

## Australian Road Rules (ARR) in respect to the wearing of seatbelts

### **Children Under Seven Years of Age**

Any child under the age of seven *must be restrained* in a suitable, properly fastened and approved child restraint.

### Children Over Seven Years of Age

The following applies

Under rule 267 of the ARR a person is exempt from wearing a seatbelt if:

- a) The seating position that he or she occupies is not fitted with a seatbelt; and
- b) There is no requirement for that seating position to be fitted with a seatbelt; and
- c) All passengers in the vehicle who are exempt from wearing a seatbelt are complying with subrule (8).

Subrule (8) summarises that if any passenger does not have to wear a seatbelt or sit in a child restraint, then they must leave the seat with the seatbelt or child restraint free for a person who is required to use it.

**Rule 267 however does not apply to a person aged under 7 years.**

In summary of the above, if the vehicle is not required to have seatbelt fitted then people aged 7 and older can occupy the seat and are exempt from wearing a seatbelt, provided they are complying with subrule (8).