Introduced by Ms Gladys Berejiklian, MP

First print



New South Wales

# Transport Administration Amendment (CountryLink Pensioner Booking Fee Abolition) Bill 2007

## **Explanatory note**

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

## Overview of Bill

The object of this Bill is to abolish booking fees on the use of pensioner travel vouchers and passes on CountryLink rail services.

## 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 the date of assent to the proposed Act.

**Clause 3** is a formal provision that gives effect to the amendments to the *Transport Administration Act 1988* set out in Schedule 1.

**Clause 4** provides for the repeal of the proposed Act after the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

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Explanatory note

#### Schedule 1 Amendments

**Schedule 1** [1] makes it clear that an order fixing charges for services of RailCorp cannot impose a CountryLink pensioner booking fee (that is, a fee, however described, charged for or in relation to a NSW/ACT pensioner booking a railway service provided by CountryLink using what would otherwise be a free travel pass, a concessional travel pass or a pensioner travel voucher).

**Schedule 1 [2]** provides that RailCorp must not charge any pensioner booking fee for travel on a railway service provided by CountryLink. The new section provides that the order published by RailCorp on 9 June 2006 (see Gazette No 75 at pp 4248–4250) is of no effect, to the extent that it imposes a pensioner booking fee.

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New South Wales

# Transport Administration Amendment (CountryLink Pensioner Booking Fee Abolition) Bill 2007

No , 2007

#### A Bill for

An Act to amend the *Transport Administration Act 1988* to abolish booking fees on the use of pensioner travel vouchers and passes on CountryLink rail services.

#### Clause 1 Transport Administration Amendment (CountryLink Pensioner Booking Fee Abolition) Bill 2007

The	Legisla	ature of New South Wales enacts:	1
1	Nam	e of Act	2
		This Act is the Transport Administration Amendment (CountryLink Pensioner Booking Fee Abolition) Act 2007.	3 4
2	Com	mencement	5
		This Act commences on the date of assent to this Act.	6
3	Ame	ndment of Transport Administration Act 1988 No 109	7
		The <i>Transport Administration Act 1988</i> is amended as set out in Schedule 1.	8 9
4 Repeal of		al of Act	10
	(1)	This Act is repealed on the day following the day on which this Act commences.	11 12
	(2)	The repeal of this Act does not, because of the operation of section 30 of the <i>Interpretation Act 1987</i> , affect any amendment made by this Act.	13 14

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Amendments

Schedule 1

#### Schedule 1 Amendments 1 (Section 3) 2 [1] Section 85 Orders fixing charges 3 Insert "(not being a CountryLink pensioner booking fee prohibited by section 4 85A)" after "reasonable amount" in section 85 (4) (a). 5 [2] Section 85A 6 Insert after section 85: 7 85A No booking fees for pensioners 8 Despite the provisions of this Division or any other Act, or of any (1)9 order under this Division, RailCorp must not charge any 10 pensioner booking fee for travel on a railway service provided by 11 CountryLink. 12 An order under this Division must not impose any pensioner (2)13 booking fee for travel on a railway service provided by 14 CountryLink. 15 (3) To the extent that it does impose any pensioner booking fee for 16 travel on a railway service provided by CountryLink, an order is 17 of no effect. 18 This section extends to any order in force immediately before the (4) 19 commencement of this section. 20 (5) In this section: 21 *CountryLink* means the business unit formed by RailCorp to 22 operate non-metropolitan long-distance railway services and 23 other transport services. 24 NSW/ACT pensioner means any of the following persons whose 25 ordinary place of residence is in New South Wales or the 26 Australian Capital Territory: 27 a person who receives a pension, benefit or allowance (a) 28 under Chapter 2 of the Social Security Act 1991 of the 29 Commonwealth, or a service pension under Part III of the 30 Veterans' Entitlements Act 1986 of the Commonwealth, 31 and who is the holder of a pensioner concession card 32 issued by or on behalf of the Commonwealth Government, 33 (b) a person who receives a pension from the Commonwealth 34 Department of Veterans' Affairs as: 35 the widow or widower of a member of the (i) 36 Australian Defence or Peacekeeping Forces, or 37

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Schedule 1 Amendments

(ii) the unmarried mother of a deceased unmarried	1	
member of either of those Forces, or	2	
(iii) the widowed mother of a deceased unmarried	3	
member of either of those Forces,	4	
and who is the holder of a Transport Concession Card	5	
issued by the Commonwealth Department of Veterans'	6	
Affairs.	7	
pensioner booking fee means a fee, however described, charged		
for or in relation to a NSW/ACT pensioner booking a railway		
service provided by CountryLink for travel, using:		
(a) what would otherwise be a free travel pass, or	11	
(b) a concessional travel pass, or	12	
(c) a pensioner travel voucher.	13	
pensioner travel voucher means a voucher entitling any	14	
NSW/ACT pensioner to travel on any railway service or other		
transport service provided by CountryLink for free.		