

[STATE ARMS]

New South Wales

# Road Improvement (Special Funding) Amendment Bill 1998

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to continue special funding arrangements under the *Road Improvement (Special Funding) Act 1989* (for the program known as the "3 x 3 program") following the High Court decision invalidating business franchise licence fees. A percentage of petroleum business franchise licence fees was previously used to fund the program. The Bill provides for an annual standing appropriation to be made out of the Consolidated Fund for funding the road improvement, road safety and road related public transport infrastructure authorised by the program. The amount appropriated is an amount equal to 44.5% of the revenue collected by the Commonwealth and paid to the State as revenue replacement payments for petroleum business franchise licence fees, less subsidies paid by the State under the scheme to match interstate petroleum prices in certain border areas and under the off-road diesel scheme.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision giving effect to the amendments to the *Road Improvement (Special Funding) Act 1989* set out in Schedule 1.

## **Schedule 1 Amendments**

**Schedule 1 [1]** updates the long title of the Principal Act as a consequence of the changes made by the proposed Act.

**Schedule 1 [2]** omits superseded definitions from the Principal Act.

**Schedule 1 [3]** inserts proposed section 3A into the Principal Act to effect the standing appropriation described above.

**Schedule 1 [4]** omits a superseded provision of the Principal Act which increased the invalidated petroleum business franchise licence fees for the purposes of the special funding under the Principal Act.

**Schedule 1 [5]** makes a consequential amendment to the provision of the Principal Act that imposes a statutory trust on the amounts paid into the Roads Fund from the proposed standing appropriation for the funding of road improvement, road safety and road related public transport infrastructure authorised by the Principal Act.