

2. Interpretation

In these regulations, unless the contrary intention appears —

“**assessor**”, in relation to a vehicle, means —

- (a) the insurer (if any) of the vehicle; or
- (b) an insurer, dealer or wrecker who has possession or control of the vehicle and who is in a position to assess whether the vehicle is a write-off;

“**Australian Design Rules**” means the *Australian Design Rules for Motor Vehicles and Trailers*, 3rd edition, published by the Federal Office of Road Safety of the Commonwealth Department of Transport and Regional Development;

“**compliance period**”, in relation to a notifiable vehicle, has the meaning given in regulation 9(3);

“**corresponding administrator**” means a person who is responsible for the day-to-day administration of a corresponding law;

“**corresponding law**” means a law of another State or a Territory that corresponds to these regulations;

“**corresponding WOVR**” means a register (however described), that is established and maintained under a corresponding law;

“**damaged vehicle**” means a vehicle that does not comply with the Vehicle Standards as a result of being damaged;

“**dealer**” means a person —

- (a) who carries on any class or description of business that is prescribed in regulation 8 of the *Motor Vehicle Dealers (Licensing) Regulations 1974*;
- (b) who carries on the business of hiring vehicles, where the right to purchase the vehicle is not included in that hiring; or
- (c) whose ordinary business is not that of buying or selling vehicles but who carries on or acts in that business only for one or more of the following purposes —
 - (i) for the purpose of the hiring, under a hire-purchase agreement, of the vehicle bought or sold;
 - (ii) for the purpose of effectuating a security over the vehicle bought or sold;
 - (iii) for the purpose of the hiring, where the right to purchase the vehicle is not included in that hiring, of the vehicle bought or sold; or
 - (iv) for the purpose of disposing of a vehicle acquired by the person in connection with a purpose referred to in subparagraph (i), (ii) or (iii);

“**hire purchase agreement**” has the meaning given to that term in the *Hire-Purchase Act 1959* except that it includes an agreement that would, but for paragraph (e) of the definition of that term in section 2(1) of that Act, be a hire-purchase agreement under that Act;

“**identifier**” means —

- (a) in relation to a vehicle manufactured before 1 July 1988 —

- (i) if the vehicle has an individual chassis identification number or an engine identification number in accordance with regulation 52 of the Vehicles Standards — that number; or
 - (ii) if there is no such number — any number legibly and durably stamped on the vehicle by the vehicle’s manufacturer;
- (b) in relation to a vehicle manufactured after 30 June 1988 —
 - (i) if the vehicle has a vehicle identification number allocated in accordance with a national standard incorporated in the Australian Design Rules — that number; or
 - (ii) in any other case — any number legibly and durably stamped on the vehicle by the vehicle’s manufacturer to identify the vehicle;
 - (c) if the Director General has, under a written law, allotted a number to replace a number mentioned in paragraph (a) or (b) — the replacement number; or
 - (d) if a number referred to in paragraph (a), (b) or (c) has been replaced under a corresponding law of the Commonwealth, another State or a Territory — the replacement number;

“insurer”, in relation to a vehicle, means —

- (a) a person who insures the vehicle in the course of carrying on a business of insurance; or
- (b) if the vehicle is owned by a corporation and is not insured — the corporation;

“MRC” (which stands for “mass rating for charging”) has the same meaning as it has in the *Road Traffic (Licensing) Regulations 1975*;

“notifiable”, in relation to a vehicle, means notifiable under regulation 6;

“number” includes letter;

“number plate” means a number plate, identification tablet, special plate or name plate within the meaning of the *Road Traffic (Licensing) Regulations 1975*;

“repair”, in relation to a vehicle, means to repair the vehicle as much as is necessary for the vehicle to comply with the Vehicle Standards;

“repairable write-off”, in relation to a vehicle, has the meaning given in regulation 8;

“statutory write-off” has the meaning given in regulation 7;

“total loss”, in relation to a vehicle, has the meaning given in regulation 4;

“Vehicle Standards” means the *Road Traffic (Vehicle Standards) Rules 2002*;

“WOVR” stands for the Written-Off Vehicle Register established and maintained under regulation 13;

“wrecker” means a person who carries on the business of —

- (a) destroying or dismantling vehicles, parts of vehicles, or vehicle accessories; or
- (b) buying and selling vehicles (including substantially destroyed or dismantled vehicles), parts of vehicles, or vehicle accessories;

“written-off”, in relation to a vehicle, has the meaning given in regulation 5;

“written-off vehicle notice” means a notice under regulation 10;

“written-off warning label” means a label to be attached to a statutory write-off under regulation 9(1)(b) and in accordance with regulation 11.

[Regulation 2 amended in Gazette 16 Sep 2005 p. 4324-5.]