

Motor Traffic (Amendment) Bill 2012

EXPLANATORY MEMORANDUM

OBJECTIVES

The *Motor Traffic (Amendment) Bill 2012* allows fees for matters under the Act to be dealt with in regulations rather than in a Schedule to the Act. This will enable the fees to be updated appropriately from time to time.

EXPLANATION OF CLAUSES

Clauses 1 to 3 are formal provisions.

The **Schedule** contains the substantive amendments.

Item 1 amends section 15A which deals with motor vehicles trader's licences. Subsection (6) requires an application for trader's plates to be accompanied by a deposit prescribed by section 37. This reference is altered to a reference to the regulations.

Item 2 repeals section 37 which deals with the imposition of fees. It is proposed that this be a matter for regulations.

Items 3 and 4 respectively repeal sections 43 and 44. Section 43 provides an odd regulation making power of the Minister and section 44 is an old fashioned regulation making power given to the Administrator in Council (interpreted as the Cabinet). These provisions are to be replaced with the usual general regulation making power. Specific power is proposed in relation to fees, deposits and fines.

A mistake was made in numbering when section 43 was added to the Act in 1972. This anomaly is rectified by the amendments and a note to that end is included in amending item 3.

Item 5 repeals the second schedule containing the fees.