

**Authorised Version**

**Transport Accident (Administration of Charges)  
Regulations 2021**

**S.R. No. 46/2021**

**TABLE OF PROVISIONS**

<i>Regulation</i>		<i>Page</i>
1	Objective	1
2	Authorising provision	1
3	Commencement	1
4	Revocation	1
5	Prescribed periods	2
6	Prescribed times and intervals	3
7	Refund of transport accident charge	5
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<b>Endnotes</b>		<b>7</b>



## **Authorised Version**

STATUTORY RULES 2021

S.R. No. 46/2021

*Transport Accident Act 1986*

### **Transport Accident (Administration of Charges) Regulations 2021**

The Governor in Council makes the following Regulations:

Dated: 18 May 2021

Responsible Minister:

BEN CARROLL

Minister for Roads and Road Safety

SAMUAL WALLACE

Acting Clerk of the Executive Council

#### **1 Objective**

The objective of these Regulations is to prescribe the periods and times or intervals for the payment of transport accident charges in relation to motor vehicles of specified classes.

#### **2 Authorising provision**

These Regulations are made under section 132 of the **Transport Accident Act 1986**.

#### **3 Commencement**

These Regulations come into operation on 23 May 2021.

#### **4 Revocation**

The Transport Accident (Administration of Charges) Regulations 2011<sup>1</sup> are **revoked**.

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## 5 Prescribed periods

For the purposes of section 109 of the **Transport Accident Act 1986**, the following periods are prescribed in relation to motor vehicles of the classes specified—

<i>Item</i>	<i>Class of motor vehicle</i>	<i>Prescribed period</i>
1	Motor vehicles registered under Part 2 of the <b>Road Safety Act 1986</b>	Period of registration
2	Motor vehicles that under regulation 40 of the Road Safety (Vehicles) Interim Regulations 2020 <sup>2</sup> may be registered for any period less than 12 months	Period of registration
3	Recreation vehicles registered under the <b>Road Safety Act 1986</b>	Period of registration
4	Motor vehicles in possession of, or under the control of, a person to whom a general identification mark has been assigned under regulation 139 of the Road Safety (Vehicles) Interim Regulations 2020	12 months
5	Motor vehicles in respect of which a club permit has been issued under regulation 153 of the Road Safety (Vehicles) Interim Regulations 2020	12 months
6	Motor vehicles in respect of which an unregistered vehicle permit has been granted under Part 3.2 of Chapter 3 of the Road Safety (Vehicles) Interim Regulations 2020	Period of validity of permit

Transport Accident (Administration of Charges) Regulations 2021  
S.R. No. 46/2021

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<i>Item</i>	<i>Class of motor vehicle</i>	<i>Prescribed period</i>
7	Motor vehicles— (a) that are not registered in accordance with the <b>Road Safety Act 1986</b> because they are exempt from registration in accordance with Part 2 of that Act or the Road Safety (Vehicles) Interim Regulations 2020 as visiting overseas motor vehicles; and (b) whose owners and drivers are not insured under a contract of insurance in accordance with the law of another State or Territory against liability in respect of death or injury to any person caused by or arising out of the use of the motor vehicles in Victoria	Period commencing on arrival in Victoria and ending on the date the motor vehicle ceases to be entitled to be insured in Victoria
8	Motor vehicles that are not registered under the <b>Road Safety Act 1986</b> and are not otherwise referred to in this table	12 months

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## 6 Prescribed times and intervals

For the purposes of section 109 of the **Transport Accident Act 1986**, the following times or intervals are prescribed in relation to motor vehicles of the classes specified—

Transport Accident (Administration of Charges) Regulations 2021  
S.R. No. 46/2021

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<i>Item</i>	<i>Class of motor vehicle</i>	<i>Prescribed times or intervals</i>
1	Motor vehicles registered under Part 2 of the <b>Road Safety Act 1986</b>	On or before registration or renewal of registration
2	Motor vehicles that under regulation 40 of the Road Safety (Vehicles) Interim Regulations 2020 may be registered for any period less than 12 months	On or before registration or renewal of registration
3	Recreation vehicles registered under the <b>Road Safety Act 1986</b>	On or before registration or renewal of registration
4	Motor vehicles in possession of, or under the control of, a person to whom a general identification mark has been assigned under regulation 139 of the Road Safety (Vehicles) Interim Regulations 2020	On or before the issuing or renewal of the general identification mark
5	Motor vehicles in respect of which a club permit has been issued under regulation 153 of the Road Safety (Vehicles) Interim Regulations 2020	On or before the granting or renewal of the permit
6	Motor vehicles in respect of which an unregistered vehicle permit has been granted under Part 3.2 of Chapter 3 of the Road Safety (Vehicles) Interim Regulations 2020	On or before the granting of the permit

Transport Accident (Administration of Charges) Regulations 2021  
S.R. No. 46/2021

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<i>Item</i>	<i>Class of motor vehicle</i>	<i>Prescribed times or intervals</i>
7	Motor vehicles— (a) that are not registered in accordance with the <b>Road Safety Act 1986</b> because they are exempt from registration in accordance with Part 2 of that Act or the Road Safety (Vehicles) Interim Regulations 2020 as visiting overseas motor vehicles; and (b) whose owners and drivers are not insured under a contract of insurance in accordance with the law of another State or Territory against liability in respect of death or injury to any person caused by or arising out of the use of the motor vehicles in Victoria	On or before arrival in Victoria
8	Motor vehicles that are not registered under the <b>Road Safety Act 1986</b> and are not otherwise referred to in this table	On the date the application for the transport accident charge is made and on each anniversary of that date

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## **7 Refund of transport accident charge**

- (1) If the registration of a motor vehicle is cancelled and a transport accident charge is no longer required to be paid in respect of that motor vehicle, the amount of the refund payable to the owner of the motor vehicle for the prescribed period related to that registration is the amount calculated, in accordance with the formula—

$$\frac{90}{100} \times A \times \frac{B}{C}$$

where—

A is the amount of the transport accident charge paid, including duty payable under the **Duties Act 2000** in respect of the prescribed period;

B is the number of days remaining in the relevant prescribed period at the time of the cancellation of the registration;

C is the number of days in the prescribed period.

(2) Subregulation (1) applies to a motor vehicle that is not registered under the **Road Safety Act 1986** and in respect of which a transport accident charge has been paid for the prescribed period if the motor vehicle is disposed of or destroyed as though—

(a) a reference to the cancellation of registration is a reference to the disposal or destruction of the motor vehicle; and

(b) a reference to the registration of the vehicle is a reference to the ownership of the vehicle.



## **Endnotes**

<sup>1</sup> Reg. 4: S.R. No. 29/2011 as amended by S.R. No. 120/2017.

<sup>2</sup> Reg. 5: S.R. No. 96/2020 as amended by S.R. No. 105/2020.