| Sub-section 20 (2) | Fifty cents | \$5 |
| Sub-section 22 (5) | Twenty-five cents | \$1 |
| Sub-section 25 (2) | Twenty cents | 30 cents |
| Sub-section 27 (7) | Fifty cents | \$2.50 |
| Sub-section 33 (11) | Fifty cents | \$2.50 |
| Sub-section 98 (2) | Fifty cents | \$1.50 |
| Sub-section 102 (3) | Twenty-five cents | \$1.50 |
| Sub-section 190 (2) | Ten cents | \$1.50 |
| Section 216 | Fifty cents | \$1.50 |
| Sub-section 217 (3) | Ten cents | \$2.50 |