

# Primary Producer Registration

## Example 1: 'Taking the work ute to football'

According to a senior policy officer at DPTI and his interpretation regarding Primary Producer registration, when merely 'taking the work ute to footy', you are not carrying on a secondary business so are not in breach of Section 34 of the Act.

*South Australia*

## ***Motor Vehicles Act 1959***

### ***34—Registration fees for primary producers' commercial vehicles***

- (1) *If the owner of a commercial motor vehicle—*
  - (a) *Satisfies the Registrar by such evidence as the Registrar requires that the owner is a primary producer in this State; and*
  - (b) *undertakes that that motor vehicle will not, unless the balance of the prescribed registration fee is paid, be used on roads for carrying Her Majesty's mails, goods or passengers for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer, the prescribed registration fee for that motor vehicle must be reduced by the prescribed amount.*
- (2) *In this section—*  
***carry, carrying and carriage*** *respectively include haul, hauling and haulage*

## Example 2: 'Carting grain for the Football Club'

There is an exemption under the Regulations for charity work so perhaps a Club fundraiser where people cart grain for free but to raise money.

All 3 elements of this regulation (a, b & c) are required to be followed.

The 75km limit is the only element of this that is perhaps not enough for farming areas so I have listed it with the PIRSA transport project as a possible change to 150km instead.

## ***Motor Vehicles Regulations 2010***

*under the Motor Vehicles Act 1959*

### ***79—Exemption from section 41(2) of Act***

- (1) *A person who uses a motor vehicle of restricted registration contrary to the terms of an undertaking in relation to the vehicle under section 34(1)(b) of the Act is exempt from the operation of section 41(2) of the Act if—*
- (a) *the purpose for which the vehicle is used is solely the carrying of primary produce to assist a charitable organisation or a sporting organisation in fundraising activities; and*
  - (b) *neither the owner of the vehicle nor a person using the vehicle (if not the owner) receives a monetary or other material benefit (including out of pocket expenses relating to the use of the vehicle) in relation to that use of the vehicle; and*
  - (c) *the use of the vehicle is within an area having a radius of 75 kilometres from the garage address of the vehicle.*