

South Australia

## **Motor Vehicles Variation Regulations 2008**

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 2008*.

#### **2—Commencement**

These regulations will come into operation on the day on which the *Motor Vehicles (Miscellaneous) Amendment Act 2007* comes into operation.

#### **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—after subregulation (1) insert:

- (1aa) For the purposes of section 81BA(3) of the Act, the fee payable for the issue of a P2 licence under that section is an amount equal to the fee that would be payable for the issue of a licence under section 75 of the Act.

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

Regulation 47—after its present contents (now to be designated as subregulation (1)) insert:

- (2) The Registrar may, for reasonable cause, reduce a fee payable under section 139BD of the Act for personal service of a notice of disqualification.

## **6—Substitution of regulation 51A**

Regulation 51A—delete the regulation and substitute:

### **51A—Manner of giving Registrar notice of election under section 98BE of Act**

Notice of an election under section 98BE(2) of the Act is to be given by a person to the Registrar by lodging the notice of disqualification sent to or served on the person, completed in accordance with the instructions contained in the notice and signed by the person, at a place of a kind prescribed for the purposes of section 139BD(3)(a)(i) of the Act.

### **51B—Manner of giving Registrar notice of change of name, address etc under section 136 of Act**

Notice under section 136 of the Act is to be given by a person to the Registrar in a following manner:

- (a) in writing;
- (b) by telephone to a telephone number nominated by the Registrar for the purposes of giving notice;
- (c) by fax transmission to a fax number nominated by the Registrar for the purpose of giving notice by fax;
- (d) by other telephonic or electronic means made available by the Registrar to members of the public for the purpose of giving notice in such manner.

## **7—Insertion of regulation 52AA**

After regulation 52 insert:

### **52AA—Places at which receipt of notice of disqualification may be personally acknowledged**

For the purposes of section 139BD(3)(a)(i) of the Act, places of the following kinds are prescribed:

- (a) offices of the Transport Department known as Registration and Licensing Centres or Service SA Customer Service Centres;
- (b) Australia Post outlets that have electronic point of sale (EPOS) systems.

## **8—Variation of Schedule 5—Fees**

Schedule 5—after clause 39 insert:

### **39A—Fees payable in connection with service of notices of disqualification**

- |     |   |      |
|-----|---|------|
| (1) | Administration fee payable under section 139BD of the Act | \$24 |
| (2) | Service fee payable under section 139BD of the Act        | \$60 |

**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 19 June 2008

No 166 of 2008

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