



Interstate Road Transport Regulations 1986

Statutory Rules No. 291, 1986 as amended

made under the

Interstate Road Transport Act 1985

Compilation start date: 17 June 2014

Includes amendments up to: SLI No 84, 2014

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Interstate Road Transport Regulations 1986* as in force on 17 June 2014. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 17 June 2014.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

Contents

Part I—Preliminary	1
1 Name of regulations	1
2 Interpretation	1
3 Australian Design Rules	10
3A Mass management compliance assurance schemes	10
3B Road friendly suspension.....	11
Part II—Registration of Vehicles	13
Division 1—Requirements for paragraphs 13(1)(a) and (b) of the Act	13
4 Interpretation	13
5 Requirements in respect of motor vehicles and trailers	13
5A Maximum road speed limiting — heavy motor vehicles	14
5B Tampering with road speed governors etc	16
5C Exceeding speed limit.....	16
5D Contravention of road transport laws.....	18
Division 2—Insurance	19
7 Third-party policy.....	19
8 Application of Division to motor vehicles etc belonging to the Commonwealth or any State	19
9 Registered motor vehicle etc to be insured	20
10 Certificate of insurance to be produced, or insurer to be nominated, at time of registration of certain motor vehicles etc	20
11 Cancellation of third-party policy.....	22
12 Rights etc of insurer, owner etc of vehicle with respect to claims for damages	23
Division 2A—Vehicle mass limits	25
12AA Application of Division	25
12A Permitted gross mass limits	25
12B Axle loads.....	26
12BAA Axle loads for single steer axles	27
12BA Concessional mass limit	28
12C Higher mass accreditation and route requirements	29
12E False statement of gross vehicle mass	30
12H Overloaded vehicle.....	31
12I Weighing vehicles	33
12J Weighing vehicles — procedure	34
12K Unloading overloaded vehicles.....	34

Division 2B—B-doubles	36
12L On which routes may a B-double operate?	36
12M General specifications for B-doubles	37
12N How must a B-double be identified?	37
12O Dimensions of a B-double — height	37
12P Dimensions of a B-double — overall length	38
12PA Dimensions of a B-double — length available for carrying animals	39
12Q Dimensions of a B-double — minimum axle spacings	40
12R Starting and running a B-double on grade	40
12RA Anti-lock braking systems	41
12S Service brakes — pneumatic systems	42
12T Brake line failure protection	43
12U Simultaneous parking brake application	43
12V Selection of fifth wheel assemblies	43
12W Selection of fifth wheel kingpins	44
12X Mounting of fifth wheel assemblies	44
12Y Spray suppression devices	44
12Z Tracking	44
12ZA Distribution of load	45
12ZAA Total maximum permitted gross mass	45
12ZAB Certain B-doubles not to be operated	45
Division 2BA—Registration and operation of FIRS B-doubles	45
12ZB Circumstances in which State or Territory permits are required	45
Division 3—Inspection of vehicles	47
13 Inspection in contemplation of registration	47
14 Exemption from inspection	48
15 Inspection after alteration etc to vehicle	49
Division 4—Certificates of registration, registration plates and registration labels	51
16 Issue of certificate of registration etc	51
17 Affixing etc of registration label	52
18 Replacement and return of certificates of registration and registration labels	53
18A Damage to, and loss etc of, registration certificate	54
19 Damage to, and loss etc of, registration label	55
20 Declaration that registration label etc has been destroyed	56
21 Registration plate	57
22 Affixing of registration plates	58

23	Damage to, and loss etc of, registration plate	59
23A	Cancellation or suspension of registration	60
23AA	Cancellation or suspension of registration by a Registration Authority other than the relevant Registration Authority	61
23B	Return of certificates of registration and registration labels on cancellation of registration	61
24	Return of registration plates on cancellation or expiry of registration.....	62
25	Circumstances where registration plates not to be returned on surrender of registration.....	63
26	Offences in relation to registration label etc	63
Division 5—Miscellaneous		66
27	Period specified for purposes of paragraph 9(3)(b) of the Act.....	66
28	Notification of change of name or address of owner	66
29	Notification of transfer of ownership.....	67
29A	Vehicle to be operated according to registration	67
Part IV—Miscellaneous		69
48A	Fees	69
49	Fees specified for the purposes of subsection 3(10) of the Act	70
50	Prescribed declarations for the purposes of subparagraph 19(2)(c)(ii) of the Act	70
51	Fees etc specified for the purposes of paragraph 23(5)(a) of the Act	70
51A	Certificate evidence	71
51B	Smoking in buses.....	73
52	Payment of penalty as an alternative to prosecution	73
Schedule 1—Certification performance standard		78
1	Definitions	78
2	Performance standard for road friendly suspension.....	79
3	Performance requirements	79
4	Components.....	79
5	Frequency and damping.....	79
Schedule 2—Approved insurers		81
1	Approved insurers	81

Schedule 3—Axle spacing	82
Schedule 4—Axle load limits	85
Schedule 5—Fees and maximum fees for purposes of paragraphs 3(10)(a) and 3(10)(b) of the Act	88
Endnotes	89
Endnote 1—About the endnotes	89
Endnote 2—Abbreviation key	91
Endnote 3—Legislation history	92
Endnote 4—Amendment history	94
Endnote 5—Uncommenced amendments [none]	100
Endnote 6—Modifications [none]	100
Endnote 7—Misdescribed amendments [none]	100
Endnote 8—Miscellaneous [none]	100

Part I—Preliminary

1 Name of regulations

These Regulations are the *Interstate Road Transport Regulations 1986*.

2 Interpretation

- (1) In these Regulations, unless the contrary intention appears:

administering authority, in relation to a State or Territory, means any of the following:

- (a) the Department;
- (b) the National Heavy Vehicle Regulator;
- (c) the Registration Authority of the State or Territory.

Administrator means the Administrator of Vehicle Standards within the meaning of the *Motor Vehicle Standards Act 1989*.

air suspension system, for an axle group of a motor vehicle, means a suspension system in which:

- (a) vertical movement between each axle in the axle group and the body of the vehicle is controlled by variations in the pressure of air in an air spring; and
- (b) the proportion of the vehicle's mass that is borne by each air spring remains substantially constant despite variations in the pressure of the air in the air spring.

approved insurer means:

- (a) for a motor vehicle or trailer that is or will be registered in a State or Territory mentioned in an item of the table in Schedule 2—the insurer mentioned in that item; or
- (b) for a trailer that is or will be registered in Victoria—the Transport Accident Commission, established under the *Transport Accident Act 1986* (Vic.).

Regulation 2

articulated vehicle means a vehicle (other than a B-double) that consists of a combination of a prime mover and a semi-trailer.

Australian Standard means a standard approved for publication on behalf of the Council of the Standards Association of Australia, being the association of that name incorporated by Royal Charter.

axle group means a single steer axle, a single axle, a single axle group, a tandem axle group, a twin-steer axle group, a triaxle group, a quad axle group or a close coupled axle group.

British Standard means a standard issued by the British Standards Institution established under Royal Charter.

close coupled axle group means a group of:

- (a) 2 axles whose centres are not more than 1 metre apart; or
- (b) 3 axles whose centres are not more than 2 metres apart; or
- (c) 4 or more axles whose centres are not more than 3.2 metres apart.

concessional mass limit means the axle load limit for a concessional mass limit vehicle worked out in accordance with regulation 12BA and mentioned in column 4 of Schedule 4.

concessional mass limit vehicle means a vehicle:

- (a) that is:
 - (i) a rigid motor vehicle which is not towing a trailer; or
 - (ii) a semi-trailer including any prime mover in the combination; or
 - (iii) a B-double combination including any prime mover in the combination; and
- (b) whose owner is accredited under a mass management compliance assurance scheme; and
- (c) that has been nominated, by the owner of the vehicle, to be included in the scheme.

conforming axle configuration, in respect of a vehicle, means:

- (a) if the vehicle is a motor vehicle — a configuration of axles consisting of:

Regulation 2

- (i) a single axle or a twin-steer axle group towards the front of the vehicle; and
- (ii) a single axle group towards the rear of the vehicle; with the vehicle having no other axle group and no retractable axle;
- (b) if the vehicle is a trailer (other than a semi-trailer or the rear section of an articulated bus) — a configuration of axles consisting of:
 - (i) a single axle group; or
 - (ii) both:
 - (A) a single axle group towards the front of the vehicle with all wheels on the axle group connected to the steering mechanism for that part of the trailer; and
 - (B) a single axle group towards the rear of the vehicle;with the vehicle having no other axle group and no retractable axle; and
- (c) if the vehicle is a semi-trailer or the rear section of an articulated bus — a configuration of axles consisting of a single axle group towards the rear of the vehicle, with the vehicle having no other axle group and no retractable axle.

conforming vehicle means a vehicle that is so designed that:

- (a) each of its axles is:
 - (i) a single axle or part of a single axle; or
 - (ii) an axle included in any of a single axle group, a twin steer axle group, a tandem axle group, a triaxle group, a quad axle group or a close coupled axle group; and
- (b) in the case of a trailer other than a semi-trailer — each wheel fitted to an axle located at the front of the vehicle is connected to the steering mechanism for the front part of the vehicle.

dolly trailer means a trailer used to convert a semi-trailer into a trailer with a steerable axle group towards its front end and another axle group towards its rear end.

Regulation 2

D-value, in relation to a rigid goods vehicle and trailer, an articulated vehicle or a B-double, means a rating:

- (a) based on the dynamic longitudinal force experienced by:
 - (i) a fifth wheel; or
 - (ii) a kingpin or pin type coupling;for the particular combination and its load; and
- (b) calculated in accordance with Australian Standard 1773-1989 “Articulated Vehicles — Fifth Wheel Assemblies” or Australian Standard 2213-1984 “50mm Pin Type Couplings and Drawbar Eyes for Trailers”, as the case requires.

engage in conduct means:

- (a) do an act; or
- (b) omit to perform an act.

fifth wheel, in relation to a prime mover or a dolly trailer, means a device used:

- (a) to permit quick coupling and uncoupling of a semi-trailer with the prime mover or dolly trailer; and
- (b) to provide for the articulation of the combination.

gross combination mass, in relation to a vehicle, means the value specified by the manufacturer of the vehicle in respect of the vehicle as being the maximum of the sum of:

- (a) the gross vehicle mass of the drawing vehicle; and
- (b) the sum of the axle loads (calculated in accordance with these Regulations) of any vehicle capable of being drawn as a trailer.

gross vehicle mass, in relation to a vehicle, means the maximum laden mass specified by the manufacturer of the vehicle in respect of the vehicle.

Heavy Vehicle National Law means the Heavy Vehicle National Law set out in the Schedule to the *Heavy Vehicle National Law Act 2012* (Qld) as that law applies from time to time in any participating jurisdiction.

higher mass limit vehicle means a motor vehicle that has a maximum permitted gross mass of, and is carrying, more than:

Regulation 2

- (a) the maximum permitted laden mass mentioned in column 3 of Schedule 3 for the vehicle's axle spacing; or
- (b) for an axle group of the vehicle — the axle load limit mentioned in column 3 of Schedule 4.

inspector has the same meaning as in subsection 44(7) of the Act.

kingpin, in relation to a trailer, means the pin attached to the trailer that is used to connect it to the fifth wheel of a prime mover, a dolly trailer or a semi trailer.

least favoured brake chamber, in relation to a B-double, means the brake chamber with the longest line to the treadle valve in the B-double's prime mover.

load sharing, in relation to an axle group of a vehicle, means load sharing by means of a suspension system that:

- (a) by hydraulic, pneumatic, mechanical or other means, ensures that at any time a substantially equal share of the load borne by the axle group is transmitted to the road by each of the wheels in the axle group; and
- (b) has effective damping characteristics on all the axles included in the axle group.

long combination vehicle means:

- (a) a rigid truck or prime mover hauling 2 or more trailers; and
- (b) does not include a B-double.

manufacturer's rating means:

- (a) for a rigid motor vehicle — the gross vehicle mass specified for the vehicle by the manufacturer of the vehicle; and
- (b) for an articulated motor vehicle — the gross combination mass specified for the vehicle by the manufacturer of the vehicle; and
- (c) for a trailer — the gross vehicle mass specified for the trailer by the manufacturer of the trailer.

mass management compliance assurance scheme has the meaning given by regulation 3A.

Regulation 2

Ministerial Council means the council of Commonwealth, State and Territory Ministers, as it exists from time to time, with responsibility for transport.

National Heavy Vehicle Regulator means the National Heavy Vehicle Regulator established under the Heavy Vehicle National Law.

national standard has the same meaning as in the *Motor Vehicle Standards Act 1989*.

overall axle spacing, in relation to a rigid motor vehicle or an articulated vehicle that includes a motor vehicle, means the distance between the centre line of the foremost axle and the centre line of the rearmost axle of that vehicle.

participating jurisdiction means any of the following:

- (a) New South Wales;
- (b) Victoria;
- (c) Queensland;
- (d) South Australia;
- (e) Tasmania;
- (f) Australian Capital Territory.

police officer has the same meaning as in subsection 44(7) of the Act.

prime mover means a rigid motor vehicle designed to haul a semi-trailer.

quad axle group means a group of 4 axles, in which the horizontal distance between the centre-lines of the outermost axles is more than 3.2 metres but not more than 4.9 metres.

registration number, in relation to a motor vehicle or trailer, means the code displayed, in accordance with regulation 21, on the registration plate of the motor vehicle or trailer.

relevant instrument means any of the following, as in force from time to time:

Regulation 2

-
- (a) a class 2 heavy vehicle authorisation (notice) under subsection 138(1) of the Heavy Vehicle National Law;
 - (b) a class 2 heavy vehicle authorisation (permit) under subsection 143(1) of the Heavy Vehicle National Law;
 - (c) an HML declaration under subregulation 12(1) of the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* made under the Heavy Vehicle National Law;
 - (d) an HML permit under subsection 20(1) of the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* made under the Heavy Vehicle National Law;
 - (e) an instrument made under any of the following provisions of former legislation, within the meaning of section 747 of the Heavy Vehicle National Law:
 - (i) regulation 17 or 23 of the *Road Transport (Mass, Loading and Access) Regulation 1996* (NSW);
 - (ii) regulation 510 or 516 of, or clause 11 of Schedule 2 to, the *Road Safety (Vehicles) Regulations 1999* (Vic.);
 - (iii) regulation 11A of the *Transport Operations (Road Use Management) Regulation 1995* (Qld);
 - (iv) regulation 11A of the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999* (Qld);
 - (v) section 161A or 163AA of the *Road Traffic Act 1961* (SA);
 - (vi) section 31A of the *Road Transport (Dimensions and Mass) Act 1990* (ACT);
 - (f) an instrument made under any of the following:
 - (i) section 34 or 41 of the *Road Traffic (Vehicles) Act 2012* (WA);
 - (ii) regulation 29 or 33 of the *Road Traffic (Vehicle Standards) Regulations 2002* (WA);
 - (iii) regulation 45 of the *Vehicle and Traffic (Vehicle Operations) Regulations 2001* (Tas.).

relevant Registration Authority, in relation to a registered motor vehicle or trailer, means the Registration Authority that registered the motor vehicle or trailer.

Regulation 2

retractable axle means an axle that can be raised so that the tyres on the axle do not touch the ground.

road friendly suspension has the meaning given by regulation 3B.

semi-trailer means a trailer that is designed so that:

- (a) it has a single axle or single axle group towards its rear and a means of attachment to a prime mover; and
- (b) when it is attached to a prime mover, part of the mass of the trailer is borne by the prime mover.

severe risk overloading, for a motor vehicle or a trailer, means overloading by at least:

- (a) 20% over the maximum permitted gross mass for the motor vehicle or trailer; or
- (b) 20% over the maximum permitted gross mass on 1 or more axle groups of the motor vehicle or trailer.

single axle group means a group of 2 or more axles in which the horizontal distance between the centre-lines of the outermost axles is less than 1 metre.

supply line, in relation to a trailer, means the path by which the stored energy required to actuate or release the trailer's brakes is supplied from the coupling head on the towing vehicle to the spring brake control valve or similar significant device in the trailer's brake system.

tandem axle group, in relation to a vehicle, means a combination of 2 axles which are not less than 1 metre or more than 2 metres apart.

the Charge Act means the *Interstate Road Transport Charge Act 1985*.

the Act means the *Interstate Road Transport Act 1985*.

triaxle group, in relation to a vehicle, means a combination of 3 axles in which the front and rear axles are not less than 2 metres or more than 3.2 metres apart.

Regulation 2

twin-steer axle group, in relation to a motor vehicle, means an axle group of the motor vehicle:

- (a) that consists of 2 axles each of which is fitted with one wheel at each end;
- (b) the 4 wheels of which are connected to the same steering mechanism; and
- (c) that has a space of not less than one metre and not more than 2 metres between the axles.

type, in relation to a vehicle, means:

- (a) if the vehicle is a motor vehicle — a type specified in Division 1 or 3 of Part 2 of the Schedule to the Charge Act; or
- (b) if the vehicle is a trailer — any type of trailer to which the Charge Act applies.

UN ECE Agreement means the *Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions* done at Geneva on 20 March 1958, as amended and in effect on 13 July 1999.

variable proportioning brake system, in relation to a vehicle, means a system that automatically adjusts the braking force at the vehicle's axles to compensate for vehicle static axle load or dynamic weight transfer between axles during deceleration.

vehicle identification number, in relation to a vehicle, means the number that:

- (a) is located on the compliance plate of the vehicle; and
- (b) identifies the vehicle and sets it apart from similar vehicles.

wide tyre means a tyre the maximum width of a cross-section of which is not less than 375 millimetres.

- (2) In subregulation (1), a reference to the space between 2 axles of a vehicle is a reference to the space between the centre lines of those axles when those centre lines are lying each on one of 2 parallel vertical planes.

Regulation 3

- (3) In these regulations, a reference to the centre of an axle or an axle group, is a reference:
- (a) in relation to a single axle — to the centre of the axle; and
 - (b) in relation to a tandem axle group or a close coupled axle group of 2 axles:
 - (i) if the axles are fitted with an equal number of tyres — to a line located half way between the axles; and
 - (ii) if one axle is fitted with twice the number of tyres of the other — to a line located one third of the way from that axle towards the axle fitted with fewer tyres; and
 - (c) in relation to a twin steer axle group — to a line located half way between the axles; and
 - (d) in relation to a triaxle group, a quad axle group or a close coupled axle group with more than 2 axles — to a line located half way between the extreme axles of the group.

3 Australian Design Rules

- (1) In these Regulations, a reference to an Australian Design Rule is a reference to a publication so entitled issued by the Department after endorsement by the Ministerial Council.
- (2) For the purposes of these Regulations an Australian Design Rule shall be taken to be applicable to a vehicle if it is stated in the Australian Design Rule that the Ministerial Council has recommended that vehicles included in a class of vehicles in which the vehicle is included should:
- (a) comply, or be designed to comply, with the Australian Design Rule;
 - (b) be equipped with any thing that complies with the Australian Design Rule; or
 - (c) have instruments located so as to comply with the Australian Design Rule.

3A Mass management compliance assurance schemes

The Minister may determine, by notice published in the *Gazette*, that a scheme is a mass management compliance assurance scheme if it is consistent with *Alternative Compliance: National Policy*,

ISBN 0 642 54404 2, published by the National Road Transport Commission.

3B Road friendly suspension

- (1) A motor vehicle has road friendly suspension if it complies with subregulation (2) or (3).
- (2) A motor vehicle with a date of manufacture, as shown on its compliance plate, before 1 January 2000 or a motor vehicle not required by the Motor Vehicle Standards Act 1989 to be fitted with a compliance plate:
 - (a) must have at least 1 axle group that has:
 - (i) an air suspension system; and
 - (ii) dual tyres supporting each axle other than a steer axle or a 6-wheeled tandem axle group in which 1 of the 2 axles is fitted with dual tyres; and
 - (iii) functioning dampers incorporated on each axle; and
 - (iv) if it is a multi-axle group — a static load on each axle that is within 5% of its nominal share of the total load on the multi-axle group; and
 - (b) if it has a new suspension system fitted on or after 1 January 2000 — must have a suspension type that is certified by a certifier to comply with the certification performance standard.
- (3) For a motor vehicle with a date of manufacture, as shown on its compliance plate, on or after 1 January 2000, at least 1 axle group:
 - (a) must have a suspension type that is certified by a certifier to comply with the certification performance standard; and
 - (b) must have dual tyres supporting each axle other than:
 - (i) a steer axle; or
 - (ii) a 6-wheeled tandem axle group in which 1 of the 2 axles is fitted with dual tyres.
- (4) For paragraphs (2)(b) and (3)(a):
 - (a) the Minister may appoint a certifier by notice published in the *Gazette*; and

Regulation 3B

- (b) the certification performance standard is set out in Schedule 1.

Part II—Registration of Vehicles

Division 1—Requirements for paragraphs 13(1)(a) and (b) of the Act

4 Interpretation

In this Division, Australian Motor Vehicle Certification Board means the body:

- (a) known under that name;
- (b) consisting of representatives of the Commonwealth, each of the States and the Australian Capital Territory; and
- (c) having, as one of its objectives, to ensure that vehicles supplied for use in, manufactured in, or imported into, Australia are designed and manufactured so as to:
 - (i) comply with the requirements of Australian Design Rules; or
 - (ii) provide a level of safety that is equivalent to that provided by Australian Design Rules.

5 Requirements in respect of motor vehicles and trailers

- (1) For the purposes of paragraph 13(1)(a) of the Act, the following provisions apply in respect of a motor vehicle or trailer that is or has been registered under the Act, or under a law of a State or of the Australian Capital Territory, before 1 August 1989:
 - (a) the motor vehicle or trailer must have affixed to it, in accordance with an approval given, or guidelines issued, in writing by the Australian Motor Vehicle Certification Board, a plate that displays:
 - (i) particulars in respect of the motor vehicle or trailer; and
 - (ii) a statement to the effect that the plate has been affixed to the vehicle in accordance with that approval;
 - (b) where the motor vehicle or trailer has, after the date on which the plate referred to in paragraph (a) has been affixed to it, been altered or modified in such a manner that the motor vehicle or trailer does not, with respect to any part or

Regulation 5A

component in relation to which any Australian Design Rule is applicable to the motor vehicle or trailer, conform with its manufacturer's specifications for vehicles of the class in which the motor vehicle or trailer is included, the motor vehicle or trailer must comply with the requirements set out in that Australian Design Rule;

- (c) where the motor vehicle or trailer was not, at the time of the application under section 9 of the Act for its registration, registered under the Act or under the law of a State or of the Australian Capital Territory, the motor vehicle or trailer must be a conforming vehicle.
- (2) For the purposes of paragraph 13(1)(a) of the Act, the following provisions apply in respect of a motor vehicle or trailer when it is first registered under the Act, or under a law of a State or of the Australian Capital Territory, on or after 1 August 1989, namely:
- (a) the motor vehicle or trailer must have affixed to it, in accordance with arrangements made under section 10 of the *Motor Vehicle Standards Act 1989*, a compliance plate within the meaning of that section; and
 - (b) where the motor vehicle or trailer has, after the date on which the compliance plate was affixed to it, been altered or modified in such a manner that the motor vehicle or trailer does not, with respect to any part or component in relation to which a relevant national standard is determined under that Act, conform with its manufacturer's specifications for vehicles of the class in which the motor vehicle or trailer is included, the motor vehicle or trailer must comply with the requirements set out in that national standard; and
 - (c) where the motor vehicle was not, at the time of the application under section 9 of the Act for its registration, registered under the Act or under a law of a State or of the Australian Capital Territory, the motor vehicle or trailer must be a conforming vehicle.

5A Maximum road speed limiting — heavy motor vehicles

- (1) This regulation applies:
 - (a) to each bus:

Regulation 5A

- (i) that has a gross vehicle mass that exceeds 14.5 tonnes; and
 - (ii) that was manufactured after 31 December 1987; and
 - (iii) that has its registration renewed under the Act after 31 December 1990; and
 - (aa) to each B-double (except a B-double to which paragraph (b) or (c) applies) that is first registered, or has its registration renewed under the Act, after 15 November 1991; and
 - (b) to each heavy motor vehicle (other than a bus):
 - (i) that has a gross vehicle mass that exceeds 20 tonnes; and
 - (ii) that was manufactured after 31 December 1987; and
 - (iii) that has its registration renewed under the Act after 31 December 1990; and
 - (c) to each heavy motor vehicle (other than a heavy vehicle referred to in paragraph (a) or (b)):
 - (i) that has a gross vehicle mass that exceeds 15 tonnes; and
 - (ii) that was manufactured after 31 December 1987; and
 - (iii) that has its registration renewed under the Act after 31 December 1991;
- subject to subregulations (2) and (3), from the date of the first renewal of its registration after 31 December 1990.
- (2) For the purposes of paragraph 13(1)(a) of the Act, if:
 - (a) there is a national standard in respect of the limiting of the maximum road speed of vehicles; and
 - (b) that national standard applies to a vehicle;that vehicle must comply with the national standard.
 - (3) For the purposes of paragraph 13(1)(a) of the Act, if:
 - (a) there is no such national standard; and
 - (b) there is an Australian Design Rule in respect of the limiting of the maximum road speed of vehicles; and
 - (c) that Australian Design Rule applies to a vehicle;that vehicle must comply with the Australian Design Rule.

Regulation 5B

- (4) For the purposes of paragraph 13(1)(a) of the Act, if there is no such national standard or Australian Design Rule applicable to a vehicle, that vehicle must be designed or modified so as to ensure that its maximum road speed capability does not exceed 100 kilometres per hour.

5B Tampering with road speed governors etc

- (1) A person must not engage in conduct in relation to a vehicle to which regulation 5A applies if the result is to enable the vehicle's maximum road speed capability to exceed 100 kilometres per hour.

Penalty: 5 penalty units.

- (2) For subregulation (1), strict liability applies in relation to the physical element that regulation 5A applies to a vehicle.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

5C Exceeding speed limit

- (1) For paragraph 13(1)(b) of the Act, subregulation (2) applies if a letter has been sent to the owner of a heavy goods vehicle or heavy omnibus under subregulation (4).

- (2) The owner must cause the vehicle or omnibus not to be driven at an excessive speed more than twice in the period of 3 years starting on the day of the incident for which the letter was sent.

Note: A Registration Authority may, in accordance with these Regulations, suspend the registration of a vehicle for up to 3 months if the owner has not complied with subregulation (2) — see section 11 of the Act and regulation 23A.

- (3) This regulation does not affect a requirement of a State that a heavy goods vehicle or heavy omnibus must not exceed a speed limit.
- (4) The first time in any period of 3 years that a heavy goods vehicle or heavy omnibus is driven at excessive speed, a Registration Authority may send to the owner of the vehicle or omnibus a letter that sets out the effect of this regulation.

Regulation 5C

- (5) The second time in any period of 3 years that a heavy goods vehicle or heavy omnibus is driven at excessive speed, if a letter has been sent under subregulation (4), a Registration Authority may:
- (a) for a speed-limited vehicle or omnibus — require the owner of the vehicle or omnibus to demonstrate that it complies with Australian Design Rule 65/00; or
 - (b) for a non-speed-limited vehicle or omnibus — require the owner of the vehicle or omnibus to modify it so that it complies with Australian Design Rule 65/00 as if the Design Rule applied to it.
- (6) The third time in any period of 3 years that a non-speed-limited heavy goods vehicle or heavy omnibus is driven at excessive speed, if a requirement has been made under paragraph (5)(b), a Registration Authority may require the owner of the vehicle or omnibus to demonstrate that it complies with Australian Design Rule 65/00 as if the Design Rule applied to it.
- (7) In this regulation:

excessive speed, for a heavy goods vehicle or heavy omnibus, means a speed 15 km/h or more over the speed limit applying to it.

heavy goods vehicle means a goods vehicle that has a gross vehicle mass of more than 12.0 tonnes.

heavy omnibus means a passenger vehicle that has:

- (a) more than 9 seating positions (including that of the driver); and
- (b) a gross vehicle mass of more than 5.0 tonnes.

non-speed-limited vehicle or omnibus means a heavy goods vehicle or heavy omnibus to which regulation 5A does not apply.

speed-limited vehicle or omnibus means a heavy goods vehicle or heavy omnibus to which regulation 5A applies.

Regulation 5D

5D Contravention of road transport laws

- (1) If a Registration Authority is reasonably satisfied that a motor vehicle has been driven in contravention of a road transport law, the Registration Authority may send to the owner of the motor vehicle a letter that sets out the effect of this regulation.
- (2) A letter mentioned in subregulation (1) must include details of the contravention.
- (3) For paragraph 13(1)(b) of the Act, subregulation (4) applies if a letter has been sent to the owner of a motor vehicle under subregulation (1).
- (4) The owner must cause the motor vehicle not to be driven in contravention of a road transport law more than 3 times (including the contravention for which the letter was sent) in the period of 3 years starting on the day of the contravention for which the letter was sent.

Note: A Registration Authority may, in accordance with these Regulations, suspend the registration of a vehicle for up to 3 months if the owner has not complied with subregulation (4) — see section 11 of the Act and regulation 23A.

- (5) For subregulation (4), each contravention may be of the same road transport law or of a different road transport law.
- (6) In this regulation:

motor vehicle means a motor vehicle registered under the Act.

road transport law means a law of the Commonwealth or of a State that regulates any of the following:

- (a) driving hours;
- (b) driving speed;
- (c) use of vehicle lights;
- (d) safe distances between vehicles while driving;
- (e) driving of vehicles within a lane on a road;
- (f) obscuring or damaging of a registration plate.

Division 2—Insurance

7 Third-party policy

- (1) For the purposes of this Division, a third-party policy in respect of the use of a registered motor vehicle or trailer is a policy of insurance, that, subject to subregulation (2), insures:

- (a) the owner of the motor vehicle or trailer named in the policy; and
- (b) any other person who at any time during the currency of the policy drives the motor vehicle or trailer, whether with or without the authority of the owner of the motor vehicle or trailer;

jointly and each of them severally, against all liability incurred by them jointly, or either of them severally, in respect of the death of, or bodily injury to, any person caused by or arising out of the use, in any State or Territory, of the motor vehicle or trailer in the carriage of passengers or goods between prescribed places or for any purpose that is incidental to carriage of that kind.

- (2) A third-party policy in respect of the use of a registered motor vehicle or trailer shall not extend to insure the owner or driver of the motor vehicle or trailer against:
- (a) any liability to pay compensation to another person under any State Act or Ordinance of a Territory making provision for the payment of compensation in respect of injuries or other harm caused to persons by accidents arising out of or in the course of their employment; or
 - (b) any liability that the owner or driver may incur under an agreement unless the liability is one that would have arisen in the absence of the agreement.

8 Application of Division to motor vehicles etc belonging to the Commonwealth or any State

- (1) Nothing in this Part shall render it obligatory for a third-party policy to be taken out in respect of the use of any motor vehicle or trailer that is the property of the Commonwealth, a State or an Authority of the Commonwealth or of a State but the

Regulation 9

Commonwealth, any State or any authority of the Commonwealth or of a State shall, in relation to each of its vehicles or trailers in connection with which no arrangements relating to insurance are in force, be under the same liabilities and have the same rights as an approved insurer would be under or have if the approved insurer had issued to the Commonwealth, that State or that authority, as the case may be, a third-party policy in respect of the use of that motor vehicle or trailer.

- (2) In subregulation (1), *State* includes Norfolk Island.

9 Registered motor vehicle etc to be insured

- (1) The owner of a registered motor vehicle or trailer shall ensure that, at all times during the period for which the registration of the motor vehicle or trailer remains in force:
- (a) there exists under the law of the relevant, or a relevant, State or Territory in relation to the motor vehicle or trailer a scheme relating to motor vehicle accident compensation that applies in respect of the death of, or bodily injury to, persons caused by or arising out of the use, in any State or Territory, of the motor vehicle or trailer; or
 - (b) there is in force a third-party policy in respect of the use of the motor vehicle or trailer issued by the approved insurer, or an approved insurer, in respect of the relevant, or a relevant, State or Territory in relation to the motor vehicle or trailer.
- (2) A State or Territory is, for the purposes of subregulation (1), a relevant State or Territory in relation to a registered motor vehicle or trailer if the owner of the motor vehicle or trailer carries on, from a place in that State or Territory, a business involving the use of that motor vehicle or trailer.

10 Certificate of insurance to be produced, or insurer to be nominated, at time of registration of certain motor vehicles etc

- (1) Where:
- (a) a person, being the owner of a motor vehicle or trailer, makes an application to the Registration Authority in respect of a

Regulation 10

State or Territory for the registration or re-registration of the motor vehicle or trailer; and

- (b) there is not in force under the law of that State or Territory a scheme relating to motor vehicle accident compensation that applies in respect of the death of, or bodily injury to, persons caused by or arising out of the use, in any State or Territory, of the motor vehicle or trailer;

the person shall, at the time of the making of the application, in accordance with instructions issued in that respect by the Registration Authority:

- (c) lodge with the Registration Authority a certificate of insurance in accordance with the approved form issued by the approved insurer, or an approved insurer, in respect of that State or Territory to the effect that a third-party policy that is expressed:
 - (i) to commence on a day not later than the day on which the registration or re-registration of the motor vehicle or trailer is to come into force; and
 - (ii) to expire on or after the expiration of the period for which that registration or re-registration will, unless sooner cancelled or surrendered, be in force;has been, or will be, issued by the approved insurer in respect of the use of the motor vehicle or trailer; or
- (d) nominate, in writing in accordance with the approved form, the approved insurer, or an approved insurer, in respect of that State or Territory in connection with the issue of a third-party policy in respect of the use of the motor vehicle or trailer and pay to the Registration Authority an amount equal to the amount of insurance premium payable to that approved insurer in respect of the issue of a third-party policy in respect of the use of the motor vehicle or trailer that is expressed:
 - (i) to commence on the day on which the registration or re-registration of the motor vehicle or trailer is to come into force; and
 - (ii) to expire on the expiration of the period for which that registration or re-registration will, unless sooner cancelled or surrendered, be in force.

Regulation 11

- (2) An approved insurer who issues a certificate of insurance referred to in paragraph (1)(a) in relation to a motor vehicle or trailer:
 - (a) shall, at the time of the issue of the certificate or as soon as practicable thereafter, issue a third-party policy in conformity with the certificate in relation to the motor vehicle or trailer; and
 - (b) shall, until such time as a third-party policy in conformity with the certificate is issued in relation to the motor vehicle or trailer be deemed to have issued such a policy.
- (3) Where a person, being the owner of a motor vehicle or trailer, complies with paragraph (1)(b) in connection with an application for the registration or re-registration of a motor vehicle or trailer, the approved insurer nominated by the person in accordance with that paragraph shall be deemed to have issued a third-party policy in respect of the use of the motor vehicle or trailer that is expressed:
 - (a) to commence on the day on which the registration or re-registration of the motor vehicle or trailer is to come into force; and
 - (b) to expire on the expiration of the period for which that registration or re-registration will, unless sooner cancelled or surrendered, be in force.

11 Cancellation of third-party policy

- (1) Whilst the registration of a motor vehicle or trailer remains in force, an approved insurer shall not, except in accordance with this regulation, cancel or suspend a third-party policy issued by the insurer in respect of the use of the motor vehicle or trailer and providing cover for the period during which the registration remains in force.
- (2) An approved insurer may cancel a third-party policy issued by the insurer in respect of the use of a motor vehicle or trailer if:
 - (a) another third-party policy issued either by the insurer or another approved insurer is in force in respect of the use of the motor vehicle or trailer; and

Regulation 12

- (b) that other policy is expressed to expire on a date not earlier than the date on which the first-mentioned policy is expressed to expire.
- (3) Where the registration of a motor vehicle or trailer is cancelled or surrendered, the approved insurer that issued the current third-party policy in respect of the use of the motor vehicle or trailer may, upon the application of the owner of the motor vehicle or trailer and upon being satisfied that the registration of the motor vehicle or trailer has been cancelled or surrendered, cancel the policy.
- (4) Where an approved insurer cancels, under this regulation, a third-party policy in respect of the use of a motor vehicle or trailer, the insurer shall immediately give notice of the fact to the relevant Registration Authority in relation to the motor vehicle or trailer.
- (5) The cancellation under this regulation of a third-party policy does not exempt the approved insurer that issued the policy from any liability under the policy that accrued or was incurred before the cancellation of the policy.

12 Rights etc of insurer, owner etc of vehicle with respect to claims for damages

Where an approved insurer in respect of a State other than the State of Victoria or a Territory has issued, or is to be deemed under this Division to have issued, a third-party policy in respect of the use of a motor vehicle or trailer:

- (a) the approved insurer; and
- (b) the owner and the driver of the motor vehicle or trailer;

have, by force of this regulation, with respect to any claim for damages in respect of the death of, or bodily injury to, any person caused by or arising out of the use of the motor vehicle or trailer, the same rights, remedies, obligations and liabilities as they would have under the law of that State or Territory if:

- (c) the motor vehicle or trailer had been registered under a law of that State or Territory making provision for the registration of vehicles; and

Regulation 12

- (d) the approved insurer had been authorised under a law of the State or Territory to issue, and had issued, in respect of the motor vehicle or trailer, a policy, or contract, of insurance that complies with the requirements of that law.

Division 2A—Vehicle mass limits

12AA Application of Division

This Division does not apply to long combination vehicles.

Note: Permitted mass limits for long combination vehicles are governed by State and Territory laws.

12A Permitted gross mass limits

- (1) For the purposes of paragraphs 12B(2)(a) and 13(1)(aa) of the Act, the maximum permitted gross mass of a vehicle is the gross mass of that vehicle determined by whichever of the following methods produces the least gross mass:
 - (a) the sum of the gross masses permitted by regulation 12B to be carried on each of the axle groups of the vehicle;
 - (b) the manufacturer's rating;
 - (c) in respect of:
 - (i) a rigid motor vehicle; or
 - (ii) an articulated vehicle that includes a motor vehicle; or
 - (iii) a B-double;
that has an overall axle spacing within the limits specified in column 2 in an item in Schedule 3 — the maximum permitted gross mass specified in column 3 in that item in that Schedule.
- (2) In spite of subregulation (1):
 - (a) the gross combination mass of a vehicle comprising:
 - (i) a trailer or trailers, other than the combined semi-trailers of a B-double; and
 - (ii) the motor vehicle drawing the trailer or trailers;
must not exceed 42.5 tonnes; and
 - (b) the gross mass of a trailer or the gross combination mass of trailers, other than the combined semi-trailers of a B-double or a semi-trailer, must not exceed the gross mass of the motor vehicle drawing the trailer or trailers.

Regulation 12B

- (3) In spite of subregulation (1) the maximum permitted loaded mass of a B-double is the least of:
 - (a) the maximum permitted gross mass of the B-double determined under subregulation (1); and
 - (b) the gross combination mass value specified by the manufacturer of its prime mover; and
 - (c) 62.5 tonnes.
- (4) However, if a motor vehicle has road friendly suspension, the maximum permitted gross mass of the vehicle is the lesser of:
 - (a) the sum of the maximum permitted laden mass mentioned in column 3 of Schedule 3 for the vehicle's axle spacing and:
 - (i) for each tandem axle group — 0.5 tonnes; and
 - (ii) for each triaxle group — 2.5 tonnes; and
 - (b) the sum of the following axle load limits for each of the vehicle's axle groups:
 - (i) if an axle load limit is mentioned in column 5 of Schedule 4 — that limit; and
 - (ii) if subparagraph (i) does not apply — the axle load limit mentioned in column 4 of Schedule 4; and
 - (iii) if neither subparagraph (i) nor (ii) applies — the axle load limit mentioned in column 3 of Schedule 4; and
 - (c) for a vehicle other than a B-double — 45.5 tonnes; and
 - (d) for a B-double — 68 tonnes; and
 - (e) the manufacturer's rating.

12B Axle loads

- (1) For the purposes of paragraphs 12B(2)(a) and 13(1)(aa) of the Act, the maximum permitted gross mass on an axle group of a vehicle is the least of:
 - (a) the sum of the mass limits on the tyres on the axle group calculated in accordance with subregulation (2); and
 - (b) the gross axle load rating specified by the manufacturer of the axle group in respect of that axle group; and
 - (c) for an axle group of a kind mentioned in an item in Schedule 4:

Regulation 12BAA

- (i) if it does not have road friendly suspension — the axle load limit mentioned in column 3 of the item; and
- (ii) if it has road friendly suspension — the axle load limit mentioned in column 5 of the item.

Note: Regulation 12BAA deals with the maximum permitted gross mass for a single steer axle for vehicles with a gross vehicle mass of 15 tonnes or more.

- (2) For the purposes of paragraph (1)(a), the mass limit on a tyre is the greatest load capacity determined for the tyre by the manufacturer at a cold inflation pressure that does not exceed:
 - (a) for a radial ply tyre — 825 kilopascals; or
 - (b) for any other tyre — 700 kilopascals.
- (3) For the purposes of paragraph (1)(c), if an axle group of a kind specified in Schedule 4 includes a retractable axle, the axle load limit for that group must be determined as if that axle did not exist, unless subregulation (4) applies.
- (4) A retractable axle is part of an axle group for the purposes of Schedule 4 if, when the mass on the group exceeds:
 - (a) in the case of a tandem axle group — 6 tonnes; or
 - (b) in the case of a triaxle group — 11 tonnes;the tyres on the axle touch the ground and there is load sharing on each axle (including the retractable axle) and tyre in the group.

12BAA Axle loads for single steer axles

- (1) For the purposes of paragraphs 12B(2)(a) and 13(1)(aa) of the Act, the maximum permitted mass limit on a single steer axle of a vehicle to which this regulation applies is, despite regulation 12B, 6.5 tonnes if:
 - (a) the vehicle is fitted with an engine that complies with the emission control requirements of ADR 80/01, ADR 80/02, ADR 80/03 or later rules of the Australian Design Rules as in force from time to time; and
 - (b) the vehicle is fitted with a front underrun protective device that complies with regulation 93 made under the UN ECE Agreement; and

Regulation 12BA

- (c) a protrusion is fitted to the vehicle, such as a bull bar, the protrusion does not interfere with, or compromise the performance of the vehicle's front underrun protection device; and
- (d) the vehicle is fitted with a cab that complies with regulation 29 made under the UN ECE Agreement; and
- (e) the permitted gross axle mass limit in relation to the single steer axle as specified by the manufacturer of the vehicle is 6.5 tonnes or more; and
- (f) if the law of the State requires compliance with the paragraphs (a), (b), (c) and (d) to be demonstrated — the compliance is demonstrated in the way in which any law of any State requires compliance with those paragraphs to be demonstrated.

Note: The law of a State may specify that a particular approval plate must be attached to a vehicle for the purpose of demonstrating that the vehicle complies with paragraphs (a), (b), (c) and (d).

- (2) This regulation applies to all vehicles with a gross vehicle mass of 15 tonnes or more except buses and a vehicle with a twin-steer axle group.

12BA Concessional mass limit

- (1) For the purposes of paragraphs 12B(2)(a) and 13(1)(aa) of the Act, the concessional mass limit of a vehicle is, subject to subregulation (2), calculated as the sum of:
 - (a) the maximum permitted laden mass specified in column 3 of an item in Schedule 3 (the **vehicle's permitted laden mass**) for the vehicle's axle spacing; and
 - (b) whichever of the following applies:
 - (i) if the vehicle's permitted laden mass is 55 tonnes or less — 5% of the vehicle's permitted laden mass or 1 tonne, whichever is less;
 - (ii) if the vehicle's permitted laden mass is over 55 tonnes — 2 tonnes.

Note: Column 4 of Schedule 4 sets out the resulting amounts of a calculation under paragraph (b) by reference to axle groups.

Regulation 12C

- (2) If the concessional mass limit calculated under subregulation (1) exceeds the manufacturer's rating for the vehicle, the concessional mass limit is taken to be the manufacturer's rating.

Note: The concessional mass limit worked out under this regulation is a separate amount to the maximum permitted gross mass amount worked out under regulation 12A.

12C Higher mass accreditation and route requirements

- (1) This regulation applies to a higher mass limit vehicle.
- (2) However, if the driver or owner of the vehicle does not comply with this regulation, the vehicle is taken not to have road friendly suspension.
- (3) For a vehicle with a triaxle group:
- (a) the owner of the vehicle must be accredited under a mass management compliance assurance scheme; and
 - (b) the vehicle must have been nominated by the owner to be included in the scheme.
- (4) The driver of the vehicle must:
- (a) carry:
 - (i) if the vehicle has a triaxle group — written evidence that the vehicle complies with subregulation (3); and
 - (ii) a description or map of the route, determined under subregulation (5), that the vehicle is following; and
 - (iii) a copy of the *Gazette* notice under subregulation (5) for the route; and
 - (b) show the items mentioned in paragraph (a) to an inspector or police officer who asks to see them.

Penalty: 10 penalty units.

- (5) The Minister may, by notice published in the *Gazette*, determine routes on which a higher mass limit vehicle, other than a B-double, may be driven.

Note: For the routes on which a B-double may operate, see subregulation 12L(1).

Regulation 12E

- (6) A person may operate a higher mass limit vehicle in a State or Territory:
- (a) only on:
 - (i) a route mentioned in subregulation (5); or
 - (ii) a route that the vehicle is authorised to operate on under a relevant instrument; or
 - (b) if the administering authority in the State or Territory requires the driver or owner of the vehicle to hold a permit to operate the vehicle in that place or in that State or Territory generally — only if the driver or owner of the vehicle holds a current permit permitting that operation; or
 - (c) if the administering authority in the State or Territory does not require the driver or owner of the vehicle to hold a permit to operate the vehicle in that place or in that State or Territory generally — only if the driver and the owner of the vehicle comply with these regulations; or
 - (d) if the driver or owner of the vehicle is required by these regulations to operate the vehicle in that place.

Penalty: 10 penalty units.

- (6A) A person who operates a higher mass limit vehicle on a route mentioned in subparagraph (6)(a)(ii) must operate the vehicle in accordance with any conditions relating to infrastructure safety to which the relevant instrument for the route is subject.

Penalty: 10 penalty units.

- (7) An offence against subregulation (4) or (6) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

12E False statement of gross vehicle mass

- (1) The owner of a motor vehicle commits an offence if, in an application made in accordance with the approved form under section 9 of the Act:
- (a) the owner makes a statement to the effect that the vehicle, in conjunction with any trailer that may be drawn by the

Regulation 12H

vehicle, is being operated within the manufacturer's gross vehicle mass or gross combination mass; and

(b) the statement is false or misleading.

Penalty: 10 penalty units.

(2) Strict liability applies to the physical element that a form was an approved form under section 9 of the Act.

Note: A person can be criminally responsible for an offence even if he or she is mistaken about, or ignorant of, the existence or content of an Act or subordinate legislation; see sections 9.3 and 9.4 of the *Criminal Code*.

12H Overloaded vehicle

(1) For the purposes of this regulation, an overloaded vehicle is a vehicle that:

- (a) if charge has been paid in respect of the registration of the vehicle as a vehicle of a particular type — exceeds in gross mass the MRC for a vehicle of that type; or
- (b) exceeds the maximum permitted gross mass on 1 or more axle groups of the vehicle; or
- (c) exceeds the maximum permitted gross mass for the vehicle; or
- (e) in the case of a trailer other than a semi-trailer — exceeds in gross mass the gross mass of the motor vehicle drawing it; or

Note: Subsection 3(1) of the Act contains the following definitions:

compliance plate means a plate authorised to be placed on a vehicle, or taken to have been placed on a vehicle, under the Motor Vehicle Standards Act 1989.

MRC (Mass Rating for Charging), in relation to a vehicle, means:

- (a) the maximum mass of the vehicle, including any load, recorded on the compliance plate as the GVM, GTMR or ATM of the vehicle; or
- (b) in relation to a vehicle for which there is no compliance plate — its operating mass.

(2) Each person who is the owner or driver of an overloaded vehicle is guilty of an offence.

(2A) For subregulation (2), the penalty is:

Regulation 12H

- (a) for an offence to which paragraph (1)(a) or (e) applies — 30 penalty units;
 - (b) for an offence to which paragraph (1)(b) or (c) applies:
 - (i) if the vehicle is overloaded by up to 10% — 5 penalty units;
 - (ii) if the vehicle is overloaded by more than 10% but less than 15% — 10 penalty units;
 - (iii) if the vehicle is overloaded by 15% or more but less than 20% — 20 penalty units;
 - (iv) for severe risk overloading — 20 penalty units plus 2 penalty units for each additional 1% overloading, up to a maximum penalty of 30 penalty units.
- Note 1: Penalties for offences involving the operation of B-doubles are set out in s 12D of the Act.
- Note 2: For penalties for a body corporate, see *Crimes Act 1914*, subs 4B(3).
- Note 3: The driver of an overloaded motor vehicle may be required to unload part of its load (see subr 12K(1)).
- (3) A person shall be prosecuted for an offence under subregulation (2) only with the consent of the Minister or the Registration Authority in the State or Territory in which the offence occurred.
 - (4) This regulation does not apply to a B-double or to a component of a B-double.
 - (5) For paragraph 13(1)(b) of the Act, the owner of a motor vehicle must cause the vehicle not to be severe risk overloaded more than twice in 3 years.
 - (6) For subregulation (5), the period of 3 years starts on the day of the first occurrence under the subregulation.

Note: A Registration Authority may cancel or suspend the registration of a motor vehicle or trailer if its owner does not comply with subr (5) (see Act, s 11).
 - (7) An offence against subregulation (2) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

12I Weighing vehicles

- (1) For the purposes of paragraph 13(1)(aa) of the Act, a police officer or an inspector may direct the driver of a motor vehicle or trailer, other than a vehicle or trailer operated as part of a B-double, to cause the motor vehicle or trailer to be driven or towed to a weighing station for the purposes of weighing the motor vehicle or trailer there to establish whether it is overloaded.
- (1A) For the purposes of paragraph 12B(2)(h) of the Act, a police officer or an inspector may direct the driver of a B-double to cause the B-double to be driven or towed to a weighing station:
- (a) to be weighed; and
 - (b) if necessary, to be unloaded;
- to ensure that the B-double complies with the Act and these Regulations.
- (2) For the purposes of paragraphs 12B(2)(h) and 13(1)(aa) of the Act, where:
- (a) there is erected near a weighing station a sign directing drivers of motor vehicles or trailers to drive those motor vehicles or trailers into a weighing station to enable them to be weighed; and
 - (b) the sign is visible from a road; and
 - (c) the weighing station is open;
- the driver on that road of a motor vehicle or trailer that has a gross mass exceeding 4.5 tonnes must obey any directions on that sign that are applicable in respect of the motor vehicle or trailer he or she is driving.
- (3) The driver of a motor vehicle or trailer must not refuse to comply with a direction under subregulation (1).

Penalty: 30 penalty units.

- (3A) The driver of a B-double must not contravene a direction under subregulation (1A).

Note: Provision is made for offences involving the operation of B-doubles in section 12D of the Act.

Regulation 12J

- (3B) The driver of a motor vehicle or trailer must not contravene a direction referred to in subregulation (2).

Maximum Penalty: for the driver of a vehicle other than a B-double — 30 penalty units.

Note: Provision is made for offences involving the operation of B-doubles in section 12D of the Act.

- (4) A direction under subregulation (1) or (1A) or a direction referred to in subregulation (2) is not to require the driver of a motor vehicle or trailer to cause the motor vehicle or trailer to be driven or towed to a place that is more than 5 kilometres distant from the point that is closest to that place on the shortest practicable route to the ultimate destination of that motor vehicle or trailer.

- (5) An offence against subregulation (3) or (3B) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

- (6) It is a defence to a prosecution under subregulation (3) that the defendant had a reasonable excuse.

Note: A defendant bears an evidential burden in relation to whether or not he or she had a reasonable excuse (see subsection 13.3(3) of the *Criminal Code*).

12J Weighing vehicles — procedure

Where, under the Act or these Regulations, a vehicle is to be weighed in a State or Territory, the vehicle may be weighed in accordance with the law in force in that State or Territory at the time that the vehicle is, or is to be, so weighed.

12K Unloading overloaded vehicles

- (1) For the purposes of paragraphs 12B(2)(h) and 13(1)(aa), a police officer or an inspector may, by notice in writing, direct the driver of an overloaded motor vehicle or trailer to unload enough of the load of the motor vehicle or trailer to ensure that the motor vehicle or trailer complies with the mass limits applicable to it under these Regulations.

Regulation 12K

- (2) The driver of the motor vehicle or trailer must comply with a notice under subregulation (1).

Maximum Penalty: for the driver of a vehicle other than a B-double — 20 penalty units.

Note: Provision is made for offences involving the operation of B-doubles in section 12D of the Act.

- (2A) An offence against subregulation (2) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

- (3) For the purposes of subregulation (1), a police officer or an inspector may, in the notice, direct the driver of the motor vehicle or trailer, before he or she complies with that subregulation, to cause the motor vehicle or trailer to be driven or towed to a place that is, in the opinion of the police officer or inspector, the nearest place of safety.

Division 2B—B-doubles

12L On which routes may a B-double operate?

- (1) Subject to subregulation (2), a person must not operate a B-double except:
- (a) on a federal route that applies to the B-double; or
 - (b) on a route in a State or Territory that the B-double is authorised to operate on under a relevant instrument.

Penalty: 10 penalty units.

- (2) A B-double may only operate in a State or Territory in a place other than a route mentioned in paragraph (1)(a) or (b):
- (a) if the administering authority in the State or Territory requires the driver or operator of a B-double to hold a permit to operate the B-double in that place or in that State or Territory generally — if the driver or operator of the B-double holds a current permit permitting that operation; or
 - (b) if the administering authority in the State or Territory does not require the driver or operator of a B-double that complies with these Regulations to hold a permit of a kind referred to in paragraph (a) — if the B-double complies with these Regulations; or
 - (c) if the driver or operator of the B-double is required by these regulations to operate that B-double in that place.

- (2A) A person who operates a B-double on a route mentioned in paragraph (1)(b) must operate the B-double in accordance with any conditions relating to infrastructure safety to which the relevant instrument for the route is subject.

Penalty: 10 penalty units.

- (3) An offence against subregulation (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

- (4) It is a defence to a prosecution under subregulation (1) that the defendant had a reasonable excuse.

Regulation 12M

Note: A defendant bears an evidential burden in relation to whether or not he or she had a reasonable excuse (see subsection 13.3(3) of the *Criminal Code*).

12M General specifications for B-doubles

A vehicle that:

- (a) is first registered, or has its registration under the Act renewed, after 15 November 1992; and
- (b) is a component of a B-double;

must comply with whichever of:

- (c) the national standards; or
- (d) Australian Design Rules;

(as amended and in force from time to time) applicable to B-doubles are appropriate in the circumstances.

12N How must a B-double be identified?

The prime mover and each trailer that constitutes a B-double must be permanently marked with:

- (a) a vehicle identification number; or
- (b) a unique chassis number.

12O Dimensions of a B-double — height

- (1) Except as provided in subregulation (2), the height (including any of the vehicle's load and equipment) of any motor vehicle or trailer that constitutes part of a B-double:
 - (a) if subregulation (2) applies to the motor vehicle or trailer — must not exceed 4.6 metres; and
 - (b) in any other case — must not exceed 4.3 metres.
- (2) In an area in a State or Territory approved by the administering authority of the State or Territory for the purposes of this subregulation, the height of a trailer of a B-double, or its prime mover, may exceed 4.3 metres:
 - (a) if the prime mover has tandem driven rear axles; and

Regulation 12P

- (b) when an interaxle differential is fitted to the prime mover — if the prime mover's interaxle differential is of the positive locking type; and
- (c) when the trailer consists of a multi-deck stock crate and livestock are carried on the top deck — if each lower deck is fully laden.

12P Dimensions of a B-double — overall length

- (1) A person must not operate a B-double that is longer than 25 metres.
- (2) However, a person may operate a B-double that is up to 26 metres in length in a State, if:
 - (a) the law of the State allows the person to operate the B-double in the State subject to the B-double complying with the conditions mentioned in subregulation (3) (the ***exemption conditions***); and
 - (b) the B-double complies with the exemption conditions; and
 - (c) if the law of the State requires the B-double's compliance with the exemption conditions to be demonstrated — the B-double's compliance is demonstrated in the way in which the law of any State requires a B-double's compliance with the exemption conditions to be demonstrated.
- (3) For paragraph (2)(a), the conditions are:
 - (a) the B-double must not be longer than 26 metres; and
 - (b) the distance between the point of articulation at the front of the leading semi-trailer and the rear of the combination must not exceed 20.6 metres; and
 - (c) the prime mover of the combination must be fitted with a front underrun protective device that complies with regulation 93 made under the UN ECE Agreement; and
 - (d) if the prime mover has a date of manufacture after 31 December 2005 — it must be fitted with a cab that complies with regulation 29 made under that Agreement; and
 - (e) the prime mover must not have a load-carrying area.
- (4) In this regulation:

Regulation 12PA

State includes Territory.

Example 1 for paragraph (2)(a):

Under the law of the State, the administering authority in the State may allow a person to operate a B-double that is longer than 25 metres in the State by publishing a notice in the State's government Gazette that exempts B-doubles from the dimension limit of 25 metres that would otherwise apply, under the law of the State, to the length of B-doubles that may be operated in the State.

Example 2 for paragraph (2)(a):

Under the law of the State, the administering authority in the State may allow a person to operate a B-double that is longer than 25 metres in the State by granting a permit to the person (on application for the permit) that exempts the B-double from the dimension limit of 25 metres that would otherwise apply, under the law of the State, to the length of the B-double.

Example for paragraph (2)(c):

The law of a State may specify that a particular approval plate must be attached to a 26-metre B-double for the purpose of demonstrating that the B-double complies with the exemption conditions.

Note 1: Regulations 29 and 93 made under the UN ECE Agreement are available on the United Nations website at:

<http://www.unece.org/trans/main/wp29/wp29regs.html>.

Note 2: For the routes on which a person may operate a B-double, see regulation 12L.

12PA Dimensions of a B-double — length available for carrying animals

- (1) This regulation applies in relation to a B-double built to carry cattle, sheep, pigs or horses.
- (2) The 2 semi-trailers that form part of the B-double must not have more than 18.8 metres of their combined length available for carrying animals.
- (3) For subregulation (2), the length available for carrying animals on a trailer must be measured from the inside of the front wall or door of the trailer to the inside of the rear wall or door of the trailer, and any intervening partitions must be disregarded.

Regulation 12Q

12Q Dimensions of a B-double — minimum axle spacings

- (1) On a B-double:
 - (a) any single axle or single axle group with dual tyres or single wide tyres must be located not less than 5 metres from the centre of any adjacent tandem group or triaxle group; and
 - (b) adjacent pairs of tandem axle groups with dual tyres or single wide tyres must be located so that there is not less than 6 metres between the centres of the axle groups; and
 - (c) the centre of any tandem axle group with dual tyres or single wide tyres must be located not less than 7 metres from the centre of any adjacent triaxle group.
- (2) If a B-double has 2 triaxle groups, either:
 - (a) $x - y$ must be equal to or less than 1; or
 - (b) $y - x$ must be equal to or less than 1.3;

where:

x is the distance in metres between:

- (c) the centre of the rearmost axle in the second axle group; and
- (d) the centre of the front-most axle in the third axle group; and

y is the distance in metres between:

- (e) the centre of the rearmost axle in the third axle group; and
- (f) the centre of the front-most axle in the fourth axle group.

- (3) In paragraphs (2)(a) and (b), equal to and less than have their arithmetical senses (that is, any negative number is less than any positive number, and 2 numbers are equal only if they are both negative or both positive).

12R Starting and running a B-double on grade

A B-double constituted by a prime mover and 2 fully laden trailers must be able to start from rest on a 10% grade and be capable of maintaining 70 kilometres per hour on a 1% grade when operating at its gross combination mass.

12RA Anti-lock braking systems

- (1) If a prime mover is to be used as part of a B-double, and it:
 - (a) was manufactured on or after 1 January 1990; or
 - (b) was first used as part of a B-double on or after 1 January 1994; or
 - (c) is used as part of a B-double that includes a tank trailer that carries dangerous goods;the prime mover must have an anti-lock braking system that complies with ADR 64/00.
- (2) If a semi-trailer is to be used as part of a B-double that includes a tank trailer that carries dangerous goods, the semi-trailer must have an anti-lock braking system that complies with ADR 38/01.

- (3) In this regulation:

dangerous goods means:

- (a) if regulations have been made for the purposes of paragraph 11(2)(a) of the *Road Transport Reform (Dangerous Goods) Act 1995* — goods that are prescribed or determined to be dangerous goods under those regulations; or
- (b) if there are no such regulations in force — goods of a kind listed in section 9.4 (Alphabetical list of dangerous goods) of the *Australian Code for the Transport of Dangerous Goods by Road and Rail* (5th edition) prepared by the Federal Office of Road Safety and published by the Australian Government Publishing Service in 1992.

tank trailer means a trailer:

- (a) of which a tank forms part; or
 - (b) to which a tank is attached; and
- which is used, or built to be used, for the transport of liquid or gaseous goods in bulk.

- (4) If a prime mover referred to in subregulation (1) is registered under the Act on 1 July 1997, subregulation (1) does not apply to it until the first time it is re-registered after that date.

Regulation 12S

- (5) If a semi-trailer referred to in subregulation (2) is registered under the Act on 1 July 1997, subregulation (2) does not apply to it until the first time it is re-registered after that date.

12S Service brakes — pneumatic systems

- (1) In spite of regulation 12M, if a B-double is fitted with brakes that use compressed air as the brake operating fluid, the brake system of the prime mover must be such that:
- (a) the pressure measured in an 800 millilitre vessel connected to a 2 metre pipe at the coupling head reaches at least 420 kilopascals within 400 milliseconds after the foot operated brake control is rapidly and completely applied; and
 - (b) if the brakes are applied fully — the pressure in the vessel falls, within 500 milliseconds after the foot operated brake control is released, to below 35 kilopascals.
- (2) In spite of regulation 12M, if a B-double is fitted with brakes that use compressed air as the brake operating fluid, its brake system must be such that:
- (a) the pressure within the least favoured brake chamber of the B-double reaches at least 420 kilopascals within 1 second after the foot operated brake control is rapidly and completely applied; and
 - (b) if the brakes are applied fully — the pressure within the least favoured brake chamber falls, within 1 second after the foot operated brake control is released, to (or below) the greater of:
 - (i) 35 kilopascals; or
 - (ii) the pressure at which the friction materials cease to contact each other; and
 - (c) the prime mover's air pressure recovers to 490 kilopascals (or more) within 1 minute when:
 - (i) its engine is running at its maximum speed; and
 - (ii) its initial air pressure is not less than 650 kilopascals; and
 - (iii) the governor cut-in pressure is no higher than that recommended by the manufacturer or, if there

Regulation 12T

- is no recommendation by the manufacturer,
550 kilopascals; and
(iv) 3 full brake operations are applied within 10 seconds.

12T Brake line failure protection

- (1) If a B-double uses compressed air as the brake operating fluid, the prime mover's brake system must include protection against loss of supply line air, or control signal air, if any of the supply line brake hoses connecting one vehicle to another fail.
- (2) The protection must be automatic and must warn the driver that loss of supply line air or control signal air is occurring.
- (3) The couplings for the hoses for the supply and control lines must be polarised in accordance with Australian Standard D8 — 1971 "Hose Couplings for Use with Vacuum and Air-Pressure Braking Systems on Prime-Movers, Trailers and Semi-trailers" if that standard applies to those hoses.
- (4) Couplings for supply line air hoses must not be interchangeable with couplings for control line air hoses.

12U Simultaneous parking brake application

- (1) If the parking brake of the prime mover of a B-double is applied, the parking brakes of each trailer that is part of the B-double must also be applied automatically by means of a supply line vent or similar arrangement.
- (2) After the parking brakes of a B-double are applied, they must remain applied by mechanical means only.

12V Selection of fifth wheel assemblies

- (1) A B-double's fifth wheels must be of the single plate, single oscillating type.
- (2) Unless a B-double would otherwise be acceptable by the Administrator as a new vehicle, the B-double's fifth wheels (including turn-table bases if they are used) must comply with the

Regulation 12W

rating and functional and dimensional requirements of Australian Standard 1773 — 1990 “Articulated Vehicles — Fifth Wheel Assemblies” relevant to fifth wheels.

- (3) A B-double must not be fitted with a double oscillating fifth wheel.

12W Selection of fifth wheel kingpins

A B-double’s fifth wheel kingpins must comply with the relevant rating and dimensional requirements of Australian Standard 2175 — 1990, “Articulated vehicles — kingpins” at least to the standard required of an M rated kingpin.

12X Mounting of fifth wheel assemblies

- (1) Fifth wheel assemblies must be mounted on prime movers and semi-trailers in accordance with the requirements of Australian Standard 1771 — 1987 “Installation of Fifth Wheel and Turn-table Assemblies”.

12Y Spray suppression devices

- (1) All axle groups of B-doubles must be fitted with spray suppression equipment that, unless otherwise approved by an administering authority, is in accordance with Parts 1 and 2 of British Standard AU 200 — 1984 “Spray Reducing Devices for Heavy Goods Vehicles”, or in accordance with any relevant Australian Standard, as the case requires.
- (2) If a B-double is to be used on unsealed roads, an administering authority may exempt the B-double from the requirements of subregulation (1).

12Z Tracking

When a B-double is travelling in a straight line on a level road, each of its tyres must travel in a line within 100 millimetres of the path that would be taken by the tyre if it travelled in a perfectly straight line without any deviation.

Regulation 12ZA

12ZA Distribution of load

- (1) For each axle group on a B-double, the ratio of the load borne by the axle group to its maximum legal load must not vary by more than 20% from the equivalent ratio for any other axle group on the B-double.
- (2) In subregulation (1) axle group does not include:
 - (a) a steering axle; or
 - (b) an axle group equipped with a variable proportioning brake system or an anti-lock braking system.

12ZAA Total maximum permitted gross mass

The sum of the gross masses on the axle groups of a B-double must not be greater than the sum of the maximum permitted gross masses (within the meaning of subregulation 12B(1)) on the axle groups.

12ZAB Certain B-doubles not to be operated

- (1) A person may operate a B-double that does not comply with the requirements of this Division only if, under regulation 12ZB, the B-double is taken to comply with those requirements.

Penalty: 5 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

**Division 2BA—Registration and operation of FIRS
B-doubles**

**12ZB Circumstances in which State or Territory permits are
required**

A B-double (in this regulation called a FIRS B-double) that does not comply with a provision of:

- (a) regulation 12A; or
- (b) Division 2B of this Part (except regulation 12L);

Part II Registration of Vehicles

Division 2BA Registration and operation of FIRS B-doubles

Regulation 12ZB

is taken to comply with that provision if:

- (c) a B-double that does not comply with the provision may operate in a State or Territory in accordance with the law of that State or Territory; and
- (d) that law requires the driver or operator of a B-double to which paragraph (c) refers to be permitted to operate the B-double in the State or Territory; and
- (e) the driver or operator of the FIRS B-double holds a permit that allows the operation of the FIRS B-double in the State or Territory.

Division 3—Inspection of vehicles

13 Inspection in contemplation of registration

- (1) Where:
- (a) a person, being the owner of a motor vehicle or trailer, proposes to make, or has made, an application to a Registration Authority for the registration of the motor vehicle or trailer; and
 - (b) the motor vehicle or trailer is not, under regulation 14, exempt from inspection;
- the person shall, subject to subregulation (5), produce the motor vehicle or trailer for inspection by the Registration Authority or a person authorised in writing by the Registration Authority to carry out such inspections (in this Division referred to as an ***authorised person***).
- (2) The purpose of an inspection referred to in subregulation (1) is to ascertain whether the motor vehicle or trailer produced for inspection satisfies the conditions for registration set out in paragraphs 9(1)(d) and (e) of the Act.
- (2A) Nothing in subregulation (2) shall prevent information obtained in the course of an inspection referred to in subregulation (1) from being used as evidence in a prosecution for an offence under the Act or these Regulations.
- (4) Where a motor vehicle or trailer has been produced for inspection in accordance with subregulation (1), the Registration Authority or authorised person carrying out the inspection shall issue, in respect of the motor vehicle or trailer, a certificate of inspection in accordance with the approved form and, subject to subregulation (5), the certificate so issued shall, for the purposes of section 9 of the Act, be evidence that the motor vehicle or trailer has been produced for inspection by the Registration Authority, or authorised person, issuing the certificate.
- (5) If a motor vehicle or trailer produced for inspection in accordance with subregulation (1) is not:

Regulation 14

- (a) in the case of a motor vehicle or trailer that is already registered — re-registered; or
 - (b) in any other case — registered;within such period from the day on which the inspection of the motor vehicle or trailer is completed as is equal to the relevant period in relation to the motor vehicle or trailer, the owner of the motor vehicle or trailer shall, for the purposes of section 9 of the Act, be deemed not to have complied with the provisions of subregulation (1).
- (6) In subregulation (5), relevant period, in relation to a motor vehicle or trailer, means:
 - (a) in the case of a motor vehicle or trailer that is normally garaged at a place that is situated beyond a radius of 250 kilometres from a place where the motor vehicle or trailer may be produced for inspection by a Registration Authority or an authorised person — a period of 120 days; or
 - (aa) In the case of a motor vehicle or trailer referred to in paragraph (a) the owner of which is experiencing hardship in presenting the vehicle for inspection — a period of 180 days;
 - (b) in any other case — a period of 45 days.

14 Exemption from inspection

- (1) For paragraph 13(1)(b) of the Act, a motor vehicle or trailer is exempt from inspection if paragraph 27(a) applies.
- (2) For paragraph 13(1)(b) of the Act, a motor vehicle or trailer is exempt from inspection for an application for renewal of registration if the person mentioned in subregulation 13(1):
 - (a) is accredited under an approved maintenance management compliance assurance scheme; and
 - (b) presents to the Registration Authority evidence of accreditation under the scheme when renewing registration; and
 - (c) has nominated the motor vehicle or trailer to be included in the scheme.
- (3) Subregulation (2) does not apply to an inspection for an alteration or modification of a registered motor vehicle or trailer.

Regulation 15

- (4) For paragraph (2)(a), the Minister may approve a maintenance management compliance assurance scheme that:
 - (a) ensures that a person's motor vehicles or trailers are maintained in a safe and roadworthy condition that complies with these regulations; and
 - (b) has a procedure to be followed if the scheme is breached, including provision for penalties.
- (5) An approval under subregulation (4) must be published in the *Gazette*.
- (6) Application may be made to the Administrative Appeals Tribunal for review of a decision of the Minister under subregulation (4).
- (7) In subregulation (6):
decision has the same meaning as in the *Administrative Appeals Tribunal Act 1975*.

15 Inspection after alteration etc to vehicle

- (1) Where it is intended to make any alteration or modification to a registered motor vehicle or trailer as a result of which:
 - (a) the motor vehicle or trailer will not conform with its manufacturer's specifications for vehicles of the class in which the motor vehicle or trailer is included; or
 - (b) the accuracy of any particulars entered on the certificate of registration, or the registration label, issued in respect of the motor vehicle or trailer will be affected;the owner of the motor vehicle or trailer shall give notice of the intended alteration or modification to the relevant Registration Authority in relation to the motor vehicle or trailer.

Penalty: 5 penalty units.
- (2) A Registration Authority may, not later than 14 days after receiving a notice under subregulation (1) in respect of an alteration or modification to a motor vehicle or trailer, by notice in writing, require the owner of the motor vehicle or trailer to produce the motor vehicle or trailer, at such place and on such day (being a day after work in respect of the alteration or modification has been

Regulation 15

completed) as are specified in the last-mentioned notice, for inspection by the Registration Authority or an authorised person.

- (3) A Registration Authority may, by notice in writing, require a person who has, in accordance with subregulation (1), given notice of an intended alteration or modification to a motor vehicle or trailer to submit to the Registration Authority such details and information, and such reports by qualified persons, regarding the alteration or modification, as are specified in the first-mentioned notice and are necessary to enable the Registration Authority to make a decision whether the motor vehicle or trailer, as modified or altered, should be inspected by the Registration Authority or an authorised person.
- (4) A person who receives a notice issued by a Registration Authority in accordance with subregulation (2) or (3) shall comply with the notice.

Penalty: 5 penalty units.

- (5) An offence against subregulation (4) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

Division 4—Certificates of registration, registration plates and registration labels

16 Issue of certificate of registration etc

- (1) Where a Registration Authority registers a motor vehicle or trailer, the Registration Authority shall issue in respect of the motor vehicle or trailer:
 - (a) a certificate of registration in accordance with the approved form;
 - (b) a registration label in accordance with the approved form; and
 - (c) if no registration plate has previously been issued in respect of the motor vehicle or trailer or any registration plate so issued has been returned to a Registration Authority in accordance with the Act or these Regulations:
 - (i) in the case of a motor vehicle — 2 registration plates; or
 - (ii) in the case of a trailer — one registration plate;being registration plates, or a registration plate, as the case may be, in accordance with the specifications set out in regulation 21.
- (2) Any certificate of registration, registration label or registration plate issued in accordance with this Division by a Registration Authority in respect of a motor vehicle or trailer remains at all times the property of the Registration Authority.
- (3) A Registration Authority may record on the registration label or registration certificate of a motor vehicle or trailer that the motor vehicle or trailer is eligible for higher mass limits.
- (4) For subregulation (3), a motor vehicle or trailer is eligible for higher mass limits if:
 - (a) it has road friendly suspension; and
 - (b) for a vehicle with a triaxle group — it complies with subregulation 12C(3).

Regulation 17

17 Affixing etc of registration label

- (1) The owner of a registered motor vehicle or trailer shall cause a registration label issued under regulation 16 or 18 in respect of the motor vehicle or trailer to be:
- (a) in the case of a label in respect of a motor vehicle — affixed to the inside, and as near as practicable to the bottom, left-hand corner, of the windscreen of the motor vehicle or, alternatively, if the motor vehicle has a fixed, pivoted, hinged or horizontally sliding window on its front left-hand side, to the inside, and at the bottom, of that window; or
 - (b) in the case of a label in respect of a trailer — affixed to, or displayed in a holder affixed to:
 - (i) the front part of the left-hand side of the trailer; or
 - (ii) the registration plate affixed to the trailer,in such manner that the particulars on the label are clearly visible to a person positioned outside the motor vehicle or trailer and facing the label.

Penalty: 3 penalty units.

- (2) The owner of a registered motor vehicle or trailer shall not:
- (a) cause or allow a registration label issued under regulation 16 or 18 in respect of the motor vehicle or trailer to be affixed to, or displayed on, another motor vehicle or trailer; or
 - (b) cause or allow:
 - (i) a copy, reproduction or facsimile of a registration label issued under regulation 16 or 18 in respect of the motor vehicle or trailer or in respect of another motor vehicle or trailer; or
 - (ii) a registration label issued under regulation 16 or 18 in respect of another motor vehicle or trailer;to be affixed, or displayed on, the first-mentioned motor vehicle or trailer.

Penalty: 5 penalty units.

- (3) The owner of a motor vehicle or trailer shall not allow a registration label in respect of the registration of the motor vehicle

Regulation 18

or trailer for a particular period to remain affixed to the motor vehicle or displayed on the trailer:

- (a) where paragraph (b) does not apply — after the date on which that period expires; or
- (b) where the registration of the motor vehicle or trailer is surrendered or cancelled before the expiration of that period — after the date of the surrender or cancellation.

Penalty: 3 penalty units.

- (4) An offence against subregulation (1), (2) or (3) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

18 Replacement and return of certificates of registration and registration labels

- (1) Where:

- (a) a Registration Authority has issued registration plates in respect of a motor vehicle, or a registration plate in respect of a trailer, to replace registration plates, or a registration plate, previously issued in respect of the motor vehicle or trailer; and
- (b) the number on the first-mentioned registration plates or registration plate is different from that shown on the certificate of registration and registration label in respect of the motor vehicle or trailer;

the owner of the motor vehicle or trailer shall, not later than 14 days after the issue of the first-mentioned registration plates or registration plate, return to the Registration Authority, or at the request of the Registration Authority destroy, the certificate of registration and the registration label and the Registration Authority shall, either amend the certificate of registration or issue a new certificate of registration, and issue another registration label, in respect of the motor vehicle or trailer.

- (2) Where any alteration or modification is made to, or there occurs a change in the ownership of, a registered motor vehicle or trailer of such a nature as to affect the accuracy of any of the particulars

Regulation 18A

appearing on the certificate of registration, or the registration label, in respect of the motor vehicle or trailer:

- (a) the owner of the motor vehicle or trailer shall, not later than 14 days after the alteration, modification or change of ownership, return the certificate of registration or registration label to the relevant Registration Authority in relation to the motor vehicle or trailer or, at the request of that Registration Authority, destroy it; and
 - (b) the relevant Registration Authority in relation to the motor vehicle or trailer shall, subject to any other relevant provision of the Act and these Regulations being complied with, issue another certificate of registration or registration label in respect of the motor vehicle or trailer.
- (3) Subregulation (4) applies if a motor vehicle or trailer or 1 of its axle groups may become eligible for a higher maximum permitted gross mass because the manufacturer's rating for the motor vehicle, trailer or axle group is changed.
- (4) Before the motor vehicle or trailer is used to carry the higher maximum permitted gross mass:
 - (a) the owner of the motor vehicle or trailer must return the certificate of registration or registration label to the relevant Registration Authority for the motor vehicle or trailer or, at the request of the Registration Authority, destroy them; and
 - (b) the relevant Registration Authority for the motor vehicle or trailer must, subject to any other provision of the Act and these regulations being complied with, issue another certificate of registration or registration label for the motor vehicle or trailer.

18A Damage to, and loss etc of, registration certificate

- (1) Where the relevant Registration Authority in relation to a registered motor vehicle or trailer is satisfied that the registration certificate relating to the current registration of the motor vehicle or trailer has been so damaged or defaced that particulars on the certificate are not clearly visible, the Registration Authority shall request the owner of the motor vehicle or trailer to return the

Regulation 19

registration certificate and shall issue another registration certificate in respect of the motor vehicle or trailer.

- (2) Where a registration certificate issued in respect of a registered motor vehicle or trailer has been lost, stolen or destroyed:
 - (a) the owner of the motor vehicle or trailer shall, in accordance with subregulation (3), give notice to that effect to the relevant Registration Authority in relation to the motor vehicle or trailer; and
 - (b) except in a case where the motor vehicle or trailer has also been lost, stolen or destroyed, the relevant Registration Authority in relation to the motor vehicle or trailer, upon being satisfied that the registration certificate has been lost, stolen or destroyed, shall issue another registration certificate in respect of the motor vehicle or trailer.
- (3) A notice for the purposes of subregulation (2) shall:
 - (a) be in writing in accordance with the approved form; and
 - (b) be given to, or forwarded so as to reach, the Registration Authority to which it is addressed not later than 14 days after the occurrence in respect of which it is given.

19 Damage to, and loss etc of, registration label

- (1) Where the relevant Registration Authority in relation to a registered motor vehicle or trailer is satisfied that the registration label relating to the current registration of the motor vehicle or trailer has been so damaged or defaced that particulars on the label are not clearly visible, the Registration Authority shall request the owner of the motor vehicle or trailer to destroy the registration label and shall issue another registration label in respect of the motor vehicle or trailer.
- (2) Where a registration label issued in respect of a registered motor vehicle or trailer has been lost, stolen or destroyed:
 - (a) the owner of the motor vehicle or trailer shall, in accordance with subregulation (3), give notice to that effect to the relevant Registration Authority in relation to the motor vehicle or trailer; and

Regulation 20

- (b) except in a case where the motor vehicle or trailer has also been lost, stolen or destroyed, the relevant Registration Authority in relation to the motor vehicle or trailer, upon being satisfied that the registration label has been lost, stolen or destroyed, shall issue another registration label in respect of the motor vehicle or trailer.
- (3) A notice for the purposes of subregulation (2) shall:
 - (a) be in writing in accordance with the approved form; and
 - (b) be given to, or forwarded so as to reach, the Registration Authority to whom or to which it is addressed not later than 14 days after the occurrence in respect of which it is given.

20 Declaration that registration label etc has been destroyed

- (1) Where a Registration Authority has, in accordance with regulation 18 or 19, requested the owner of a motor vehicle or trailer to destroy the certificate of registration or registration label in respect of the motor vehicle or trailer, the owner shall, as soon as practicable after complying with the request, make, and forward to the Registration Authority, a declaration in the approved form to the effect that the certificate of registration, or registration label, as the case may be, has been destroyed.

Penalty: 3 penalty units.

- (2) A person shall not, for the purposes of subregulation (1), make, or forward to a Registration Authority, a declaration that, to the knowledge of the person, is false in a material particular.

Penalty: 5 penalty units.

- (3) An offence against subregulation (1) is an offence of strict liability.
- (4) Strict liability applies in subregulation (2) to the physical element that a declaration was made or forwarded for the purposes of subregulation (1).

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

21 Registration plate

- (1) A registration plate in respect of a motor vehicle or trailer shall display:
 - (a) a code consisting of the following sequence of characters:
 - (i) 2 capital letters;
 - (ii) a dot or a diamond;
 - (iii) 2 digits;
 - (iv) 2 capital letters; and
 - (b) the words “FEDERAL INTERSTATE”.
- (2) The code to be displayed on a registration plate in respect of a motor vehicle or trailer shall be allocated by the Registration Authority registering the motor vehicle or trailer in accordance with the following guidelines:
 - (a) the first character shall be:
 - (i) in the case of a motor vehicle or trailer being registered by the Registration Authority in respect of a State other than the Northern Territory — the first letter of the name of that State;
 - (ii) in the case of a motor vehicle or trailer being registered by the Registration Authority in respect of the Northern Territory — the letter C; or
 - (iii) in the case of a motor vehicle or trailer being registered by the Registration Authority in respect of the Australian Capital Territory — the letter A;
 - (b) the second character shall be:
 - (i) in the case of a motor vehicle — the letter V or X; or
 - (iii) in the case of a trailer — the letter T;
 - (c) the last four characters may be selected at random but so that the code displayed on the registration plate of the motor vehicle or trailer is different from the code displayed on the registration plate of any other registered motor vehicle or trailer.
- (3) The dimensions and layout of a registration plate in respect of a motor vehicle or trailer and the material from which it is made shall be such as are approved by the Minister.

Regulation 22

- (4) The edges of, and all the characters and words displayed on, a registration plate in respect of a motor vehicle or trailer shall be green in colour but of such shade of green as is approved by the Minister, and the background of the plate shall be yellow in colour but of such shade of yellow as is approved by the Minister and shall be capable of reflecting light.

22 Affixing of registration plates

- (1) The owner of a registered motor vehicle shall cause registration plates issued under regulation 16 or 23 in respect of the motor vehicle to be affixed, one to the front and the other to the rear of the motor vehicle, in such manner that the particulars on each plate are clearly visible to a person facing the front or rear of the vehicle, as the case may be.

Penalty: 3 penalty units.

- (2) The owner of a registered trailer shall cause a registration plate issued under regulation 16 or 23 in respect of the trailer to be affixed to the rear of the trailer in such manner that the particulars on the plate are clearly visible to a person facing the rear of the trailer.

Penalty: 3 penalty units.

- (3) The owner of a registered motor vehicle or trailer shall not:
- (a) cause or allow a registration plate issued under regulation 16 or 23 in respect of the motor vehicle or trailer to be affixed to another motor vehicle or trailer; or
 - (i) a copy, reproduction or facsimile of a registration plate issued under regulation 16 or 23 in respect of the motor vehicle or trailer or in respect of another motor vehicle or trailer; or
 - (ii) a registration plate issued under regulation 16 or 23 in respect of another motor vehicle or trailer;
- to be affixed to the first-mentioned motor vehicle or trailer.

Penalty: 5 penalty units.

Regulation 23

- (4) An offence against subregulation (1), (2) or (3) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

23 Damage to, and loss etc of, registration plate

- (1) Where a Registration Authority is satisfied that a registration plate in respect of a motor vehicle or trailer has become so damaged or defaced that any of the particulars on it are not clearly visible, the Registration Authority shall:
- (a) if the registration plate is in respect of a motor vehicle — upon the return to the Authority of the registration plates issued in respect of the motor vehicle, issue 2 other registration plates in respect of the motor vehicle; or
 - (b) if the registration plate is in respect of a trailer — upon the return of the registration plate to the Authority, issue another registration plate in respect of the trailer.
- (2) Where a registration plate issued in respect of a motor vehicle or trailer has been lost, stolen or destroyed:
- (a) the owner of the motor vehicle or trailer shall, in accordance with subregulation (3), give notice to that effect to the relevant Registration Authority in relation to the motor vehicle or trailer; and
 - (b) except in a case where the motor vehicle or trailer has also been lost, stolen or destroyed, the relevant Registration Authority in relation to the motor vehicle or trailer, upon being satisfied that the registration plate has been lost, stolen or destroyed, shall:
 - (i) if the registration plate is in respect of a motor vehicle — issue 2 other registration plates in respect of the motor vehicle; or
 - (ii) if the registration plate is in respect of a trailer — issue another registration plate in respect of the trailer.
- (3) A notice for the purposes of subregulation (2) shall:
- (a) be in writing in accordance with the approved form; and

Regulation 23A

- (b) be given to, or forwarded so as to reach, the Registration Authority to whom or to which it is addressed not later than 14 days after the occurrence in respect of which it is given.

23A Cancellation or suspension of registration

- (1) For section 11 of the Act, a Registration Authority may cancel or suspend the registration of a motor vehicle or trailer in accordance with this regulation.
- (1A) However, a Registration Authority may not cancel the registration of a motor vehicle for a contravention of subregulation 5C(2) or 5D(4).
- (1B) If the owner of a motor vehicle contravenes subregulation 5C(2) or 5D(4), a Registration Authority may suspend the registration of the motor vehicle for up to 3 months.
- (1C) The Registration Authority that cancelled or suspended the registration of a motor vehicle or trailer must send a written notice of the cancellation or suspension to the owner of the motor vehicle or trailer.
- (2) Where an amount payable under paragraph 9(1)(a) or (b) or 9(3)(b) of the Act and accompanying an application for registration under section 9 of the Act of a motor vehicle or trailer is paid by cheque and the cheque is dishonoured when duly presented for payment, the relevant Registration Authority:
 - (a) shall forward to the owner of the motor vehicle or trailer concerned a notice indicating that the amount has not been paid, providing details of the amount due and the matter in respect of which it is due and specifying a date before which the amount must be paid either by cash or by bank cheque; and
 - (b) may, if that amount is not paid before that date, suspend or cancel the registration of the motor vehicle or trailer under the Act.

23AA Cancellation or suspension of registration by a Registration Authority other than the relevant Registration Authority

- (1) For subsections 11(1) and (2) of the Act, this regulation applies if a Registration Authority that is not the relevant Registration Authority for a motor vehicle or trailer cancels or suspends the registration of the motor vehicle or trailer.
- (2) The Registration Authority must send notice of the cancellation or suspension to the relevant Registration Authority for the motor vehicle or trailer.

Note: Under subregulation 23A(1C), if a Registration Authority suspends or cancels the registration of a motor vehicle or trailer, the Registration Authority must send a written notice of the cancellation or suspension to the owner of the motor vehicle or trailer.

23B Return of certificates of registration and registration labels on cancellation of registration

- (1) Where the registration of a motor vehicle or trailer is cancelled, the owner of the motor vehicle or trailer shall, not later than 14 days after the day on which the registration is cancelled, return to the Registration Authority that cancelled the registration the certificate of registration issued in respect of the motor vehicle or trailer.

Penalty: 5 penalty units.

- (2) Where the registration of a motor vehicle or trailer is cancelled, the owner of the motor vehicle or trailer shall, not later than 14 days after the day on which the registration is cancelled, return to the Registration Authority that cancelled the registration the registration label issued in respect of the motor vehicle or trailer.

Penalty: 5 penalty units.

- (3) An offence against subregulation (1) or (2) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

- (4) It is a defence to a prosecution under subregulation (1) or (2) that the registration certificate or registration label has been stolen, lost or destroyed.

Regulation 24

Note: A defendant bears an evidential burden in relation to the question whether or not a certificate or label has been stolen, lost or destroyed (see subsection 13.3(3) of the *Criminal Code*).

24 Return of registration plates on cancellation or expiry of registration

- (1) Where the registration of a motor vehicle or trailer is cancelled, the owner of the motor vehicle or trailer shall, not later than 14 days after the day on which the registration is cancelled, return any registration plate issued in respect of the motor vehicle or trailer to the Registration Authority that cancelled the registration.

Penalty: 3 penalty units.

- (2) Where:
- (a) the registration of a motor vehicle or trailer ceases to be in force; and
 - (b) an application is not made for the re-registration of the motor vehicle or trailer;

the owner of the motor vehicle or trailer shall, not later than 14 days after the day on which the registration ceases to be in force, return the registration plates in respect of the motor vehicle, or the registration plate in respect of the trailer, as the case may be, to the Registration Authority that was, immediately before the expiration of the registration, the relevant Registration Authority in relation to the motor vehicle or trailer.

Penalty: 3 penalty units.

- (3) An offence against subregulation (1) or (2) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

- (4) It is a defence to a prosecution under subregulation (1) that the registration plate has been stolen, lost or destroyed.

Note: A defendant bears an evidential burden in relation to the question whether or not a registration plate has been stolen, lost or destroyed (see subsection 13.3(3) of the *Criminal Code*).

25 Circumstances where registration plates not to be returned on surrender of registration

For the purposes of subsection 12(3) of the Act, the following circumstance is prescribed, namely, where the registration of the motor vehicle or trailer in relation to which a notice is given in accordance with subsection 12(1) of the Act is surrendered by the person giving the notice by reason that the ownership of the motor vehicle or trailer has been transferred from that person to another person.

26 Offences in relation to registration label etc

- (1) Any person who:
 - (a) allows to be driven on a road; or
 - (b) on a road drives or is in charge of;a registered motor vehicle or trailer that:
 - (c) does not display, or have affixed to it, as required by these Regulations; or
 - (d) displays, or has affixed to it, but otherwise than in conformity with the requirements of these Regulations;the registration label, or the registration plate or registration plates, issued by a Registration Authority in respect of the motor vehicle or trailer is guilty of an offence punishable, on conviction, by a fine not exceeding 5 penalty units.
- (2) Any person who:
 - (a) allows to be driven on a road; or
 - (b) on a road drives or is in charge of;a registered motor vehicle or trailer that displays, or has affixed to it:
 - (c) a registration label issued by a Registration Authority:
 - (i) that has been so damaged or defaced that some or all of the particulars on the label are not clearly visible;
 - (ii) that is in respect of a period of registration in relation to the motor vehicle or trailer that has expired;
 - (iii) that contains incorrect particulars in respect of the motor vehicle or trailer; or

Regulation 26

- (iv) that is not the registration label issued in respect of the motor vehicle or trailer; or
 - (d) a registration plate issued by the Registration Authority:
 - (i) that is so damaged or defaced that some or all of the particulars on it are not clearly visible; or
 - (ii) that is not a registration plate issued in respect of the motor vehicle or trailer;

is guilty of an offence punishable, on conviction, by a fine not exceeding 5 penalty units.
 - (3) Any person who:
 - (a) allows to be driven on a road; or
 - (b) on a road drives or is in charge of;

a motor vehicle, or trailer, not registered under the Act that displays, or has affixed to it, a registration label, or registration plate, issued by a Registration Authority is guilty of an offence punishable, on conviction, by a fine not exceeding 5 penalty units.
 - (4) A person must not engage in conduct that results in damage to, or the alteration, defacement or destruction of, a certificate of registration, registration label, or registration plate issued by a Registration Authority for a motor vehicle or trailer.
- Penalty: 5 penalty units.
- (5) This subregulation applies to:
 - (a) a certificate in a form that resembles the approved form for a certificate of registration under this Division, and is deceptive or likely to deceive; and
 - (b) a label in a form that resembles the approved form for a registration label under this Division, and is deceptive or likely to deceive; and
 - (c) a plate the specifications of which resemble the specifications of a registration plate under this Division, and is deceptive or likely to deceive.
 - (6) Any person who prints or manufactures a certificate, label or plate to which subregulation (5) applies is guilty of an offence.
- Penalty: 5 penalty units.
-

Regulation 26

- (7) Any person who has in his or her possession a certificate, label or plate to which subregulation (5) applies is guilty of an offence.

Penalty: 5 penalty units.

- (8) An offence against subregulation (1), (2), (3), (6) or (7) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

- (9) It is a defence to a prosecution under subregulation (1), (2), (3) (6) or (7) that the defendant had a reasonable excuse.

Note: A defendant bears an evidential burden in relation to whether or not he or she had a reasonable excuse (see subsection 13.3(3) of the *Criminal Code*).

- (10) It is a defence to a prosecution under subregulation (4) that the alteration, damage, defacement or destruction of a certificate of registration, registration label, or registration plate was done in accordance with these Regulations or a direction lawfully given by a Registration Authority.

Note: A defendant bears an evidential burden in relation to the matters set out in subregulation (10) (see subsection 13.3(3) of the *Criminal Code*).

Division 5—Miscellaneous

27 Period specified for purposes of paragraph 9(3)(b) of the Act

For the purposes of paragraph 9(3)(b) of the Act, each of the following periods is specified in relation to the registration of a motor vehicle or trailer:

- (a) in a case where, at the time of the making of the application for registration, the motor vehicle or trailer is registered in the name of a person other than the applicant for a period that has not yet expired — the period that ends on the expiration of the first-mentioned period;
- (b) in a case where the person making the application for registration is the owner of another registered motor vehicle or trailer — the period ending on the expiration of the existing registration in respect of that other motor vehicle or trailer;
- (c) in any other case — a period expressed in months.

28 Notification of change of name or address of owner

(1) If:

- (a) the person who is:
 - (i) the owner of a registered motor vehicle or trailer; or
 - (ii) in the case of a motor vehicle or trailer owned by 2 or more persons — the person in respect of whom a nomination is in force under subsection 9(6) of the Act in relation to the motor vehicle or trailer;

is no longer known under the name in which the motor vehicle or trailer is registered; or

- (b) the address specified in the certificate of registration in respect of the motor vehicle or trailer as being the address of the person referred to in paragraph (a) is no longer the address of the place of residence or business of the person;

the person shall, not later than 14 days after the change in the person's name or address, in writing in accordance with the approved form, give notice of the change of name or address to the

Regulation 29

relevant Registration Authority in relation to the motor vehicle or trailer.

Penalty: 3 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

29 Notification of transfer of ownership

- (1) Where the ownership of a registered motor vehicle or trailer is transferred from one person to another, the previous owner of the motor vehicle or trailer shall, within 7 days of the date of the transfer of ownership, in writing in accordance with the approved form, give notice of the transfer to the relevant Registration Authority in relation to the motor vehicle or trailer.

Penalty: 5 penalty units.

- (2) In subregulation (1), the reference to the previous owner of a motor vehicle or trailer shall, in the case of a vehicle that was, immediately before the transfer, part of the estate of a deceased person, be read as a reference to the executor or the administrator of that estate.

- (3) An offence against subregulation (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

29A Vehicle to be operated according to registration

- (1) The owner of a motor vehicle or trailer may operate the motor vehicle or trailer, or allow it to be operated, only if it is operated as a vehicle of the type for which charge has been paid or, under subsection 5(2) of the Charge Act, is taken to have been paid, in respect of its registration.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

Regulation 29A

- (3) It is a defence to a prosecution under subregulation (1) that the defendant had a reasonable excuse.

Note: A defendant bears an evidential burden in relation to whether or not he or she had a reasonable excuse (see subsection 13.3(3) of the *Criminal Code*).

Part IV—Miscellaneous**48A Fees**

- (1) Subject to subregulation (3), where a Regulatory Authority in respect of a State or Territory performs a function in or in connection with the registration under the Act of a motor vehicle or trailer and that Authority performs an equivalent function in or in connection with the registration under a law of the State or Territory of motor vehicles or trailers, there shall be charged in respect of the performance of that function in or in connection with the registration under the Act of a motor vehicle or trailer:
 - (b) a fee equal to the fee (if any) that would be payable under the relevant law of the State or Territory, as in force from time to time, in respect of the performance of that function in or in connection with the registration under a law of the State or Territory of that motor vehicle or trailer in that State or Territory.
- (2) Subject to subregulation (3), where a Regulatory Authority in respect of a State or Territory performs a function in or in connection with the registration under the Act of a motor vehicle or trailer, and that Authority does not perform an equivalent function in or in connection with the registration under a law of the State or Territory of motor vehicles or trailers, there shall be charged in respect of the performance of that function in or in connection with the registration under the Act of a motor vehicle or trailer:
 - (b) a fee equal to the fee (if any) payable in respect of the performance of that function where that fee is prescribed in the relevant law of the State or Territory as in force from time to time.
- (3) Nothing in this regulation applies in respect of the performance of a function in respect of which a fee is prescribed for the purposes of paragraph 9(1)(a), subparagraph 9(3)(b)(ii) or subsection 12(2) of the Act.

Regulation 49

- (4) Where a fee provided for under subregulation (1) or (2) would, but for this subregulation, exceed \$100, that fee shall be \$100.

49 Fees specified for the purposes of subsection 3(10) of the Act

- (1) The fee in column 3 of an item in Schedule 5 is, for the purposes of paragraph 3(10)(a) of the Act, the fee specified in respect of the performance of the function specified in column 2 of that item.
- (2) The fee in column 4 of the item in Schedule 5 is, for the purposes of paragraph 3(10)(b) of the Act, the maximum fee specified in respect of the performance of the function specified in column 2 of that item.

50 Prescribed declarations for the purposes of subparagraph 19(2)(c)(ii) of the Act

For the purposes of subparagraph 19(2)(c)(ii) of the Act, each of the following declarations is prescribed in relation to a claim by the owner of a motor vehicle or trailer:

- (a) a statutory declaration by the owner of the motor vehicle or trailer verifying so much of the information contained in the claim or in any record referred to in paragraph 19(2)(b) of the Act accompanying the claim as is within the knowledge of the owner of the motor vehicle or trailer;
- (b) where the claim or any record referred to in paragraph 19(2)(b) of the Act accompanying the claim contains information that is not within the knowledge of the owner of the motor vehicle or trailer but is within the knowledge of another person — a statutory declaration by the other person verifying that information.

51 Fees etc specified for the purposes of paragraph 23(5)(a) of the Act

For the purposes of paragraph 23(5)(a) of the Act, fees (other than a fee that is a prescribed fee for the purposes of the Act), charges and taxes in respect of, or relating to the use of, motor vehicles or trailers that, in their incidence, discriminate against registered motor vehicles or trailers are specified.

Regulation 51A

51A Certificate evidence

- (1) In proceedings under the Act or these Regulations, a certificate signed by or on behalf of a Registration Authority:
- (a) setting out extracts from particulars kept, under the Act or these Regulations, in the records of the Registration Authority;
 - (b) containing a statement in relation to the receipt of any notice, application or payment under the Act, the Charge Act or these Regulations; or
 - (c) stating that a person is an inspector within the meaning of subsection 44(7) of the Act;
- is, in the absence of evidence to the contrary, conclusive proof of the matters so set out or stated.
- (2) In proceedings under the Act or these Regulations, a certificate signed by or on behalf of a Registration Authority and stating, in relation to a vehicle at a particular time:
- (a) that the vehicle was, or was not, a conforming vehicle;
 - (b) that each axle of a group of axles of the vehicle was, or was not, related to the other axle or axles of the group through a load sharing suspension system;
 - (c) that an axle of the vehicle was, or was not, fitted with wide tyres;
 - (d) that an axle of the vehicle was a retractable axle;
 - (e) that a group of axles of the vehicle was, or was not, a single steer axle, a single axle, a single axle group, a twin steer axle group, a tandem axle group, a triaxle group, a quad axle group or a close coupled axle group;
- is, in the absence of evidence to the contrary, conclusive proof of the matters so stated.
- (3) If, in proceedings under the Act or these Regulations, a certificate or notice purporting to be signed by a Registration Authority, or by a person authorised by these Regulations or a Registration Authority to sign the certificate or notice, is tendered in evidence, the certificate is, in the absence of evidence to the contrary, conclusive proof that it was so signed.

Regulation 51A

- (4) In proceedings under the Act or these Regulations, a certificate of registration within the meaning of regulation 16 in respect of a vehicle setting out the maximum permitted gross mass in respect of that vehicle is, in the absence of evidence to the contrary, conclusive proof that:
- (a) the maximum permitted gross mass in respect of that vehicle is the amount set out in that certificate; and
 - (b) that that amount was recorded by the Registration Authority on the certificate of registration.
- (5) In proceedings under the Act or these Regulations, a notice, certificate or other document issued under the Act or these Regulations stating:
- (a) that on a specified date, or during a specified period, a vehicle was registered in the name of a person specified in the document; or
 - (b) the maximum permitted gross mass (however described) in respect of the vehicle;
- is, in the absence of evidence to the contrary, conclusive proof of the matters so stated.
- (6) In proceedings under the Act or these Regulations, a certificate signed by or on behalf of a Registration Authority and stating:
- (a) that a particular instrument used to weigh vehicles was tested on a specified day;
 - (b) that those tests were carried out:
 - (i) in accordance with the relevant law in force in the State or Territory in which the instrument is used; or
 - (ii) in accordance with the procedures (if any) specified by the manufacturer of the instrument in respect of the instrument;
 - (c) where, in carrying out those tests, errors were detected in respect of the use of the instrument to weigh objects — the extent of the greatest error so detected expressed as a percentage of the correct mass of the object used in that test; is, in the absence of evidence to the contrary, conclusive proof:
 - (d) of the facts so stated; and

Regulation 51B

- (e) if, during the period of 12 months commencing on the day referred to in paragraph (a) the instrument is used to weigh vehicles — that the mass indicated by the instrument in respect of any vehicle so weighed during that period does not vary from the correct mass of the vehicle by a percentage that is greater than the percentage so stated.
- (7) In proceedings under the Act or these Regulations, a certificate, or a statement in an approved form under the Act, signed by a police officer or an inspector and stating the gross mass in respect of a vehicle, or the gross mass on an axle group in respect of a vehicle, is, in the absence of evidence to the contrary, conclusive proof of the matters so stated.

51B Smoking in buses

- (1) A person shall not fail to comply with a notice under subregulation (2).

Penalty: 5 penalty units.
- (2) The owner of a bus registered under the Act shall cause a notice indicating that smoking is prohibited in the bus to be displayed in the bus at all times while passengers are on board.

Penalty: 5 penalty units.
- (3) A notice required under this regulation to be displayed in a bus:
 - (a) shall be legible;
 - (b) shall be displayed in a conspicuous place in the bus; and
 - (c) shall be visible to every passenger seated in the bus.
- (4) An offence against subregulation (1) or (2) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

52 Payment of penalty as an alternative to prosecution

- (1) In this regulation, unless the contrary intention appears:

Regulation 52

authorised person, in relation to an infringement notice under this regulation, means the person appointed by the Minister, by notice in writing published in the *Gazette*, to be, for the purposes of this regulation, the authorised person in relation to the class of infringement notices (being a class determined by reference to the status of the persons issuing the notices) in which the infringement notice is included.

inspector means a person who is an inspector for the purposes of section 44 of the Act.

police officer has the same meaning as in section 44 of the Act.

prescribed penalty means:

- (a) for an offence against regulation 12ZAB, subregulation 15(1) or (4), 17(2), 20(2), 22(3), 26(1), (2), (3), (4) or (5) or 29(1):
 - (i) if the person who is alleged to have committed the offence is an individual — 1 penalty unit; or
 - (ii) if the person who is alleged to have committed the offence is a body corporate — 5 penalty units; or
 - (b) for an offence against subregulation 17(1) or (3), 20(1), 22(1) or (2), 24(1) or (2) or regulation 28:
 - (i) if the person who is alleged to have committed the offence is an individual — half a penalty unit; or
 - (ii) if the person who is alleged to have committed the offence is a body corporate — 2¹/₂ penalty units.
- (2) Where a police officer or an inspector believes on reasonable grounds that a person has committed an offence against these Regulations, the police officer or inspector may serve, or cause to be served, on the person an infringement notice in accordance with this regulation.
- (3) An infringement notice in respect of an offence alleged to have been committed against these Regulations shall:
- (a) state the name of the police officer or inspector who serves the notice, or causes the notice to be served;
 - (b) specify the day on which and the time and place at which the offence is alleged to have been committed;
 - (c) specify the nature of the alleged offence;

Regulation 52

- (d) contain a notification to the person on whom it is served that, if the person does not wish the matter to be dealt with by a court, he or she may pay the amount of the prescribed penalty in relation to the offence, being the amount specified in the notice, within the period of 28 days after the date of the notice; and
 - (e) specify the place at which, and the manner in which, the prescribed penalty may be paid;
- and may contain such other particulars, if any, as the Minister considers necessary.
- (4) Where:
- (a) an infringement notice in respect of an offence alleged to have been committed against these Regulations has been served on a person; and
 - (b) before the expiration of the period of 28 days after the date of the notice or such further period (not exceeding 28 days) as the authorised person in relation to the infringement notice, whether before or after the expiration of the first-mentioned period, allows, the amount of the prescribed penalty in relation to the alleged offence is paid in accordance with the notice;
- then:
- (c) any liability of the person in respect of the alleged offence shall be deemed to be discharged;
 - (d) no further proceedings shall be taken in respect of the alleged offence; and
 - (e) the person shall not be regarded as having been convicted of the alleged offence.
- (5) An infringement notice may be served on a person:
- (a) where the person is a natural person:
 - (i) by delivering the notice to the person;
 - (ii) by sending the notice by post to the person at the last known or usual place of residence or business of the person or at the last known or usual postal address of the person; or

Regulation 52

- (iii) by leaving the notice at the last known or usual place of residence or business of the person with another person who is, or is reasonably believed to be, over the age of 16 years and is, or is reasonably believed to be, residing, or employed, at that place; or
 - (b) where the person is a body corporate:
 - (i) by delivering the notice to a person who is, or is reasonably believed to be, an officer of, or in the service of, the body corporate and is, or is reasonably believed to be, above the age of 16 years at an office or place of business of the body corporate; or
 - (ii) by sending the notice by post to an office or place of business of the body corporate or at a postal address of the body corporate.
- (6) At the hearing of a prosecution for an offence in respect of which an infringement notice has been served:
- (a) a certificate signed by an authorised person in relation to the infringement notice and stating:
 - (i) that the authorised person did not allow, for the purposes of paragraph (4)(b), a further period for the payment of the prescribed penalty in relation to the offence; and
 - (ii) that the prescribed penalty in relation to the offence was not paid in accordance with the notice within the period of 28 days after the date of the notice; or
 - (b) a certificate signed by an authorised person in relation to the infringement notice and stating:
 - (i) that the authorised person allowed, for the purposes of paragraph (4)(b), the further period specified in the certificate for the payment of the penalty in relation to the prescribed offence; and
 - (ii) that the prescribed penalty in relation to the offence was not paid in accordance with the notice within the period of 28 days after the date of the notice or within the further period allowed for the purposes of paragraph (4)(b);
- is evidence of the matters so stated.

Regulation 52

- (7) For the purposes of this regulation, a document that purports to have been signed by an authorised person in relation to an infringement notice shall be taken to have been so signed unless the contrary is proved.
- (8) Nothing in this regulation prevents the service of more than one infringement notice in respect of the same offence, but it is sufficient for the application of subregulation (4) to a person on whom more than one such notice has been served that the person pays the prescribed penalty in relation to the offence in accordance with any one of the notices so served on him or her.
- (9) Where the amount of a prescribed penalty is paid by cheque, payment shall be deemed not to have been made unless and until the cheque is honoured upon presentation.
- (10) Where an infringement notice in respect of an alleged offence has not been served on a person in accordance with this regulation, nothing in this regulation is to be construed as —
 - (a) requiring the service of an infringement notice in accordance with this regulation on the person in respect of the offence;
 - (b) affecting the liability of the person to be prosecuted for the offence; or
 - (c) limiting the amount of the fine that may be imposed by a court on conviction of the person for the offence.

Schedule 1—Certification performance standard

(regulation 3B)

1 Definitions

In this Schedule:

critical damping (*Co*) means the minimum amount of viscous damping needed in a linear system to prevent the displacement of the system from passing the equilibrium position when returning from an initial displacement.

damping ratio (*D*) means:

$$\frac{\text{viscous damping}}{\text{critical damping}}$$

K means the total vertical stiffness between the road surface and the sprung mass.

load-sharing suspension system means an axle group suspension system that:

- (a) is built to divide the load between the tyres on the group so that no tyre carries a mass more than 5% greater than the mass it would carry if the load were divided equally; and
- (b) has effective damping characteristics on all axles of the group.

M means the sprung mass of suspension above a driving axle or bogie, measured in kilograms.

viscous damping (*C*) means damping in which the force opposing the motion is proportional and opposite in direction to the velocity of the system.

Z means the vertical displacement of the sprung mass in metres.

2 Performance standard for road friendly suspension

A suspension system is road friendly if it meets the following performance and component requirements.

3 Performance requirements

- (1) The suspension system must comply with this section:
 - (a) during free transient low frequency vertical oscillation of the sprung mass above an axle or axle group; and
 - (b) while carrying its maximum legal load.
- (2) The frequency of oscillation of the sprung mass above the axle or axle group in a free transient vertical oscillation must not be higher than 2.0 Hz.
- (3) The mean damping ratio must be more than 20% of critical damping for the suspension in its normal operating condition.
- (4) The damping ratio of the suspension with all dampers (if fitted) removed or incapacitated must be not more than 50% of the mean damping ratio.
- (5) For a multiple axle group, the static load share between axles in a load-sharing suspension system must be within 5%.

4 Components

- (1) Dual tyres must be fitted on the axles.
- (2) However, for a 6-tyred tandem axle group, 1 axle in the group may have single tyres fitted.

5 Frequency and damping

- (1) For section 3, frequency and damping must be measured in accordance with this section.
- (2) For an axle or bogie, the total damping coefficient is C N.s/m.
- (3) The equation of motion for free oscillation of the sprung mass is:

$$M \frac{d^2 Z}{dt^2} + C \frac{dZ}{dt} + KZ = 0.$$

- (4) The frequency of oscillation of the sprung mass (F) is:

$$\sqrt{\frac{K}{M} - \frac{C^2}{4M^2}} \text{ rad/s}.$$

- (5) The damping is critical when $C = C_0$, where:

$$C_0 = 2\sqrt{KM}.$$

- (6) During free transient oscillation of the sprung mass, the vertical motion of the mass will follow a damped sinusoidal path.
- (7) The frequency can be estimated by measuring the time for as many cycles of oscillation as can be observed.
- (8) The damping can be estimated by measuring the heights of successive peaks of the oscillation in the same direction.
- (9) The damping ratio is:

$$\frac{1}{2\pi} \ln \frac{A_1}{A_2}.$$

where:

A_1 is the peak amplitude of the first cycle of oscillation.

A_2 is the peak amplitude of the second cycle of oscillation.

Note: Definitions are derived from Annex II of the *Council of the European Union's Council Directive 96/53/EC* dated 25 July 1996 and *Fundamentals of Vehicle Dynamics*, T D Gillespie, SAE, 1992.

Schedule 2—Approved insurers

Note: See the definition of *approved insurer* in subregulation 2(1).

1 Approved insurers

The following table sets out approved insurers for motor vehicles or trailers.

Approved insurers		
Item	Column 1 State or Territory	Column 2 Insurer(s)
1	New South Wales	(a) AAI Limited trading as AAMI; (b) AAI Limited trading as GIO; (c) Allianz Australia Insurance Limited; (d) CIC Allianz Insurance Limited; (e) Insurance Australia Limited trading as NRMA Insurance; (f) QBE Insurance Group Limited; (g) Zurich Financial Services Australia Limited
2	Queensland	(a) AAI Limited trading as Suncorp Insurance; (b) Allianz Australia Insurance Limited; (c) QBE Insurance Group Limited; (d) RACQ Insurance Limited
3	Western Australia	Insurance Commission of Western Australia, established under the <i>Insurance Commission of Western Australia Act 1986</i> (WA)
4	South Australia	Motor Accidents Commission, established under the <i>Motor Accident Commission Act</i> (SA)
5	Australian Capital Territory	(a) AAI Limited trading as AAMI; (b) AAI Limited trading as GIO; (c) Australian Pensioners Insurance Agency Pty Ltd; (d) Insurance Australia Limited trading as NRMA Insurance

Schedule 3—Axle spacing

(regulation 12A)

Column 1 Item	Column 2 Distance between extreme axles of axle groups under consideration (metres)		Column 3 Maximum permitted laden mass on axle groups (tonnes)
	Not less than:	Less than:	
1	0	3.7	23.0
2	3.7	3.8	23.5
3	3.8	4.0	24.0
4	4.0	4.2	24.5
5	4.2	4.3	25.0
6	4.3	4.5	25.5
7	4.5	4.7	26.0
8	4.7	4.8	26.5
9	4.8	5.0	27.0
10	5.0	5.2	27.5
11	5.2	5.3	28.0
12	5.3	5.5	28.5
13	5.5	5.7	29.0
14	5.7	5.8	29.5
15	5.8	6.0	30.0
16	6.0	6.2	30.5
17	6.2	6.3	31.0
18	6.3	6.5	31.5
19	6.5	6.7	32.0
20	6.7	6.8	32.5

Column 1	Column 2		Column 3
Item	Distance between extreme axles groups under consideration (metres)		Maximum permitted laden mass on axle groups (tonnes)
	Equal to or greater than:	Less than:	
21	6.8	7.0	33.0
22	7.0	7.2	33.5
23	7.2	7.3	34.0
24	7.3	7.5	34.5
25	7.5	7.7	35.0
26	7.7	7.8	35.5
27	7.8	8.0	36.0
28	8.0	8.2	36.5
29	8.2	8.3	37.0
30	8.3	8.5	37.5
31	8.5	8.7	38.0
32	8.7	8.8	38.5
33	8.8	9.0	39.0
34	9.0	9.2	39.5
35	9.2	9.3	40.0
36	9.3	9.5	40.5
37	9.5	9.7	41.0
38	9.7	9.8	41.5
39	9.8	10.0	42.0
40	10.0	10.2	42.5
41	10.2	10.3	43.0
42	10.3	10.5	43.5
43	10.5	10.7	44.0
44	10.7	10.8	44.5
45	10.8	11.0	45.0
46	11.0	11.2	45.5
47	11.2	11.3	46.0
48	11.3	11.7	46.5

Schedule 3 Axle spacing

Column 1	Column 2		Column 3
Item	Distance between extreme axles groups under consideration (metres)		Maximum permitted laden mass on axle groups (tonnes)
	Equal to or greater than:	Less than:	
49	11.7	12.0	47.0
50	12.0	12.3	47.5
51	12.3	12.7	48.0
52	12.7	13.0	48.5
53	13.0	13.3	49.0
54	13.3	13.7	49.5
55	13.7	14.0	50.0
56	14.0	14.3	50.5
57	14.3	14.7	51.0
58	14.7	15.0	51.5
59	15.0	15.3	52.0
60	15.3	15.7	52.5
61	15.7	16.0	53.0
62	16.0	16.3	53.5
63	16.3	16.7	54.0
64	16.7	17.0	54.5
65	17.0	17.3	55.0
66	17.3	17.7	55.5
67	17.7	18.0	56.0
68	18.0	18.3	56.5
69	18.3	18.7	57.0
70	18.7	19.0	57.5
71	19.0	19.3	58.0
72	19.3	19.7	58.5
73	19.7	20.0	59.0
74	20.0	20.3	59.5
75	20.3	20.7	60.0
76	20.7	21.0	60.5
77	21.0	—	62.5

Schedule 4—Axle load limits

(subregulation 12B(1) and 12BA(1))

Column 1 Item	Column 2 Axle group	Column 3 Axle load limit (tonnes)	Column 4 Concession axle load limit (tonnes)	Column 5 Higher axle load limit (tonnes)
1	Single steer axle on a motor vehicle	6.0		
2	Single axle or single axle group fitted with: (a) single tyres with a section width of: (i) less than 375mm (ii) at least 375mm but less than 450mm (iii) at least 450mm (b) dual tyres: (i) on a pig trailer (ii) on a bus licensed to carry standing passengers (iii) on any other vehicle	6.0 6.7 7.0 8.5 10.0 9.0		
3	Twin-steer axle groups: (a) without load sharing (b) with load sharing	10.0 11.0		
4	Tandem axle groups fitted with: (a) single tyres with a section width of: (i) less than 375mm (ii) at least 375mm but less than 450mm (iii) at least 450mm	11.0 13.3 14.0	11.5 13.8 14.5	

Schedule 4 Axle load limits

Column 1 Item	Column 2 Axle group	Column 3 Axle load limit (tonnes)	Column 4 Concession axle load limit (tonnes)	Column 5 Higher axle load limit (tonnes)
	(b) single tyres on 1 axle and dual tyres on the other axle	13.0	13.5	14.0
	(c) dual tyres:			
	(i) on a pig trailer	15.0		
	(ii) on any other vehicle	16.5	17.0	17.0
5	Triaxle groups:			
	(a) on a vehicle fitted with single tyres with a section width of less than 375mm on all axles, or single tyres on 1 or 2 axles and dual tyres on the other axle or axles	15.0		
	(b) on a pig trailer fitted with single tyres with a section width of at least 375mm, dual tyres on all axles, or a combination of those tyres	18.0		
	(c) on any other vehicle fitted with single tyres with a section width of at least 375mm, dual tyres on all axles, or a combination of those tyres	20.0	21.0	
	(d) dual tyres on all axles	20.0	21.0	22.5
6	Quad axle groups fitted with:			
	(a) single tyres with a section width of less than 375mm	15.0		

Column 1 Item	Column 2 Axle group	Column 3 Axle load limit (tonnes)	Column 4 Concession axle load limit (tonnes)	Column 5 Higher axle load limit (tonnes)
	(b) single tyres with a section width of at least 375mm, or dual tyres	20.0		

Schedule 5—Fees and maximum fees for purposes of paragraphs 3(10)(a) and 3(10)(b) of the Act

(subregulations 49(1) and(2))

Column 1 Item	Column 2 Function	Column 3 Fee — paragraph 3 (10)(a) of the Act	Column 4 Fee — paragraph 3(10)(b) of the Act
		\$	\$
1	Registration of a motor vehicle under subsection 9(1) of the Act	45	100
2	Registration of a trailer under subsection 9(1) of the Act	30	70
3	Processing a request under paragraph 9(3)(b) of the Act for registration of a motor vehicle or trailer for a period of less than one year	12	20
4	Processing a notice under section 12 of the Act surrendering the registration of a motor vehicle or trailer	19	20

Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history
Endnote 5—Uncommenced amendments
Endnote 6—Modifications
Endnote 7—Misdescribed amendments
Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.

Endnotes

Endnote 1—About the endnotes

Modifications—Endnote 6

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

Misdescribed amendments—Endnote 7

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

Miscellaneous—Endnote 8

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

Endnote 2—Abbreviation key

ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub-Ch = Sub-Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)	

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
1986 No. 291	13 Oct 1986	1 Jan 1987 (<i>see Gazette</i> 1986, No. S661)	
1986 No. 386	22 Dec 1986	1 Jan 1987 (<i>see Gazette</i> 1986, No. S661)	—
1987 No. 141	25 June 1987	1 Jan 1987	—
1988 No. 152	30 June 1988	1 July 1988	—
1990 No. 144	25 June 1990	25 June 1990	—
1990 No. 435	21 Dec 1990	21 Dec 1990	—
1991 No. 343	12 Nov 1991	15 Nov 1991	—
1992 No. 350	9 Nov 1992	9 Nov 1992	—
1994 No. 94	7 Apr 1994	7 Apr 1994	—
1994 No. 255	13 July 1994	13 July 1994	—
1995 No. 5	3 Feb 1995	3 Feb 1995	—
1995 No. 151	28 June 1995	1 July 1995	—
1996 No. 250	13 Nov 1996	13 Nov 1996	—
1999 No. 11	11 Feb 1999	11 Feb 1999	—
1999 No. 133	30 June 1999	Schedule 1 (Part 2): (a) Remainder: 30 June 1999	—
2001 No. 15	13 Feb 2001	13 Feb 2001	—
2002 No. 13	21 Feb 2002	21 Feb 2002	—
2004 No. 346	8 Dec 2004	8 Dec 2004	—
2006 No. 56	21 Mar 2006 (see F2006L00843)	25 Nov 2005	—
2006 No. 162	26 June 2006 (see F2006L01944)	1 July 2006	—
2006 No. 357	18 Dec 2006 (see F2006L04095)	1 Jan 2007	—

Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
84, 2014	16 June 2014 (<i>see</i> F2014L00719)	17 June 2014	—

- (a) Regulation 2 (b) of Statutory Rules 1999 No. 133 provides as follows:
 These regulations commence as follows:
- (b) immediately after the commencement of Part 1 of Schedule 1—Part 2 of Schedule 1.
 Schedule 1 (Part 1) commenced on 30 June 1999.

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Part I	
r 1.....	rs. 1999 No. 11
r 2.....	am. 1988 No. 152; 1990 No. 144; 1991 No. 343; 1992 No. 350; 1994 No. 94; 1995 No. 151; 1999 No. 133; 2002 No. 13; 2006 Nos. 162 and 357; No 84, 2014
r 3.....	am. 1988 No. 152; No 84, 2014
r 3A.....	ad. 1999 No. 133
r 3B.....	ad. 1999 No. 133
Part II	
Division 1	
Heading to Div. 1..... of Part II	rs. 1994 No. 94; 1999 No. 11
r 5.....	am. 1988 No. 152; 1990 No. 144
r 5A.....	ad. 1990 No. 435 am. 1991 No. 343; 1992 No. 350; 1995 No. 151
r 5B.....	ad. 1990 No. 435 rs. 2002 No. 13
r 5C.....	ad. 1999 No. 11 am. 1999 No. 133; 2001 No. 15
Note to r. 5C(2).....	rs. 2001 No. 15
r 5D.....	ad. 2001 No. 15
Division 2	
r 6.....	rs. 1986 No. 386 am. 1999 No. 133 rep No 84, 2014
r 8.....	am. 1986 No. 386
r 9.....	rs. 1986 No. 386
r 10.....	am. 1986 No. 386
r 12.....	am. 1986 No. 386

Endnote 4—Amendment history

Provision affected	How affected
Division 2A	
Div. 2A of Part II.....	ad. 1988 No. 152
r 12AA.....	ad. 1999 No. 133
r 12A.....	ad. 1988 No. 152 am. 1991 No. 343; 1992 No. 350; 1994 No. 94; 1996 No. 250; 1999 No. 133; 2006 No. 162
r 12B.....	ad. 1988 No. 152 am. 1991 No. 343; 1995 No. 151; 1999 No. 133; 2006 No. 162
Note to r. 12B (1).....	ad. 2006 No. 357
r 12BAA.....	ad. 2006 No. 357
r 12BA.....	ad. 2006 No. 162
r 12C.....	ad. 1988 No. 152 rep. 1995 No. 151 ad. 1999 No. 133 am. 2002 No. 13; 2004 No. 346; No 84, 2014
Note to r. 12C(5).....	rs. 2004 No. 346
r 12D.....	ad. 1998 No. 152 rep. 1995 No. 151
r 12E.....	ad. 1988 No. 152 am. 1995 No. 151 rs. 2002 No. 13
Rr. 12F, 12G.....	ad. 1988 No. 152 rep. 1995 No. 151
r 12H.....	ad. 1988 No. 152 am. 1991 No. 343; 1994 No. 94; 1995 No. 151; 1999 No. 133; 2002 No. 13
Note to r. 12H(1).....	ad. 1995 No. 151
Note to r. 12H(4).....	ad. 1991 No. 343 rep. 1999 No. 133
r 12I.....	ad. 1988 No. 152 rs. 1990 No. 144 am. 1991 No. 343; 2002 No. 13
r 12J.....	ad. 1988 No. 152

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
r 12K.....	ad. 1988 No. 152 rs. 1990 No. 144 am. 1991 No. 343; 2002 No. 13
Division 2B	
Div. 2B of Part II	ad. 1991 No. 343
r 12L	ad. 1991 No. 343 am. 1999 No. 133; 2002 No. 13; 2004 No. 346; No 84, 2014
r 12M.....	ad. 1991 No. 343 am. 1996 No. 250
r 12N.....	ad. 1991 No. 343
r 12O.....	ad. 1991 No. 343 am. 1992 No. 350
r 12P	ad. 1991 No. 343 rs. 1996 No. 250; 2006 No. 56 am. 2006 No. 357
r 12PA.....	ad. 2006 No. 56
r 12Q.....	ad. 1991 No. 343 am. 1995 No. 151; 1996 No. 250
r 12R.....	ad. 1991 No. 343
r 12RA	ad. 1996 No. 250
r 12S	ad. 1991 No. 343
r 12T	ad. 1991 No. 343 am. 1996 No. 250
r 12U.....	ad. 1991 No. 343
r 12V.....	ad. 1991 No. 343 am. 1996 No. 250
r 12W.....	ad. 1991 No. 343 rs. 1996 No. 250
r 12X.....	ad. 1991 No. 343 am. 1996 No. 250
r 12Y.....	ad. 1991 No. 343
r 12Z	ad. 1991 No. 343

Endnote 4—Amendment history

Provision affected	How affected
r 12ZA	ad. 1991 No. 343
	rs. 1992 No. 350
r 12ZAA.....	ad. 1996 No. 250
r 12ZAB.....	ad. 1996 No. 250
	rs. 2002 No. 13
Division 2BA	
Div. 2BA of Part II	ad. 1994 No. 255
r 12ZB.....	ad. 1994 No. 255
Division 3	
r 13.....	am. 1988 No. 152; 1995 No. 151
r 14.....	rs. 1999 No. 11
r 15.....	am. 2002 No. 13
Division 4	
r 16.....	am. 1999 No. 133
r 17.....	am. 2002 No. 13
r 18.....	am. 1999 No. 133
r 18A.....	ad. 1988 No. 152
r 20.....	am. 2002 No. 13
r 21.....	am. 1988 No. 152; 1991 No. 343; 1995 No. 151
r 22.....	am. 2002 No. 13
r 23A.....	ad. 1988 No. 152
	am. 2001 No. 15
r 23AA	ad. 2001 No. 15
r 23B	ad. 1998 No. 152
	am. 2002 No. 13
r 24.....	am. 2002 No. 13
r 26.....	am. 1988 No. 152; 2002 No. 13
Division 5	
r 27.....	am. 1995 No. 151
r 28.....	am. 2002 No. 13
r 29.....	am. 2002 No. 13
r 29A.....	ad. 2001 No. 15

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
	rs. 2002 No. 13
Part III.....	rep. 1995 No. 151
rr. 30–32	rep. 1995 No. 151
r 33.....	am. 1986 No. 386
	rep. 1995 No. 151
rr. 34–44	rep. 1995 No. 151
r 45.....	am. 1986 No. 386
	rep. 1995 No. 151
r 46.....	rep. 1995 No. 151
rr. 47, 48	am. 1986 No. 386
	rep. 1995 No. 151
Part IV	
r 48A.....	ad. 1988 No. 152
	am. 1995 No. 151
r 49.....	am. 1999 No. 133
r 49A.....	ad. 1990 No. 144
	rep. 1995 No. 151
r 51A.....	ad. 1988 No. 152
	am. 1995 No. 151
r 51B.....	ad. 1988 No. 152
	am. 2002 No. 13
r 52.....	am. 1996 No. 250; 2001 No. 15
Schedule 1	
Schedule 1AA.....	ad. 1999 No. 133
Renumbered Schedule 1	1999 No. 133
Schedule 2.....	am. 1986 No. 386
	rep. 1995 No. 151
Schedule 2	
Schedule 1.....	am. 1986 No. 386; 1987 No. 141; 1988 No. 152
Renumbered Schedule 2	1999 No. 133
Sch 2	rs No 84, 2014
Schedule 3.....	rep. 1986 No. 386

Endnote 4—Amendment history

Provision affected	How affected
Schedule 3	
Schedule 1A.....	ad. 1988 No.152 am. 1995 No. 5 rs. 1996 No. 250
Renumbered Schedule 3	1999 No. 133
Schedule 4	
Schedule 1B.....	ad. 1988 No. 152 rs. 1991 No. 343; 1995 No. 151 am. 1999 No. 133
Renumbered Schedule 4	1999 No. 133 rs. 2006 No. 162
Schedule 4A.....	ad. 2004 No. 346 rep No 84, 2014
Schedule 5	
Schedule 4.....	rs. 1988 No. 152
Renumbered Schedule 5	1999 No. 133

Endnotes

Endnote 5—Uncommenced amendments [none]

Endnote 5—Uncommenced amendments [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]