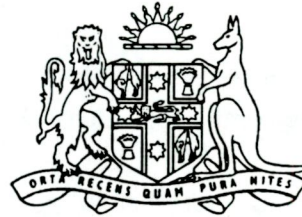


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New South Wales

Business Franchise Licences (Petroleum Products) Amendment Bill 1996

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.
This Bill is cognate with the *Appropriation Bill 1996*.

Overview of Bill

The object of this Bill is to amend the *Business Franchise Licences (Petroleum Products) Act 1987* so as to provide for annual adjustments to licence fees in line with upward or downward movements in the Consumer Price Index.

Outline of provisions

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

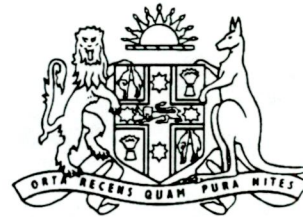
Clause 2 provides for the commencement of the proposed Act on 1 October 1996.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the *Business Franchise Licences (Petroleum Products) Act 1987*.

Clause 4 provides that the amendment made by the proposed Act relating to fees applies to licences taking effect on or after 1 November 1996.

Schedule 1 contains amendments to the *Business Franchise Licences (Petroleum Products) Act 1987* to give effect to the object of this Bill.

First print



New South Wales

Business Franchise Licences (Petroleum Products) Amendment Bill 1996

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New South Wales

Business Franchise Licences (Petroleum Products) Amendment Bill 1996

No. , 1996

A Bill for

An Act to amend the *Business Franchise Licences (Petroleum Products) Act 1987* to provide for annual adjustments to licence fees in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Business Franchise Licences (Petroleum Products) Amendment Act 1996*.

2 Commencement

5

This Act commences on 1 October 1996.

3 Amendment of Business Franchise Licences (Petroleum Products) Act 1987 No 94

The *Business Franchise Licences (Petroleum Products) Act 1987* is amended as set out in Schedule 1.

10

4 Application of Act

The amendment made by Schedule 1 [2] applies to and in respect of a licence taking effect on or after 1 November 1996.

Schedule 1 Amendments

(Section 3)

[1] Section 3 Interpretation

Insert in alphabetical order in section 3 (1):

financial year means a period of 12 months commencing on 1 July. 5

quarter, when described by reference to a particular named month, means 3 successive named months, the last of which is that particular month.

[2] Section 40 Fees 10

Omit subsection (3). Insert instead:

- (3) For the purposes of subsection (1), the prescribed proportion in respect of motor spirit, for a licence period commencing on or after 1 November in a year (that 1 November being referred to in this subsection as the *firstmentioned date*) and before 1 November in the following year is to be calculated in accordance with the following formula: 15

$$9.92\% \times \frac{M}{451.9}$$

rounded down to 2 decimal places, where **M** is the aggregate of the index numbers for Sydney in the Consumer Price Index (All Groups Index) issued by the Australian Statistician for the September, December, March and June quarters of the financial year last occurring before the firstmentioned date. 20
25

- (3A) For the purposes of subsection (1), the prescribed proportion in respect of diesel fuel, for a licence period commencing on or after 1 November in a year (that 1 November being referred to in this subsection as the *firstmentioned date*) and before 1 November in the following year is to be calculated in accordance with the following formula: 30

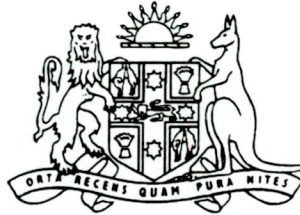
$$16.52\% \times \frac{M}{451.9}$$

rounded down to 2 decimal places, where **M** is the aggregate of the index numbers for Sydney in the Consumer Price Index (All Groups Index) issued by the Australian Statistician for the September, December, March and June quarters of the financial year last occurring before the firstmentioned date. 5

(3B) If the Australian Statistician:

- (a) ceases to issue material referred to in subsection (3) or (3A), or 10
- (b) fails to issue the material within sufficient time to enable the calculation to be made for a particular licence period, or
- (c) changes the reference base for the relevant Consumer Price Index, 15

the prescribed proportion referred to in subsection (3) or (3A) is to be the percentage prescribed by, or determined in accordance with, the regulations.

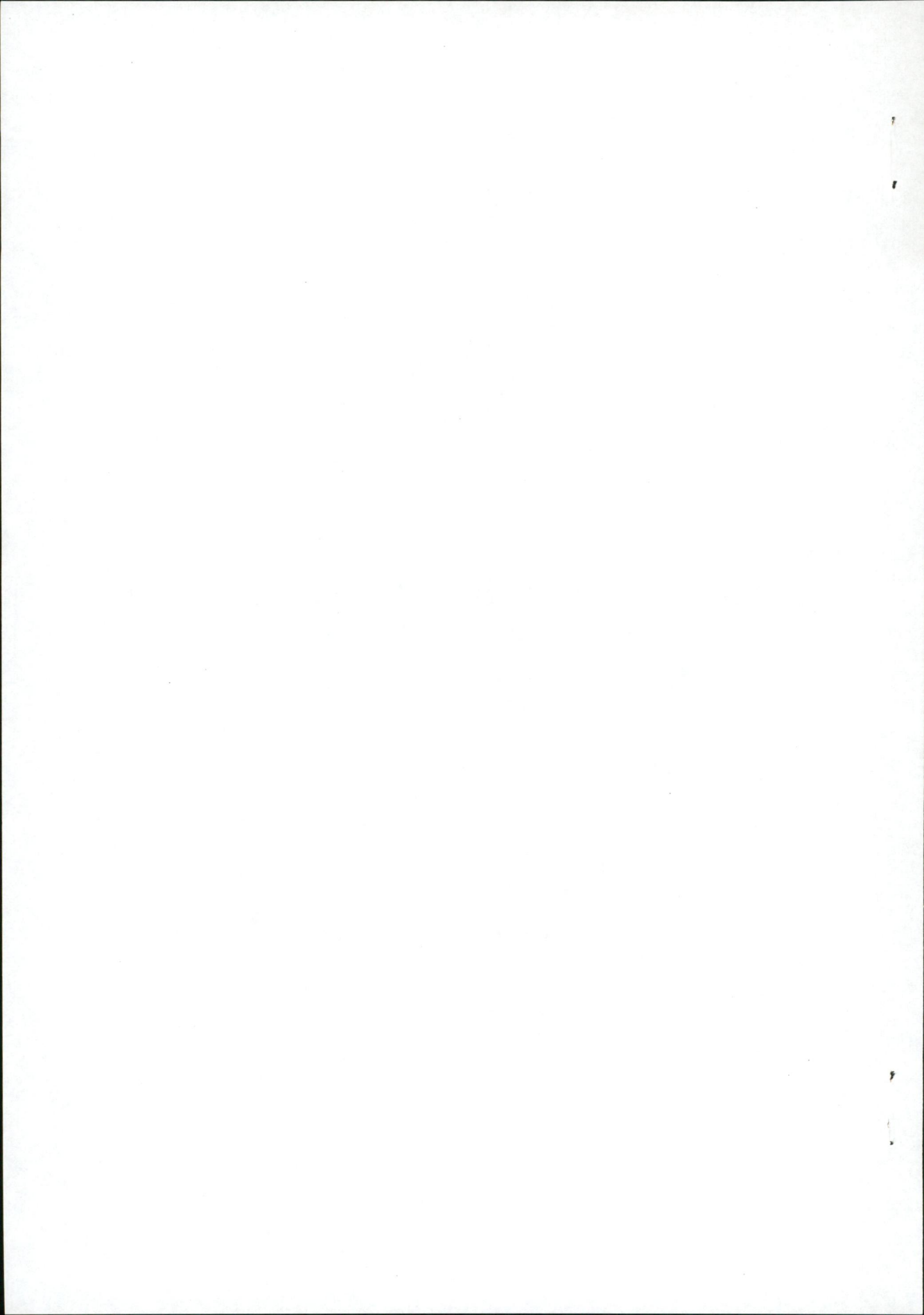


New South Wales

Business Franchise Licences (Petroleum Products) Amendment Act 1996 No 53

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New South Wales

Business Franchise Licences (Petroleum Products) Amendment Act 1996 No 53

Act No 53, 1996

An Act to amend the *Business Franchise Licences (Petroleum Products) Act 1987* to provide for annual adjustments to licence fees in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney. [Assented to 28 June 1996]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Business Franchise Licences (Petroleum Products) Amendment Act 1996*.

2 Commencement

This Act commences on 1 October 1996.

3 Amendment of Business Franchise Licences (Petroleum Products) Act 1987 No 94

The *Business Franchise Licences (Petroleum Products) Act 1987* is amended as set out in Schedule 1.

4 Application of Act

The amendment made by Schedule 1 [2] applies to and in respect of a licence taking effect on or after 1 November 1996.

Schedule 1 Amendments

(Section 3)

[1] Section 3 Interpretation

Insert in alphabetical order in section 3 (1):

financial year means a period of 12 months commencing on 1 July.

quarter, when described by reference to a particular named month, means 3 successive named months, the last of which is that particular month.

[2] Section 40 Fees

Omit subsection (3). Insert instead:

- (3) For the purposes of subsection (1), the prescribed proportion in respect of motor spirit, for a licence period commencing on or after 1 November in a year (that 1 November being referred to in this subsection as the *firstmentioned date*) and before 1 November in the following year is to be calculated in accordance with the following formula:

$$9.92\% \times \frac{M}{451.9}$$

rounded down to 2 decimal places, where **M** is the aggregate of the index numbers for Sydney in the Consumer Price Index (All Groups Index) issued by the Australian Statistician for the September, December, March and June quarters of the financial year last occurring before the firstmentioned date.

- (3A) For the purposes of subsection (1), the prescribed proportion in respect of diesel fuel, for a licence period commencing on or after 1 November in a year (that 1 November being referred to in this subsection as the *firstmentioned date*) and before 1 November in the following year is to be calculated in accordance with the following formula:

$$16.52\% \times \frac{M}{451.9}$$

rounded down to 2 decimal places, where **M** is the aggregate of the index numbers for Sydney in the Consumer Price Index (All Groups Index) issued by the Australian Statistician for the September, December, March and June quarters of the financial year last occurring before the firstmentioned date.

(3B) If the Australian Statistician:

- (a) ceases to issue material referred to in subsection (3) or (3A), or
- (b) fails to issue the material within sufficient time to enable the calculation to be made for a particular licence period, or
- (c) changes the reference base for the relevant Consumer Price Index,

the prescribed proportion referred to in subsection (3) or (3A) is to be the percentage prescribed by, or determined in accordance with, the regulations.

[Minister's second reading speech made in—
Legislative Assembly on 21 May 1996
Legislative Council on 26 June 1996]