



Queensland

Rural and Regional Adjustment (Zero Emission Vehicle Rebate Scheme) Amendment Regulation 2022

Subordinate Legislation 2022 No. 89

made under the

Rural and Regional Adjustment Act 1994

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1 Short title

This regulation may be cited as the *Rural and Regional Adjustment (Zero Emission Vehicle Rebate Scheme) Amendment Regulation 2022*.

2 Commencement

This regulation commences on 1 July 2022.

3 Regulation amended

This regulation amends the *Rural and Regional Adjustment Regulation 2011*.

4 Amendment of s 3 (Approval of schemes—Act, s 11)

Section 3(1), ‘41’—

omit, insert—

42

5 Insertion of new sch 42

After schedule 41—

insert—

**Schedule 42 Zero emission vehicle
rebate scheme**

section 3(1)

Part 1 Preliminary

1 Objective of scheme

The objective of the scheme is to make eligible zero emission vehicles more affordable for

eligible individuals and eligible entities.

2 Purpose of scheme

The purpose of the scheme is to provide rebates to eligible individuals and eligible entities to offset the cost of purchasing an eligible zero emission vehicle.

3 Definitions for schedule

In this schedule—

applicant means an entity applying for assistance under the scheme.

dutiable value, of a motor vehicle, has the meaning given by the *Duties Act 2001*, section 378(1) and (3)(a).

eligible business see section 6.

eligible entity means—

- (a) an eligible business; or
- (b) an eligible non-profit organisation.

eligible non-profit organisation means a charity or other non-profit entity that—

- (a) is incorporated under a law of the Commonwealth or a State; and
- (b) holds an Australian Business Number.

eligible zero emission vehicle see section 4.

motor dealer means a person who holds a motor dealer licence under the *Motor Dealers and Chattel Auctioneers Act 2014*.

motor vehicle see section 5.

scheme means the scheme set out in this schedule.

4 Meaning of *eligible zero emission vehicle*

- (1) A motor vehicle is an *eligible zero emission vehicle* if the motor vehicle—
 - (a) produces no exhaust fumes or emissions from its motor; and
 - (b) has a GVM of 4.5t or less; and
 - (c) is not a conditionally registrable vehicle.
- (2) However, subsection (1)(a) is not satisfied in relation to a motor vehicle if the vehicle has been converted or retrofitted to make it produce no exhaust fumes or emissions from its motor.
- (3) In this section—

conditionally registrable vehicle see the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, schedule 8.

GVM (gross vehicle mass) see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

5 Meaning of *motor vehicle*

- (1) A *motor vehicle* is a vehicle that moves on 4 wheels and is propelled by a motor that forms part of the vehicle.
- (2) However, a *motor vehicle* does not include any of the following—
 - (a) a motorised scooter;
 - (b) a motorised wheelchair;
 - (c) a tractor or farm machinery;
 - (d) a vehicle designed for use exclusively in the mining or construction industry;
 - (e) a vehicle designed for use exclusively on a railway or tramway.

(3) In this section—

motorised scooter see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

motorised wheelchair see the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, schedule 8.

6 Meaning of *eligible business*

(1) A business is an *eligible business* if an entity holds an Australian Business Number for the business.

(2) However, a business is not an *eligible business* if the business—

- (a) is a fleet management business; or
- (b) is carried on under a motor dealer licence or otherwise involves the sale of motor vehicles; or
- (c) is carried on by a government entity.

(3) In this section—

fleet management business means the business of leasing or managing motor vehicles for another entity.

government entity means—

- (a) a government entity within the meaning of the *Public Service Act 2008*, section 24; or
- (b) a local government; or
- (c) a government owned corporation; or
- (d) an Australian government agency or sovereign entity within the meaning of the *Income Tax Assessment Act 1997* (Cwlth); or
- (e) an entity that is wholly owned by an entity mentioned in paragraph (a), (b), (c) or (d).

motor dealer licence means a motor dealer licence under the *Motor Dealers and Chattel Auctioneers Act 2014*.

Part 2 General provisions for scheme

7 Nature and amount of assistance

The nature and amount of the assistance available to an applicant under the scheme is—

- (a) for an applicant who is eligible for assistance under section 8—a rebate of \$3,000 for 1 eligible zero emission vehicle purchased by the applicant; or
- (b) for an applicant who is eligible for assistance under section 9—a rebate of \$3,000 for each eligible zero emission vehicle, to a maximum of 5 vehicles, purchased by the applicant during a financial year.

8 Eligibility criteria—assistance for individuals

An applicant who is an individual is eligible to receive assistance under the scheme if—

- (a) the applicant resides in Queensland; and
- (b) on or after 16 March 2022, the applicant—
 - (i) purchased an eligible zero emission vehicle from a motor dealer in Queensland; and
 - (ii) registered the vehicle under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021* in the name of the applicant or another entity; and

- (c) when the applicant purchased the vehicle, it—
 - (i) had not previously been registered in Queensland or elsewhere; and
 - (ii) had a dutiable value of \$58,000 or less; and
- (d) the applicant did not finance the purchase of the vehicle under a lease; and
- (e) the applicant has not received assistance under the scheme for another eligible zero emission vehicle; and
- (f) a person has not, in another State, received a rebate, grant or subsidy to offset the cost of purchasing the vehicle.

9 Eligibility criteria—assistance for eligible entities

- (1) An applicant is eligible to receive assistance under the scheme for an eligible entity if—
 - (a) the applicant is—
 - (i) for an entity that is an eligible business—the owner of the business; or
 - (ii) for an entity that is an eligible non-profit organisation—the non-profit organisation; and
 - (b) on or after 16 March 2022, the applicant—
 - (i) purchased an eligible zero emission vehicle from a motor dealer in Queensland; and
 - (ii) registered the vehicle under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021* in the name of the owner of the eligible business or the eligible non-profit organisation; and

- (c) when the applicant purchased the vehicle, the vehicle—
 - (i) had not previously been registered in Queensland or elsewhere; and
 - (ii) had a dutiable value of \$58,000 or less; and
 - (d) the applicant did not finance the purchase of the vehicle under a lease; and
 - (e) the applicant has not received assistance under the scheme for the eligible entity for more than 4 eligible zero emission vehicles purchased in the same financial year; and
 - (f) a person has not, in another State, received a rebate, grant or subsidy to offset the cost of purchasing the vehicle.
- (2) In this section—
- owner*, of an eligible business, means the sole trader, partnership, private company, public company or trust that carries on the business.

10 Scheme open from 1 July 2022

The scheme—

- (a) opens on 1 July 2022; and
- (b) closes when the authority's assistance funds for the scheme become insufficient to pay further assistance under the scheme.

11 Requirements for applications

- (1) An application for assistance under the scheme must—
 - (a) be made on the application form approved by the authority; and

- (b) be accompanied by the documents stated in the application form; and
 - (c) be given to the authority while the scheme is open under section 10.
- (2) If the authority asks the applicant to provide further information to support the application, the applicant must provide the information.

12 Deciding applications

- (1) The authority must consider, and decide to approve or refuse to approve, each application for assistance under the scheme that complies with section 11(1).
- (2) The authority must consider applications in the order they are received by the authority.
- (3) The authority must refuse an application for assistance if the authority's assistance funds for the scheme are not sufficient to pay for the assistance.
- (4) If the authority refuses to approve an application, the authority must give the applicant written notice of the decision.

ENDNOTES

- 1 Made by the Governor in Council on 30 June 2022.
- 2 Notified on the Queensland legislation website on 1 July 2022.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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