

76B. Interpretation in Part IIIC

In this Part, except so far as the context otherwise requires —

“**Commonwealth Act**” means the *Interstate Road Transport Act 1985* of the Commonwealth;

“**corresponding State law**” means a law of any other State or a Territory corresponding to the *Road Traffic Act 1974*;

“**dealer**” means a person who —

- (a) carries on the business of selling new motor vehicles;
- (b) is the holder of a dealer’s licence under the *Motor Vehicle Dealers Act 1973*;
- (c) carries on the business of acquiring new or used motor vehicles for resale or disposal under hire purchase or leasing agreements; or
- (d) in the course of his business, takes possession of any motor vehicles comprised in hire purchase or leasing agreements and resells them;

“**Director General**” means the chief executive officer of the department of the Public Service principally assisting in the administration of the provisions of the *Road Traffic Act 1974* that section 5 of that Act defines as the “licensing provisions of this Act”;

“**heavy vehicle**” means a motor vehicle with a gross vehicle mass of more than 4.5 tonnes;

“**issue**”, in relation to a licence, includes a grant or renewal of the licence;

“**licence**” means a vehicle licence issued under the provisions of Part III of the *Road Traffic Act 1974*, and in respect of which a fee under that Act has been paid or is payable, but does not include a duplicate vehicle licence or certified copy thereof issued under regulations made under that Act;

“**motor vehicle**” means any vehicle licensed or required to be licensed under the *Road Traffic Act 1974*;

“**purchase price**” includes —

- (a) an amount allowed by the seller of a motor vehicle on a trade-in or an exchange of any article; and
- (b) any amount paid to the seller of a motor vehicle for things included with or incorporated into the vehicle and for the preparation of the vehicle for delivery to the purchaser; and

“**transfer**” means a transfer, under section 24 of the *Road Traffic Act 1974*, of a licence, but does not include a transfer of a licence to a person who, if he were the person named in the licence, would not be required by or under that Act to pay the prescribed fee for the licence.

[Section 76B inserted by No. 37 of 1979 s. 53; amended by No. 106 of 1981 s. 37; No. 41 of 1989 s. 17; No. 21 of 1995 s. 14; No. 76 of 1996 s. 44; No. 13 of 1997 s. 43; No. 7 of 2002 s. 65; No. 11 of 2002 s. 6.]