



Queensland

Motor Vehicles and Boats Securities Act 1986

Motor Vehicles and Boats Securities Regulation 2005

Reprinted as in force on 1 July 2011

Reprint No. 1F

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

**NOTE—This is the last reprint before lapse
Lapsed by 2010 Act No. 44 s 49**

Information about this reprint

This regulation is reprinted as at 1 July 2011. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Motor Vehicles and Boats Securities Regulation 2005

Contents

	Page
1 Short title	3
2 Commencement	3
3 Prescribed particulars for register—Act, ss 6 and 15	3
4 Application to correct error etc.	4
5 Statement of information about security interest	4
6 Office where register may be inspected—Act, s 23	5
7 Giving list of registered security interests	5
8 Recognised States—Act, s 38	5
9 Fees	5
10 Repeal	5
Schedule Fees	6
 Endnotes	
1 Index to endnotes	8
2 Date to which amendments incorporated	8
3 Key	8
4 Table of reprints	9
5 List of legislation	9
6 List of annotations	10

Motor Vehicles and Boats Securities Regulation 2005

[as amended by all amendments that commenced on or before 1 July 2011]

1 Short title

This regulation may be cited as the *Motor Vehicles and Boats Securities Regulation 2005*.

2 Commencement

This regulation commences on 1 September 2005.

3 Prescribed particulars for register—Act, ss 6 and 15

- (1) For section 6(2)(f) of the Act, the particulars for a security interest are as follows—
- (a) the day and time the application to register the interest is lodged;
 - (b) the reference number for the interest given by the holder of the interest;
 - (c) if the type of instrument evidencing the interest is a hire purchase agreement, lease or mortgage—the type of instrument;
 - (d) if another type of instrument evidences the interest—that the type of instrument is other than a hire purchase agreement, lease or mortgage;
 - (e) for each motor vehicle to which the interest applies, the vehicle's—
 - (i) body type; and
 - (ii) make and model; and
 - (iii) year of manufacture; and
 - (iv) engine number; and

[s 4]

- (v) chassis number or VIN; and
 - (vi) registration number, if any, under the *Transport Operations (Road Use Management) Act 1995* or a law, of another State, for registration of motor vehicles; and
 - (vii) State of registration, if any, under subparagraph (vi);
 - (f) the make and HIN of each boat to which the interest applies;
 - (g) the make and engine number of each outboard motor to which the interest applies;
 - (h) the day the registration of the interest expires.
- (2) For section 15(a) of the Act, the date of registration of a discharge of a registered security interest is a prescribed particular.

4 Application to correct error etc.

- (1) A person may apply to the chief executive for correction of an error, omission or failure mentioned in section 19 of the Act.
- (2) The person must apply in writing.
- (3) The chief executive may waive the fee for an application under this section, if the chief executive considers it appropriate.

5 Statement of information about security interest

- (1) The chief executive may issue a statement of information about a security interest compiled from the register.
- (2) No compensation is payable by the State, the chief executive or a person acting under the chief executive's direction for any loss caused by, or partly by, relying on a statement under this section.
- (3) The statement of information must contain a disclaimer stating the effect of subsection (2).

6 Office where register may be inspected—Act, s 23

For section 23(1)(a) of the Act, the Office of Fair Trading at Brisbane is prescribed as an office of the department where a person may inspect the register or take extracts from, or get a copy of details in, the register.

7 Giving list of registered security interests

The chief executive may give to a person a list of the registered security interests held by the person.

8 Recognised States—Act, s 38

For section 38(1) of the Act, the following are recognised States—

- (a) New South Wales;
- (b) South Australia;
- (c) Victoria;
- (d) the Australian Capital Territory;
- (e) the Northern Territory.

9 Fees

The fees payable under the Act are stated in the schedule.

10 Repeal

The Motor Vehicles and Boats Securities Regulation 1995 SL No. 91 is repealed.

Schedule Fees

section 9

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1	Security interest certificate given under section 22 of the Act—	
	(a) for a person who has an arrangement for the payment of fees approved under section 30ZG of the Act—	
	(i) online	11.60
	(ii) given in another way	11.60
	(b) for another person	13.20
	(c) if also faxed, additional fee—for each page	4.40
2	Statement of information under section 5—	
	(a) for each 1/2 hour, or part, of computer time	46.10
	(b) maximum fee	185.65
3	Application for registration of a security interest under section 7 of the Act—for each interest—	
	(a) on paper	18.00
	(b) online	8.40
4	Application for renewal of registration of a security interest under section 7 of the Act—for each interest—	
	(a) on paper	9.50
	(b) online	4.80
5	Application for assignment of a registered security interest under section 8(2) of the Act	23.30 plus 3.90 for each interest
6	Application under section 18(3) of the Act to amend register to record change in particulars for a registered security interest—	
	(a) on paper	9.50
	(b) online	4.80

	\$
7 Application under section 4 for correction of error, omission or failure mentioned in section 19 of the Act—for each security interest—	
(a) on paper	9.10
(b) online	4.80
8 Application under section 30ZG of the Act for approval of an arrangement for the payment of fees	23.30
9 Inspection of the register under section 23 of the Act	9.70
10 Copy of details in the register under section 23 of the Act—for each page	7.50
11 Extract from the register under section 23 of the Act—for each page—	
(a) on paper	7.50
(b) online	5.80
12 Inspection of a searchable application under section 23A of the Act	9.90
13 List of security interests given under section 7—	
(a) on paper	23.30
	plus 0.32
	for each
	page
(b) other than on paper	23.30
	plus 0.01
	for each
	interest
14 Search of the register to identify which security interest corresponds to the reference number mentioned in section 3(1)(b)—for each interest—	
(a) by telephone	6.30
(b) online	4.80
15 Additional fee if a document, other than a security interest certificate, is faxed—for each page	7.50

Endnotes

1 Index to endnotes

		Page
2	Date to which amendments incorporated	8
3	Key	8
4	Table of reprints	9
5	List of legislation	9
6	List of annotations	10

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2011. Future amendments of the Motor Vehicles and Boats Securities Regulation 2005 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 September 2005	
1A	2006 SL No. 162	1 July 2006	
1B	2007 SL No. 149	1 July 2007	
1C	2008 SL No. 266	1 September 2008	
1D	2009 SL No. 120	1 July 2009	
1E	2010 SL No. 128	1 July 2010	
1F	2011 SL No. 115	1 July 2011	

5 List of legislation

Motor Vehicles and Boats Securities Regulation 2005 SL No. 195

made by the Governor in Council on 11 August 2005

notfd gaz 12 August 2005 pp 1297–1303

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2005 (see s 2)

exp 1 September 2015 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Tourism, Fair Trading and Wine Industry Development (Fees) Amendment Regulation (No. 1) 2006 SL No. 162

notfd gaz 30 June 2006 pp 1060–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

Tourism, Fair Trading and Wine Industry Development (Fees) Amendment Regulation (No. 1) 2007 SL No. 149 ss 1, 2(2), 3 sch

notfd gaz 29 June 2007 pp 1157–65

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2007 (see s 2(2))

Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2008 SL No. 266

notfd gaz 22 August 2008 pp 2651–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2008 (see s 2)

Fair Trading (Fees) Amendment Regulation (No. 1) 2009 SL No. 120

notfd gaz 26 June 2009 pp 831–7

Endnotes

ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2009 (see s 2)

**Fair Trading and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 128
pts 1, 19**

notfd gaz 18 June 2010 pp 529–35
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2010 (see s 2)

Justice (Fees) Amendment Regulation (No. 1) 2011 SL No. 115

notfd gaz 1 July 2011 pp 589–96
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2011 (see s 2)
Note—An explanatory note was prepared.

6 List of annotations

SCHEDULE—FEES

sub 2006 SL No. 162 s 3 sch; 2007 SL No. 149 s 3 sch; 2008 SL No. 266 s 3
sch; 2009 SL No. 120 s 3 sch; 2010 SL No. 128 s 45; 2011 SL No. 115 s 3
sch

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