

South Australia

Motor Vehicles Variation Regulations 2004

under the *Motor Vehicles Act 1959*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles Variation Regulations 2004*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Motor Vehicles Regulations 1996*

4—Variation of regulation 38—Fees

- (1) Regulation 38(1)—delete "to 33" and substitute:
 - to 36
 - (2) Regulation 38(1a)—delete "clause 34" and substitute:
 - clause 37
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(3) Regulation 38(3)—delete "clause 18(2a)" and substitute:
clause 20(3)

(4) Regulation 38, Note 1—delete "clause 34" and substitute:
clause 37

5—Variation of regulation 43—Refund of part of licence fee on eligibility for reduced fee

Regulation 43(a)—delete "clause 18(1)(c)" and substitute:
clause 20(1)(c)

6—Variation of regulation 46—Exemption from practical driving test fees

Regulation 46—delete "driver's licence who" and substitute:
driver's licence, who

7—Variation of regulation 47—Remission and reduction of fees

Regulation 47—after paragraph (c) insert:
(d) a fee payable for the issue or renewal of a learner's permit.

8—Variation of Schedule 5—Fees

- (1) Schedule 5, clause 1—before the definition of *level 1 fee* insert:
government authorised examiner means an authorised examiner who is—
- (a) a member of the police force; or
 - (b) an employee in the Department of Transport and Urban Planning; or
 - (c) a person appointed as an authorised examiner by some public authority and approved by the Registrar;
- (2) Schedule 5, clause 1, definition of *level 2 fee*—delete "\$11.00" and substitute:
\$15.00
- (3) Schedule 5, clause 22—delete the clause and substitute:

22—Learner's permit

- (1) For the issue or renewal of a learner's permit \$24.00
 - (2) Administration fee for the issue or renewal of a learner's permit level 2 fee
(payable in addition to the permit fee)
- (4) Schedule 5, clause 24—delete the clause and substitute:

24—Theoretical examination

For a theoretical examination prescribed for the purposes of section 79 of the Act—

- (a) examination fee \$10.00
- (b) administration fee (payable in addition to the examination fee) level 2 fee

- (5) Schedule 5, clause 25 heading—delete heading and substitute:

25—Practical driving tests conducted by government authorised examiners

- (6) Schedule 5, clause 25—after "driving test" insert:
conducted by a government authorised examiner
- (7) Schedule 5—after clause 25 insert:

25A—Other practical driving tests; final assessments

Booking fee, for notice to the Registrar of— level 2 fee

- (a) a practical driving test; or
- (b) a final assessment in a competence based training course for drivers of motor vehicles (other than motor bikes) undertaken in accordance with the directions of the Registrar,

to be conducted by an authorised examiner other than a government authorised examiner

- (8) Schedule 5, clause 26(a)(i)—delete "\$85.00" and substitute:
\$90.00
- (9) Schedule 5, clause 26(a)(ii)—delete "\$75.00" and substitute:
\$79.00
- (10) Schedule 5, clause 26(b)—delete "\$12.00" and substitute:
\$13.00
- (11) Schedule 5, clause 28—delete "\$64.40" and substitute:
\$68.20
- (12) Schedule 5—after clause 29 insert:

29A—Appointment as authorised examiner

For appointment as an authorised examiner (other than a government authorised examiner) (per annum) \$100.00

- (13) Schedule 5, clause 30—after "proficiency test" insert:
, required by the Registrar,
- (14) Schedule 5, clause 30(a)(i)—delete "\$359.00" and substitute:
\$380.00
- (15) Schedule 5, clause 30(a)(ii)—delete "\$12.00" and substitute:
\$13.00
- (16) Schedule 5, clause 30(b)(i)—delete "\$534.00" and substitute:
\$565.00
- (17) Schedule 5, clause 30(b)(ii)—delete "\$12.00" and substitute:
\$13.00

Part 3—Transitional provision

9—Transitional provision

- (1) The fees prescribed in respect of the issue or renewal of a driver's licence by Schedule 5 of the *Motor Vehicles Regulations 1996*, as varied by these regulations, apply where the issue or renewal is to take effect on or after 1 October 2004.
- (2) The fees prescribed in respect of an appointment as an authorised examiner by Schedule 5 of the *Motor Vehicles Regulations 1996*, as varied by these regulations, apply, in the case of an authorised examiner first appointed as such prior to 1 October 2004, from the first anniversary of the date of that appointment that falls after 1 October 2004.
- (3) All other fees prescribed by Schedule 5 of the *Motor Vehicles Regulations 1996*, as varied by these regulations, apply from 1 October 2004.
- (4) Despite regulation 8—
 - (a) the fees prescribed in respect of the issue or renewal of a driver's licence by Schedule 5 of the *Motor Vehicles Regulations 1996*, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 October 2004; and
 - (b) all other fees prescribed by Schedule 5 of the *Motor Vehicles Regulations 1996*, as in force immediately before the commencement of these regulations, continue to apply until 1 October 2004.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 2 September 2004

No 190 of 2004

MTRAN18/04CS