

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Thursday, 14 September 1989

TRANSPORT LAW REFORM BILL (NO. 2)

Proposed Amendments

Hon. W. P. JEFFRIES, in Committee, to move the following amendments:

Part II

Clause 65 (1): To omit paragraph (f) (lines 12 to 15 on page 98), and substitute the following paragraph:

- (f) The proportion of the interest earned from the investment of public money that relates to the Fund:

Part X

Clause 209B, section 52A (1): To insert after line 8 on page 228, after the words "Traffic Regulations 1976", the words "(or under section 36 of the Transport Act 1949 or regulation 27 or regulation 27A of the Traffic Regulations 1956)".

Part XI

Clause 218A: To omit from line 11 on page 255 the expression "45 (1) (a)", and substitute the expression "45A (1) (a)".

Part XII

Clause 223B: To insert in subsection (3), after the words "distance licence" at line 36 on page 257, the words "issued first".

To omit paragraph (a) (lines 2 and 3 on page 258), and substitute the following paragraph:

- "(a) The distance licence issued last issued is issued before the expiry of that 2-year period; or".

Clause 224: To insert in subsection (3), after the word "refund", at line 29 on page 258, the words "or remit,".

To insert in that subsection, after the word "refunded", the words "or remitted,".

Clause 224A: To omit from subsection (4) all the words in lines 14 to 17 on page 259, and substitute the following words and paragraph:

"issue of the licence in respect of which the application is made, unless—

- "(a) The application is made to the chief executive before the expiry of that 2-year period; or".

Clause 225: To omit from section 17A (3) the word "such", at line 36 on page 259, and substitute the words "incorrect or unverified".

Schedules

Fourth Schedule, Part II: To omit from rule 1 on page 293 the definition of the term "vehicle recovery service vehicle".

Tenth Schedule: To omit from the first column of Table 2 in *Part IV*, on page 341, the expression “section 5 (d) or”.

To omit from the first column of *Part V*, on page 342, the expression “68BA (5)”, and substitute the expression “68BA (6)”.

To omit from the first column of *Part VIII*, on page 348, the expression “8 (2)”, and substitute the expression “8 (3)”.

To omit from the first column of *Part IX*, on page 349, the expression “41 (1)”, and substitute the expression “41 (4)”.

EXPLANATORY NOTE

The amendment to *clause 65 (1)* substitutes a new paragraph in relation to the investment of money in the Land Transport Fund. The new paragraph (f) reflects the fact that the Fund is essentially a notional credit amount within the Crown Bank Account, rather than a separate and identifiable fund in its own right.

Clause 209B makes reference to speed exemption notices made under section 52 (2) of the Transport Act 1962 and regulation 21 (2) of the Traffic Regulations 1976. The amendment to this clause extends that reference to include the predecessors of those provisions in the Transport Act 1949 and the Traffic Regulations 1956.

The amendment to *clause 218A* corrects a wrong section reference.

The amendments to *clauses 223B and 224A* tie the 2-year limitation on road user charge refunds to the date of issue of the licence in respect of which the refund is claimed.

The amendment to *clause 224* includes a reference to remissions as well as refunds in relation to off-road travel.

The amendment to *clause 225* corrects a wrong reference.

The amendment to *Part II* of the *Fourth Schedule* removes the definition of a term that is already defined in *clause 2* of the Bill.

The amendments to the *Tenth Schedule* correct wrong section references.