

Information update

January 2019

Transfer of registration number plate rights

Congratulations on the purchase of your number plates.

Attaching new number plates to a currently registered vehicle

Prior to attaching your new number plates to a currently registered vehicle, please contact VicRoads on 13 11 71 to have your plates assigned to this vehicle. Old vehicle plates should be returned to a VicRoads Customer Service Centre.

Note: If your new number plate is a bike rack or exempt trailer plate, you do not have to contact VicRoads.

Attaching new number plates to a new vehicle

If you intend to attach these number plates to a new vehicle, keep them in the box provided and take the whole package to the dealer. The information affixed to the box is required to assist dealers when registering your vehicle.

Moving number plates

If you wish to move your number plates from one vehicle to another, you will need to call VicRoads on 13 11 71 (an assignment fee is payable for this service).

Replacement number plates

If your number plates are a replacement of those currently assigned to a vehicle registered in your name, you do not need to contact VicRoads.

Selling your vehicle

If you wish to retain the rights to a number plate when you sell your vehicle, you will need to notify VicRoads and obtain a new set of number plates to affix to the vehicle before you sell it. Fees will be charged for the issue of another set of number plates.

If you sell your registered vehicle with your number plates attached, all of the rights relating to the use of the number plates will pass to the person who purchases the vehicle.

Recall of your number plates

If at any time VicRoads decides that a number plate was incorrectly issued, is offensive, or otherwise inappropriate for public display, the plates may be recalled. VicRoads is not liable for any loss or damage that may occur as a result of this decision.

Who may display your number plates?

- Your number plates may only be affixed to a vehicle registered in your name.

- Number plates ordered in the name of an incorporated body may only be assigned to vehicles registered in that name.
- If you wish to display your plates on a vehicle registered in another person's name, you must complete the *Transfer of registration number rights agreement* below, and return it to VicRoads.

It is an offence under section 16 of the *Road Safety Act 1986* to display a number plate on a vehicle that has NOT been assigned to that vehicle by VicRoads.

Storing your number plates when they are not assigned to a vehicle

If you DO NOT wish your number plates to be assigned to a vehicle immediately, you must ensure that they are kept safely in your possession, and are NOT fitted to a vehicle until you have notified VicRoads.

Further information

For further information please visit vicroads.vic.gov.au or call 13 11 71 (TTY users call 13 36 77, Speak and Listen users call 1300 555 727).

Transfer of registration number rights agreement

To transfer the registration number rights, this section must be completed and returned to VicRoads within 14 days of your purchase. Please return it to: VicRoads - Registration Processing, email: vcc@roads.vic.gov.au or mail: GPO Box 1644, Melbourne Vic 3001. Please print clearly in ink using BLOCK letters. The buyer agrees with the Terms of Sale on the back of this form. For further information visit vicroads.vic.gov.au or call VicRoads on 13 11 71 (TTY 13 36 77, Speak and Listen 1300 555 727).

Plate number									
Seller's details									
Surname or Company name									
Given name(s) or ACN									
Licence/Client number									
Address									
Contact phone number (<i>mobile preferred</i>)									
Signature									
Date	D	D	M	M	Y	Y	Y	Y	Y

Transfer date	D	D	M	M	Y	Y	Y	Y
Buyer's details								
Surname or Company name								
Given name(s) or ACN								
Licence/Client number								
Address								
Contact phone number (<i>mobile preferred</i>)								
Signature								
Date	D	D	M	M	Y	Y	Y	Y

Important information for purchasers of custom plates

When you apply to purchase custom plates, you are offering to buy from VicRoads the registration number rights to the registration number you have selected. You will not own registration number rights until VicRoads accepts your offer, issues plates to you that display the relevant registration number, and receives payment of the purchase price. The owner of registration number rights in respect of a registration number has the right to:

- have that registration number assigned to a vehicle registered in their name
- be issued with 2 number plates, or 1 in the case of a motorcycle (of a type that VicRoads considers appropriate) bearing that registration number; and
- display those number plates on any vehicle to which that number is assigned by VicRoads.

Registration number rights are exclusive to the owner of the rights and may be exercised at any time. They may be transferred to any other person or otherwise dealt with by the owner. They form part of the property of the owner on their death. However, registration number rights may only be exercised in accordance with the *Road Safety Act 1986 (Act)* and the *Road Safety (Vehicles) Regulations 2009 (Regulations)*. In particular:

- The sale and purchase of registration number rights is subject to the terms and conditions set out in this document.
- VicRoads may cancel registration number rights if it considers that the registration number may be mistaken for another number, gives a misleading impression that the vehicle is owned by a government agency, is offensive, is otherwise inappropriate for public display or was issued in error. Compensation may be available in these circumstances.
- VicRoads may also cancel registration number rights if it believes the rights were acquired unlawfully or dishonestly, if the display of the number is prohibited by law or certain other obligations have not been complied with. Compensation is not available in these circumstances.
- If a vehicle to which custom plates are attached is sold, it will be presumed that the person who acquires the vehicle also acquires the registration number rights to the number on the plates.
- If the registration number rights are transferred, the vendor and purchaser must notify VicRoads of that transfer within 14 days.
- The owner of the registration number rights does not own the plates on which the registration number is displayed. All number plates remain the property of the State.
- An authorised officer of VicRoads or a member of the police force may seize a number plate if they reasonably suspects that it is not being used, or was not issued, in accordance with the law, and may retain the seized plate until satisfied that it can be used legally.
- VicRoads will not issue custom plates for display on vehicles that are required to be licensed or accredited (such as hire cars, taxis, buses, tow trucks or hire motorcycles). VicRoads will only issue one custom plate for display on a motorcycle.

TERMS & CONDITIONS

Definitions

The sale of registration number rights is subject to the terms and conditions.

Please read them carefully.

1 In these Terms and Conditions:

“**Act**” means the *Road Safety Act 1986*;

“**custom plate**” means a non-standard number plate displaying a registration number the subject of registration number rights;

“**non-standard number plate**” has the same meaning as in the Act;

“**plate style**” means the design, size, colour or material used by VicRoads for a series of custom plates;

“**plates**” includes a single plate, unless the context otherwise requires;

“**registration number rights**” means the rights set out in section 5AD of the Act;

“**Regulations**” means the *Road Safety (Vehicles) Regulations 2009*;

“**your plates**” means custom number plates issued by VicRoads displaying your registration number; and

“**your registration number**” means the registration number in respect of which you own registration number rights.

What happens when you apply to purchase custom plates?

- 2 VicRoads sells registration number rights and issues non-standard number plates in accordance with the Act and the Regulations** - the purpose of which includes to:
(a) maintain a register of motor vehicles and trailers; (b) enable the use of motor vehicles and trailers to be regulated for reasons of safety, protection of the environment and law enforcement; and (c) provide a method of establishing the identity of each motor vehicle or trailer and the person who is responsible for it. The rights of a person who owns registration number rights in respect of a particular registration number are limited to the rights set out in, and must be exercised in accordance with, the Act and the Regulations.
- 3 When you apply for Custom Plates, you are offering to buy registration number rights to a particular registration number from VicRoads.** You will not own registration number rights unless and until VicRoads has accepted your offer, issues plates to you displaying the registration number for which you have applied, and has received payment of the purchase price. VicRoads has absolute discretion in deciding whether to accept your offer to buy registration number rights to a particular registration number. If VicRoads decides not to issue/sell the registration rights you have applied for, it will refund any money you paid with your application. Plates are taken to be issued at the time that they are despatched for post or delivery to you.
- 4 You can change or cancel your application to purchase custom plates.** You may change or cancel your application *free of charge* if you call VicRoads or visit a VicRoads Customer Service Centre before 12pm on the business day after you place your order. If you request a change or cancellation after that time, VicRoads may charge you a fee to cover costs it incurs in processing your application.

Assigning the registration number and attaching plates

- 5 Once you have received your plates, you may have the registration number assigned to a registered vehicle.** You may do this by calling VicRoads or visiting a VicRoads Customer Service Centre. There is no charge for the first assignment of the registration number to a registered vehicle. There is no need to contact VicRoads if the new plates are for a bike rack or an exempt trailer, or if they display the same registration number as the plates currently assigned to the vehicle.
- 6 VicRoads will only assign a registration number to a vehicle that is registered in your name.** If the registration number rights are owned by an incorporated body, VicRoads will only assign the registration number to a vehicle registered in the name of that incorporated body.
- 7 You must not attach your plates to a vehicle until the registration number has been assigned to that vehicle.** It is an offence to display plates on a vehicle if the registration number on the plates has not been assigned to the vehicle by VicRoads. Once the registration number is assigned to your vehicle, you must attach your plates. If you are intending to have a car dealer attach your plates for you, leave them in the box provided by VicRoads, and take the whole package to the dealer
- 8 If you purchase replacement or upgrade plates with the same number as plates you already own, you must return any old plates showing that registration number to VicRoads.** You may not dispose of the old plates in any other manner. All plates remain the property of the State.

Self-retention of number plates

- 9 If plates have been issued but you do not want them to be affixed to a vehicle, the plates must be held on 'self retention'.** If your plates are affixed to a vehicle and you wish to remove them and not affix them to another vehicle, you must place them on self retention by calling VicRoads or by visiting a VicRoads Customer Service Centre. If you do not wish your number plates to be assigned to a vehicle immediately, you must ensure that they are kept safely in your possession, and are not fitted to a vehicle until you have notified VicRoads. (When you receive new plates, they are automatically treated as being on self retention until the number is assigned to a vehicle, and you do not need to notify VicRoads.)

- 10 While your plates are on self retention, you must keep them in a secure location and do everything you reasonably can to prevent their loss, destruction, theft or unauthorised use.** You must comply with any reasonable direction of VicRoads in relation to the storage or security of your plates. You must not allow them to be attached to a vehicle unless VicRoads has assigned the registration number to that vehicle. Where VicRoads is not satisfied that plates on self retention are being kept secure, VicRoads may require you to return your plates to it within 14 days. If you do not do so, you must pay VicRoads any expense it incurs in recovering your plates. All plates remain the property of the State.

- 11 If your plates are on self retention you may have them assigned to a vehicle at any time.** You may do this by calling VicRoads or visiting a VicRoads Customer Service Centre. There is no charge for the first assignment of your registration number to a vehicle. However, if the plates were previously attached to a vehicle, a fee is payable to have the number assigned again, whether to that vehicle or another vehicle.

Cancellation of registration number rights and return of plates

- 12 Your registration number rights may be cancelled by operation of the Act or in accordance with the Regulations, where there is a breach of these terms and conditions or if VicRoads decides in its discretion it is appropriate to do so.** Compensation may be payable in some circumstances. If VicRoads notifies you that your registration number rights are cancelled, or your plates were issued in error, you must return your plates to VicRoads within 14 days. If you do not do so, you must pay VicRoads any expense it incurs in recovering your plates. You may also be liable to pay a fine, the registration of your vehicle may be suspended and your plates may be seized. All plates remain the property of the State.

Transferring your registration number rights

- 13 If you want to give or sell your plates to someone else, you must transfer the registration number rights to that person.** The transfer is subject to the transferee returning a satisfactorily completed *Transfer of registration number rights agreement* form to VicRoads. If you sell a registered vehicle with your plates attached, it will be presumed that the registration number rights to your registration number are also sold, in the absence of evidence to the contrary. In any other case, registration number rights may be sold or dealt with like any other personal property.
- 14 Within 14 days after the transfer of registration number rights, the purchaser and seller must satisfactorily complete a *Transfer of registration number rights agreement* form and return it to VicRoads.** This form is available from VicRoads Customer Service Centres or online via VicRoads website.
- 15 If you are transferring or selling a registered vehicle and do not wish to transfer your registration number rights, you must have a different registration number assigned to the vehicle by attending a VicRoads Customer Service Centre.** A fee will apply.
- 16 If you wish to display your plates on another vehicle registered in your name, you must call VicRoads or visit a VicRoads Customer Service Centre to have the registration number assigned to that vehicle.** A fee will apply.

Loss, replacement, surrender and seizure of number plates

- 17 If your plates are lost, stolen or destroyed, you must apply to VicRoads for replacement plates.** A fee will apply. You remain responsible for all infringements, penalties and other consequences that may result from the use by any person of the lost or stolen plates. You agree to indemnify and release VicRoads for and from any loss or liability you or another person may incur as a result of the misuse of the plates that have been lost or stolen. If the lost or stolen plates are found after you have applied for replacement plates, you must return them to VicRoads.
- 18 You must not display a number plate other than a number plate that has been issued by VicRoads.** You must not manufacture, or ask another person to manufacture, a plate displaying your registration number, whether or not the plate has the same plate style as your plate. It is an offence to do this and any such plates are subject to seizure, and additional penalties may apply.
- 19 VicRoads may, at its discretion, provide for registration numbers available in one plate style to be displayed on number plates having a different plate style.** If VicRoads has approved the display of registration numbers in the same series as your registration number on a different plate style, VicRoads may permit you to have your registration number displayed on that plate style, subject to payment of a fee and other conditions VicRoads determines should apply. When you obtain the new plates, you must return any old plates bearing that registration number to VicRoads. You may not dispose of your old plates in any other manner. All plates remain the property of the State.
- 20 If you no longer want your custom plates and wish to surrender your registration number rights, you must return the plates to a VicRoads Customer Service Centre.** You must not dispose of your plates in any other way. Plates remain the property of the State. If your registration number is assigned to a vehicle, VicRoads will issue you with standard number plates and assign the number on those plates to the vehicle. A fee will apply. By returning your plates to VicRoads, you agree to surrender all registration number rights in respect of the number, agree to release VicRoads from any obligation or liability in respect of those registration number rights, and agree that VicRoads may sell registration number rights in respect of that registration number to any other person.
- 21 Except to the extent required by law, plates issued by VicRoads are supplied without any warranty, and VicRoads makes no representation in relation to the state, quality or fitness for purpose of such plates.** However, VicRoads will provide replacement plates in the same plate style at no cost if your plates exhibit a manufacturing fault within 7 years of the date of issue, and as a result of the fault the plates are unable to be used as vehicle identifiers. VicRoads will charge a fee if it is required to replace plates in circumstances where the plates are unable to be used as vehicle identifiers as a result of normal wear and tear (including damage caused by cleaning). If VicRoads issues you with replacement plates, you must return your old plates to VicRoads.

Your personal information

- 22 Personal information VicRoads collects from you may be used by VicRoads, as permitted by the Road Safety Act 1986 and the Marine Safety Act 2010.** VicRoads may disclose personal information it collects from you to various organisations and persons as permitted by law, particularly by the Road Safety Act 1986. This includes disclosing the information to contractors and agents of VicRoads, law enforcement agencies, other road and traffic authorities, Austroads, the Transport Accident Commission, vehicle manufacturers (for safety recalls), road safety researchers, courts and other organisations or people authorised to use the personal information.
- 23 You are required to provide this personal information if you wish to purchase registration number rights.** Failure to provide the information may result in your application not being processed, or records not being properly maintained. For further information about our use of your personal information and your right of access to it, see the VicRoads brochure *Protecting your Privacy*, or call VicRoads on 13 11 71.
- 24 By completing the application for registration number rights, you agree that all information given by you is true and correct, and you consent to VicRoads using or disclosing the information to the extent necessary to confirm any information you have provided, or to confirm your identity.**

Disclaimer

- 25 To the maximum extent permitted by law, VicRoads excludes all liability for direct, indirect, consequential or incidental loss or damage (including lost profits) arising out of or in connection with any purchase or use of custom plates, these Terms and Conditions or your registration number.**

Severability

- 26 Each provision of these Terms and Conditions is individually severable.** If any provision is or becomes illegal, unenforceable or invalid, it is to be treated as being severed from these Terms and Conditions, but the rest of these Terms and Conditions will not be affected.

Governing law

- 27 This contract for the sale of registration number rights is governed by the laws of Victoria.** Both you and VicRoads agree to submit to the non-exclusive jurisdiction of its courts and courts of appeal from them, and must not object to the exercise of jurisdiction by those courts on any basis.

These Terms and Conditions are valid as of: 1 July 2017.