

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 will come into operation on 1 November 2004.

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

Regulation 38(2)—delete subregulation (2) and substitute:

- (2) Except as otherwise specified in Schedule 5, the fees set out in that Schedule must be paid to the Registrar.

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

Regulation 47—after paragraph (d) insert:

- (e) a fee payable for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act or regulation 23A.
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6—Variation of Schedule 5—Fees

- (1) Schedule 5, clause 1—after the definition of *level 3 fee* insert:

Transport Department premises, in relation to an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act, includes a place specified under section 139(1)(d) of the Act at which the motor vehicle is required to be produced for the purpose of the examination.

- (2) Schedule 5—after clause 33 insert:

33A—Motor vehicle examinations

- | | | |
|------|---|-------|
| (1) | For an examination of a motor vehicle for the purposes of completion of a report under regulation 23A | \$13 |
| (2) | A fee for an examination referred to in subclause (1) must be paid—
(a) in the case of an examination to be carried out by an inspector—on the registration of the vehicle; or
(b) in the case of an examination to be carried out by a police officer—prior to the examination. | |
| (3) | For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a person authorised by the Registrar under section 139(1) of the Act | \$20 |
| (4) | For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a police officer | \$25 |
| (5) | For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an inspector at Transport Department premises | \$25 |
| (6) | For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an inspector at a site other than Transport Department premises—
(a) fee for call out (per site visit)—\$148; plus
(b) fee for examination (per vehicle)—\$25. | |
| (7) | For a comprehensive examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an inspector | \$110 |
| (8) | A fee for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act must be paid—
(a) in the case of a fee specified in subclause (3), (5) or (6)(b)—on the registration of the vehicle; or
(b) in the case of a fee specified in subclause (4), (6)(a) or (7)—prior to the examination. | |
| (9) | If more than one fee becomes payable under this clause in respect of the examination of the same motor vehicle, only the higher or highest fee (as the case may be) must be paid. | |
| (10) | A fee for an examination referred to in this clause to be carried out by a police officer must be paid to the South Australian Police Department. | |

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's Deputy

with the advice and consent of the Executive Council
on 16 September 2004

No 201 of 2004

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