



AUSTRALIAN CAPITAL TERRITORY

MEMORANDUM OF UNDERSTANDING

Dated	15 December 2022
Parties	TRANSPORT CANBERRA AND CITY SERVICES DIRECTORATE COUNCIL OF ACT MOTOR CLUBS INCORPORATED
Purpose	TO PROVIDE FOR THE OPERATION OF THE ACT VETERAN, VINTAGE AND HISTORIC VEHICLE REGISTRATION ARRANGEMENTS
Prepared by	Transport Canberra and City Services Directorate Strategic Policy and Customer L3, 480 Northbourne Ave Dickson ACT 2602 Ph: (02) 6205 0201
Version	4.7 – December 2022

CONTENTS

1. Interpretation	1
2. MOU	2
3. Term	2
4. Responsibilities	3
5. Reporting	3
6. Dispute Resolution	4
7. Notices	4
8. Termination	4
SCHEDULE 1 – Contacts and Term	5
SCHEDULE 2 – Scheme Guidelines	6
SCHEDULE 3 – Limits on Modification	12
SCHEDULE 4 – Conditions of Registration	14

PARTIES: **TRANSPORT CANBERRA AND CITY SERVICES**
DIRECTORATE, Australian Capital Territory (Road Transport Authority)

COUNCIL OF ACT MOTOR CLUBS INCORPORATED,
Australian Capital Territory (Scheme administrator)

BACKGROUND

- A. This MOU sets out the understanding between the parties in relation to roles and responsibilities in managing the operation of the ACT Veteran, Vintage and Historic Vehicle Registration Arrangements (the Scheme). The scheme is co-regulated by the ACT Government (Access Canberra (AC) as the operational arm of the Road Transport Authority (RTA) in the ACT) and the Council of ACT Motor Clubs Incorporated (the Council).
- B. The purpose of the scheme is to maintain and support Australia's motoring heritage by providing vehicle owners with lower cost registration for eligible vehicles that are at least 30 years old.

IT IS AGREED by the parties as follows.

1. Interpretation

1.1 Definitions

The following definitions apply in this MOU unless the context otherwise requires.

MOU	means this memorandum of understanding.
Term	means the term specified in Schedule 1, Item 2.
Territory	means: (1) when used in a geographical sense, the Australian Capital Territory; and (2) when used in any other sense, the body politic established by section 7 of the Australian Capital Territory (Self-Government) Act 1988 (Cwlth).
VVH Vehicle	means a Veteran, Vintage, Historic or Modified Historic vehicle that complies with the requirements of the Scheme.
The Act	means the <i>Road Transport (General) Act 1999</i>

Club	A club affiliated with the Council of ACT Motor Clubs Incorporated for the purpose of accessing the Scheme. A list of these clubs is maintained by the Council.
Logbook	A unique record issued by AC of use of a particular VVH Vehicle relevant to compliance with registration conditions.

1.2 General

1. In this MOU, unless the context otherwise requires:

- (a) references to legislation or to provisions in legislation include references to amendments or re-enactments of them and to all regulations and instruments issued under the legislation; and
- (b) words importing a gender include the others; words in the singular number include the plural and vice versa; and where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.

2. Each party to this MOU will:

- (c) fully cooperate with each other to ensure timely progress and fulfilment of this MOU; and
- (d) act reasonably and in good faith with respect to matters that relate to this MOU.

2. MOU

2.1 Intention

This MOU is a statement of intent and does not create legal obligations between the parties.

2.2 Variation

This MOU may be varied, or the Term extended by the written agreement of the parties prior to the expiration of this MOU.

3. Term

This MOU is for the Term in **Item 2 Schedule 1** unless terminated under the provisions of this MOU.

4. Responsibilities

The RTA, through Access Canberra, retains the statutory and legislative responsibilities under the Act and the Council assists with the operation and some administrative responsibilities to ensure the Scheme is managed effectively.

4.1 Road Transport Authority

- Conditionally register VVH Vehicles in accordance with the provisions of road transport law and the Scheme.
- Administer, monitor and enforce provisions of the road transport legislation and the Scheme.
- Suspend and cancel registration if required in accordance with the provisions of road transport legislation and the Scheme.
- Audit and/or inspect the records of the Council and participants in relation to the Scheme.
- Publish and sell logbooks to participants in the Scheme.
- Manage roadworthiness aspects of VVH Vehicles.

4.2 The Council

- Manage part of the process for confirming eligibility of VVH Vehicles to be registered under the Scheme.
- Advise the RTA of clubs currently participating.
- Regulate clubs with regard to their role in the Scheme as listed in Schedule 2
- Act as a contact for the RTA and the wider ACT Government and clubs on matters about administration of the scheme.
- Satisfy requirements of the Registrar of Incorporated Associations.
- Advise the RTA when a vehicle ceases to be eligible for registration under the Scheme.
- Determine and publish the process and proof of compliance requirements for the part of the arrangements managed by Council that will demonstrate whether a vehicle meets the eligibility criteria for the Scheme.

5. Reporting

If a Club considers that an applicant/registered operator/driver has not complied with the conditions of registration that apply to a VVH Vehicle or that a vehicle is not a VVH Vehicle, they should report the matter to the Council. In this instance the Council may request that AC suspend and/or cancel the registration. Detailed information supporting the request must also be provided.

The RTA may suspend and/or cancel the registration of a VVH Vehicle if it is determined that an Applicant/registered operator/driver has breached the

conditions of registration, or if otherwise required or provided for under the road transport legislation.

If the RTA determines that the Council, a member of the Council, a Club or Club member has acted outside the arrangements for the Scheme, then the RTA may disqualify that person or entity from participating in the Scheme.

There are significant penalties applicable for operating a registered vehicle not in compliance with the conditions applicable to that registration. As at October 2022 the maximum possible Court imposed penalty is \$13,000 and the infringement notice penalty amount is \$702. There are no demerit points applicable to the offence.

6. Dispute Resolution

If a difference or dispute (**Dispute**) arises in relation to this MOU, the parties agree to resolve the Dispute by negotiations, including by referring the Dispute to persons who have authority to intervene and direct some form of resolution.

7. Notices

Any notice, including any other communication, required to be given or sent to either party under this MOU must be in writing and given to the relevant Contact officer. A notice will be deemed to have been given:

- (1) if delivered by hand, on delivery; or
- (2) if sent by prepaid mail, on the expiration of two business days after the date on which it was sent; or
- (3) if sent by electronic mail, on the other party's acknowledgment of receipt by any means.

8. Termination

Either party may terminate this MOU by giving at least one month's written notice to the other party.

SCHEDULE 1 – Contacts and Term

Item 1. Contact Officer

Road Transport Authority:

Senior Director, Transport Policy and Regulation
Strategic Policy and Programs
Transport Canberra and City Services Directorate
GPO Box 158
Canberra City ACT 2601

Phone: (02) 6205 9379

Email: tccs_roadsafety@act.gov.au

Council of ACT Motor Clubs Incorporated:

The President
Council of ACT Motor Clubs
PO Box 505
Woden ACT 2606

Phone:

Email: info@cactmc.org.au

Item 2. Term

From the date last signed until 31 December 2027.

SCHEDULE 2 – Scheme Guidelines

Arrangements for Australian Capital Territory Veteran, Vintage and Historic Vehicle Registration (the Scheme)

Introduction

These guidelines set out the obligations expected of the owner/driver of a vehicle registered under the Scheme.

In granting registration, the ACT Road Transport Authority (RTA), through Access Canberra, requires the Council of ACT Motor Clubs (the Council), clubs and other bodies affiliated with the Council (Clubs) and registered operators to ensure that the spirit of the Scheme is observed and that a system of self-regulation operates through the Council affiliates. These guidelines fulfill part of that requirement.

Purpose of the Scheme

The purpose or spirit of the Scheme, granted by the RTA, is to provide arrangements that enable older vehicles, which are used on a limited basis by their owners as a recreation or hobby, to be maintained in a fit and roadworthy condition and to be driven on Australian roads in a way consistent with their recreational or hobby status. Such a scheme is paramount in preserving Australia's automotive heritage.

The registration of VVH Vehicles is granted at the RTA's discretion in line with the applicable road transport laws. It is not a right and it is up to all participants to ensure that the Scheme is not brought into disrepute by operating outside the guidelines.

The Scheme exists for the benefit of the ACT community. Many Club members will register vehicles under its terms, and all depend on each other to observe these guidelines and to keep within the spirit of the Scheme.

Background

The ACT provides lower cost registration to Veteran, Vintage and Historic (VVH) vehicles registered to a registered operator who is a financial member of a Club. The registration of these vehicles under these arrangements is also conditional. The conditions being those outlined in these guidelines.

Registered operators who are not a financial member of a Club are not be eligible to access the VVH Vehicle arrangements.

To view the list of all the clubs and organisations affiliated with the Council visit <https://cactmc.org.au/> or alternatively for further information contact the Council of ACT Motor Clubs via email to info@cactmc.org.au

Veteran, Vintage and Historic Vehicles

The following categories of vehicle qualify for concessional registration:

- Veteran - motor vehicle manufactured before 1919.
- Vintage - motor vehicle manufactured from and including 1919 to 1930.
- Historic - motor vehicle manufactured from and including 1931 to vehicles that are at least 30 years of age.
- Modified Historic - motor vehicle that is 30 years of age or more that has modifications that would affect their inclusion in the Veteran, Vintage or Historic Classes. Schedule 3 provides details on the limits to modifications for vehicles in those classes.

Although modified vehicles are permitted within the scheme, any modification needs to comply with the relevant vehicle standards and requirements that are in force in the ACT from time to time. Information on modification of vehicles can be found on the Access Canberra website.

For imported historic vehicles, obtaining an import approval for a historic vehicle does not preclude any assessment of eligibility for the Scheme. The criteria of assessment for the purpose of obtaining an import approval and for the Scheme may be different.

Scheme Regulation

Outlined below are the duties and responsibilities of the Road Transport Authority, The Council, Clubs and registered operators.

Road Transport Authority:

- Conditionally register eligible VVH Vehicles in accordance with the provisions of road transport law and the Scheme.
- Administer, monitor and enforce provisions of the road transport legislation and the Scheme.
- Suspend and cancel registration if required in accordance with the provisions of road transport legislation and the Scheme.
- Audit and/or inspect the records of the Council and participants in relation to the Scheme.
- Publish and sell logbooks to participants in the Scheme. Logbooks will be numbered and linked to vehicle registration.
- Inspect modifications to vehicles.
- Manage roadworthiness aspects of VVH Vehicles.

The Council:

- Manage the processes for ensuring that only eligible VVH Vehicles enter the Scheme.
- Advise the RTA of Clubs currently participating.
- Regulate Clubs with regard to their role in the Scheme.
- Act as a contact for the RTA and the wider ACT Government and clubs on matters about administration of the scheme.
- Satisfy requirements of the Registrar of Incorporated Associations.
- Advise the RTA when a Vehicle ceases to be eligible for registration under the Scheme.
- Determine and publish the process and proof of compliance requirements for the part of the arrangements managed by Council that will demonstrate whether a vehicle meets the eligibility criteria for the Scheme.
- Maintain a register of affiliated clubs/bodies and of VVH registered vehicles

Clubs:

- Affiliate with the Council.
- Regulate club members with regard to their role in the Scheme.
- Certification of financial members by the club Registrar.
- Certification of age and authenticity of vehicle by the club Registrar.
- Ensure that only suitably experienced persons conduct the inspection and validation of compliance for VVH Vehicles.
- Maintain a register of approved VVH Vehicles for the club
- Maintain records of vehicles inspected for VVH eligibility in the Scheme and the evidence of eligibility and compliance.
- Publish club activities which permit the use of members concessionally registered vehicles.
- Advise Council when eligible VVH Vehicles are newly registered or sold.

Registered Operator:

- Must be a financial member of a club affiliated with the Council.
- Present vehicle/s for inspection when required.
- Pay all fees for registration and third party insurance to the RTA.
- Operate the concessionally registered vehicle within the limits set out in these Guidelines.

Use of vehicles registered under the Scheme

For a vehicle to be used in a manner consistent with the spirit of the scheme the maximum number of calendar days the vehicle may be used is 60 per 12 month period. Use of a VVH Vehicle in a club endorsed event (an event organised or approved by a Club) is not required to be counted as one of the 60 days, but is required to be entered in the logbook. The 12 month period is determined by the annual registration of the vehicle.

Transition for an existing VVH Vehicle that was registered under the arrangement where maximum usage was based on distance travelled will occur on notification from the road transport authority of the change in the conditions of registration of the vehicle. The number of days the vehicle will be eligible to be used will be calculated pro-rata on the time until the vehicle registration is to be renewed. For example, for a vehicle with 6 months registration remaining on notification of the change in conditions of registration, the vehicle will be eligible for 30 days travel until the registration is renewed.

If a vehicle travels less than 60 days within a 12 month registration period, the remaining days expire and are not credited to the next registration period.

Vehicle use under the Scheme is limited to non-commercial activities other than in accordance with a Restricted Hire Car Licence. Use is limited to:

- Club endorsed events; and
- 60 days for any private use.

Number plates

Vehicles registered under the Scheme may be fitted with a number plate for a Veteran, Vintage, Historic or Modified Historic vehicle as applicable. VVH vehicles may also be fitted with numberplates that are available to the general public, but not those reserved for particular classes of vehicles.

VVH vehicles must not be fitted with National Heavy Vehicle number plates.

Logbooks

It is the responsibility of the registered operator of a conditionally registered VVH Vehicle to obtain a logbook from Access Canberra and use it to keep an up-to-date record of all occasions when the vehicle is used on road. A logbook must be obtained and completed for each VVH Vehicle for which a person is the registered operator, and there must be only one logbook per vehicle.

A fee is payable for each logbook. At October 2022 the determined fee for a VVH logbook is \$12.00. Road transport fees and charges are subject to annual indexation and the logbook fee would be expected to increase on 1 July each year.

This logbook record serves two purposes:

1. It is a requirement of the conditions of registration of the vehicle.
2. It provides a record of when and where a vehicle is used.

Note: In the event of a challenge the logbook must be produced to substantiate the use of the vehicle.

Entries in the logbook shall indicate all travel undertaken in the vehicle. As the Scheme has a cap of 60 days of travel per annum (excepting club endorsed events), each calendar day the vehicle is to be entered in the logbook at the commencement of the journey taken on that day. Where use of the vehicle extends beyond midnight, that use will be counted as an additional day's use.

Replacement logbooks, due to loss, damage or completion may be obtained from the Access Canberra Customer Service Centres. A damaged or completed logbook must be surrendered at time of replacement. A statutory declaration will be required for replacement of lost logbook. In considering a request for a replacement logbook Access Canberra may seek advice from the Club to which the Registered Operator belongs. A fee will be applicable for any replacement logbook.

RTA Vehicle Inspection Requirements

The RTA requires VVH Vehicles to be inspected under the following circumstances:

Establishment of registration (i.e. first time registered in the ACT or re-registration where the earlier registration has lapsed).

- Transfer of ownership of a vehicle registered under the Scheme.
- Transfer of a concessionally registered vehicle to ACT full registration.
- Transfer of a vehicle to 'modified historic' registration under the scheme.
- When a vehicle over 4.5 tonnes GVM is an odd number of years old.

Inspection of vehicles exceeding 4.5 tonnes GVM or transfer of a vehicle into the 'modified historic' category can only be carried out at the Access Canberra Motor Vehicle Inspection Station in Hume. Other vehicle inspections can be carried out at any Authorised Inspection Station or at the Access Canberra Motor Vehicle Inspection Station. In all cases a "Certificate of Inspection" will be issued and this must accompany the "Application for Concessional Registration of a Motor Vehicle" form.

VVH Vehicles not exceeding 4.5 tonnes GVM are not required to be inspected prior to effecting annual registration renewal, providing there is no concurrent change of ownership. However the RTA does require evidence of continued eligibility in the Scheme for renewal of registration. Confirmation of that eligibility is to be provided by clubs.

All VVH Vehicles will be liable to random roadside inspection by RTA inspectors, or National Heavy Vehicle Regulator inspectors where the vehicle is a heavy vehicle. Where a defect notice is issued as a result of such an inspection, the vehicle must be further inspected in accordance with the requirements outlined in such a notice.

SCHEDULE 3 – Limits on Modification

This schedule describes the acceptable modifications that can be made to vehicles while still being eligible to be registered in one of the Veteran, Vintage or Historic (VVH) categories other than the Modified Historic category.

Vehicles registered following the introduction of the Modified Historic category within the scheme that have alterations other than listed in this schedule will be eligible to apply for transfer to the Modified Historic category.

The vehicle should be as close as practicable to its original configuration when it was manufactured. Certain alterations are permissible:

- Those that enhance the safety and operation of the vehicle;
- The fitting of accessories or options that were available during the vehicle production run; and
- Substitution of mechanical parts where the original items are no longer available.

All modifications must comply with the relevant standards and modification requirements in force from time to time. In all circumstances, the vehicle's registered operator must be able to produce documentation to support modifications requiring engineering certification or validation.

Registered owners of vehicles first registered on or after 1st January 1969 or in the case of motorcycles, 1st February 1972, are responsible for ensuring that any modifications made to their vehicles do not render them non-compliant with the applicable Australian Design Rules (ADRs).

At the time of writing, these rules are available at:

<https://www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/vehicle-design-regulation/australian-design-rules>

Alterations to enhance safety and operation

- Fitting of seatbelts (and child restraints) is permitted but the installation must conform to the requirements of VSB 14 and be approved. Similar period seating may be substituted provided it does not inhibit the vehicle control or driver vision and meets the requirements for fitment of seats.
- Where not installed, indicator lights may be fitted.
- Windscreen wipers may be installed.
- Centre and side rear vision mirrors are also permitted where installation will improve driver awareness.
- Where a vehicle was originally built in left hand drive configuration, it is not required to be converted to right hand drive. Conversions to right hand drive

are also permitted, provided the installation is compliant with VSB14. A vehicle may not be converted to left hand drive whether it was originally manufactured in left hand drive or right hand drive.

- Fitment of radial ply tyres is recommended where possible. Rim width, diameter or offset shall not exceed 25mm greater than factory installation.
- Installation of safety rims is strongly recommended where possible.
- Mechanical modification that changes the vehicle steering geometry are not permitted.
- large changes in weight or height that impact the centre of gravity of the vehicle are not permitted.

Fitting of accessories or options

Fitting of options or accessories for a vehicle series that were offered by the vehicle manufacturer during the production runs is permitted. This also applies to options or accessories that may not have been fitted during production. Owners may fit these and other aftermarket accessories to a vehicle, provided they were available at the same time. Later type accessories are not permitted (for example: accessories for a 1970 model cannot be fitted to a 1955 vehicle).

Substitution of Mechanical Parts

Some mechanical parts for certain makes and/or models are no longer available and owners may use other parts that meet the vehicle specifications provided the handling and safety of the vehicle are not compromised.

- Where original make and model engine blocks are not available, substitutes may be fitted provided the size, number of cylinders, capacity and power output is similar. Addition of power augmentation (for example turbocharging) is not permitted in such cases.
- Liquid petroleum gas and other fuels are permitted provided they have appropriate certification. In all cases, no visible change to the vehicles external appearance is permitted.
- Electrical system conversion from 6 volts to 12 volts is acceptable.
- Brake upgrades are permitted to older vehicles that have mechanical brakes. Brakes may be upgraded to hydraulic brakes and from drum to disc brakes provided the modification complies with particular provisions of VSB 14.

SCHEDULE 4 – Conditions of Registration

for VVH Vehicles registered under the Scheme

- The registered operator must be a member of a club, or an entity, affiliated with the Council of ACT Motor Clubs.
- The registered vehicle is not to be used on more than 60 days per registration year. Club endorsed rallies and events are not included in the 60 days use, however, use of the vehicle past midnight on any day is to be considered an additional day's use.
- The registered operator is to record, at the start of each day's use, every day's use of the vehicle on a road or road related area, including use for club endorsed rallies and events, in a logbook obtained from Access Canberra for that purpose. Where use of the vehicle extends past midnight on any day, that second day's use is to be recorded before use on the second or subsequent days. Logbooks must be endorsed by a club, or an entity, affiliated with the Council of ACT Motor Clubs.
- Where transfer of registration occurs, a new logbook is to be obtained by the new registered operator. The number of days the vehicle will be eligible to be used is calculated pro-rata on the time until the vehicle registration is to be renewed at a rate of 5 days per whole month.
- The registered operator is to always carry with them in the vehicle the above logbook whenever the vehicle is used on a road or road related area.

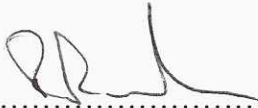
SIGNED for and on behalf of the
**Transport Canberra and City
Services Directorate**

in the presence of:

)
)
)
)



Signature of Directorate delegate



Signature of witness

MURRAY NICHOL

Print name

ROD PAUL

Print name

15/12/22

Date signed

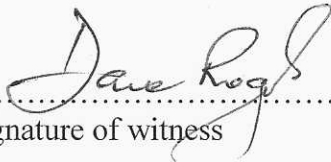
SIGNED for and on behalf of the
**Council of ACT Motor Clubs
Incorporated**

in the presence of:

)
)
)
)



Signature of representative



Signature of witness

ROGER AMOS

Print name

DAVID N. ROGBERS

Print name

15/12/2022

Date signed