

Road Transport Charges (Victoria) Bill

No.

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By Authority L. V. North, Government Printer Melbourne

LEGISLATIVE ASSEMBLY

Read 1° 31 May 1995

(Brought in by Mr Brown and Mr Gude)

A BILL

to apply certain laws of the Commonwealth relating to road transport charges as laws of Victoria and for other purposes.

Road Transport Charges (Victoria) Act 1995

The Parliament of Victoria enacts as follows:

1. Purpose

- (1) The purpose of this Act is to apply, in Victoria, road transport charges set out in the Road Transport Charges (Australian Capital Territory) Act 1993 of the Commonwealth and regulations made under that Act.
- (2) This Act forms part of a scheme to create uniform national road transport charges, as envisaged by the

Section headings appear in bold italics and are not part of the Act.
(See **Interpretation of Legislation Act 1984**.)

agreements scheduled to the National Road Transport Commission Act 1991 of the Commonwealth.

(3) The scheme is designed—

(a) to improve the safety and efficiency of transport on roads and on other areas that are open to or used by the public; and

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(b) to reduce the costs of the administration of that transport.

2. Commencement

(1) Section 1 and this section come into operation on the day on which this Act receives the Royal Assent.

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(2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does not come into operation within the period of 6 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

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3. Definition

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In this Act, “**the Commonwealth Act**” means the Road Transport Charges (Australian Capital Territory) Act 1993 of the Commonwealth.

4. Act to bind the Crown

This Act binds the Crown, not only in right of Victoria, but also, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

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5. Application of A.C.T. charges

(1) Regulations under section 95 of the **Road Safety Act 1986** may not prescribe as a fee payable on—

(a) registration or renewal of registration of a vehicle of a kind referred to in Part 2 (except Division 3) of the Schedule to the Commonwealth Act; or

(b) registration or renewal of registration of a vehicle of a kind referred to in Division 3 of Part 2 of the Schedule to the Commonwealth Act; or

(c) the grant of a permit to operate a vehicle, or a combination of vehicles, referred to in section 2 (b) of the Commonwealth Act—

an amount other than an amount equal to the amount payable as a charge under the Commonwealth Act, or regulations under that Act, in respect of the annual registration in the Australian Capital Territory of a vehicle or prime mover of that kind or the grant of a permit to operate in the Australian Capital Territory a vehicle or a combination of vehicles of that kind, as the case requires.

(2) If regulations for the time being in force under section 95 of the **Road Safety Act 1986** prescribe, or purport to prescribe, an amount as a fee in contravention of sub-section (1), the regulations have effect as if the prescribed fee were the fee authorised to be prescribed by sub-section (1).

(3) This section does not affect any power conferred by section 95 (4) (f) of the **Road Safety Act 1986**.

6. Transitional

This Act applies to registrations and renewals of registration effected after the commencement of section 5, whether the application was made before or after that commencement.

7. *Act to cease to be in force*

This Act ceases to be in force when the National Road Transport Commission Act 1991 of the Commonwealth ceases to be in force.