

**T** RANSPORT

TR301

ROAD TRAFFIC ACT 1974

**ROAD TRAFFIC (INFRINGEMENTS) AMENDMENT  
REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Road Traffic (Infringements) Amendment Regulations 1996*.

**Principal regulations**

2. In these regulations the *Road Traffic (Infringements) Regulations 1975\** are referred to as the principal regulations.

[\* Reprinted as at 4 June 1996.]

**Regulation 4 amended**

3. Regulation 4 of the principal regulations is amended —

- (a) by inserting after the regulation designation "4." the subregulation designation "(1)";

- (b) by deleting “and (5)” and substituting the following —  
 “ and, subject to subregulation (2), section 102 (5) ”; and
- (c) by inserting the following subregulation —  
 “  
 (2) For the purposes of section 102 (5) of the Act, a person is a prescribed officer, in relation to the notice for withdrawing a traffic infringement notice issued for the alleged offence referred to in regulation 7 (1) (c), if the person holds office as —  
 (a) the Prosecutions Officer, Licensing Division, Department of Transport; or  
 (b) the Manager, Legislative and Legal Services, Department of Transport.  
 ”.

#### Regulation 6 amended

4. Regulation 6 of the principal regulations is amended by deleting “his motor driver’s licence number or date of birth where indicated on” and substituting the following —

“ any information required by, and where indicated on, ”.

#### Regulation 7 amended

5. (1) Regulation 7 (1) of the principal regulations is amended —

- (a) in paragraph (a), by inserting after “paragraph (b)” the following —  
 “ or (c) ”;
- (b) by deleting the full stop at the end of paragraph (b) and substituting a semicolon; and
- (c) by inserting after paragraph (b) the following paragraph —  
 “  
 (c) where the notice is issued for an alleged offence against section 24 (2) of the Act, the form set out in Form 2A in the Second Schedule.  
 ”.

(2) Regulation 7 (2) of the principal regulations is amended by deleting “The” and substituting the following —

“ Subject to subregulation (3), the ”.

(3) After regulation 7 (2) of the principal regulations the following subregulation is inserted —

“  
 (3) If the traffic infringement notice to be withdrawn was issued for the alleged offence referred to in subregulation (1) (c), the prescribed form of the notice for withdrawing the traffic infringement notice is the form referred to in subregulation (2) but amended so that the details on the form that refer to the prescribed officer are appropriate to a prescribed officer mentioned in regulation 4 (2).  
 ”.

**Second Schedule amended**

6. The Second Schedule to the principal regulations is amended by inserting after Form 2 the following form —

“

**FORM 2A**

[Reg. 7 (1) (c)]

*Road Traffic Act 1974**Road Traffic (Infringements) Regulations 1975***TRANSPORT****Department of Transport**Licensing Division  
Enquiries**Traffic Infringement Notice**  
**Transfer of Vehicle Licence**

[name and address of person to be served with this notice to be inserted here]

VEHICLE PLATE NUMBER  
[number to be inserted here]

PAYMENT DUE BY  
[date to be inserted here]

**Infringement Details:**

It is alleged that you committed the offence of failing to transfer the licence for vehicle [details of vehicle to be inserted here] within 28 days of becoming the owner of the vehicle.

- (1) If you want this matter dealt with by this notice, you must pay [amount to be paid to be inserted here] as shown below and complete the Declaration (Part C) on the reverse of this notice. You must pay this amount before [date to be inserted here].

OR

- (2) You can elect to have this matter dealt with by a court. To do this, advise the Department of Transport Licensing Division of your intentions by completing Electing Action by a Court (Part B) on the reverse of this notice. You must return this notice **before** [date to be inserted here], otherwise you will be liable to incur further costs. Do not pay the fees referred to in this notice.

OR

- (3) If you did not purchase this vehicle, do not pay the fees referred to in this notice. Instead, complete the Statement (Part A) on the reverse of this notice and return it to the Executive Director, Department of Transport Licensing Division **as soon as possible**.

**If you take no action this matter may be registered with the Fines Enforcement Registry, after which your driver's licence or any vehicle licence held by you may be SUSPENDED. If the matter is registered with the Registry, you are liable to incur additional costs.**

If the above address is not your current address, or if you change address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence held by you being suspended.

Infringement No.:Offence date:Offence code:

Fees Payable:		Total Amount	
Stamp Duty:	\$	Transfer Fee:	\$
Stamp Duty Fine:	\$	Penalty:	\$

[total amount to be inserted here]

The amount payable in this notice is not paid until the imprint of the cash register or other authority is affixed

.....  
DO NOT DETACH

## How to Pay

PAYMENT DUE BY  
[date to be inserted here]

VEHICLE PLATE NUMBER  
[number to be inserted here]

**To pay in person, you should present this notice Intact at any of the following places:** [details of places to be inserted here]

OR

**To pay by post, you should send this notice Intact with a bank cheque, personal cheque, or money order payable to the Department of Transport at the following address:** [address of Department to be inserted here]

[Have you completed the reverse of this notice?]

(Reverse of this notice)

### IMPORTANT INFORMATION

You must complete Part A, B or C below.

#### DEFINITIONS

- The **"purchase price"** of a vehicle includes:
  - any amount allowed by the seller of a vehicle on a trade-in or an exchange of any article; and
  - any amount paid to the seller of a vehicle for things included with or incorporated into the vehicle or for the preparation of the vehicle for delivery to the purchaser.
- The **"market value"** of a vehicle means the market value of the vehicle at the time of the application for it to be transferred from the previous owner under Part C.
- As a general rule, the market value of a vehicle is the same as its purchase price, including any amount referred to in 1 (a) and (b) above, and adding any special discount allowed which is not available to the public generally (such as a sales tax exemption).

**Warning:** A transferee who understates the purchase price or market value of a vehicle commits an offence under the *Stamp Act 1921* and is liable to a penalty of \$10 000. The transferee is also liable for the payment of the stamp duty that was not paid as a result of the understated purchase price, together with a fine of 100% of that duty.



representing .....  
(name of company, if applicable)

AUSTRALIAN COMPANIES NUMBER  
(if applicable)

apply for the vehicle, the details of which are shown on the front of this notice, to be transferred from the previous owner.

2. I purchased this vehicle and its purchase price was \$ .....  
(for the definition of "purchase price" see above)       
DEALER ORGANIZATION CODE

3. The market value of the vehicle at the time of making this declaration is \$ .....  
(for the definition of "market value" see above)

4. DEALER'S CERTIFICATE — SECTION 76C (7) STAMP ACT 1921  
(to be completed by motor vehicle dealers only)

As the person, or an authorized officer of the company, referred to above, I certify that the motor vehicle described on the front of this notice will be used for the purpose of resale in the ordinary course of business.

5. Signature ..... Date .../.../... „

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.