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Part 1

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Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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SPECIAL SUPPLEMENT

EXOTIC DISEASES OF ANIMALS ACT 1991

REVOCATION

Revocation of Orders and Directions in respect of the Cumberland and Tamworth Control Areas on account of Newcastle Disease

I, RICHARD ELDRED JANE, Chief Veterinary Officer, with the powers the Minister has delegated to me under section 67 of the Exotic Diseases of Animals Act 1991 and pursuant to the provisions of that Act, hereby revoke:

A. all Orders and Directions made and in force in response to the outbreak of the exotic disease Newcastle disease, including the Order declaring the Cumberland Control Area published in the Government Gazette No. 20 of 19 January 2001 at page 168;

B. all Orders and Directions made and in force in response to the outbreak of the exotic disease Newcastle disease, including the Order declaring the Tamworth Control Area published in the Government Gazette No. 170 of 29 December 2000 at page 13970; and

C. any Order or Direction that is revived as a result of the revocation of the above Orders or Directions.

Dated 20 June 2001

RICHARD ELDRED JANE
CHIEF VETERINARY OFFICER

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Government Gazette
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LEGISLATION

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney, 19 June 2001

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Acts passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No. 18, 2001 - An Act to amend the Gas Supply Act 1996 so as to implement retail competition in the market for natural gas; to make consequential amendments to the Electricity Supply Act 1995; and for other purposes. **[Gas Supply Amendment (Act]**

Act No. 19, 2001 - An Act to amend the Local Government Act 1993 in relation to the powers of local councils with respect to the removal of graffiti. **[Local Government Amendment (Graffiti Removal) Act]**

Act No. 20, 2001 - An Act to amend the Crimes Act 1900 and the Criminal Procedure Act 1986 with respect to computer offences. **[Crimes Amendment (Computer Offences) Act]**

Act No. 21, 2001 - An Act to amend the Industrial Relations Act 1996 with respect to leave to attend court proceedings by employees who are victims of crime **[Industrial Relations Amendment (Leave for Victims Of Crime) Act]**

Act No. 22, 2001 - An Act to make miscellaneous amendments to certain State revenue legislation; and for other purposes. **[State Revenue Legislation Amendment Act]**

Act No. 23, 2001 - An Act to amend the Companion Animals Act 1998 in relation to dangerous dogs and to make further provision with respect to the control, registration and identification of companion animals; and for other purposes. **[Companion Animals Amendment Act]**

Act No. 24, 2001 - An Act to amend the Firearms Act 1996 to make further provision for the regulation and control of firearms; to amend the Criminal Assets Recovery Act 1990; and for other purposes. **[Firearms Amendment (Trafficking) Act]**

Act No. 25, 2001 - An Act to amend the First Home Owner Grant Act 2000 to make further provision with respect to eligibility and objections and to provide for an increase in the maximum grant under that Act in certain cases; and for other purposes. **[First Home Owner Grant Amendment Act]**

Russell D. Grove
Clerk of the Legislative Assembly

Proclamations

Administrative Decisions Tribunal Legislation Amendment (Revenue) Act 2000 No 72—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Administrative Decisions Tribunal Legislation Amendment (Revenue) Act 2000*, do, by this my Proclamation, appoint 1 July 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

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p01-113-p01.894

Casino Control Amendment Act 2001—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Casino Control Amendment Act 2001*, do, by this my Proclamation, appoint 1 July 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

GOD SAVE THE QUEEN!

p01-115-p01.818

Electricity Supply Amendment Act 2000 No 109—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Electricity Supply Amendment Act 2000*, do, by this my Proclamation, appoint 1 July 2001 as the day on which the uncommenced provisions of that Act (except Schedule 1 [65], to the extent to which it inserts clause 36 into Schedule 6 to the *Electricity Supply Act 1995*) commence.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

KIM YEADON, M.P.,
Minister for Energy

GOD SAVE THE QUEEN!

Explanatory note

The object of this proclamation is to commence the uncommenced provisions of the *Electricity Supply Amendment Act 2000*, except an amendment that inserts a savings provision in the *Electricity Supply Act 1995*.

This proclamation is made under section 2 of the *Electricity Supply Amendment Act 2000*.

p01-044-p01.811

Firearms Amendment (Trafficking) Act 2001—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Firearms Amendment (Trafficking) Act 2001*, do, by this my Proclamation, appoint 1 July 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

PAUL WHELAN, M.P.,
Minister for Police

GOD SAVE THE QUEEN!

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p01-121-p01.835

Fitness Services (Pre-paid Fees) Act 2000 No 95—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir, AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Fitness Services (Pre-paid Fees) Act 2000*, do, by this my Proclamation, appoint 1 July 2001 as the day on which section 11 of that Act commences.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

JOHN WATKINS, M.P.,
Minister for Fair Trading

GOD SAVE THE QUEEN!

Explanatory note

The object of this proclamation is to commence section 11 of the Act. The other provisions of the Act were commenced on 1 March 2001.

Section 11 of the Act requires a supplier who receives money for any pre-paid fee for any fitness service to be provided under a fitness service agreement at, or in connection with, a fitness centre:

(a) to hold the money exclusively for the consumer of the service until the supplier commences to provide the agreed service under the agreement to the consumer, and

(b) to ensure that the requirements of the section and the regulations under the section are complied with in relation to the money.

This proclamation is made under section 2 of the Act.

p01-125-p01.894

Gas Supply Amendment (Retail Competition) Act 2001 No 18—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Gas Supply Amendment (Retail Competition) Act 2001*, do, by this my Proclamation, appoint 1 July 2001 as the day on which that Act commences, except for:

(a) Schedule 1 [2], [3], [6], [12] (to the extent to which it inserts sections 33C and 33D into the *Gas Supply Act 1996*), [13], [16], [21] and [24], and

(b) Schedule 2 [3].

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

KIM YEADON, M.P.,
Minister for Energy

GOD SAVE THE QUEEN!

Explanatory note

The object of this proclamation is to commence all of the provisions of the *Gas Supply Amendment (Retail Competition) Act 2001* other than provisions that amend the *Gas Supply Act 1996* so as to confer a right of supply on small retail customers and to substitute references to tariff customers in that Act and other than a provision that amends the *Electricity Supply Act 1995* in relation to the constitution of customer consultative groups.

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p01-131-p01.818

Gas Supply Amendment (Retail Competition) Act 2001 No 18—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Gas Supply Amendment (Retail Competition) Act 2001*, do, by this my Proclamation, appoint 1 July 2001 as the day on which Schedule 2 [3] to that Act commences.

Signed and sealed at Sydney, this 27th day of June 2001.

By Her Excellency's Command,

L.S.

KIM YEADON, M.P.,
Minister for Energy

GOD SAVE THE QUEEN!

Explanatory note

The object of this proclamation is to commence Schedule 2 [3] to the *Gas Supply Amendment (Retail Competition) Act 2001*, which amends the *Electricity Supply Act 1995* so as to provide that, to the extent to which they are not dealt with in that section, matters relating to the constitution and procedure of a customer consultative group are to be dealt with by the regulations, rather than by the relevant electricity distributor.

This proclamation is made under section 2 of the *Gas Supply Amendment (Retail Competition) Act 2001*.

p01-132-p01.811

Legal Profession Amendment (Incorporated Legal Practices) Act 2000 No 73—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Legal Profession Amendment (Incorporated Legal Practices) Act 2000*, do, by this my Proclamation, appoint 1 July 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

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p01-094-p01.840

Local Government Amendment (Graffiti Removal) Act 2001—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Local Government Amendment (Graffiti Removal) Act 2001*, do, by this my Proclamation, appoint 1 July 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

HARRY WOODS, M.P.,
Minister for Local Government

GOD SAVE THE QUEEN!

p01-126-p01.842

Nature Conservation Trust Act 2001 No 10—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Nature Conservation Trust Act 2001*, do, by this my Proclamation, appoint 29 June 2001 as the day on which the following provisions of that Act commence:

(a) Part 1,

(b) Part 2 (other than Division 3),

(c) Part 4 (other than sections 48 and 49),

(d) Schedules 1, 2 and 5.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

BOB DEBUS, M.P.,
Minister for the Environment

GOD SAVE THE QUEEN!

Explanatory note

The object of this proclamation is to commence all the provisions of the *Nature Conservation Trust Act 2001* other than:

(a) the provisions concerned with the business plan of the Nature Conservation Trust that is to be constituted by the Act, and

p01-130-p01.810

(b) the provisions concerned with Trust agreements—that is, agreements into which the Nature Conservation Trust and landholders may enter for the purpose of managing land to which the agreements relate so as to protect the natural heritage (and any cultural heritage associated with the natural heritage) of that land, and

(c) the provisions amending the *National Parks and Wildlife Act 1974* and the *Native Vegetation Conservation Act 1997*.

This proclamation is made under section 2 of the Act.

Tow Truck Industry Amendment Act 1999 No 61—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Tow Truck Industry Amendment Act 1999*, do, by this my Proclamation, appoint 1 July 2001 as the day on which that Act (other than the following provisions) commences:

(a) sections 4 and 5,

(b) Schedule 1 [6]–[13], [15], [18] and [20],

(c) Schedules 2 and 3.

Signed and sealed at Sydney, this 27th day of June 2001.

L.S.

By Her Excellency's Command,

CARL SCULLY, M.P.,
Minister for Transport

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence the *Tow Truck Industry Amendment Act 1999* except for the amendments relating to the job allocation scheme for towing work and fees for licences and drivers certificates, and except for the amendments to the *Road Transport (General) Act 1999* and the *Road Transport (Safety and Traffic Management) Act 1999*.

p01-122-p01.835

Regulations

Agricultural Industry Services (Nursery Industry Services Committee) Regulation 2001

under the

Agricultural Industry Services Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Agricultural Industry Services Act 1998*.

RICHARD AMERY, M.P.,
Minister for Agriculture

Explanatory note

The object of this Regulation is to establish the New South Wales Nursery Industry Services Committee as an agricultural industry services committee.

The Committee is established for growers of nursery stock, other than those that grow nursery stock only in small-scale nurseries and those that are charitable organisations, throughout the whole of New South Wales.

The agricultural industry services for which the Committee is constituted are as follows:

(a) to support research into the development of schemes and techniques for production efficiency, environmental protection and business management in relation to the growing of nursery stock,

(b) to encourage the adoption of such schemes and techniques by growers of nursery stock,

(c) to provide education and training for growers of nursery stock in relation to the implementation of such schemes and techniques, and in relation to other matters relating to the growing of nursery stock.

The Committee will consist of 7 members, of whom 5 are to be elected by the Committee's constituents and 2 are to be appointed by the industry peak body (Nursery & Garden Industry NSW & ACT Limited (ACN 001 075 574)).

This Regulation is made under the *Agricultural Industry Services Act 1998*, including section 51 (the general power to make regulations) and sections 4 and 6.

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Agricultural Industry Services (Nursery Industry Services Committee) Regulation 2001

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Agricultural Industry Services (Nursery Industry Services Committee) Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

3 Definitions

In this Regulation:

charitable organisation means a person or body referred to in any of the tables to section 78 (4) of the *Income Tax Assessment Act 1936* of the Commonwealth.

Committee means the New South Wales Nursery Industry Services Committee established by this Regulation.

industry peak body means Nursery & Garden Industry NSW & ACT Limited (ACN 001 075 574).

nursery stock means any plant that is grown for the purpose of being sold, as a growing plant:

(a) for ornamental purposes, or

(b) for timber production, or

(c) for food production,

but does not include any plant that is grown for the purpose of being sold in the form of a bulb or corm, as turf or as a medicinal herb.

small-scale nursery means any premises used for growing nursery stock where the annual gross revenue from the sale of nursery stock grown on the premises is less than $50,000.

the Act means the *Agricultural Industry Services Act 1998*.

4 Notes

The explanatory note and table of contents do not form part of this Regulation.

Part 2 Establishment and functions of Committee

5 Establishment of Committee

There is established by this Regulation, under section 4 of the Act, an agricultural industry services committee with the corporate name of the New South Wales Nursery Industry Services Committee.

6 Class of primary producers for which Committee is constituted

The class of primary producers for which the Committee is constituted is growers of nursery stock, other than those that grow nursery stock only in small-scale nurseries and those that are charitable organisations.

7 Area of operations

The area of operations for which the Committee is constituted is the whole of New South Wales.

8 Commodities for which Committee is constituted

The commodity for which the Committee is constituted is nursery stock.

9 Agricultural industry services of Committee

The agricultural industry services for which the Committee is constituted are as follows:

(a) to support research into the development of schemes and techniques for production efficiency, environmental protection and business management in relation to the growing of nursery stock,

(b) to encourage the adoption of such schemes and techniques by growers of nursery stock,

(c) to provide education and training for growers of nursery stock in relation to the implementation of such schemes and techniques, and in relation to other matters relating to the growing of nursery stock.

Part 3 Other provisions relating to Committee

10 Membership of Committee

(1) The Committee is to consist of 7 members, of whom:

(a) 5 are to be elected by the Committee's constituents, and

(b) 2 are to be appointed by the industry peak body by notice in writing lodged with the Director-General.

(2) Each member of the Committee holds office for 4 years.

(3) The quorum for a meeting of the Committee is 4 of its members.

11 Interim membership

(1) Pending the first election of its elected members, the Committee is to consist of 3 members, of whom:

(a) one is to be the president of the industry peak body, and

(b) two are to be other members of the industry peak body, selected by the president of that body.

(2) Each member of the Committee as constituted in accordance with subclause (1) holds office until the date on which members are elected following the first election.

(3) The quorum for a meeting of the Committee as constituted in accordance with subclause (1) is 2 of its members.

(4) The first election is to be called by the Director-General, in accordance with the *Agricultural Industry Services (Polls and Elections) Regulation 2000*, on or before 1 July 2002.

12 Voting entitlements of constituents

The voting entitlements of the Committee's constituents for polls and elections is one vote per constituent.

13 Quorum for meeting of constituents

The quorum for a meeting of the Committee's constituents is 30 constituents.

14 Financial year

The financial year of the Committee is the year ending on 30 June.

Casino Control Amendment (Merger of Functions) Regulation 2001

under the

Casino Control Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Casino Control Act 1992*.

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to amend the *Casino Control Regulation 1995* so as:

(a) to reflect certain amendments to the *Casino Control Act 1992* made by the *Casino Control Amendment Act 2001* that abolish the office of Director of Casino Surveillance and transfer to the Casino Control Authority functions formerly exercised by the Director, and

(b) to make other amendments by way of law revision.

This Regulation is made under the *Casino Control Act 1992*, including section 170 (the general power to make regulations).

Casino Control Amendment (Merger of Functions) Regulation 2001

1 Name of Regulation

This Regulation is the *Casino Control Amendment (Merger of Functions) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Casino Control Regulation 1995

The *Casino Control Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clauses 14 (2) (b), 16 (1), 17 (1) and (3), 19 (1) and (2) and 22 (1)

Omit "and the Director" wherever occurring.

[2] Clause 21

Omit the clause. Insert instead:

21 Application of Liquor Act 1982 to casino

(1) Those provisions of the *Liquor Act 1982* specified in Part 1 of Schedule 4 apply to and in respect of the licensed premises, modified to read as set out in Schedule 4A.

(2) In addition, those provisions of the *Liquor Act 1982* specified in Part 2 of Schedule 4 apply to and in respect of those parts of the licensed premises:

(a) that are not operated by a casino operator, or

(b) that are operated by a casino operator under section 42 of those applied provisions,

modified to read as set out in Schedule 4A.

(3) In the provisions set out in Schedule 4A, the expression ***this Act*** is taken to refer to those provisions.

[3] Clause 21A Short descriptions of offences

Omit "Schedule 4" wherever occurring. Insert instead "Schedule 4A".

[4] Clause 24 Divulging of information

Omit clause 24 (2).

[5] Schedule 4 Application of Liquor Act 1982 to casino

Omit the matter appearing before Part A of Schedule 4.

[6] Schedule 4, Part A

Omit "Part A" from the heading to Part A of Schedule 4.
Insert instead "Part 1".

[7] Schedule 4, Part B

Omit "Part B" from the heading to Part B of Schedule 4.
Insert instead "Part 2".

[8] Schedule 4, Part C

Omit the heading to Part C of Schedule 4.
Insert instead:

Schedule 4A Applied provisions of Liquor Act 1982 as modified

[9] Schedule 4A Applied provisions of Liquor Act 1982 as modified

Omit ", the Director" from section 2A of the *Liquor Act 1982* in Schedule 4A (as renumbered by item [8]).

[10] Schedule 4A, section 4

Omit the definition of ***Director*** from section 4 (1) of the *Liquor Act 1982*.

[11] Schedule 4A, section 4

Omit "the Director or" from the definition of ***inspector*** in section 4 (1) of the *Liquor Act 1982*.

[12] Schedule 4A, section 6B

Omit "Director" wherever occurring in section 6B (3) of the *Liquor Act 1982*.
Insert instead "Authority".

[13] Schedule 4A, section 20

Omit "or the Director" wherever occurring in section 20 (1) (b) and (3) (a) of the *Liquor Act 1982*.

[14] Schedule 4A, section 23AD

Insert "on its own motion or" after "The Authority may," wherever occurring in section 23AD (4) and (7) of the *Liquor Act 1982*.

[15] Schedule 4A, section 23AD

Omit "or the Director" wherever occurring in section 23AD (4) and (7) of the *Liquor Act 1982*.

[16] Schedule 4A, section 42B

Omit "The Authority is to refer to the Director for investigation" from section 42B of the *Liquor Act 1982*.

Insert instead "The Authority is to investigate".

[17] Schedule 4A, section 42C

Omit section 42C (1) of the *Liquor Act 1982*.

[18] Schedule 4A, section 42C

Omit "In particular, the" from section 42C (2) of the *Liquor Act 1982*.

Insert instead "The".

[19] Schedule 4A, section 42C

Omit "Director" wherever occurring in section 42C (2) and (3) of the *Liquor Act 1982*.

Insert instead "Authority".

[20] Schedule 4A, section 42D

Omit ", or if an application has been referred to the Director, the Director" from section 42D (1) of the *Liquor Act 1982*.

[21] Schedule 4A, section 42D

Omit "or the Director" wherever occurring in section 42D (1) (d) of the *Liquor Act 1982*.

[22] Schedule 4A, section 62A

Omit "received and considered a report by the Director as to any" from section 62A (1) of the *Liquor Act 1982*.
Insert instead "considered any".

[23] Schedule 4A, section 62A

Omit section 62A (3) of the *Liquor Act 1982*.

[24] Schedule 4A, section 66A

Omit "Director" wherever occurring in section 66A of the *Liquor Act 1982*.
Insert instead "Authority".

[25] Schedule 4A, section 67

Omit "the Director" wherever occurring in section 67 (1) (f) and (3) of the *Liquor Act 1982*.
Insert instead "an inspector".

[26] Schedule 4A, section 68

Omit "Director" wherever occurring in section 68 of the *Liquor Act 1982*.
Insert instead "Authority".

[27] Schedule 4A, section 104

Omit "the Director" from section 104 (2) (e) of the *Liquor Act 1982*.
Insert instead "an inspector".

[28] Schedule 4A, section 104A

Omit section 104A (2) (a) of the *Liquor Act 1982*.

[29] Schedule 4A, section 110

Omit "the Director" from section 110 (3) (where firstly occurring) and (4A) (where firstly occurring) of the *Liquor Act 1982*.
Insert instead "an authorised officer".

[30] Schedule 4A, section 110

Omit "the Director" from section 110 (3) (where secondly occurring) and (4A) (a) of the *Liquor Act 1982*.
Insert instead "the officer".

[31] Schedule 4A, section 110

Omit "The Director" from section 110 (4) of the *Liquor Act 1982*.
Insert instead "An authorised officer".

[32] Schedule 4A, section 110

Insert after section 110 (5) of the *Liquor Act 1982*:

(6) In this section, ***authorised officer*** means an inspector who is authorised by the Authority for the purposes of this section.

[33] Schedule 4A, section 110A

Omit "the Director" from section 110A (1) (where firstly occurring) and (3) of the *Liquor Act 1982*.
Insert instead "an authorised officer".

[34] Schedule 4A, section 110A

Omit "the Director" from section 110A (1) (where secondly occurring) of the *Liquor Act 1982*.
Insert instead "the officer".

[35] Schedule 4A, section 110A

Omit "The Director" from section 110A (2) of the *Liquor Act 1982*.
Insert instead "An authorised officer".

[36] Schedule 4A, section 110A

Insert after section 110A (4) of the *Liquor Act 1982*:

(5) In this section, ***authorised officer*** means an inspector who is authorised by the Authority for the purposes of this section.

[37] Schedule 4A, section 112

Insert "on its own motion or" after "The Authority may," in section 112 (5) of the *Liquor Act 1982*.

[38] Schedule 4A, section 112

Omit "or the Director" from section 112 (5) of the *Liquor Act 1982*.

[39] Schedule 4A, section 139

Omit ", the Director" from section 139 (2) of the *Liquor Act 1982*.

[40] Schedule 4A, section 140

Omit section 140 (1) (h) of the *Liquor Act 1982*.

[41] Schedule 4A, section 145A

Omit "a police officer, the Director or an inspector" from section 145A (9) of the *Liquor Act 1982*.

Insert instead "an inspector or a police officer".

[42] Schedule 4A, Part 19

Insert after Part 18:

Part 19 Casino Control Amendment Act 2001

89 Past acts and omissions of Director of Casino Surveillance

Any act or omission of the Director of Casino Surveillance under this Act that occurred before 1 July 2001 is taken to be an act or omission of the Authority.

90 Referred applications

Sections 42B, 42C and 42D, as amended by the *Casino Control Amendment (Merger of Functions) Regulation 2001*, extend to applications made before 1 July 2001, and apply to any such application despite its having been referred to the Director under section 42B, as in force immediately before 1 July 2001.

Construction Safety Amendment (Fees) Regulation 2001

under the

Construction Safety Act 1912

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Construction Safety Act 1912*.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The object of this Regulation is to amend the *Construction Safety Regulations 1950* to increase the fees specified in those Regulations that are payable to the WorkCover Authority for the following services so as to make those fees the same as the fees that are currently payable because of the operation of section 6 of the *Intergovernmental Agreement Implementation (GST) Act 2000* (which ceases to have effect on 1 July 2001):

(a) re-inspecting and re-testing of lifts, escalators and moving walks,

(b) reviewing the design and description of new lifts, escalators and moving walks or any equipment used in connection with the lifts, escalators and moving walks,

(c) reviewing the description and plans of proposed conveyors and subsequent inspections after their erection,

(d) reviewing the design and description of hoists.

This Regulation is made under the *Construction Safety Act 1912*, including section 22 (the general regulation-making power) and, in particular, section 22 (2) (e) and (f).

Construction Safety Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Construction Safety Amendment (Fees) Regulation 2001*.

2 Amendment of Construction Safety Regulations 1950

The *Construction Safety Regulations 1950* are amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Regulation 17B Inspection and testing of lift etc before use

Omit "$150" from Regulation 17B (2A) (a) (i). Insert instead "$165".

[2] Regulation 17B (2A) (a) (ii) and (2E)

Omit "$400" wherever occurring. Insert instead "$440".

[3] Regulation 17B (2A) (b) (i)

Omit "$50". Insert instead "$55".

[4] Regulation 17B (2A) (b) (ii)

Omit "$100". Insert instead "$110".

[5] Regulation 17B (2C)

Omit "$2,700". Insert instead "$2,970".

[6] Regulation 17C Fees for reviewing designs of new lifts etc

Omit "$1,500" from Regulation 17C (2) (c). Insert instead "$1,650".

[7] Regulation 17C (3) and (4)

Omit "$96" wherever occurring. Insert instead "$105.60".

[8] Regulation 121C Fees for reviewing designs of conveyors

Omit "$25" from Regulation 121C (3) (a). Insert instead "$27.50".

[9] Regulation 121C (3) (b)

Omit "$45". Insert instead "$49.50".

[10] Regulation 121C (3) (c)

Omit "$65". Insert instead "$71.50".

[11] Regulation 121E Fees for reviewing designs of hoists

Omit "$1,500" from Regulation 121E (2) (c). Insert instead "$1,650".

[12] Regulation 121E (3) and (4)

Omit "$96" wherever occurring. Insert instead "$105.60".

Conveyancing (General) Amendment (Fees) Regulation 2001

under the

Conveyancing Act 1919

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Conveyancing Act 1919*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The objects of this Regulation are:

(a) to increase certain fees payable to the Registrar-General under the *Conveyancing Act 1919*, and

(b) to introduce a new fee for the lodgment of a plan for registration or recording that is accompanied by a building management statement for a building containing various lots (not being strata lots).

This Regulation is made under the *Conveyancing Act 1919*, including section 202 (the general regulation-making power) and, in particular, section 202 (1) (d).

Conveyancing (General) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Conveyancing (General) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Conveyancing (General) Regulation 1998

The *Conveyancing (General) Regulation 1998* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 6

Omit the Schedule. Insert instead:

Schedule 6 Fees

(Clause 39)

Registration in the General Register of Deeds

		$
1	For each registration, or renewal or vacation of registration, of any writ, order or legal proceeding made under Division 2 of Part 23 of the Act	20.00
2	For each registration of a crop or wool lien or a stock mortgage, or any other instrument relating to such liens or mortgages, made under the *Liens on Crops and Wool and Stock Mortgages Act 1898*	20.00
3	For each registration of a bill of sale, or any other instrument relating to a bill of sale, made under the *Bills of Sale Act 1898*	20.00
4	For removal of a caveat in relation to a bill of sale	20.00
5	For registration under Division 5 of Part 6 of the Act of a memorandum containing provisions that are capable of being covenants that may be included in a bill of sale, crop or wool lien or stock mortgage	20.00
6	For recording or registering any instrument not otherwise provided for in this Schedule	60.00

		$
7	On request for preparation of a registration copy of an instrument or part of an instrument	4.00 for up to 4 pages, and then 4.00 for each additional 4 pages or part of that number
	In addition, for preparation of the copy	Such reasonable fee (determined by the Registrar-General) as is warranted by the work involved

Copies

8	For supplying a copy of a document or part of a document available from the Document Copy Service (other than a certified copy, a copy supplied in response to a telephone request or a copy relating to land the subject of a community, precinct or neighbourhood plan under the *Community Land Development Act 1989*)	4.00
	In addition, in the case of a document containing 20 or more pages, or if an application is made for multiple copies of a document containing 10 or more pages	Such reasonable fee (determined by the Registrar-General) as is warranted by the cost incurred in preparing the copy or copies
9	For supplying a copy, available from the Document Copy Service:	
	(a) of a community, precinct or neighbourhood plan under the *Community Land Development Act 1989*	4.00
	(b) of a management statement relating to such a plan	4.00
	(c) of a development contract relating to such a plan	4.00
	(d) of an annexure to such a plan, statement or contract	4.00

		$
10	On lodgment of an application for a certified copy of a document or part of a document in the custody of the Registrar-General	60.00
	In addition: (a) if an application is received by post and: (i) no more than 20 documents are to be copied	11.00
	(ii) more than 20 documents are to be copied—for the first 100 documents or any part of that number	22.00
	(iii) more than 100 documents are to be copied—for each 100 documents or any part of that number after the first 100 documents	22.00
	(b) if a copy is prepared by a photocopying process	Such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in preparing the copy
11	In the case of a requisition for a copy available from the Document Copy Service that, in the opinion of the Registrar-General, is a request for a copy for which the above schedule of fees is not appropriate	Such reasonable fee (determined by the Registrar-General in negotiation with the requesting party) as is warranted by the cost incurred in providing the copy
12	On lodgment of an application for a copy of a document in the custody of the Registrar-General, other than a certified copy or a copy available from the Document Copy Service	Such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in preparing the copy
13	For supplying a copy (other than a certified copy) of a document in response to a telephone or facsimile request	22.00
	In addition, for a copy of each additional document required	4.00

		$
	In addition, for supplying documents by facsimile transmission in response to a telephone request, for each sheet in excess of 1	1.10

Official searches (General Register of Deeds)

14	On requisition for a search, or the continuation of a search, from the date of the prior certificate of result of the search (including the office copy certificate of the result of a search or the continuation of the search)	60.00
	In addition, for each half-hour or part of a half-hour occupied in the search or continuation of the search after the first hour	30.00
15	On request for a copy of an official search	60.00

Search for writs, orders or legal proceedings

16	For a search against each name (other than a search in response to a telephone request)	4.00
17	For a search in response to a telephone request, in respect of a search for 1 or 2 names	20.00
	For a search of each additional name in excess of 2	4.00

Plans

18	On lodgment for registration or recording of a plan, other than a plan prepared solely for the purpose of placing survey information on public record	590.00
	In addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination of the plan	60.00

	$
In the case of land the subject of a community, precinct or neighbourhood plan under the *Community Land Development Act 1989*:	
(a) for each additional sheet in excess of 4	60.00
(b) for the management statement accompanying the community, precinct or neighbourhood plan, including any associated plans or sketches	120.00
(c) for any development contract accompanying the community, precinct or neighbourhood plan	120.00
In addition, for each lot, allotment or portion shown or separately defined on the plan	60.00
And, if the plan is accompanied by a section 88B instrument in which only 1 easement, restriction on the use of land, positive covenant or profit à prendre is to be created, irrespective of the number of lots burdened or benefited, an additional	60.00
And, if the plan is accompanied by a section 88B instrument in which the combined number of easements, restrictions on the use of land, positive covenants or profits à prendre to be created is 2 or more, an additional	120.00
And, if the plan is accompanied by a section 88B instrument in which only 1 easement or profit à prendre is to be released, irrespective of the number of lots burdened or benefited, an additional	60.00
And, if the plan is accompanied by a section 88B instrument in which the number of easements or profits à prendre to be released is 2 or more, an additional	120.00
And, if the plan is accompanied by a building management statement, an additional	60.00
And, if the plan is lodged for the purpose of consolidating 2 or more folios of the Register kept under the *Real Property Act 1900*—for each folio of the Register to be consolidated, an additional	15.00

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	And, if a plan lodged in connection with an application to bring land under the *Real Property Act 1900* includes land already under that Act and a consolidated folio of the Register kept under that Act is to be created—for each folio to be consolidated, an additional	15.00
19	On lodgment of an additional or replacement sheet in conjunction with an application to amend a registered community, precinct or neighbourhood plan under the *Community Land Development Act 1989*	60.00
20	For recording a plan prepared solely for the purpose of placing survey information on public record	60.00
21	For examining a plan if survey information has been added to an original compiled plan as a result of a requisition	60.00
22	For pre-examination of a plan	649.00
	In addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination of the plan	63.80
23	For preparation and supply of a plan	100.00
	In addition, for each hour or part of an hour in excess of the first hour occupied in the preparation of the plan	60.00
24	On lodgment of an application for revival of a plan previously rejected or withdrawn	Such fee as would be appropriate to the plan as a new lodgment
25	On lodgment of a substituted plan or any sheet of such a plan or an additional sheet of a plan	60.00
26	On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument	Such fee as would be appropriate to the instrument as an original lodgment

		$
27	On lodgment of an application to amend a plan	60.00
	In addition, if the application involves the amendment of a Crown grant, a certificate of title or a folio of the Register kept under the *Real Property Act 1900*:	
	(a) for the first grant, certificate or folio	60.00
	(b) for each subsequent grant, certificate or folio	10.00

Miscellaneous

28	On depositing a document or documents pursuant to section 64 of the Act	22.00
	In addition:	
	(a) if the deposit is made by post	11.00
	(b) for each document in excess of 4	3.30
29	On application for return of a document or documents deposited pursuant to section 64 of the Act	22.00
	In addition:	
	(a) if the application is made by post	11.00
	(b) for each document in excess of 4	3.30
30	For inspection of a packet containing a document or documents deposited pursuant to section 64 of the Act	22.00
31	For production of documents at the Office of State Revenue	20.00
32	On request for entry of a marginal note evidencing a discrepancy between an original instrument and a registered copy of the instrument	60.00

District Court Amendment (Fees) Regulation 2001

under the

District Court Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *District Court Act 1973*.

Attorney General

Explanatory note

The object of this Regulation is to increase certain court fees (set out in the *District Court Regulation 2000*) to be paid to a registrar in respect of the business of the District Court under the *District Court Act 1973*.

This Regulation is made under the *District Court Act 1973*, including section 150 (Regulations: Court fees).

District Court Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *District Court Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of District Court Regulation 2000

The *District Court Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Court fees

(Clause 4)

			$
1	(1)	Filing a statement of claim or any other originating process (other than the filing of an originating process referred to in paragraph (2))	399.00
	(2)	Filing an originating process by way of a notice of appeal	165.00
	(3)	Filing a notice of cross-claim or third or subsequent party notice	399.00
2		Filing a notice of motion under Part 16 of the *District Court Rules 1973* (not being a filing referred to in item 1)	52.00
3	(1)	Filing a requisition for a civil trial by a jury (to be paid by the party requesting a jury)	682.00
	(2)	Daily retention fee (to be paid by the party requesting a jury for each day a jury is required after the first day of a civil trial)	310.00
4		Making a copy of any document, for each page (minimum fee	2.00 10.00)
5		Supply of duplicate tape recording of sound-recorded evidence, for each cassette	32.00
6		For each copy of the transcript of any proceedings:	
		(a) for each page, where the matter being transcribed is under 3 months old (minimum fee for 1 to 8 pages	6.90 60.00)

		$
	(b) for each page, where the matter being transcribed is 3 months old or older (minimum fee for 1 to 8 pages	7.90 70.00)
7	Service or attempted service of any process or other document, including service by post and preparation of an affidavit of service—for each address at which service of the process or other document is effected or attempted	40.00
8	Execution or attempted execution of any writ or warrant—for each address at which execution of the writ or warrant is effected or attempted	50.00
9	Disbursements in executing or attempting to execute a writ of execution, including a fee for keeping possession	As prescribed by the scale of fees under the *Sheriff Act 1900*
10	Levy on a writ of execution	
11	For work undertaken in preparing for a sale of land on instructions from a judgment creditor—if sale does not proceed	
12	The travelling expenses incurred by officers in conveying an arrested person to prison or to court	
13	Attending a view by a jury (to be paid by the party making the request)	
14	On referral for hearing by an arbitrator under the *Arbitration (Civil Actions) Act 1983* (to be paid equally between the parties)	507.00
15	Filing an application for an order under section 18A (1) of the *Arbitration (Civil Actions) Act 1983* for the rehearing of an action referred for arbitration	387.00
	Note: This amount is subject to any provision of the *District Court Rules 1973* providing for the refund of the whole or any part of this amount.	

			$
16	(a)	To issue a subpoena for production	50.00
	(b)	To issue a subpoena for production and to give evidence	50.00
	(c)	To issue a subpoena to give evidence	25.00

Driving Instructors Amendment (Fees) Regulation 2001

under the

Driving Instructors Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Driving Instructors Act 1992*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to increase certain fees payable in connection with the administration of the *Driving Instructors Act 1992*. The fee for a duplicate licence is not being increased.

This Regulation is made under the *Driving Instructors Act 1992*, including section 59 (the general regulation-making power) and, in particular, section 59 (2) (a).

Driving Instructors Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Driving Instructors Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Driving Instructors Regulation 1993

The *Driving Instructors Regulation 1993* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1

(Clause 5)

Fees	$
Licence subject to a condition that the holder complete a further course of training within a specified time	36
Any other licence	117
Renewal of licence	117
Duplicate licence	17
Certificate under section 46 of the Act	15

Dust Diseases Tribunal Regulation 2001

under the

Dust Diseases Tribunal Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Dust Diseases Tribunal Act 1989*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to prescribe fees to be paid in respect of proceedings before the Dust Diseases Tribunal.

This Regulation is made under section 34 of the *Dust Diseases Tribunal Act 1989*.

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Dust Diseases Tribunal Regulation 2001

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Dust Diseases Tribunal Regulation 2001*.

2 Definitions

In this Regulation:

corporation has the same meaning as in section 57A of the *Corporations Law*.

initiating process, in relation to any proceedings, means the document by the filing of which the proceedings are commenced.

3 Notes

The explanatory note, table of contents and notes in the text of this Regulation (other than those in Schedule 1) do not form part of this Regulation.

Part 2 Fees

4 Fees chargeable

(1) The fees to be taken in respect of the business of the Tribunal are the fees set out in Schedule 1.

(2) However, a reference in that Schedule to a corporation does not include a reference to a corporation that produces evidence, satisfactory to the registrar:

(a) that its turnover, in the financial year of the corporation immediately preceding the financial year in which the fees are to be taken, was less than $200,000, or

(b) if the corporation has not been in existence for a full financial year—that its turnover in its first financial year is likely to be less than $200,000.

5 Fees not chargeable to the Crown

(1) No fee is chargeable to the Crown or any other person with respect to any document or service filed or provided:

(a) for the Government of New South Wales, or

(b) for any New South Wales Government Department, or

(c) for any statutory body whose expenditure is paid out of the Consolidated Fund.

(2) The registrar may require evidence to be furnished for the purpose of deciding whether a statutory body's expenditure is paid out of the Consolidated Fund.

(3) This clause does not prevent the recovery from any person by the Crown or by any such statutory body of any such fee that, had it been paid, would have been recoverable from that person.

6 Pro bono cases

(1) The taking of a fee for the filing of any initiating process (or a cross-claim) on behalf of a pro bono party to proceedings is to be postponed until judgment has been given in the proceedings.

(2) The fee is not to be taken at all, or if taken must be remitted, if in relation to the claim (or cross-claim):

(a) judgment is against that party, or

(b) judgment is in favour of that party, but damages are not awarded (or only nominal damages are awarded) in his or her favour and costs are not awarded in his or her favour.

(3) The registrar must not refuse to file or issue any document relevant to proceedings merely because, in accordance with this clause, a fee has not been taken for the filing of any initiating process (or cross-claim) on behalf of a pro bono party to those proceedings.

(4) For the purpose of this clause, a party is a ***pro bono party to proceedings*** if:

(a) he or she is being represented under the pro bono scheme of the Law Society of New South Wales or the pro bono scheme of the New South Wales Bar Association, and

(b) a solicitor (in the case of the Law Society's scheme), or a barrister (in the case of the Bar Association's scheme), acting for the party certifies in writing to the registrar, with whom the initiating process (or cross-claim) is lodged on behalf of the party that the party is being so represented.

7 Postponement of fees in certain other cases

(1) The taking of any fee in respect of the business of the Tribunal in relation to proceedings involving a pensioner party or legally assisted party is, if the fee is payable by the pensioner party or legally assisted party, to be postponed until judgment has been given in the proceedings.

(2) The fee is not to be taken at all, or if taken must be remitted, if:

(a) judgment in the proceedings is against the pensioner party or legally assisted party, or

(b) judgment is in favour of the pensioner party or legally assisted party, but damages are not awarded (or only nominal damages are awarded) in his or her favour and costs are not awarded in his or her favour.

(3) The registrar must not refuse to file or issue any document relevant to proceedings merely because, in accordance with this clause, a fee in respect of any business of the Tribunal has not been taken on behalf of a pensioner party or legally assisted party to those proceedings.

(4) For the purposes of this clause:

(a) a party to proceedings is a ***pensioner party*** if he or she is the holder of any card issued by the Commonwealth Government that entitles the holder to Commonwealth health concessions, and

(b) a party to proceedings is a ***legally assisted party*** if he or she is receiving legal assistance through a community legal centre within the meaning of section 48H of the *Legal Profession Act 1987*.

8 Persons by and to whom fees payable

(1) Any fee charged under this Regulation for any document or service is payable by the person at whose request the document is filed or the service rendered to the registrar.

(2) If a document is filed or a service rendered at the request of a person acting as an agent for another person, each of those persons is jointly and severally liable for payment of any such fee.

(3) A reference in Schedule 1 to a fee payable in the case of a corporation is a reference to a corporation on whose behalf a request is made to file a document or render a service.

9 Other provisions relating to fees

(1) A fee charged under this Regulation becomes payable when the document concerned is filed or the service concerned is rendered.

(2) However, the registrar, when requested to file a document or render a service:

(a) may require any fee for the document or service to be paid before the document is filed or the service rendered, or

(b) may, by order in writing, direct that the whole or any part of any such fee be postponed, waived or remitted, subject to such conditions (if any) as the registrar thinks fit to impose.

(3) The registrar may delegate his or her power under this clause to direct that the whole or any part of any fee be postponed, waived or remitted to any person holding office as, or appointed to act temporarily as, deputy registrar of the Tribunal.

(4) A reference in subclause (2) to the registrar includes a reference to a person to whom the registrar delegates his or her powers in accordance with this clause.

(5) This clause is subject to clauses 6 and 7.

Part 3 Miscellaneous

10 Percentage of interest etc payable to Treasurer

The registrar must deduct 2.5% of any amount received by way of interest or dividends on funds that are paid to the Tribunal and invested, in accordance with the *Supreme Court Rules 1970* (as applied by the *Dust Diseases Tribunal Rules*), and must pay any amount so deducted to the Treasurer for payment into the Consolidated Fund.

Schedule 1 Fees

(Clause 4)

			$
1	Filing an initiating process		1,092 (in the case of a corporation) or 546 (in any other case)
2	Filing a cross-claim		1,092 (in the case of a corporation) or 546 (in any other case)
3	Filing notice of motion		254 (in the case of a corporation) or 127 (in any other case)
4	To open or keep open the registry or part of the registry:		
	(a) on a Saturday, Sunday or public holiday (except the day after Easter Monday)		864 (in the case of a corporation) or 432 (in any other case)
	(b) on any other day:		
		(i) before 8.30 am or after 4.30 pm	864 (in the case of a corporation) or 432 (in any other case)
		(ii) between 8.30 and 9 am or 4 and 4.30 pm	90 (in the case of a corporation) or 45 (in any other case)
5	To furnish a copy of the written opinion or reasons for opinion of any member of the Tribunal:		
	(a) for a printed copy		43
	(b) for any other kind of copy		26
	Note. A party to proceedings before the Tribunal is entitled to one copy of the opinion or reasons for opinion in relation to the proceedings without charge.		
6	Making a copy of any document, otherwise than as provided for by item 5 for each page		2 (with a minimum fee of 10)

Dust Diseases Tribunal Regulation 2001

Schedule 1 Fees

		$
7	Supply of duplicate tape recording of sound-recorded evidence, for each cassette	31
8	For each copy of the transcript of any proceedings:	
	(a) for each page, where the matter being transcribed is under 3 months old	6.70 (with a minimum fee for 1 to 8 pages of 58)
	(b) for each page, where the matter being transcribed is 3 months or older	7.70 (with a minimum fee for 1 to 8 pages of 68)
9	To issue a subpoena for production	98 (in the case of a corporation) or 49 (in any other case
10	To issue a subpoena for production and to give evidence	98 (in the case of a corporation) or 49 (in any other case)
11	To issue a subpoena to give evidence	48 (in the case of a corporation) or 24 (in any other case)
12	The fee for a service not otherwise provided for in this Schedule **Note.** This fee is chargeable only with the approval of the registrar.	52 (in the case of a corporation) or 26 (in any other case)

Electricity Supply (General) Regulation 2001

under the

Electricity Supply Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Supply Act 1995*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to repeal and remake the regulations under the *Electricity Supply Act 1995* as a consequence of the commencement of the *Electricity Supply Amendment Act 2000*. The amendments made by that Act separate the functions of distribution network service providers (formerly electricity distributors) (***service providers***) and retail suppliers of electricity (***suppliers***). The amendments also enable all electricity customers to choose their suppliers, thus enabling the introduction of full retail competition in the electricity industry in this State. The category of electricity customers known as small retail customers are given particular protections and rights under the Act and the new Regulation.

The new Regulation also retains existing provisions of the *Electricity Supply (General) Regulation 1996*.

The Regulation contains the following provisions:

(a) provisions setting out conditions of endorsement of standard retail suppliers, that is, retail suppliers who are required to provide electricity to small retail customers and other customers located in their supply districts,

(b) provisions prescribing the electricity consumption levels for classification as a small retail customer and conferring rights on small retail customers,

(c) provisions relating to the discontinuance of electricity supply and disconnection of customers from distribution systems,

(d) provisions setting out requirements relating to the establishment of customer consultative groups by distribution network service providers and standard retail suppliers,

(e) provisions setting out requirements for standard form customer contracts between service providers and suppliers and customers and for negotiated customer contracts between service providers and suppliers of small retail customers,

(f) provisions prescribing additional decisions for which review may be sought by small retail customers and setting out procedures for reviews of decisions by licence holders,

(g) provisions prescribing matters for the purposes of the operation of electricity industry ombudsman's schemes and the exercise of functions by the approved electricity industry ombudsman,

(h) provisions detailing arrangements relating to electricity suppliers that are licensed to provide electricity in the event of a default by another supplier, including provisions setting out the terms and conditions that are to apply in respect of customers who are subject to the arrangements,

(i) provisions relating to exemptions from provisions of the Act,

(j) provisions relating to social programs for energy,

(k) provisions containing a scheme for accreditation for contestable services to be provided in relation to connection services and appeals relating to applications for accreditation,

(l) provisions relating to the preservation of trees,

(m) other miscellaneous provisions, including savings and transitional provisions consequential on the commencement of the *Electricity Supply Amendment Act 2000*.

The proposed regulation also repeals the *Electricity Supply (General) Regulation 1996*.

This Regulation is made under the *Electricity Supply Act 1995*, including sections 15, 20, 21, 22, 31, 33A, 34, 38, 38A, 39, 40, 42, 63C, 90, 91, 92, 96, 96A, 96B and 106 (the general regulation-making power) and clause 1 of Schedule 6.

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Electricity Supply (General) Regulation 2001

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Electricity Supply (General) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Definitions

In this Regulation:

accreditation scheme means:

(a) a scheme prepared by a service provider in accordance with Division 3 of Part 10, or

(b) a Ministerially recognised accreditation scheme.

accrediting agency means:

(a) a service provider, or

(b) a Ministerially recognised accrediting agency.

contestable service means:

(a) any service provided for the purpose of complying with Division 4 of Part 3 of the Act, and

(b) any service comprising work relating to an extension of a service provider's distribution system or an increase in the capacity of a service provider's distribution system.

electricity industry ombudsman means the electricity industry ombudsman appointed under an approved electricity industry ombudsman scheme.

electricity marketer has the same meaning as in Part 5B of the Act.

energy services corporation has the same meaning as it has in the *Energy Services Corporations Act 1995*.

exempt last resort arrangement means an electricity supply arrangement exempted from the operation of section 98 of the Act under clause 68 (2) (f).

guaranteed customer service standard means a service standard set out in Part 2 of Schedule 2 or Part 2 of Schedule 3 or, if the standard is varied as referred to in clause 44, the standard as so varied.

last resort supply arrangements means the electricity supply arrangements applicable under the plan required to be prepared and maintained by a retailer of last resort under clause 58.

licence holder:

(a) for the purposes of a customer connection contract, means the service provider, and

(b) for the purposes of a customer supply contract, means the supplier.

market operations rule means a rule approved under section 63C of the Act.

Ministerially recognised accreditation scheme means a scheme recognised by the Minister under clause 88.

Ministerially recognised accrediting agency means an accrediting agency recognised by the Minister under clause 88.

National Metering Identifier means the National Metering Identifier issued at (or in relation to) a metering installation and registered with NEMMCO in accordance with the *National Electricity Code*.

NECA means the National Electricity Code Administrator Limited A.C.N. 073 942 775.

negotiated customer contract means a negotiated customer connection contract or a negotiated customer supply contract.

NEMMCO means the National Electricity Market Management Company Limited A.C.N. 072 010 327.

new connection service means a connection service that is to be provided under a customer connection contract in respect of the following premises owned or occupied by a small retail customer:

(a) premises that have never been connected to a distribution system,

(b) premises that have been previously connected to a distribution system but have no current connection to a distribution system because of action taken other than at a customer's request.

new occupant supply arrangement means an electricity supply arrangement exempted from the operation of section 98 of the Act under clause 68 (2) (e).

recognised code or ***recognised document***, means a code or document approved in writing by the Director-General of the Ministry of Energy and Utilities, notice of which has been given in a newspaper circulating throughout the State.

residential premises means:

(a) any premises or part of premises (including any land occupied with the premises) used or intended to be used as a place of residence, and

(b) includes a moveable dwelling (within the meaning of the *Local Government Act 1993)* or site on which a moveable dwelling is situated or intended to be situated (or both the moveable dwelling and the site), if the moveable dwelling is used or intended to be used as a place of residence.

retailer of last resort means a supplier to whose supplier's licence is attached a retailer of last resort's endorsement.

retailer of last resort's endorsement means an endorsement of a kind referred to in clause 57.

service provider means a distribution network service provider.

social program for energy means a program to ensure that energy services (including connection services and electricity supply) are available to those who are in need, including those who suffer financial hardship and those who live in remote areas, and includes:

(a) any program for electricity bills payment assistance, and

(b) any program for rebates to eligible pensioners, and

(c) any program for rebates with respect to electricity used for life support systems.

standard form customer contract means a standard form customer connection contract or a standard form customer supply contract.

supplier means a retail supplier.

the Act means the *Electricity Supply Act 1995*.

4 Notes

The explanatory note, table of contents and notes in this Regulation do not form part of the Regulation.

Part 2 Standard retail suppliers

5 Endorsement conditions

For the purposes of section 33A (2) (c) of the Act, it is a condition of a standard retail supplier's endorsement that the supplier:

(a) must give the Tribunal at least 30 days' notice in writing of any new regulated retail tariff or regulated retail charges before the tariff or charges take effect, and

(b) must provide to the Tribunal such information as the Minister determines for the purpose of demonstrating that the new tariffs and charges are in accordance with the relevant determination of the Tribunal under Division 5 of Part 4 of the Act, and

(c) must only accept elections under section 34 (2) of the Act if they are in accordance with clause 12.

6 Endorsement conditions relating to payment plans

(1) For the purposes of section 33A (2) (c) of the Act, it is a condition of a standard retail supplier's endorsement that the supplier operate a payment plan:

(a) applying to small retail customers who own or occupy residential premises and who are, in the supplier's opinion, experiencing financial difficulties, and

(b) that complies with subclause (2) and is approved by the Minister.

(2) The payment plan must:

(a) enable customers to make payments by instalments, in advance or arrears, and

(b) provide for the customer to be informed of the following matters:

(i) the period, or periods, of the payment plan,

(ii) the amount of each instalment and the frequency of instalments,

(iii) if the customer is in arrears, the number of instalments to pay the arrears,

(iv) if the customer is to pay in advance, the basis on which instalments are calculated, and

(c) provide for instalments to be calculated having regard to a customer's consumption needs and capacity to pay, and

(d) provide procedures that are fair and reasonable for dealing with payment difficulties faced by a customer who is obtaining the benefit of the scheme.

Part 3 Customers and customer rights

Division 1 Small retail customers

7 Small retail customers

(1) For the purposes of section 92 of the Act, the prescribed rate is a rate of 160 MWh per year.

(2) The following provisions apply for the purpose of estimating or measuring the consumption or expected consumption of electricity so as to determine whether or not a customer is a small retail customer:

(a) consumption is to be measured or estimated in respect of all premises that are owned or occupied in this State by the customer and that are covered by the same customer supply contract,

(b) consumption in the immediately preceding period of 12 months is to be measured (if applicable) by having regard to electricity consumption recorded in bills rendered during the relevant period or meter readings during the period.

(3) A supplier must determine the rate of consumption or expected consumption of electricity of a customer of the supplier for the purpose of determining whether or not the customer is a small retail customer at the following times:

(a) at the commencement of a customer supply contract,

(b) if the terms and conditions of a negotiated customer supply contract relating to the customer are renegotiated and agreed to by the customer,

(c) at intervals of not less than 12 months during the term of a standard form customer supply contract,

(d) at any time that the supplier becomes aware that a customer may consume electricity at premises at a rate of less than 160 MWh per year, unless otherwise provided by the customer supply contract.

(4) It is a condition of a supplier's licence that a supplier comply with this clause.

8 Changes to customer connection contracts on change to small retail customer

(1) If a customer who is not a small retail customer and who is subject to a negotiated customer connection contract is classified during the term of the contract as a small retail customer, the service provider must ensure, not later than 90 days after the service provider becomes aware of the reclassification, that the contract is amended or replaced so as to comply with the requirements under the Act and this Regulation for negotiated customer connection contracts with small retail customers.

(2) It is a condition of a service provider's licence that the service provider comply with this clause.

9 Initial classification of small retail customers

(1) It is a condition of the licence of a service provider holding a licence on the commencement of this Regulation that, as soon as practicable after that commencement, the service provider identify each customer of the service provider who was, on 31 December 2000, a franchise customer within the meaning of the Act.

(2) A customer who is so identified is, for the purposes of the Act and this Regulation, taken to be a small retail customer until otherwise classified in accordance with this Regulation.

10 Market operations rules

Market operations rules may be made for or with respect to the following matters:

(a) the notification of customer classification determinations by service providers and suppliers,

(b) the registration, maintenance and disclosure of customer classification determinations by service providers and suppliers.

11 Notice procedures where small retail customers change supplier or status

(1) This clause applies if any of the following events occur:

(a) if a supplier becomes aware that a person who is or may be a small retail customer is being supplied with electricity by the supplier and is not subject to a customer supply contract but is subject to a new occupant supply arrangement,

(b) if a small retail customer notifies a supplier that the customer wishes to discontinue the supply of electricity by the supplier with the effect that the customer supply contract is to end,

(c) if the period of supply of electricity under a negotiated supply contract with a small retail customer is to end,

(d) if a supplier reclassifies a small retail customer taking supply under a standard form customer supply contract as being a customer who is not a small retail customer.

(2) The supplier concerned must give written notice to the person or customer concerned of the following matters:

(a) that, if the person or customer wishes to continue to be supplied with electricity at the premises, the person or customer must arrange supply under a customer supply contract with the supplier or another supplier,

(b) whether or not the person or customer is entitled to elect to take supply from a standard retail supplier under a standard form supply contract and, if the person or customer is so entitled and the supplier is not the relevant standard retail supplier, the name and contact details of that supplier,

(c) any charges that the person or customer may be liable to pay if the person or customer does not arrange supply under a customer supply contract,

(d) the circumstances in which the supplier may arrange for discontinuation of supply and the date on or after which the supply of electricity to the person's or customer's premises may be discontinued.

(3) In the case where the period of supply under a negotiated customer supply contract ends, the notice must be given not later than 21 days before the end of the period of supply under the contract.

(4) In any other case, the notice must be given as soon as practicable after the relevant event occurs.

(5) It is a condition of a supplier's licence that the supplier comply with this clause.

(6) A notice given under this clause may also constitute a notice given for the purposes of a customer supply contract if it complies with any requirements of the contract in relation to such a notice.

12 Election to be supplied under standard form customer supply contract

(1) An election to be supplied with electricity by a standard retail supplier under a standard form customer supply contract is to be made by serving on the standard retail supplier an application:

(a) in the form issued by the standard retail supplier, and

(b) that is signed and dated by the person making the election.

(2) The application form must contain the following particulars:

(a) the name of the customer,

(b) the address of the premises to be supplied with electricity,

(c) the customer's National Metering Identifier,

(d) the date that the customer proposes that supply is to commence,

(e) a statement that supply of electricity is to commence between 10 days and 21 days after the application is served on the supplier, except in the case of a new connection service or where the prospective customer is supplied under a new occupant supply arrangement, in which case the supply of electricity under the contract may commence earlier.

(3) The application form may contain other particulars not inconsistent with this clause.

(4) An application form:

(a) may apply only to one election related to one period of supply, and

(b) must be issued to a prospective customer by a standard retail supplier not later than 24 hours after a request by the prospective customer for a form, and

(c) when issued, must be accompanied by the document required to be provided under clause 13.

13 Information given to applicants for standard form contracts

(1) As soon as practicable after receiving an application from any person who is or may be a small retail customer for the provision of connection services or supply of electricity under a standard form customer contract, a licence holder must furnish the customer with a document:

(a) that sets out the text of any relevant guaranteed customer service standards, and

(b) that indicates that those standards form part of the relevant customer contract, and

(c) that contains a statement of the customer's rights in relation to disputes and resolution of disputes with the licence holder, including particulars of any applicable approved electricity industry ombudsman scheme and the procedures for referring complaints and disputes to the electricity industry ombudsman under that scheme, and

(d) that sets out particulars of any rebate or relief available under any Government funded rebate or relief scheme under which a customer may obtain a rebate or relief from charges, and

(e) that indicates how copies of the licence holder's customer contracts may be obtained.

(2) It is a condition of a licence holder's licence that the licence holder comply with this clause.

Division 2 Disconnection and discontinuance of supply

14 Limitation on right to have premises provided with customer connection services

(1) For the purposes of section 15 (3) of the Act, a service provider is authorised to disconnect premises from, or refuse to connect premises to, a distribution system if the person who owns or occupies the premises:

(a) has failed to provide any security required by the service provider for the payment of any charge (not being a security agreed to be provided to the service provider on behalf of the person by a supplier), or

(b) has failed to pay an amount due to the service provider with respect to the provision of customer connection services (not being an amount agreed to be provided to the service provider on behalf of the person by a supplier), or

(c) has refused or failed to give an authorised officer access to any premises supplied with connection services by the service provider for any of the purposes specified in section 54 of the Act, or

(d) has obstructed the authorised person in relation to any act, matter or thing done or to be done in carrying out those purposes, or

(e) is not a party to a customer supply contract or a party to a new occupant supply arrangement or exempt last resort arrangement.

(2) A service provider must not disconnect premises from its distribution system on a ground referred to in subclause (1) unless the service provider has:

(a) in the case of premises the subject of a standard form customer connection contract or owned or occupied by a small retail customer, complied with the requirements of the customer connection contract with respect to the disconnection of the premises, or

(b) in any other case, given the customer reasonable notice of its intention to disconnect the premises to allow the customer a reasonable opportunity to remedy that ground or to enter a customer supply contract, as the case requires.

(3) For the purposes of section 15 (3) of the Act, a service provider is also authorised to disconnect premises from, or refuse to connect premises to, a distribution system if:

(a) the person who owns or occupies the premises:

(i) is a party to one or more contracts for the supply of electricity, or

(ii) is subject to a new occupant supply arrangement or exempt last resort arrangement, and

(b) in the case of a contract or supply arrangement the existence of which has been notified to the service provider, each supplier responsible for supplying electricity to the customer under any such contract or arrangement:

(i) has requested that the premises be disconnected, and

(ii) has notified the service provider that it has complied with any applicable requirements of this Regulation or the contract or arrangement relating to the giving of notice as to discontinuance of supply of electricity to the premises.

(4) Nothing in this clause affects the right to interrupt continuous supply as agreed in a customer connection contract.

(5) Nothing in this clause affects any right or obligation to disconnect premises, or to refuse to connect premises, arising from the operation of the *Electricity Safety Act 1945*.

15 Limitation on right to have premises supplied with electricity

(1) For the purposes of section 34 (6) of the Act, a standard retail supplier is authorised to refuse to supply premises with electricity, or to discontinue the supply of electricity, if the person who owns or occupies the premises:

(a) has failed to provide the security required by the standard retail supplier for the payment of any charge with respect to the supply of electricity or connection services arranged by the supplier, or

(b) has failed to pay an amount due to the standard retail supplier with respect to the supply of electricity or connection services arranged by the supplier, or

(c) has refused or failed to give an authorised officer access to any premises supplied with electricity by the standard retail supplier in accordance with any right to access provided for in the Act or in the customer supply contract, or

(d) has obstructed the authorised person in relation to any act, matter or thing done or to be done in carrying out any function under the relevant customer supply contract, or

(e) is a small retail customer taking supply under a standard form customer supply contract who is reclassified as not being a small retail customer, or

(f) is a small retail customer taking supply under a negotiated supply contract with the standard retail supplier and the period of supply of electricity under that contract ends.

(2) A standard retail supplier must not discontinue the supply of electricity to premises on a ground referred to in subclause (1) (a)–(d) unless the supplier has:

(a) in the case of premises owned or occupied by a small retail customer, complied with the requirements of the customer supply contract and this Regulation, or

(b) in any other case, given the customer reasonable notice of its intention to discontinue supply to the premises to allow the customer a reasonable opportunity to remedy that ground.

(3) A standard retail supplier must not discontinue the supply of electricity to premises on a ground referred to in subclause (1) (e) or (f) unless the supplier has given the customer notice under clause 11 and a reasonable time to enter into a customer supply contract.

(4) Nothing in this clause affects the right to interrupt continuous supply as agreed in a customer supply contract.

(5) Nothing in this clause affects any right or obligation to refuse to supply, or to discontinue supply, arising from the operation of the *Electricity Safety Act 1945*.

16 Discontinuance of supply under negotiated customer supply contract

It is a condition of a supplier's licence that the supplier must not discontinue the supply of electricity to the premises of a small retail customer under a negotiated customer supply contract unless the supplier has complied with the requirements of the contract.

Division 3 Customer consultation

17 Customer consultative groups

(1) A customer consultative group established by a service provider or standard retail supplier is to be constituted in accordance with a charter approved by the Minister and, if it is so constituted, is not required to comply with section 90 (1) and (2) of the Act.

(2) Any such charter may also provide for other matters relating to the customer consultative group, including the procedure of the group (including meeting intervals), funding of the group and access to information by the group.

(3) It is a condition of a licence of a service provider or standard retail supplier that the licence holder must, within the time required by the Minister:

(a) prepare a charter governing the constitution and procedure of a customer consultative group established by the licence holder, and

(b) submit the charter for approval by the Minister.

18 Limitation on functions of customer consultative groups

For the purposes of section 91 (2) and (3) of the Act, if a standard form customer contract refers to any code or document issued by Standards Australia, or to any recognised code or other recognised document, the customer consultative group does not have the function of advising the licence holder in relation to amendments to that code or document.

Division 4 Charges and bills

19 Obligations of licence holders

It is a condition of a licence holder's licence that the licence holder comply with the applicable provisions of this Division.

20 Obligations where connection services arranged by supplier

A supplier that arranges for the provision of connection services on behalf of a customer must comply with this Division in relation to bills for such services.

21 Variation of charges under a standard form customer contract

(1) A variation in the rates of charges for connection services provided or electricity supplied by a licence holder under a standard form customer contract has no effect, and may not be imposed, unless a notice setting out particulars of the variation is first:

(a) published by the relevant licence holder in a newspaper or newspapers circulating throughout New South Wales or the area in which the variation is to take effect and on the licence holder's internet site, or

(b) in relation to connection services provided or electricity supplied only to a particular customer or group of customers, is served on the customer or group of customers.

(2) The particulars to be set out in any such notice must:

(a) specify the date on or after which the variation is to take effect being a date that is later than the date the notice is published or served, and

(b) include a statement of the new rates or the amount of the variation.

(3) The notice may have general application or may be limited in its application by reference to specified exceptions or factors.

22 Variation of charges under a negotiated customer contract

(1) A variation in the rates of charges for connection services provided or electricity supplied by a licence holder under a negotiated customer contract with a small retail customer has no effect, and may not be imposed, unless a written notice setting out particulars of the variation is served on the customer.

(2) The particulars to be set out in such a notice must:

(a) specify the date on or after which the variation is to take effect being a date that is later than the date the notice is served, and

(b) include a statement of the new rates or the amount of the variation.

23 Variation may not operate retrospectively

A variation in the rates of charges for connection services provided or electricity supplied under a customer contract for which notice is required to be given under this Division operates from the date specified in the relevant notice of the variation and does not operate retrospectively.

24 Contents of bill

(1) This clause applies to the following customer contracts:

(a) standard form customer contracts,

(b) negotiated customer contracts between licence holders and small retail customers.

(2) The information to be included in a bill issued by the licence holder under a customer contract must include the following:

(a) the customer's name and bill number, the address of the customer's premises and any relevant mailing address,

(b) the customer's National Metering Identifier and checksum, prominently displayed,

(c) the dates on which the billing period began and ended,

(d) the total charges to be paid by the customer,

(e) the charges payable for services provided or arranged by the licence holder, separating those charges into charges in respect of electricity related charges (that is, customer connection services and electricity supply services) and charges in respect of other services and goods,

(f) the date by which the bill must be paid,

(g) the amount of any arrears and the due date for payment of the arrears,

(h) the amount of any credit received,

(i) any amount deducted, credited or received under:
(i) any Government funded rebate or relief scheme, or
(ii) any payment plan operated by the licence holder,

(j) the methods by which the bill may be paid,

(k) the name of, and details of the availability of, any Government funded rebate or relief scheme,

(l) contact details for the licence holder's bill and payment enquiries service and a 24 hour contact phone number for faults and difficulties.

(3) The licence holder must include in the bill particulars of the components of charges that are network charges or the amount of any security held by the licence holder, if requested to do so by the customer.

25 Review of bills and related matters

(1) This clause applies to the following customer contracts:

(a) standard form customer supply contracts,

(b) negotiated customer supply contracts between suppliers and small retail customers.

(2) A customer may make a complaint to the supplier about a bill issued by the supplier to the customer or any matter related to the bill or charges charged by the supplier to the customer, including for services arranged by the supplier.

(3) A supplier must consider the complaint and may either determine that the bill or amount is correct or correct the bill or amount.

(4) A review under this clause is taken to be a review under section 96 of the Act and Part 5 of this Regulation does not apply to any such review.

26 Correction where customer undercharged

(1) This clause applies to the following customer contracts:

(a) standard form customer supply contracts,

(b) negotiated customer supply contracts between suppliers and small retail customers.

(2) If on a review of a complaint, or at any other time, the supplier determines that the customer has been charged less than the amount that should have been charged under the contract, the supplier may recover the amount that should have been charged.

(3) However, the supplier may not recover an amount payable in respect of a period that is more than 12 months before the date on which the supplier notifies the customer of the determination.

(4) The amount to be recovered must be listed separately, and explained, on a bill issued to the customer and interest may not be charged on the amount.

(5) The supplier must give the customer a period of time to pay the amount to be recovered that is at least equal to the period during which the undercharging occurred, if requested to do so by the customer.

27 Correction where customer overcharged

(1) This clause applies to the following customer contracts:

(a) standard form customer supply contracts,

(b) negotiated customer supply contracts between suppliers and small retail customers.

(2) If on a review of a complaint, or at any other time, the supplier determines that the customer has been charged more than the amount that should have been charged under the contract, and the amount overcharged exceeds $25, the supplier must:

(a) inform the customer not later than 10 business days after becoming aware of the overcharging, and

(b) reimburse the amount overcharged to the customer in accordance with the customer's instructions, and

(c) if no instructions are given, credit the amount to the customer in the next bill issued to the customer, and

(d) pay interest on that amount at the rate prescribed under section 95 (1) of the *Supreme Court Act 1970* for payment of interest on a judgment debt.

(3) If the amount overcharged does not exceed $25, the supplier must:

(a) credit the amount to the customer in the next bill issued to the customer, and

(b) credit interest on that amount at the rate prescribed under section 95 (1) of the *Supreme Court Act 1970* for payment of interest on a judgment debt.

28 Provision of information about bills and related matters

(1) This clause applies to the following customer contracts:

(a) standard form customer supply contracts,

(b) negotiated customer supply contracts between suppliers and small retail customers.

(2) The supplier must, if requested to do so by the customer, supply the following information to the customer within a reasonable time of receiving the request:

(a) information about the current status of a customer's bill or account,

(b) information about meter readings and meter registrations connected with a bill.

(3) The supplier must provide the information free of charge but may charge the customer for the reasonable costs of collecting and releasing information that relates to meter registration on a half-hourly basis.

29 Billing period for customer supply contracts with small retail customers

(1) A bill must be issued by a supplier to a small retail customer under a customer supply contract at least once every 3 months.

(2) In the case of a negotiated customer supply contract, a small retail customer and the supplier may agree that a bill may be issued at different intervals.

30 Payment of bills for electricity supply by small retail customers

(1) The date for payment on any bill issued for the first time by a supplier under a customer supply contract with a small retail customer must be not less than 15 business days after the date on which it is sent out to the customer.

(2) A supplier must accept payment by a small retail customer of an amount owing to the supplier by any of the following payment methods:

(a) by cash, cheque or credit card at an office or agent of the supplier,

(b) by post by means of cheque or credit card,

(c) by telephone by credit card,

(d) by direct debit from a cheque, savings or credit card account,

(e) by any other method agreed with the supplier.

(3) The supplier may not impose any charge in connection with, or resulting from, a method of payment used by the customer and listed in subclause (2) (a)–(d).

(4) Despite subclauses (2) and (3), a supplier and a small retail customer may agree under a negotiated customer supply contract as to the method or methods of payment of amounts owing to the supplier and any charges applicable to the method or methods.

(5) If requested by a small retail customer, the supplier must accept payment in advance for the supply of electricity or any other services or other charges under a customer supply contract.

31 Matters related to electricity consumption to be included in bill

(1) The information to be included in a bill issued by the supplier under a standard form customer supply contract must include the following:

(a) the particulars of meter readings for the period,

(b) the estimated or measured quantity of electricity supplied in kilowatt hours,

(c) particulars of any retail tariff codes and rates of charges applicable to the supply of electricity of each category supplied,

(d) particulars of the quantity of electricity of each category supplied during the billing period or estimated to have been supplied during the period,

(e) particulars of the average daily consumption of all electricity supplied during the billing period in respect of that bill (expressed in kilowatt hours),

(f) if a bill was rendered by the same supplier for the corresponding billing period during the previous year, particulars of the average daily consumption during that previous billing period.

(2) The information to be included in a bill issued by a supplier under a negotiated customer supply contract with a small retail customer must include the information set out in subclause (1) (b)–(f) if charges for the supply of electricity under the contract are based on the customer's electricity consumption.

32 How payments to be applied

If a licence holder supplies other goods or services in addition to the provision of connection services or the supply of electricity to a small retail customer under a customer contract, the licence holder must apply any payments received from the customer firstly towards payment of electricity related charges (that is, customer connection services and electricity supply services), unless otherwise directed by the customer.

33 Provision of historical billing information

(1) A supplier must, if requested to do so by a small retail customer or former small retail customer, give to the customer copies of, or information about, previous bills issued by the supplier to the customer within a reasonable time of receiving the request.

(2) The supplier must provide the copies free of charge but may charge the small retail customer for the reasonable costs of obtaining and supplying copies of a bill if:

(a) the billing period occurred more than 2 years before the request, or

(b) copies or information has been provided under this clause within the previous 12 months.

(3) The supplier may provide copies of bills, or billing information, to a person other than the small retail customer, only if the customer consents in writing to the provision of the bills or billing information to the other person.

(4) For the avoidance of doubt, this clause does not prevent a supplier from providing consumption information for the purposes of customer registration, customer transfer and wholesale settlement of payments in the national electricity market or for any other purpose that the supplier is legally required to do so.

34 Meter testing

(1) If a supplier determines that a bill or amount is correct on a review of a bill requested by a small retail customer, the customer has a right to request that the meter be tested in accordance with any applicable laws, market operations rules, codes or standards.

(2) The supplier may request that the small retail customer pay in advance the reasonable cost of testing the meter. The supplier is not required to test the meter if the small retail customer refuses to pay the amount in advance.

(3) If the meter is found to be inaccurate the supplier must refund any amount paid in advance and the customer is not liable to pay the cost of testing if the meter is found to be inaccurate.

35 Calculation of charges if increase in rates of charges occurs

(1) If a bill is issued for a billing period under a customer supply contract with a small retail customer in which there is an increase in the rates of charges for electricity supplied, the charge for electricity supplied during the period is to be calculated using the following methodology, or an equivalent methodology:

(a) the electricity supplied for the whole period is to be charged for at the rate applicable at the end of the period, and

(b) for each variation that occurred during that period, an adjustment component (calculated for that part of the period occurring prior to the variation) is to be deducted from the charge so calculated.

(2) For this purpose, the adjustment component is to be calculated in accordance with the following formula:

$$A = \frac{d\ (N - C)}{n}$$

where:

A is the adjustment component.

d is the number of days in the billing period during which electricity was supplied:

(i) in the case of the first or only variation, before the variation took effect, or

(ii) in the case of a second or subsequent variation, after the previous variation took effect and before the second or subsequent variation took effect.

n is the number of days in the billing period during which electricity was supplied.

N is the amount of the charge for the whole of the billing period, calculated at the rate applicable at the end of the period.

C is the amount of the charge for the whole of the billing period, calculated:

(i) in the case of the first or only variation, at the rate applicable immediately before the variation took effect, or

(ii) in the case of a second or subsequent variation, at the rate applicable immediately before the second or subsequent variation took effect.

(3) This clause does not apply to a bill issued under a negotiated customer supply contract if charges for the supply of electricity under the contract are not based on the customer's electricity consumption.

36 Estimation of electricity supplied

(1) If a supplier under a customer supply contract with a small retail customer finds:

(a) that metering equipment has ceased to register or has ceased to register correctly the quantity of or demand for electricity supplied, or

(b) that electricity has been supplied without passing through metering equipment,

the supplier must estimate the quantity of or demand for electricity supplied for any period of up to 6 months before the finding was made.

(2) If electricity is supplied under any such contract during a period, or part of a period, for which there is no meter reading, the supplier must estimate the quantity of or demand for electricity supplied for the period or part of the period.

(3) A small retail customer is liable to pay for, or is entitled to be paid a rebate for, the electricity estimated under this clause.

(4) The metering equipment is to be regarded as not registering correctly if (and only if) its error in registration is greater than 2%, either in excess or deficiency.

(5) The estimated bill is to be based on the small retail customer's historical meter data or, if the supplier does not have that data, the average daily consumption for the same class of customer supplied by the supplier, calculated for the period covered by the bill.

(6) Interest is not payable in a case involving the supply of electricity where overcharging is discovered by the supplier when reconciling charges made on the basis of estimation under this clause with actual electricity consumption.

(7) This clause does not apply to a negotiated customer supply contract if charges for the supply of electricity under the contract are not based on the customer's electricity consumption.

37 No access to meter

(1) If a supplier under a customer supply contract with a small retail customer, or a person on behalf of the supplier, is unable to obtain access to metering equipment for the purpose of determining the quantity of electricity supplied, the supplier must ask the customer to elect:

(a) to pay an amount estimated in accordance with this Division and to have that amount reconciled in the next bill, or

(b) to pay an amount based on a determination by the supplier after obtaining access to the metering equipment.

(2) Nothing in this clause prevents the supplier and the customer from agreeing that the customer is to pay an amount based on information provided by the customer as to the amount registered by the meter in respect of that period.

(3) This clause does not apply to a negotiated customer supply contract if charges for the supply of electricity under the contract are not based on the customer's electricity consumption.

Part 4 Customer contracts

Division 1 Requirements for customer contracts

38 Effect of Part

This Part does not limit any other provision (not inconsistent with the Act or this Regulation) that may be contained in a customer contract or prevent the inclusion in a contract of any other matter that may be included in a contract under the Act.

39 Notice of standard form customer contracts and amendments

(1) For the purposes of sections 21 (2) (b) and 39 (5) (b) of the Act, a notice of the terms of a standard form customer contract published in a newspaper must include the following particulars:

(a) that the standard form customer contract is a new contract,

(b) whether the standard form customer contract applies to new customers only, or whether it applies to existing customers,

(c) a summary of the scope, intent and general effect of the standard form customer contract,

(d) a summary of any relevant guaranteed customer service standards.

(2) For the purposes of sections 21 (2) (b), 22, 39 (5) (b) and 42 of the Act, a notice of the terms of an amendment to a standard form customer contract published in a newspaper must include the following particulars:

(a) a description of the existing standard form customer contract to which the amendment relates,

(b) whether the amendment applies to new customers only, or whether it applies to existing customers under the relevant standard form customer contract,

(c) a summary of the scope, intent and general effect of the amendment,

(d) if the amendment gives effect to a variation of the guaranteed customer service standards, a summary of those standards, as varied.

(3) For the purposes of section 21 (1), 22, 39 (5) and 42 of the Act, an amendment to a standard form customer contract that arises from an amendment to a document referred to in that contract that is issued by Standards Australia, or is a recognised document, and that is expressed to be in force from time to time, takes effect on the date on which the amendment to the document is published by Standards Australia, or by the Director-General of the Ministry of Energy and Utilities, or on such other date as that amendment is expressed to commence at the time of publication.

40 Requirements for customer contracts

(1) This clause is made under, and for the purposes of, sections 20 (1) (a), (b), (c) and (g), 38A (4) and (5), 40 (1) (a), (b), (c), (g) and (h) and 106 (1) (c) and (c2) of the Act.

(2) The following contracts must comply with the requirements of Schedule 1:

(a) standard form customer contracts,

(b) negotiated customer contracts between a licence holder and a small retail customer.

(3) In addition to the matters referred to in subclause (2), customer supply contracts between a supplier and a small retail customer must comply with the applicable requirements of Schedule 2.

(4) In addition to the matters referred to in subclause (2), the following contracts must comply with the applicable requirements of Schedule 3:

(a) standard form customer connection contracts,

(b) negotiated customer connection contracts between a service provider and a small retail customer.

(5) Variations of a minor nature may be made to the requirements set out in Schedule 1, 2 or 3 where necessary to enable the provisions to be more readily understood within the context of the contract, without affecting the substance of the provisions.

41 Additional matters relating to guaranteed customer service standards

(1) The guaranteed customer service standards:

(a) are to be set out in a section of the relevant contract under the heading "Guaranteed Customer Service Standards" and are required to be in or to the effect of the form of the requirements set out in Part 2 of Schedule 2 and Part 2 of Schedule 3, and

(b) are to include a statement to the effect that they comply with the requirements imposed under the Act with respect to customer service.

(2) If the guaranteed customer service standards applicable under the contract are varied under Division 2, the provisions of Part 2 of Schedule 2 and Part 2 of Schedule 3 are taken to be varied in accordance with any variation of those standards under that Division.

42 Information to be provided to small retail customers about contracts

(1) It is a condition of a licence holder's licence that, as soon as practicable after receiving a request by or on behalf of a small retail customer to do so, the licence holder must provide the customer with the following documents:

(a) a copy of the contract and any documents incorporated by reference in the contract,

(b) a copy of any document referred to in the contract that is not incorporated in the contract,

(c) a copy of the Act and this Regulation.

(2) It is a condition of a licence that a licence holder who enters a negotiated customer contract with a small retail customer must provide the customer with a copy of the contract at the time that the contract is entered into.

(3) It is a condition of a licence of a supplier that, if the supplier arranges connection services on behalf of a small retail customer, the supplier must, as soon as practicable after receiving a request by or on behalf of the customer to do so, provide the customer with the following documents:

(a) a copy of the relevant customer connection contract and any documents incorporated by reference in the contract,

(b) a copy of any document referred to in the contract that is not incorporated in the contract.

(4) The licence holder must provide the first copy of any contract and the documents incorporated in the contract free of charge but may charge a reasonable fee for providing the documents referred to in the contract and not incorporated in the contract and any subsequent copies of any documents provided under this clause.

(5) It is a condition of a licence of a service provider or a standard retail supplier that the licence holder make the documents referred to in subclause (1) available through the internet.

43 Contract documents to be available at licence holder's office

It is a condition of a licence holder's licence that the licence holder make the following documents available for inspection, free of charge, at its offices during office hours:

(a) if the licence holder is a standard retail supplier, copies of its standard form customer supply contracts and the document referred to in clause 13,

(b) if the licence holder is a supplier, copies of any standard form customer connection contracts used by service providers providing connection services to customers of the supplier,

(c) if the licence holder is a service provider, copies of its standard form customer connection contracts,

(d) a copy of any document incorporated by reference in a contract referred to in this clause and any document referred to in any such contract that is not incorporated in the contract.

Division 2 Variation of guaranteed customer service standards

44 Variation of guaranteed customer service standards

(1) At the request of a licence holder, the Minister may, subject to this Division, vary the guaranteed customer service standards:

(a) in relation to all customer contracts issued by the licence holder to which the standards apply, or

(b) in relation to a specified class of customer contracts issued by the licence holder to which the standards apply, or

(c) in relation to all customer contracts issued by the licence holder to which the standards apply other than a specified class of customer contract issued by the licence holder.

(2) If a guaranteed customer service standard is varied, the customer contracts concerned must be amended so as to accord with the variation.

(3) Within 3 months after it amends the customer contracts concerned so as to accord with a variation under this clause, a licence holder must cause notice of the text of those standards, as varied, to be given to each customer.

45 Notice of request to vary guaranteed customer service standards

(1) Before making a request to the Minister for the variation of any guaranteed customer service standard, the licence holder:

(a) must seek directions from the Minister as to which persons or organisations it should consult with in connection with the proposed request, and

(b) must consult with:
(i) the persons and organisations identified in the directions referred to in paragraph (a), and
(ii) any relevant customer consultative group, and
(iii) if the matter is one covered by an approved electricity industry ombudsman scheme, the electricity industry ombudsman, and

(c) must cause notice of its proposed request to be published in at least one daily newspaper circulating generally in the area in which its customer's premises are situated, and

(d) must conduct a public meeting, no earlier than 2 weeks after the date of publication of the notice referred to in paragraph (c), for the purpose of:
(i) informing members of the public of the proposed request, and
(ii) allowing members of the public to express their views in connection with the proposed request, and

(e) must allow at least 2 weeks from the date of the public meeting for members of the public to make written submissions to the licence holder in connection with the proposed request.

(2) The notice referred to in subclause (1) (c):

(a) must state that the licence holder proposes to request that the guaranteed customer service standard concerned be varied, and

(b) must contain particulars of the proposed variation, and

(c) must state that a public meeting will be held, at a date, time and place to be specified in the notice, for the purpose of:

(i) informing members of the public of the proposed request, and

(ii) allowing members of the public to express their views in connection with the proposed request, and

(d) must state that members of the public are invited to submit written submissions to the licence holder in connection with the proposed request, and

(e) must indicate the address to which, and the date by which, any such submissions should be delivered to the licence holder.

(3) When making the request, the licence holder must furnish the Minister with:

(a) evidence that the requirements of this clause have been complied with, and

(b) an assessment of the effect on its customers of the proposed variation of the guaranteed customer service standard (including, in particular, the financial effect of the proposed variation) assuming that the request is approved, and

(c) any submissions received by the licence holder as a result of the action taken by it under this clause, and

(d) an assessment of all such submissions, and

(e) evidence that the guaranteed customer service standards that will be applicable to the licence holder if the request is granted will be comparable with the minimum standards applicable to:

(i) similar organisations in other fully competitive electricity organisations, or

(ii) in the absence of other fully competitive electricity organisations, other public utility industries generally.

Part 5 Review of decisions

46 Decisions for which review may be sought by small retail customer

For the purposes of section 96 (1) of the Act, a small retail customer may apply to a supplier for a review in relation to a matter arising out of the conduct of a supplier acting in the capacity of an electricity marketer or of an agent of the supplier who is an electricity marketer.

47 Application for review

(1) An application by a small retail customer for a review of a decision of a licence holder for which a review may be sought under section 96 of the Act must be made in accordance with this clause.

(2) The application:

(a) must be in writing, and

(b) must be served on the licence holder not later than 28 days after the person receives written notice of the decision, and

(c) must state the reasons why the small retail customer is seeking the review.

48 Review of decisions by licence holder

(1) On receiving an application by a small retail customer for a review of a decision for which a review may be sought under section 96 of the Act, the licence holder must review its decision and make a determination under this clause.

(2) After reviewing its decision, the licence holder:

(a) may determine that the decision is to stand, or

(b) may vary or revoke the decision.

(3) As soon as practicable after it makes its decision, the licence holder must give written notice to the small retail customer:

(a) of its determination, together with its reasons for the determination, and

(b) if the determination is to vary the decision, of the manner in which the decision is to be varied, and

(c) of the rights available to the customer under the Act and this Regulation.

(4) A licence holder that fails to give such a notice within 14 days after the application is made is taken to have determined:

(a) that its decision is to stand (in the case of a complaint against a decision),

(b) that no action is to be taken (in the case of any other complaint).

49 Manner of handling application

In dealing with an application for a review of a decision under this Part, the licence holder must comply with Australian Standard AS 4269-1995 titled "Complaints handling".

Part 6 Electricity industry ombudsman schemes

50 Persons who may apply to electricity industry ombudsman

(1) For the purposes of section 96A (1) of the Act, the following persons may apply to an electricity industry ombudsman under an approved electricity industry ombudsman scheme for a review of a decision:

(a) a person who is classified by a licence holder as being or not being a small retail customer, in respect of that decision,

(b) a tenant of residential premises who is supplied with electricity by a landlord as referred to in section 72 (3) of the Act, in respect of a decision of the landlord relating to the supply of electricity or the provision of connection services,

(c) a person to whom connection services are provided, or electricity is supplied, under an arrangement exempted from a provision of the Act under clause 66 or 68 (other than clause 68 (2) (e) or (f)) and who occupies residential premises and whose electricity consumption is measured by a separate meter, in respect of any dispute or complaint under the electricity supply arrangement concerned,

(d) a person who is or may be a small retail customer who is subject to a new occupant supply arrangement or an exempt last resort arrangement, in respect of any dispute or complaint under the electricity supply arrangement concerned,

(e) a person who is or was a small retail customer in respect of a decision of the supplier under a previous customer supply contract between the customer and the supplier, if that matter arose not more than 12 months before the application was made,

(f) a person who is or was a small retail customer in respect of a decision of the service provider under a previous customer connection contract between the customer and the service provider, if that matter arose not more than 12 months before the application was made.

(2) For the purposes of section 96A (3) of the Act, a review of a decision on an application made by a person referred to in subclause (1) is to be free of charge to the person.

51 Additional matters that may be covered by electricity industry ombudsman schemes

For the purposes of section 96B (1) (c) of the Act, an electricity industry ombudsman scheme may deal with a dispute or complaint about a decision for which review may be sought under clause 46 or 50.

52 Objectives of electricity industry ombudsman schemes

For the purposes of section 96B (2) (d) of the Act, the persons who may seek a review referred to in clause 46 or 50 are prescribed as customers to whom the electricity industry ombudsman is to be accessible.

53 Reports by electricity industry ombudsman

(1) The electricity industry ombudsman:

(a) must cause copies of all public reports issued by the electricity industry ombudsman to be given to the Minister, and

(b) must cause notice to be given to the Minister of changes in the policies and procedures to be adopted in connection with the relevant approved electricity industry ombudsman scheme.

(2) Without limiting subclause (1), the Minister may from time to time require the electricity industry ombudsman appointed under an approved electricity industry ombudsman scheme to provide the Minister with reports on the operation of the scheme, including:

(a) particulars as to the extent to which the scheme is meeting the objectives referred to in section 96B of the Act, and

(b) particulars as to the extent to which the scheme has met relevant best practice benchmarks, and

(c) particulars as to the extent to which licence holders or specified licence holders and other persons bound by the scheme have complied with their obligations under the scheme.

54 Offences

(1) An electricity marketer must not fail to comply with a decision of an electricity industry ombudsman under an approved electricity industry ombudsman scheme as to a dispute between the marketer and a small retail customer.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

(2) A landlord (as referred to in section 72 of the Act) must not fail to comply with a decision of an electricity industry ombudsman under an approved electricity industry ombudsman scheme as to a dispute between the landlord and a tenant who is entitled under this Regulation to apply to the ombudsman in relation to that dispute.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

(3) A person who is exempted from a provision of the Act under clause 66 or 68 must not fail to comply with a decision of an electricity industry ombudsman under an approved electricity industry ombudsman scheme as to a dispute between the exempted person and a person who is entitled under this Regulation to apply to the ombudsman in relation to that dispute.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

55 Existing approved electricity industry ombudsman schemes

(1) The approved electricity industry ombudsman scheme that was in force immediately before 1 January 2001 is taken to be a scheme approved under section 96B of the Act, as inserted by the *Electricity Supply Amendment Act 2000*.

(2) The scheme referred to in subclause (1) may deal with any disputes referred to in section 96B (1) of the Act as so amended.

(3) This clause ceases to have effect 3 months after the commencement of this Regulation.

Part 7 Retailers of last resort

Division 1 Preliminary

56 Definitions

In this Part:

transferred customer means a customer who is being supplied with electricity by, and who is or is to be transferred to, a retailer of last resort under this Part.

last resort supply event means an event referred to in clause 59.

Division 2 Endorsements of retailers of last resort

57 Conditions of endorsement as retailer of last resort

For the purposes of section 33A (3) of the Act, a retailer of last resort's endorsement consists of:

(a) a condition that designates the holder of the licence as a retailer of last resort in respect of any one or more of the following:
  (i) a supply district or part of a supply district as referred to in section 33C of the Act, or any other area specified by the Minister in the licence,
  (ii) a category of customer,
  (iii) the customers or specified customers of one or more retail suppliers, and

(b) a condition that the retailer must comply with the obligations of a retailer of last resort set out in this Part and any applicable market operations rules, and

(c) a condition that the endorsement has effect for a period of 2 years or such other period as the Minister specifies, and

(d) a condition that any last resort supply fee charged to the customer by the retailer be calculated in the manner approved by the Minister, and

(e) a condition that, in relation to customers other than small customers, the retailer must from time to time, or at any time or interval required by the Minister, publish charges applicable to customers subject to last resort supply arrangements in a newspaper circulating generally in this State.

58 Last resort supply arrangements

(1) A retailer of last resort must prepare and maintain a plan setting out the arrangements to be implemented by it in the event that it is required to supply electricity in its capacity as a retailer of last resort.

(2) The plan must provide for the following matters:

(a) the arrangements that are to apply to small retail customers subject to standard form customer supply contracts, small retail customers subject to negotiated supply contracts and other customers,

(b) the maintenance of the capacity to implement last resort supply arrangements,

(c) the charges for the supply of electricity, and any additional charges permitted under this Regulation, for customers subject to last resort supply arrangements, and the manner in which the charges are to be calculated,

(d) provision for the notification to customers subject to last resort supply arrangements of their right to obtain supply from another retail supplier,

(e) provision of information to customers subject to last resort supply arrangements about the terms and conditions that are to apply to the supply of electricity under the arrangements,

(f) the implementation of last resort supply arrangements,

(g) any other matters required by the Minister.

(3) The plan must be approved by the Minister and comply with any applicable provisions of this Regulation and the market operations rules.

Division 3 Operation of last resort supply

59 Commencement of last resort supply arrangements

(1) A retailer of last resort's obligations under its endorsement with respect to the implementation of last resort supply arrangements for customers for whom it is a retailer of last resort take effect if a last resort supply event occurs with respect to the supplier of those customers.

(2) The following events are last resort supply events:

(a) if a suspension notice is issued by NEMMCO to a supplier under the *National Electricity Code*,

(b) if a supplier's licence is cancelled and written notice of the cancellation is given to the supplier.

(3) On a last resort supply event occurring, the retailer of last resort must ensure that the customers for whom it is a retailer of last resort are transferred as customers of the retailer, if the transfer does not occur by any other means. A transfer must comply with the retailer's last resort supply arrangements, the Act, this Regulation and any applicable market operations rules.

(4) On a last resort supply event occurring, the retailer of last resort must implement the last resort supply arrangements applicable to the customers subject to the arrangements.

60 Last resort supply notice

(1) If a last resort supply event occurs, the Minister must publish a notice in the Gazette that last resort supply arrangements have come into force and setting out particulars of the affected suppliers and customers, including particulars of the categories of customers affected.

(2) If a last resort supply event occurs, the Minister must give notice of the matters referred to in subclause (1) to all suppliers, service providers, NEMMCO and NECA.

61 Notice to customers

(1) A retailer of last resort must, as soon as practicable after the commencement of its obligation to provide last resort supply arrangements, give written notice to each customer who is subject to those arrangements of the following matters:

(a) the commencement of last resort supply arrangements,

(b) the terms and conditions on which electricity is to be supplied,

(c) that the customer may arrange supply under a customer supply contract with the retailer of last resort or another supplier,

(d) whether or not the customer is entitled to elect to take supply from a standard retail supplier under a standard form supply contract and, if the customer is so entitled and the supplier is not the relevant standard retail supplier, the name and contact details of that supplier,

(e) the date on or after which the retailer of last resort may discontinue supply to the premises of the customer,

(f) any charges that the customer may be liable to pay if the customer does not enter into a customer supply contract.

(2) A retailer of last resort must, as soon as practicable after the commencement of its obligation to provide last resort supply arrangements, cause to be published in a newspaper circulating generally in this State a notice containing the following matters:

(a) a statement that last resort supply arrangements have come into force for customers or classes of customers specified in the notice,

(b) contact details for the retailer of last resort.

62 Terms and conditions applying to small retail customers

(1) A retailer of last resort, who is also a standard retail supplier, must supply a transferred customer who is a small retail customer whose premises are located in the supplier's supply district with electricity under the standard form supply contract.

(2) A retailer of last resort, who is also a standard retail supplier, must supply a transferred customer who is a small retail customer whose premises are not located in the supplier's supply district with electricity under the standard form supply contract that is applicable to the supply district in which the premises are located.

(3) A retailer of last resort who is not a standard retail supplier must supply a transferred customer who is a small retail customer with electricity on the same terms and conditions as apply to small retail customers under the standard form supply contract that is applicable to the supply district in which the customer's premises are located.

(4) A small retail customer transferred to a retailer of last resort is taken:

(a) to have elected to be transferred under an electricity supply arrangement on the terms and conditions set out in this clause, and

(b) if the retailer of last resort is a standard retail supplier, to have made an election under section 34 (8) of the Act, in accordance with this Regulation, being an election that took effect on the transfer date.

(5) A retailer of last resort may require a transferred customer to pay a last resort supply fee not exceeding $50.

Note. Under section 33B (4) of the Act, the Minister may vary the supply district of a standard retail supplier.

63 Terms and conditions applying to non-small retail customers

(1) A retailer of last resort and a transferred customer who is not a small retail customer may agree as to the terms and conditions of the supply of electricity under the last resort supply arrangements.

(2) If there is no such agreement, the retailer of last resort must supply electricity to the premises of a transferred customer who is not a small retail customer at a price that does not exceed:

(a) the total of the pool price plus a margin of 10 per cent or $20 per MWh of electricity (whichever is the lesser) and any additional charges specified in the last resort supply arrangement, or

(b) the published charges for the supply of electricity to customers other than small retail customers at the date that the last resort supply arrangements come into effect,

whichever is the greater.

(3) A retailer of last resort may not include in charges for the supply of electricity to a transferred customer any additional charges other than network charges, costs of network losses, NEMMCO charges and charges relating to metering services.

(4) In this clause:

pool price means the published price at which electricity is bought and sold through the wholesale trading market established under the *National Electricity (NSW) Law*.

published charges means the charges published in a newspaper circulating generally in this State.

64 Commencement of discontinuance procedures by retailer of last resort

(1) A retailer of last resort is authorised to discontinue the supply of electricity under an exempt last resort arrangement only if a period of three months has elapsed since the commencement of the last resort supply arrangements or if the person who owns or occupies the premises:

(a) has failed to provide any security required by the retailer for the payment of any charge, or

(b) has failed to pay an amount due to the retailer with respect to the supply of electricity or connection services arranged by the retailer, or

(c) has refused or failed to give an authorised officer access to any premises supplied with electricity by the retailer in accordance with any right to access provided for in the Act or this Regulation, or

(d) has obstructed the authorised person in relation to any act, matter or thing done or to be done in carrying out any function under the Act or this Regulation.

(2) A retailer of last resort must not discontinue the supply of electricity to premises on a ground referred to in subclause (1) (a)–(d) unless the retailer has:

(a) in the case of premises owned or occupied by a small retail customer, complied with the requirements of the terms and conditions applicable to the supply of electricity under the last resort supply arrangements and this Regulation, or

(b) in any other case, given the person reasonable notice of its intention to discontinue supply to the premises to allow the customer a reasonable opportunity to remedy that ground.

(3) A retailer of last resort must not discontinue the supply of electricity to premises on the ground that a period of three months has elapsed since the commencement of the last resort supply arrangements unless the retailer has given the customer reasonable notice of its intention to discontinue supply to the premises to allow the customer a reasonable opportunity to enter into a customer supply contract.

(4) Nothing in this clause affects the right to interrupt continuous supply as agreed in a customer supply contract.

(5) Nothing in this clause affects any right or obligation to refuse to supply, or to discontinue supply, arising from the operation of the *Electricity Safety Act 1945*.

65 Market operations rules

Market operations rules may be made for or with respect to the following matters:

(a) disclosure of information about customers transferred from a supplier to a retailer of last resort by the supplier whose customers are transferred,

(b) implementation of last resort supply arrangements or preparation of proposed last resort supply arrangements by a supplier in the capacity of a retailer of last resort,

(c) the rights and obligations of licence holders with respect to other licence holders as to matters relating to or arising out of last resort supply arrangements,

(d) obligations with respect to the provision of metering services when last resort supply arrangements take effect.

Part 8 Exemptions relating to service providers and supply arrangements

66 Exemptions from sec 13

(1) The object of this clause is to exempt certain persons from a provision of the Act that prohibits the operation of distribution systems for retail trading in electricity otherwise than by licensed service providers.

(2) Any person who owns or controls a distribution system (other than TransGrid or a service provider listed in Schedule 3 to the Act) is exempt from the operation of section 13 of the Act.

Note. Clause 69 exempts the Lord Howe Island Board from the operation of section 13 of the Act.

67 Exemptions from sec 16

(1) The object of this clause is to exempt certain matters from a provision of the Act that prohibits the operation of distribution systems for retail trading in electricity otherwise than for licensed suppliers.

(2) The operation of a distribution system by a licensed service provider, for the purpose only of conveying electricity in accordance with an electricity supply arrangement for which an exemption under clause 68 is in force, is exempt from the operation of section 16 of the Act.

68 Exemptions from sec 98

(1) The object of this clause is to exempt certain electricity supply arrangements from a provision of the Act that renders an electricity supply arrangement unenforceable unless an appropriate licence was in force when it was entered into.

(2) The following electricity supply arrangements are exempt from the operation of section 98 of the Act:

(a) any arrangement for the supply of electricity generated by means of one or more generating systems which together supply electricity to a transmission or distribution system (through a single connection point or through an electrically common point) at a rate of 30 MWh or less, but only if any distribution system along which the electricity is conveyed is owned or controlled by a person who holds (or is exempt from holding) a service provider's licence,

(b) any arrangement under which electricity that has initially been supplied by a licensed supplier is resupplied to some other person (otherwise than in contravention of section 72 (1) of the Act),

(c) any arrangement under which a person buys, sells or otherwise deals with rights to the supply of electricity arising under an arrangement referred to in paragraph (b),

(d) any arrangement under which a landlord supplies electricity to a tenant as referred to in section 72 (3) of the Act,

(e) any arrangement taken to have been entered into under subclause (3),

(f) an arrangement under which electricity is supplied to a customer by a retailer of last resort, but only if the electricity is supplied in accordance with Part 7 and the applicable last resort supply arrangements.

(3) For the purpose of this Regulation, a licensed supplier is taken to have entered into an electricity supply arrangement with a person who is a person other than the customer under the customer supply contract applicable in respect of the premises occupied by the person and who is or may be a small retail customer, but only:

(a) if the supplier is unaware that the premises are no longer occupied by the customer, or

(b) if the supplier becomes aware that the customer no longer occupies the premises and that the person occupies the premises and is being supplied with electricity.

Note. Clauses 70, 71 and 72 contain other conditions applicable to the exemptions in this clause.

(4) For the purposes of this Regulation, an electricity supply arrangement subject to an exemption under subclause (2) (e) or (f) is taken to have commenced on the date that electricity commenced to be supplied to the person subject to the arrangement.

69 Exemptions for Lord Howe Island Board

(1) The Lord Howe Island Board is exempt from the operation of section 13 of the Act.

(2) The conditions imposed on a licence by the following sections of the Act apply as conditions of this exemption in the same way as they apply as conditions of a licence:

(a) section 15 (Right to connection to local distribution system for all customers),

(b) section 18 (Distribution network service providers to connect premises under customer connection contracts),

(d) section 34 (Right to supply of electricity from standard retail supplier for all customers),

(c) section 35 (Discrimination prohibited),

(d) section 38 (Retail suppliers to supply electricity under customer supply contracts).

(3) Any electricity supply arrangement under which the Lord Howe Island Board supplies electricity to any other person is exempt from the operation of section 98 of the Act.

70 Conditions applying to exemptions in relation to residential premises

(1) The exemption of a person (the ***exempt person***) from a provision of the Act under clause 66 or 68 (other than clause 68 (2) (e) or (f)) is subject to the conditions set out in this clause if the person in respect of whom the connection services are provided, or electricity is supplied, occupies residential premises and the person's electricity consumption is measured by a separate electricity meter.

(2) The following conditions apply:

(a) the exempt person must provide connection services, or supply electricity, to the premises in accordance with any agreement relating to occupation of the premises between the exempt person and the person to whom the electricity is supplied,

(b) the maximum amount that may be charged for the supply of electricity during a particular period is the amount that the standard retail supplier in whose supply district the premises are located would have charged under a standard form customer supply contract for that supply during that period,

(c) the exempt person is bound by, and must comply with, any decision of the electricity industry ombudsman in relation to a complaint or dispute relating to the provision of connection services or the supply of electricity by the exempt person, as referred to in clause 50 (1) (c).

(3) The condition in subclause (2) (b) does not apply to a landlord referred to in section 72 (3) of the Act.

Note. The maximum allowable amount that may be charged by a landlord referred to in section 72 (3) of the Act is provided for in section 72 (6) of the Act.

71 Conditions on exemptions for certain residential premises relating to disconnection from distribution system

(1) The exemption of a person (the ***exempt person***) from a provision of the Act under clause 66 or 68 (other than clause 68 (2) (e) or (f)) is subject to the condition that the exempt person comply with this clause, if the person in respect of whom the connection services are provided, or electricity is supplied, occupies residential premises and the person's electricity consumption is measured by a separate electricity meter.

(2) An exempt person may not disconnect premises from the person's distribution system or discontinue the supply of electricity to the occupier of premises:

(a) while any application made by the occupier of the premises for assistance under:

(i) any Government funded rebate or relief scheme, or

(ii) any payment plan operated by the exempt person,

is pending, or

(b) while any life support system that relies on electricity for its operation is in use at the premises.

(3) In the event that the exempt person becomes authorised to disconnect premises from a distribution system or to discontinue the supply of electricity, the exempt person must not do so:

(a) on a Friday, Saturday or Sunday, or

(b) on a public holiday or day immediately preceding a public holiday, or

(c) after 3.00 pm on any other day.

(4) The exempt person must not take action to disconnect premises from the exempt person's distribution system or discontinue supply unless the exempt person has given at least 14 days written notice of the exempt person's intention to do so.

(5) The notice:

(a) must specify the grounds on which the exempt person is taking the action proposed, and

(b) must indicate the date on or after which the supply to the customer's premises may be disconnected or discontinued if those grounds are not removed, being a date occurring not earlier than 14 days after the notice is sent, and

(c) must advise the customer of the customer's rights under subclause (2).

(6) An exempt person must, if the grounds on which the supply was disconnected or discontinued are remedied by the occupier of the premises concerned, reconnect premises or resume supply of electricity to premises within a reasonable time.

(7) An exempt person must, on receiving notice that the exempt person's premises are to be disconnected from the distribution system, immediately give written notice of the disconnection to any person to whom the exempt person provides connection services or supplies electricity under an electricity supply arrangement and who will be affected by the disconnection.

(8) Nothing in this clause affects any right or obligation to disconnect premises arising from the operation of the *Electricity Safety Act 1945*.

72 Conditions for exemptions relating to new occupants of premises

(1) The exemption of a person (the ***exempt person***) from a provision of the Act under clause 68 (2) (e) is subject to the condition that the exempt person must comply with this clause.

(2) An exempt person is authorised to discontinue the supply of electricity only if one month has elapsed since the commencement of the electricity supply arrangement or if the person who owns or occupies the premises:

(a) has failed to provide any security required by the exempt person for the payment of any charge with respect to the supply of electricity or connection services arranged by the supplier, or

(b) has failed to pay an amount due to the exempt person with respect to the supply of electricity or connection services arranged by the supplier, or

(c) has refused or failed to give an authorised officer access to any premises supplied with electricity by the exempt person in accordance with any right to access provided for in the Act, or

(d) has obstructed the authorised person in relation to any act, matter or thing done or to be done in carrying out any function under the Act or this Regulation.

(3) An exempt person must not discontinue the supply of electricity to premises on a ground referred to in subclause (2) (a)–(d) unless the exempt person has given the person reasonable notice of its intention to discontinue supply to the premises to allow the customer a reasonable opportunity to remedy that ground.

(4) An exempt person must not discontinue the supply of electricity to premises on the ground that one month has elapsed since the commencement of the electricity supply arrangement unless the exempt person has given the person notice under clause 11 and has also given the person a reasonable opportunity to enter into a customer supply contract.

(5) An exempt person who becomes aware that electricity is being supplied to a person other than a customer must supply electricity under an electricity supply arrangement at the lowest of the following:

(a) the charges that applied in respect of electricity supplied to the premises immediately before the commencement of the arrangement,

(b) any applicable published charges in force immediately before that commencement or, if there are no published charges in force, the amount that the standard retail supplier in whose supply district the premises are located would have charged under a standard form customer supply contract for that supply during that period.

(6) Nothing in this clause affects the right to interrupt continuous supply as agreed in the electricity supply arrangement.

(7) Nothing in this clause affects any right or obligation to refuse to supply, or to discontinue supply, arising from the operation of the *Electricity Safety Act 1945*.

(8) In this clause:

published charges means the charges published in a newspaper circulating generally in this State, being charges applying generally to the supply of electricity to small retail customers.

73 Offence

A person who fails to comply with a condition of an exemption applying to the person under this Part is guilty of an offence.

Maximum penalty: 100 penalty units (in the case of a corporation) or 25 penalty units (in any other case).

Part 9 Social programs for energy

74 Service providers

(1) Any Minister (the ***sponsoring Minister***) may, with the concurrence of the Treasurer, direct a service provider to take such action as the sponsoring Minister considers appropriate to facilitate the delivery of any aspect of the Government's social programs for energy within the sponsoring Minister's administrative responsibility.

(2) The direction:

(a) may specify that particular services are to be provided to particular classes of persons free of charge, at specified charges or subject to specified discounts or rebates, and

(b) must specify the amount or a methodology by which that amount may be assessed by the sponsoring Minister as the estimated efficient cost to the service provider of complying with the direction, and

(c) may require the service provider to publish the direction in the manner specified in the direction, and

(d) must specify arrangements for the payment to the service provider of an amount equivalent to the costs assessed by the sponsoring Minister, as referred to in subclause (b), or, if the service provider disputes that assessment, the costs assessed under clause 76.

(3) Before making a direction, the Minister must:

(a) consult with the service providers proposed to be made subject to the direction, and

(b) give the service providers written notice of the criteria on which the estimated efficient costs of complying with the direction are to be assessed.

(4) If a direction is given to a service provider under this clause, it is a condition of the service provider's licence that the service provider must take the action required by the direction on and from the date the direction takes effect or, if the direction specifies a later date, on and from that later date.

75 Suppliers

(1) Any Minister (the ***sponsoring Minister***) may, with the concurrence of the Treasurer, direct a supplier to take such action as the sponsoring Minister considers appropriate to facilitate the implementation of any aspect of the Government's social programs for energy within the sponsoring Minister's administrative responsibility.

(2) The direction:

(a) may require specified classes of customers to be supplied with electricity at discounted charges or to be given rebates on the charges paid by them for the supply of electricity, and

(b) may require the supplier to establish and maintain facilities to ensure that Government payments that are provided to finance the supply of electricity at discounted charges are applied in accordance with the direction, and

(c) may require the supplier to establish and maintain trust accounts in which Government payments that are provided to finance the supply of electricity at discounted charges are to be held pending their application in accordance with the direction, and

(d) may require the supplier to furnish the sponsoring Minister with periodic reports as to the supplier's compliance with the direction, and

(e) may require the supplier to establish and maintain accounting procedures to enable such reports to be prepared, and

(f) must specify the amount or a methodology by which the amount may be assessed by the sponsoring Minister as the estimated efficient cost to the supplier of complying with the direction, and

(g) may require the supplier to publish the direction in the manner specified in the direction, and

(h) must specify arrangements for the payment to the supplier of an amount equivalent to the estimated efficient costs assessed by the sponsoring Minister, as referred to in subclause (f), or, if the supplier disputes that assessment, the costs assessed under clause 76.

(3) Before making a direction, the Minister must:

(a) consult with the suppliers proposed to be made subject to the direction, and

(b) give the suppliers written notice of the criteria on which the estimated efficient costs of complying with the direction are to be assessed.

(4) If a direction is given to a supplier under this clause, it is a condition of the supplier's licence that the supplier must take the action required by the direction on and from the date the direction takes effect or, if the direction specifies a later date, on and from that later date.

76 Re-assessment of costs of compliance with direction

(1) Any dispute between a licence holder and a sponsoring Minister by whom a direction has been given under this Part (being a dispute as to the cost to the licence holder of complying with the direction) is to be referred to a committee constituted by one or more assessors.

(2) The assessor or assessors to constitute such a committee are to be suitably qualified persons appointed by agreement between the licence holder and the sponsoring Minister or, if no such agreement can be reached:

(a) by the Minister administering the Act, or

(b) if the Minister administering the Act is the sponsoring Minister, by the Premier.

(3) In determining a dispute that has been referred to it under this clause, a committee:

(a) must consider any representations made by the parties to the dispute, and

(b) must determine, on the basis of those representations and any other information available to it, the amount or a methodology by which the amount may be assessed as the efficient cost to the licence holder of complying with the direction to which the dispute relates.

(4) A committee may conduct proceedings under this clause in such manner as it considers appropriate.

(5) The committee's decision on a dispute binds the parties to the dispute, but does not prevent the direction to which it relates from being withdrawn.

(6) The committee's decision as to the efficient costs is taken to be the amount of or the methodology for assessing costs for the purposes of the Minister's direction and the direction is accordingly varied from the date specified in the decision.

(7) A committee may determine 2 or more disputes in the same proceedings if it considers that it is appropriate to do so.

77 Costs of proceedings

(1) The costs of any proceedings under clause 76, including the costs of the committee, are to be borne by the parties in equal proportions unless the committee determines otherwise.

(2) The committee may determine the proportion of the costs to be borne by each of the parties, having regard to the merits of the case, and, in that event, the costs are to be borne by the parties according to the committee's determination.

78 Market operations rules

Market operations rules may be made for or with respect to the administrative arrangements for delivery of social programs for energy.

Part 10 Accreditation of providers of contestable services

Division 1 Persons requiring accreditation

79 Persons to be accredited for the provision of services: section 31

For the purposes of section 31 of the Act, all contestable services are prescribed.

Division 2 Accreditation procedures

80 Application for accreditation

Any person may apply to an accrediting agency for accreditation to provide contestable services.

81 Grant of accreditation

An accrediting agency must not accredit a person to provide contestable services unless the accrediting agency is satisfied that the person is competent to provide the relevant contestable service, having regard to the applicable provisions of its accreditation scheme relating to the accreditation of persons to provide the service.

82 Giving of undertakings

An accrediting agency may require a person to give undertakings of the following kinds before the accrediting agency will accredit the person:

(a) to comply with specified procedures and systems of service providers for co-ordination of the contestable service provided,

(b) to comply with the directions of service providers in relation to work on or near service providers' distribution systems,

(c) to indemnify service providers against any loss or damage incurred as a result of any contestable service provided by the accredited person,

(d) to maintain a specified level of insurance at all times while accredited.

83 Rating of accredited persons

(1) An accrediting agency may assign a rating to an accredited person on the basis of the accrediting agency's assessment of that person's work.

(2) That rating is to be related to:

(a) the level of supervision required of the person providing the contestable service, and

(b) the amount of inspection required of the provision of the contestable service by that accredited person, and

(c) any other factors that the accrediting agency may determine.

84 Availability of lists of accredited persons

(1) Each accrediting agency must make available to the public a list of all persons who are accredited to provide a particular contestable service.

(2) The list must contain the names and contact details of, and any rating assigned to, such persons.

(3) The list must be kept up-to-date.

85 Suspension of accreditation

(1) An accrediting agency may suspend the accreditation of a person who is accredited to provide contestable services at any time on the grounds of safety. A suspension has immediate effect.

(2) The suspension continues in force until either:

(a) the person's accreditation is cancelled in accordance with clause 86, or

(b) the suspension is lifted by the accrediting agency.

86 Cancellation of accreditation

(1) An accrediting agency may cancel the accreditation of a person who is accredited to provide contestable services if the accrediting agency is satisfied that:

(a) the person is no longer competent to provide the contestable service for which the person is accredited (having regard to the results of any inspection by the accrediting agency or any audit of the accredited person's performance), or

(b) the person has been convicted of an offence against the Act or the *Electricity Safety Act 1945* or any regulations under those Acts, or

(c) the person was accredited on the basis of false or misleading information or a failure to disclose or provide required information, or

(d) the person has breached any undertaking given by the person to the accrediting agency, or

(e) it is necessary to do so on any other grounds relating to the safety of the work carried out or to public safety.

(2) Before cancelling a person's accreditation, the accrediting agency:

(a) must cause written notice of the proposed cancellation to be given to the person, and

(b) must give the person a reasonable opportunity to make representations to the accrediting agency in relation to the proposed cancellation, and

(c) must have regard to any representations so made.

(3) If, after having regard to any representations made by the person, the accrediting agency decides to proceed with the proposed cancellation, the accrediting agency must give to the person a written notice:

(a) stating that the accreditation is cancelled, and

(b) giving reasons for the cancellation, and

(c) stating the date from which the cancellation takes effect.

(4) The cancellation takes effect on the date specified in that notice.

Division 3 Preparation and approval of accreditation schemes

87 Preparation of accreditation schemes by service providers

(1) A service provider must prepare an accreditation scheme for the accreditation, by the service provider, of persons who may provide contestable services.

(2) An accreditation scheme must comply with the requirements of clauses 89, 90 and 91.

(3) The service provider:

(a) must publish a notice in a newspaper circulating generally in the service provider's distribution district stating where the accreditation scheme can be inspected free of charge, and

(b) must make the accreditation scheme available to the public for inspection in the manner described in the notice.

88 Ministerially recognised accreditation schemes and accrediting agencies

(1) The Minister may, by order published in the Gazette, declare that:

(a) a specified scheme is recognised as an accreditation scheme, and

(b) a specified person or body (other than a service provider) is recognised as an accrediting agency in relation to that scheme.

(2) A scheme may not be recognised as an accreditation scheme unless it complies with the requirements of clauses 89, 90 and 91.

(3) A person or body may not be recognised as an accrediting agency in relation to an accreditation scheme unless the person or body satisfies the Minister that, having regard to the provisions of this Part, the person or body has the resources and expertise to prepare and administer that scheme.

(4) An accrediting agency that is recognised in relation to an accreditation scheme:

(a) must publish a notice in a newspaper circulating generally in this State stating where the scheme can be inspected free of charge, and

(b) must make the scheme available to the public for inspection in the manner described in the notice.

89 General requirements

An accreditation scheme must include the following matters:

(a) the qualifications, experience and training required for accreditation, including the requirements of the accrediting agency in relation to distribution systems,

(b) the means for ensuring adequate technical performance by an accredited person in providing the relevant services,

(c) any commercial prudential requirements (including insurance) required of or in respect of an accredited person,

(d) the means by which a person applying for accreditation can give evidence of his or her qualifications, experience and training and any other necessary matter,

(e) payments required for application for, or renewal of, accreditation,

(f) any undertakings required to be made by an accredited person,

(g) the procedure for inspection or audit of an accredited person by the accrediting agency,

(h) the procedure for assessment by the accrediting agency of the work of an accredited person,

(i) a statement as to the extent to which the scheme adopts a scheme of accreditation prepared by some other accrediting agency, as authorised by clause 90 (1),

(j) a statement as to the extent to which the scheme is operated jointly with some other accrediting agency, as authorised by clause 90 (2),

(k) the policy for consultation with relevant stakeholders (including representative electrical contracting industry bodies) in receiving submissions on the accreditation scheme and reviewing and developing the scheme,

(l) such other matters as are required to be included in the scheme by any guidelines in force under clause 91.

90 Joint accreditation schemes

(1) An accreditation scheme prepared for the purposes of this Regulation may be prepared:

(a) by the accrediting agency preparing its own scheme of accreditation, or

(b) in the case of a service provider, by the service provider adopting (whether in whole or in part) a scheme of accreditation prepared by a Ministerially recognised accrediting agency, or

(c) in the case of a Ministerially recognised accrediting agency, by the accrediting agency adopting (whether in whole or in part) a scheme of accreditation prepared:

(i) by a service provider, or
(ii) by some other Ministerially recognised accrediting agency.

(2) An accrediting agency's scheme of accreditation may provide for the scheme to be administered jointly:

(a) in the case of a service provider, by the service provider and by one or more Ministerially recognised accrediting agencies, or

(b) in the case of a Ministerially recognised accrediting agency:
(i) by the agency and by one or more service providers, or
(ii) by the agency and by one or more other Ministerially recognised accrediting agencies, or
(iii) by the agency, by one or more service providers and by one or more other Ministerially recognised accrediting agencies.

(3) If the accreditation scheme prepared for an accrediting agency (***the adopting scheme***) adopts an accreditation scheme prepared by some other accrediting agency (***the adopted scheme***), all accreditations under the adopted scheme are taken to be accreditations under the adopting scheme.

91 Ministerial guidelines

The Minister may, by order published in the Gazette, establish guidelines with respect to the matters to be included in an accrediting agency's scheme for the accreditation of persons to provide contestable services.

Division 4 Appeals

92 Definitions

In this Division:

alternative dispute resolution procedures includes negotiation, conciliation and mediation, but does not include arbitration.

appeal means an appeal under clause 94.

appellant means a person who makes an appeal.

93 Appeal against decisions regarding accreditation

(1) A person may apply to the accrediting agency for a review:

(a) of a decision by an accrediting agency to refuse to accredit the person to provide a particular contestable service, or

(b) of a decision by an accrediting agency to suspend or cancel the person's accreditation to provide a particular contestable service, or

(c) of a decision by an accrediting agency not to act on a suspension.

(2) For the purposes of subclause (1) (c), the failure by an accrediting agency:

(a) to cancel a person's accreditation, or

(b) to lift the suspension of a person's accreditation,

within 28 days after it has suspended the person's accreditation is taken to be a decision by the accrediting agency not to act on the suspension.

94 Appeals against decisions of service providers

(1) An appeal by a person against the decision of an accrediting agency as to the accreditation of the person to provide a contestable service must be made in accordance with this clause.

(2) The appeal:

(a) must be in writing, and

(b) must be served on the accrediting agency no later than 28 days after the person receives written notice of the decision, and

(c) must state the reasons why the appellant considers that the decision should be reviewed.

95 Review of decision by accrediting agency

(1) On receiving an appeal, the accrediting agency must review its decision and make a determination under this clause.

(2) After reviewing its decision, the accrediting agency:

(a) may determine that the decision is to stand, or

(b) may determine to vary or revoke the decision.

(3) As soon as practicable after it makes its determination, the accrediting agency must give written notice to the appellant:

(a) of its determination, together with its reasons for the determination, and

(b) if the determination is to vary the decision, of the manner in which the decision is to be varied, and

(c) of the rights available to the appellant under this Part, and

(d) of the circumstances in which the appellant may become liable for costs under this Part.

(4) An accrediting agency that fails to give such a notice within 14 days after the appeal is made is taken to have determined that its decision is to stand.

96 Request for alternative dispute resolution

(1) An appellant who is dissatisfied with a determination of an appeal by an accrediting agency may request the appeal be dealt with by way of alternative dispute resolution procedures.

(2) The request:

(a) must be in writing, and

(b) must be served on the accrediting agency no later than 28 days after the appellant received written notice of the determination or (if no such notice is received within 14 days after the appeal was made) within 42 days after the appeal was made, and

(c) must state the reasons why the appellant is dissatisfied with the determination by the accrediting agency.

(3) As soon as practicable after receiving such a request, the accrediting agency must give written notice to the appellant:

(a) of the rights available to the appellant under this Part, and

(b) of the circumstances in which the appellant may become liable for costs under this Part.

97 Alternative dispute resolution

(1) The accrediting agency must establish an alternative dispute resolution procedure which must:

(a) operate independently of the accrediting agency, and

(b) be kept separate from the affairs of the accrediting agency, and

(c) be convenient for and accessible to the appellant, and

(d) operate without cost to the appellant, and

(e) allow the appellant to choose whether to be bound by any finding or determination of the facilitator, and

(f) allow the facilitator to choose not to deal with the appeal, if the facilitator forms the view that:

(i) the appellant has been vexatious in pursuing the appeal, or

(ii) the appeal is an abuse of process.

(2) The appellant may elect to use the alternative dispute resolution procedure made available by the accrediting agency under subclause (1).

(3) If the appellant does not elect to use the alternative dispute resolution procedure made available by the accrediting agency under subclause (1), then:

(a) the alternative dispute resolution procedure is to be as agreed by the appellant and the accrediting agency, and

(b) the facilitator is to be chosen jointly by the appellant and the accrediting agency, and

(c) participation is to be voluntary and the alternative dispute resolution procedure may be terminated at any time by either party or by the facilitator, and

(d) the appellant and the accrediting agency are to bear their own costs of participating in the alternative dispute resolution procedure, and

(e) the costs of the facilitator are to be borne by the appellant and the accrediting agency in equal proportions.

98 Arbitration

(1) An appellant who is dissatisfied with a determination by the accrediting agency of an appeal may refer the appeal to arbitration.

(2) Such a referral may not be made until:

(a) the time provided for in clause 96 for a request for the appeal to be dealt with by way of alternative dispute resolution procedures has expired, or

(b) any alternative dispute resolution procedures commenced under clause 96 have terminated without resolution of the appeal.

(3) That referral must:

(a) be in writing, and

(b) be served on the accrediting agency, and

(c) state the reasons why the appellant considers that the accrediting agency's determination should be reviewed.

(4) As soon as practicable after receiving such a referral, the accrediting agency must give written notice to the appellant:

(a) of the rights available to the appellant under this Part, and

(b) of the circumstances in which the appellant may become liable for costs under this Part.

(5) The arbitrator is to be chosen and appointed jointly by the appellant and the accrediting agency or, if an arbitrator has not been appointed within 21 days after the request for arbitration is made, by the Director-General of the Ministry of Energy and Utilities.

(6) In deciding an appeal, the arbitrator:

(a) must apply any principles determined by the Minister with respect to the determination of appeals, and

(b) must have regard to the accrediting agency's determination of the appeal.

(7) The arbitrator must give written notice to the parties:

(a) of his or her decision, together with his or her reasons for the decision, and

(b) if the decision is to vary the accrediting agency's determination of the appeal, of the manner in which the determination is to be varied.

(8) The arbitrator's decision on an appeal is final and binding on the parties to the appeal.

(9) The *Commercial Arbitration Act 1984* applies to any arbitration under this clause, subject to the provisions of this clause.

99 Costs of arbitration

(1) The costs of arbitration are to be borne by the accrediting agency unless the arbitrator determines otherwise.

(2) The arbitrator may determine the proportion of the costs to be borne by each of the parties, having regard to the merits of the case and, in that event, the costs are to be borne by the parties according to the arbitrator's determination.

Part 11 Tree preservation

100 Object and application of Part

(1) The object of this Part is to regulate the removal and trimming of trees by service providers so as to minimise damage to or destruction of trees growing under or near powerlines.

(2) This Part applies only to the extent to which a service provider may lawfully remove or trim trees apart from this Part (which it may do, for example, on behalf of a council) and does not itself authorise the removal or trimming of trees.

101 Definitions

In this Part:

powerlines includes structures and equipment used for or in connection with the supply of electricity by a service provider.

tree means a tree taller than 3 metres, or having a canopy more than 3 metres in maximum diameter or having a trunk with a circumference at a height of 1 metre from the ground of more than 0.3 metres.

tree management plan means a tree management plan referred to in clause 103.

102 Preservation of trees

(1) A service provider must not remove any tree, or trim any tree in a way that substantially damages the tree, unless:

(a) it is of the opinion that it is necessary to do so to protect its powerlines or the safety of persons or property under or near its powerlines, and

(b) it has considered alternative methods and is of the opinion that none of those methods are feasible in the circumstances (including economically feasible), and

(c) the service provider is acting in accordance with a tree management plan.

(2) Alternative methods include, but are not limited to, the use of aerial bundled cables, the controlled trimming of trees and the appropriate location or relocation of powerlines (including placing them underground).

103 Tree management plans

(1) A service provider may establish a tree management plan for the trimming, or for the staged removal and replacement, of those species of trees that have a propensity to interfere with powerlines.

(2) A tree management plan may contain (but need not be limited to) the following matters:

(a) lists of suitable species of trees for planting under or near powerlines in different localities or situations,

(b) plans for trimming or removing and replacing existing trees and for controlling future planting of suitable species of trees,

(c) trimming or removing trees in an emergency,

(d) methods for trimming trees,

(e) the use of accredited contractors for trimming trees,

(f) the intended allocation of costs between the service provider and the relevant council or councils for the district in which the plan is to operate,

(g) the environmental factors to be considered in trimming trees,

(h) the development of public education and publicity programs encouraging the selection of appropriate species of trees for planting under or near powerlines.

(3) A tree management plan may make different provision with respect to public land, private land, urban land and rural land.

(4) A tree management plan may be amended by a subsequent tree management plan.

104 Consultation with councils and the public

A tree management plan is to be prepared in a way that gives an opportunity to comment on the proposed plan to the relevant council or councils for the district in which it is to operate, to the residents of the district and to local community groups.

Part 12 Miscellaneous

Division 1 Savings and transitional provisions

105 Definitions

In this Division:

amending Act means the *Electricity Supply Amendment Act 2000*.

former Regulation means the *Electricity Supply (General) Regulation 1996*.

interim small retail customer means a person who was an interim small retail customer immediately before the repeal of Part 10 of the former Regulation by this Regulation.

106 Interim small retail customers

(1) Nothing in this Regulation affects a customer contract entered into, or renewed or extended, by an interim small retail customer on or after 1 January 2001 and before the commencement of this Regulation.

(2) Any such contract is taken to comply with the Act and this Regulation if it complied with the Act and the former Regulation immediately before the commencement of this Regulation.

(3) Despite clause 30 (2) of Schedule 6 to the Act, this clause ceases to have effect at the end of the period of supply under the contract in force immediately before the commencement of this Regulation or on 1 July 2002, whichever is the earlier.

107 Requirements for new customer contracts

(1) A customer contract with a small retail customer that is entered into, or renewed or extended, on or after the commencement of this Regulation and not later than 3 months after that commencement, or within such later period as the Minister may determine, is taken to comply with the Act and this Regulation if it complies with the requirements applicable to a customer contract of the same kind entered into by an interim small retail customer immediately before the commencement of this Regulation.

(2) This clause ceases to have effect at the end of the term of the contract or on 1 July 2002, whichever is the earlier.

108 Existing customer connection contracts

(1) Nothing in the amending Act or this Regulation affects a standard form customer connection contract in force immediately before the commencement of this Regulation (not being a contract referred to in clause 106 (1)).

(2) Any such contract is taken to comply with the Act and this Regulation if it complied with the Act and the former Regulation immediately before that date.

(3) This clause ceases to have effect at the end of the period for which a standard form customer supply contract is taken to continue in force under clause 29 (2) of Schedule 6 to the Act.

109 Existing billing provisions apply

(1) A licence holder is not required to comply with the provisions of Division 4 of Part 3 if the licence holder complies with the provisions applicable to bills and charges under the former Regulation, as in force immediately before the commencement of this Regulation.

(2) This clause ceases to have effect at the end of the period for which a standard form customer supply contract is taken to continue in force under clause 29 (2) of Schedule 6 to the Act.

110 Energy distributors taken to hold licences

(1) Each energy distributor (within the meaning of the *Energy Services Corporations Act 1995*) that was in existence at the commencement of the former Regulation, and who was taken to hold, on the commencement of this Regulation:

(a) a service provider's licence authorising it to operate its distribution system so as to convey electricity for or on behalf of suppliers, and

(b) a supplier's licence authorising it to supply electricity to retail customers,

continues to be taken to hold those licences.

(2) Schedule 2 to the Act applies to licences that are taken to be held as referred to in subclause (1) in the same way as it applies to licences granted in accordance with that Schedule.

111 Payment plans

A standard retail supplier is required to comply with clause 6 not later than 3 months after the commencement of this Regulation or within such later period as the Minister may determine.

112 Customer consultative charters

A service provider or standard retail supplier is required to comply with clause 17 not later than 3 months after the commencement of this Regulation or within such later period as the Minister may determine.

113 Accreditation schemes

(1) An accreditation scheme recognised under the former Regulation immediately before the commencement of this Regulation is taken to have been recognised under this Regulation.

(2) Nothing in this Regulation affects an appeal made under Part 7 of the former Regulation and not determined before the commencement of this Regulation.

Division 2 General matters

114 Permissible electricity meters

(1) For the purposes of section 72 (3) (a) of the Act, an electricity meter that is used to measure electricity supplied by a landlord must comply with the provisions of AS 1284 relevant to electricity meters of the same kind, or any relevant market operations rules in respect of electricity meters.

(2) In this clause:

AS 1284 means the series of documents published by the Standards Australia, and numbered AS 1284, as in force on 7 May 1996.

115 Exclusion of network use of system services

(1) Connection services do not, for the purposes of the Act, include the conveyance of electricity for or on behalf of any supplier.

(2) This clause takes effect at the end of the period for which a standard form customer supply contract is taken to continue in force under clause 29 (2) of Schedule 6 to the Act.

116 Variation of distribution districts

Schedule 4 has effect.

117 Delegation of Minister's functions

For the purposes of section 100 (2) (b) of the Act, the Director of the Market Implementation Group in the Treasury is a prescribed person.

118 Market operations rules

For the purposes of section 63C of the Act, market operations rules may be made for or with respect to the following matters:

(a) obligations and procedures relating to the building, testing and implementation of systems by standard retail suppliers and distribution network service providers to support full retail contestability,

(b) record keeping by licence holders.

119 How notice is to be given

(1) A requirement of this Regulation that a person be given written notice is a requirement that the person be given notice in writing either personally or by post.

(2) If previously agreed between the parties, a person may be given written notice by personal e-mail or facsimile transmission.

(3) For the purposes of section 76 of the *Interpretation Act 1987*, a notice served by post on a person for the purposes of this Regulation is to be treated as being properly addressed if it is addressed to the address of the person last known to the person giving the notice.

120 Service of documents on service provider or supplier

For the purposes of this Regulation, a document may be given to or served on a service provider or supplier by leaving it at or sending it by post to any office of the service provider or supplier. This clause does not affect the operation of any provision of a law or of the rules of a court authorising a document to be served on a service provider or supplier in a different manner.

121 Prescribed electricity works

For the purposes of section 54 (1A) of the Act, the following are prescribed electricity works:

(a) electricity service equipment for which the supplier has responsibility,

(b) systems for the metering and control of electricity supply for which the supplier has responsibility.

122 Repeal of Electricity Supply (General) Regulation 1996

The *Electricity Supply (General) Regulation 1996* is repealed.

Schedule 1 Requirements applicable to both customer supply and customer connection contracts

(Clause 40)

1 General requirements

(1) A licence holder must use its best endeavours to ensure that a customer contract is expressed unambiguously and in plain English.

(2) All words in the customer contract must be printed in a size and style that is easy to read.

(3) The contract must contain the following matters:

(a) a statement of the kind of contract it is, the name of the licence holder and contact details of the licence holder,

(b) the name of any recognised code or recognised document that is relevant to any matter regulated by the contract and that the licence holder has chosen not to incorporate in the contract,

(c) any installation and service requirements with which the licence holder or customer must comply,

(d) if any condition of the contract specifies that the licence holder has a discretion in making any decision under the contract, the grounds on which that discretion may be exercised,

(e) the means by which a customer may arrange to see, or obtain a copy of, all or any part of the contract,

(f) a description of the services to be provided by the licence holder under the contract,

(g) in respect of any document incorporated (in whole or in part) by reference in the customer contract, the reason the document has been incorporated,

(h) if a document referred to in paragraph (g) is incorporated as in force from time to time, a note to the effect that:

(i) an amendment of any such document will have the effect of amending the standard form customer contract, and

(ii) if the document is issued by Standards Australia, or is a recognised document, no separate notice will be given of that amendment,

(i) particulars of the proper care and custody to be exercised by the customer in respect of metering or other equipment installed by or on behalf of the licence holder,

(j) a statement of the customer's rights in relation to disputes and resolution of disputes with the licence holder, including particulars of any applicable approved electricity industry ombudsman scheme and the procedures for referring complaints and disputes to the electricity industry ombudsman under that scheme,

(k) particulars of the circumstances, if any, in which information about a customer may be disclosed to another person,

(l) the manner in which notices under the contract are to be given or served,

(m) in the case of a standard form contract, a right for the licence holder to amend the contract without the prior consent of the customer,

(n) a requirement that the licence holder provide free of charge, if requested to do so by the customer, information about efficient energy consumption,

(o) a statement that the contract complies with the applicable provisions of the *Electricity Supply Act 1995*, the *Electricity Supply (General) Regulation 2001* and other instruments made under that Act.

2 Requirements relating to charges

(1) The contract must contain the following matters related to charges:

(a) a description of charges payable under the contract for services provided or arranged by the licence holder,

(b) the amount of, or basis for calculation of, any charges in respect of customer connection services, charges in respect of electricity supply services and charges in respect of any other services,

(c) the tariffs and charges, including any off-peak or standby tariffs, payable by the customer,

(d) the availability of any off-peak or standby tariffs, and the extent to which the customer can take advantage of them,

(e) in the case of connection services provided or arranged by the licence holder, the charges or methods of calculation of charges for any installation work:
(i) done on a customer's premises, or
(ii) incidental to the provision of customer connection services or the supply of electricity to the customer,

(f) the circumstances, if any, in which the licence holder may recover the costs associated with recovering any unpaid amount due to the licence holder,

(g) the circumstances, if any, in which the licence holder may charge interest on any unpaid amount due to the licence holder and the rate at which interest is to be charged.

(2) The contract must provide that a customer is not liable to pay any charge unless the amount of, or basis for the calculation of the amount of, the charge is set out in the contract.

(3) The rate at which interest may be charged on an unpaid account under a customer contract must not exceed the rate prescribed under section 95 (1) of the *Supreme Court Act 1970* for payment of interest on a judgment debt.

3 Requirements relating to bills

The licence holder must provide the customer with a statement of the customer's rights with respect to the matters covered by Division 4 of Part 3 of this Regulation.

4 Requirements relating to securities given for charges

The contract must separately provide for each of the following matters:

(a) the circumstances in which the licence holder may require security to be provided by customers for payment of any charge,

(b) the form and amount of any security to be provided by the customer,

(c) if the security is to be in the form of a deposit with a financial institution, the interest, if any, that the licence holder is required to pay to the customer, or to the customer's account, in respect of any such security held by the licence holder,

(d) the circumstances, if any, in which the licence holder can use that security to set off against the amount due on the customer's account,

(e) when the security may be returned.

5 Requirements relating to service standards

(1) It is a requirement that a customer contract must contain provisions establishing minimum standards of service to be provided to the customer by the licence holder.

(2) Those minimum standards must separately provide for or deal with each of the following matters:

(a) the quality of services,

(b) the reliability of services,

(c) the response to customer enquiries (including the time taken to respond to such enquiries),

(d) the period within which services or work will be commenced in response to a customer enquiry,

(e) the period within which services or work will be commenced so as to remedy a disruption in the service,

(f) the period of notice required to be given when the licence holder carries out work (other than emergency work) that will disrupt the service,

(g) particulars of any relevant Government funded rebate or relief scheme to facilitate the payment of charges due to the licence holder,

(h) particulars of any payment plan operated by the licence holder to facilitate the payment of charges due to the licence holder,

(i) particulars of the arrangements made by the licence holder for the payment of compensation arising under the guaranteed customer service standards.

(3) Nothing in this clause prevents the contract from containing other provisions as to the standard of service to be provided to customers.

6 Additional requirements relating to negotiated customer contracts

A negotiated customer contract must contain the following matters:

(a) particulars of the customer's premises,

(b) the manner in which the contract may be varied and notification of variations to the customer,

(c) the names of the parties to the contract and contact details for the parties and that the customer is a small retail customer,

(d) the terms and conditions that apply to or in respect of termination of the contract by the licence holder or the customer.

7 Restrictions on power to disconnect or arrange disconnection

The contract must prohibit the licence holder from disconnecting the customer's premises, or requesting that the customer's premises be disconnected, from the distribution system on grounds arising under this contract:

(a) while any application made by the customer for assistance under:

(i) any Government funded rebate or relief scheme that is available to customers, or

(ii) any payment plan that is available to customers and is operated by the supplier,

is pending, or

(b) while any life support system that relies on electricity for its operation is in use at the customer's premises.

Schedule 2 Customer supply contracts

(Clause 40)

Part 1 Requirements generally

1 Requirements relating to charges

The contract must contain, if the supplier establishes different categories of electricity supply (according to such criteria as the licence holder may determine), the different rates for different categories of electricity supplied, but only if each category of electricity supplied is measured separately from any other category.

2 Basis of charges is consumption

(1) The contract is to provide that charges payable by the customer for the supply of electricity are to be based on the customer's measured or estimated consumption during a billing period.

(2) The contract must require that metered consumption of electricity by the customer is to be measured at intervals of not less than 6 months.

(3) The contract must require that the supplier reconcile any charges paid by the customer with the consumption measured.

(4) Despite subclause (1), a negotiated customer supply contract may provide that the charges payable by the customer for the supply of electricity are to be based on something other than the customer's consumption during a billing period.

3 Commencement of supply

(1) The contract must provide for the supply of electricity to commence on the day specified by the supplier, being a day that is not less than 10 days after the commencement of the contract.

(2) Despite subclause (1), the contract may provide for the supply of electricity to commence at an earlier date than is specified under that subclause if:

(a) the supply of electricity to the premises involves the provision of a new connection service, or

(b) the customer was, immediately before the commencement of the contract, being supplied electricity by the supplier under a new occupant supply arrangement or an exempt last resort arrangement.

(3) The contract must provide that a customer who has been supplied with electricity by the supplier immediately before the commencement of the supply of electricity under this contract:

(a) in the case of a new occupant supply arrangement, for a period of 14 days or less, or

(b) in the case of an exempt last resort arrangement, for a period of 1 month or less,

is liable to the supplier under this contract for payment for that period of supply. The contract may not make the customer liable under the contract for payment for supply in respect of any earlier period.

(4) Despite subclause (3), a customer is not to be liable under the contract to pay the supplier if the customer pays another supplier for the supply of that electricity or, in the case of a negotiated contract, the customer terminates the contract under a cooling off clause.

4 Connection services

(1) The contract is to enable the supplier to arrange, on behalf of the customer, for connection services to be provided to the premises.

(2) The contract must not prevent the customer from making arrangements directly with the service provider for the provision of customer connection services.

(3) The contract must require the customer to pay to the supplier the charges for connection services provided to the customer by the service provider and arranged by the supplier.

(4) The contract (other than provisions relating to variation of charges) must apply to charges for connection services arranged by the supplier in the same way as it applies to charges payable under the contract.

5 Discontinuance of supply at customer's request

(1) The contract is to require the customer to give the supplier not less than 72 hours' notice of the customer's desire that the supply of electricity to the customer be discontinued.

(2) If notice is not given, the contract must make the customer liable for all charges in respect of the supply concerned, and any charges for connection services arranged by the supplier, until 72 hours after the supplier becomes aware of the customer's desire that supply be discontinued or until the supply is discontinued or is otherwise transferred, whichever happens first.

(3) The requirement under subclause (2) does not apply if the supplier enters into, or is taken to have entered into, a new customer supply contract in respect of the same premises.

6 Customer not liable in event of involuntary transfer

(1) The contract must enable the customer to transfer, or be transferred, as a customer to another supplier, if last resort supply arrangements are implemented with respect to the customer.

(2) The contract must provide that the supplier under the contract is not entitled to be paid any compensation or other payment by the customer in respect of any such transfer, including the cost incurred by the supplier in relation to the transfer.

7 Cooling off period under negotiated customer supply contracts

(1) A negotiated customer supply contract must confer on the customer a right, not later than 10 days after the contract is entered into, to terminate the contract by notice in writing to the supplier.

(2) The contract must provide that the supplier is not entitled to the payment of any costs, compensation or any other amount as a consequence of any such termination of the contract, other than charges payable in respect of any electricity supplied, or any other services provided, under the contract.

8 Discontinuance of supply under negotiated customer supply contracts

(1) A negotiated customer supply contract must enable the supplier to discontinue the supply of electricity to the premises if the period of supply under the contract ends or if the person who owns or occupies the premises:

(a) has failed to provide any security required for the payment of any charges related to the supply of electricity or connection services arranged, or

(b) has failed to pay an amount due to the supplier under the contract with respect to the supply of electricity or connection services arranged by the supplier, or

(c) has refused or failed to give an authorised officer access to any premises supplied with electricity by the supplier in accordance with any right to access provided for in the Act or this contract, or

(d) has obstructed the authorised person in relation to any act, matter or thing done or to be done in carrying out any function under the contract.

(2) Nothing in this clause affects the right to interrupt continuous supply as agreed in the contract.

(3) Nothing in this clause affects any right or obligation to refuse to supply, or to discontinue supply, arising from the operation of the *Electricity Safety Act 1945*.

9 Additional requirements for negotiated customer supply contracts

(1) A negotiated customer supply contract must provide that the supplier may not use any part of a security deposit paid under the contract to recover amounts due in respect of charges other than charges related to the supply of electricity or connection services arranged by the supplier.

(2) A negotiated customer supply contract must set out the basis for calculation of charges that will apply if the customer is supplied for a subsequent period of supply under the contract.

Part 2 Guaranteed customer service standards

10 Telephone hotlines

(1) The contract must require the supplier to inform the customer about any relevant telephone service that operates 7 days a week and 24 hours a day, being a telephone service:

(a) that operates on a number to which a customer can be connected for the price of a local telephone call, and

(b) that can receive notice of, and give information concerning, faults and difficulties in electricity works.

(2) The contract must require the supplier to provide a telephone service that operates during business hours, being a telephone service:

(a) that operates on a number to which a person can be connected for the price of a local telephone call, and

(b) that can receive notice of, and give information concerning, customers' bills and customer connection services arranged by the supplier.

(3) An automated answering service satisfies the requirements of this clause only if it makes provision for the transfer of calls to a human operator.

11 Punctuality in keeping appointments

The contract must provide that if the supplier (or the supplier's representative) is more than 15 minutes late for an appointment with a customer (or the customer's representative), the supplier must pay to the customer, by way of compensation for the delay, not less than $25.

12 No discontinuation of supply except after due notice

(1) This clause applies if the supplier becomes authorised to discontinue electricity supply to a customer on grounds arising under the contract, the Act or any regulation made under the Act.

(2) The contract must require that the supplier not take action to discontinue supply (including requesting disconnection of supply) unless:

(a) the supplier has sent to the customer at least 2 written notices of the supplier's intention to do so, the second notice to be sent no earlier than one week after the first notice, and

(b) the supplier has made reasonable attempts to deal with the customer in person or by telephone, whether before or after sending any such notice, for the purpose of assisting the customer to do whatever is necessary to remove the grounds referred to in that notice.

(3) The contract must require that in any notice referred to in subclause (2) (a), and in any dealings with the customer referred to in subclause (2) (b), the supplier:

(a) must specify the grounds authorising the supplier to take the action proposed, and

(b) must indicate the date on or after which the supply to the customer's premises may be discontinued if those grounds are not removed, being a date occurring no earlier than 14 days after the first such notice is sent, and

(c) must advise the customer:
(i) of the customer's rights under this Part, and
(ii) in particular, of any rights that the customer may have to have the complaint or dispute referred to the electricity industry ombudsman for resolution, and

(d) if the grounds authorising the supplier to take the action proposed include the customer's failure to make due payment of money owed to the supplier with respect to the provision of customer connection services or the supply of electricity, must advise the customer:
(i) of any Government funded rebate or relief schemes that are relevant to the customer, and
(ii) of any payment plan operated by the supplier.

(4) The contract must require that if all other attempts under subclause (2) (b) to deal with the customer have been unsuccessful, at least one further attempt must be made outside business hours.

(5) The contract must require the supplier to document all action that it takes under subclause (2) (b) or (4).

(6) The contract must require that the supplier not take action of the kind referred to in subclause (1):

(a) until after the date specified in accordance with subclause (3) (b) in the notices referred to in subclause (2) (a), or

(b) subject to paragraph (a), if before that date the customer makes a request that the complaint (being a complaint that is covered by an approved electricity industry ombudsman scheme) be referred for resolution by the electricity industry ombudsman, until the date occurring 3 business days after the date on which the complaint is so referred,

and, in any case, must not take any such action if, before the date last referred to in paragraph (b), the electricity industry ombudsman directs that such action not be taken.

(7) Nothing in this clause requires a supplier that is not a standard retail supplier to operate a payment plan.

(8) Nothing in this clause affects any right or obligation to disconnect premises arising from the operation of the *Electricity Safety Act 1945*.

(9) In this clause:

business day means a day that is not a Saturday, Sunday or public holiday.

13 Notice to be given to customer after disconnection

(1) The contract must require that, if the customer's premises are disconnected from a distribution system on the request of the supplier, the supplier must give the customer a notice to the effect that the premises have been disconnected.

(2) The contract must require that the notice contain the following information:

(a) the grounds on which the customer's premises were disconnected from the distribution system,

(b) a telephone number to contact for the purpose of enabling the customer to discuss the matter with a person acting on behalf of the supplier,

(c) the arrangements that the customer will need to make for the reconnection of the premises to the distribution system, including any costs payable by the customer in relation to reconnection,

(d) the dispute resolution procedures that are available to the customer in relation to disputes between the customer and the supplier.

(3) The contract must require the supplier to promptly notify the service provider of any request for reconnection to the distribution system by the customer, if the customer becomes entitled to be reconnected.

14 Discontinuance of supply at customer's request

This Part does not prevent a supplier from discontinuing the supply of electricity at the customer's request to a customer's premises in accordance with a request from the customer.

Schedule 3 Customer connection contracts

(Clause 40)

Part 1 Requirements generally

1 General requirements relating to accreditation and new connection services

(1) The contract must contain the following matters:

(a) the name of the scheme for the accreditation by the service provider of persons who may provide contestable services,

(b) the requirements, in accordance with this Regulation, for connection of premises involving a new connection service.

(2) A negotiated customer connection contract must, in a case where connection services are not arranged by a supplier under a customer supply contract with the customer, set out the following matters:

(a) the intervals at which bills are to be issued to the customer,

(b) the circumstances in which the service provider may correct a bill and the manner and time in which a corrected amount is to be paid.

2 Commencement of provision of connection services

The contract must provide that the provision of connection services is to commence on a date specified by the service provider.

3 Disconnection on request by customer

(1) The contract must require the customer to give the service provider not less than 48 hours' notice of the customer's desire that the customer's premises be disconnected from the distribution system.

(2) The contract must require that, if notice is not given, the customer remains liable for all charges in respect of the provision of the connection services concerned until 48 hours after the service provider becomes aware of the customer's desire that the contract be terminated or until the service provider disconnects the supply of electricity, whichever happens first.

(3) Subclause (2) does not apply if:

(a) the service provider enters into, or is taken to have entered into, a new customer connection contract in respect of the same premises, or

(b) if the connection services to the customer are arranged by a supplier under a customer supply contract with the customer.

(4) The contract may provide that such notice may be given on the customer's behalf by a supplier who has arranged the provision of connection services on behalf of the customer.

4 Extension of increase in capacity of distribution system

(1) This clause applies if:

(a) the provision of customer connection services to a customer requires an extension to the service provider's distribution system or an increase in the capacity of the distribution system so as to enable it to provide customer connection services, and

(b) the service provider is of the opinion that a contribution is required under section 25 of the Act.

(2) The contract must require that the customer may decide whether the work is to be carried out:

(a) by the service provider, or

(b) for the service provider by a person accredited under Division 2 of Part 10 of the *Electricity Supply (General) Regulation 2001* chosen by the customer.

5 Last resort supply arrangements

(1) The contract must provide that the service provider is authorised to provide any necessary information relating to the customer to a supplier or other person or body for the purposes of enabling the transfer of the customer to a retailer of last resort and the consequential implementation of last resort supply arrangements.

(2) The contract must provide that the customer authorises the service provider or a person nominated by the service provider to transfer the customer to a retailer of last resort or take any other action to implement or arrange last resort supply arrangements if such arrangements come into force with respect to the customer.

(3) The contract must provide that the customer is liable to pay the service provider for any electricity supplied, and any other related goods or services supplied, to the customer by a retailer of last resort under a last resort supply arrangement, but only if the service provider has agreed with the retailer of last resort to arrange for the collection of those charges and notified the customer in writing of the agreement.

(4) The contract must provide that the customer is not liable to pay an amount under subclause (3) if the customer pays the retailer of last resort for the electricity or other goods or services provided or if the customer enters into a customer supply contract with the retailer of last resort or another supplier under which the amount is payable.

6 Liability for charges for connection services and obligations under this Part

The contract must provide that the customer is not liable to pay the service provider for any connection services or other goods and services provided under this contract to the extent to which the customer is liable to pay a supplier for those services under a customer supply contract entered into between the customer and the supplier.

7 Liability of customer

The contract must provide that the customer is not liable for any charges for connection services or other goods or services provided by the service provider that a previous customer at the premises is liable to pay.

8 Provisions relating to payment of charges under negotiated customer connection contracts

A negotiated customer connection contract must provide that the service provider may not use any part of a security deposit paid under the contract to recover amounts due in respect of charges other than charges related to the provision of connection services.

Part 2 Guaranteed customer service standards

9 Timely provision of services

(1) The contract must provide that if the service provider fails to provide a connection service under the contract on or before the date agreed between the service provider and the customer or the customer's representative as the date by which the service is to be provided, the service provider is to pay to the customer, by way of compensation for the delay, not less than $60 for each day that elapses between the agreed date and the date by which the service is actually provided.

(2) The contract must provide that the maximum amount payable under this clause in relation to any one service is $300.

10 Timely notice of planned interruptions to supply

(1) The contract must provide that if the service provider:

(a) fails to provide to the customer at least 2 business days' notice of any interruption by the service provider to the customer's supply of electricity, or

(b) interrupts the customer's supply of electricity for longer than the time indicated in any such notice,

the service provider is to pay to the customer, by way of compensation for the interruption of supply, not less than $20.

(2) This clause does not apply to any interruption of supply that arises:

(a) for the purpose of enabling the service provider to carry out emergency work, or

(b) in circumstances beyond the control of the service provider.

(3) In this clause:

business day means a day that is not a Saturday, Sunday or public holiday.

11 Hotline services

(1) The contract must provide that the service provider operate a telephone service 7 days a week and 24 hours a day, being a telephone service:

(a) that operates on a number to which a person can be connected for the price of a local telephone call, and

(b) that can receive notice of, and give information concerning, faults and difficulties in the service provider's electricity works.

(2) The contract must provide that the service provider must provide a telephone service that operates during business hours, being a telephone service:

(a) that operates on a number to which a person can be connected for the price of a local telephone call, and

(b) that can receive notice of, and give information concerning, customers' bills and customer connection services.

(3) An automated answering service satisfies the requirements of this clause only if it makes provision for the transfer of calls to a human operator.

12 Repair of faulty street lights

(1) The contract must provide that if the service provider fails to repair faulty street lighting on or before the date agreed between the customer and the service provider as the date by which the repair is to be completed, the service provider must pay to the customer, by way of compensation for the loss of illumination, not less than $15.

(2) This clause applies to street lighting that is owned by the service provider or that the service provider is under a legally enforceable obligation to maintain, but does not apply to street lighting to which the service provider merely supplies electricity or connection services.

(3) This clause applies only to or in respect of the customer if the customer's premises abut the part of the street that (but for the fault) would ordinarily be illuminated by the street lighting.

13 Punctuality in keeping appointments

The contract must provide that if the service provider (or the service provider's representative) is more than 15 minutes late for an appointment with a customer (or the customer's representative), the service provider must pay to the customer, by way of compensation for the delay, not less than $25.

14 No disconnection on weekends or public holidays

The contract must provide that in the event that the service provider becomes authorised to disconnect premises from a distribution system on grounds arising under this contract or under a customer supply contract, the service provider must not do so:

(a) on a Friday, Saturday or Sunday, or

(b) on a public holiday or day immediately preceding a public holiday, or

(c) after 3.00 pm on any other day.

15 No disconnection except after due notice

(1) This clause applies if the service provider becomes authorised to disconnect the customer's premises from the distribution system but does not apply to a disconnection on a request by the customer or a supplier who has complied with the applicable discontinuance requirements.

(2) The contract must require that the service provider not take action to disconnect premises unless:

(a) the service provider has sent to the customer at least 2 written notices of the service provider's intention to do so, the second notice to be sent no earlier than one week after the first notice, and

(b) the service provider has made reasonable attempts to deal with the customer in person or by telephone, whether before or after sending any such notice, for the purpose of assisting the customer to do whatever is necessary to remove the grounds referred to in that notice.

(3) The contract must provide that in any notice referred to in subclause (2) (a), and in any dealings with the customer referred to in subclause (2) (b), the service provider:

(a) must specify the grounds authorising the service provider to take the action proposed, and

(b) must indicate the date on or after which the supply to the customer's premises may be disconnected if those grounds are not removed, being a date occurring no earlier than 14 days after the first such notice is sent, and

(c) must advise the customer:
(i) of the customer's rights under this Part, and
(ii) in particular, of any rights that the customer may have to have the complaint or dispute referred to the electricity industry ombudsman for resolution.

(4) The contract must provide that if all other attempts under subclause (2) (b) to deal with the customer have been unsuccessful, at least one further attempt must be made outside business hours.

(5) The contract must provide that a service provider must document all action that it takes under subclause (2) (b).

(6) The contract must provide that a service provider must not take action of the kind referred to in subclause (1):

(a) until after the date specified in accordance with subclause (3) (b) in the notices referred to in subclause (2) (a), or

(b) subject to paragraph (a), if before that date the customer makes a request that the complaint (being a complaint that is covered by an approved electricity industry ombudsman scheme) be referred for resolution by the electricity industry ombudsman, until the date occurring 3 business days after the date on which the complaint is so referred,

and, in any case, must not take any such action if, before the date last referred to in paragraph (b), the electricity industry ombudsman directs that such action not be taken.

(7) Nothing in this clause affects any right or obligation to disconnect premises arising from the operation of the *Electricity Safety Act 1945*.

(8) In this clause:

business day means a day that is not a Saturday, Sunday or public holiday.

16 Notice to be given to customer after disconnection

(1) The contract must provide that if the customer's premises are disconnected from a distribution system (other than at the request of a supplier) the service provider must give the customer a notice to the effect that the premises have been disconnected.

(2) The contract must provide that the notice must contain the following information:

(a) the grounds on which the customer's premises were disconnected from the distribution system,

(b) a telephone number to contact for the purpose of enabling the customer to discuss the matter with a person acting on behalf of the service provider,

(c) the arrangements that the customer will need to make for the reconnection of the premises to the distribution system, including any costs payable by the customer in relation to reconnection,

(d) the dispute resolution procedures that are available to the customer in relation to disputes between the customer and the service provider.

17 Disconnection at customer's request

This Part does not prevent a service provider from disconnecting a customer's premises from its distribution system in accordance with a request from the customer.

18 Time limit for new connection services

(1) The contract must provide that, in the case of a new connection service requested to be provided under the contract, the service provider must connect the premises:

(a) if the connection request is made before 3.00 pm on a business day, not later than the end of the next business day, or

(b) if the connection request is made after 3.00 pm on a business day, not later than the end of the second business day following the day the request is made.

(2) Nothing in this clause prevents the service provider and the customer from agreeing to a longer period before connection of the premises to the distribution system.

(3) The contract may provide that a service provider is not required to connect premises to a distribution system within the period specified in this clause if the relevant equipment is not in place to do so or the customer is, for any reason, not entitled to be provided with the connection service.

Schedule 4 Variation of distribution districts

(Clause 116)

1 Distribution district of Australian Inland Energy and Water Infrastructure

(1) The part of Wakool referred to in the description of Australian Inland Energy and Water Infrastructure's distribution district in Schedule 3 to the Act is such part of Wakool as is illustrated as being within that distribution district by the map marked "Far West Energy—Distribution District", copies of which are deposited in the offices of the Ministry of Energy and Utilities.

(2) The part of Windouran referred to in the description of Australian Inland Energy and Water Infrastructure's distribution district in Schedule 3 to the Act is such part of Windouran as is illustrated as being within that distribution district by the map marked "Far West Energy—Distribution District", copies of which are deposited in the offices of the Ministry of Energy and Utilities.

(3) The part of the unincorporated area referred to in the description of Australian Inland Energy and Water Infrastructure's distribution district in Schedule 3 to the Act is the whole of that area, excluding such part of that area as is within the distribution district of Country Energy.

2 Distribution district of Country Energy

(1) The part of Wakool referred to in the description of Country Energy's distribution district in Schedule 3 to the Act is such part of Wakool as is illustrated as being within that distribution district by the map marked "Energy South—Distribution District", copies of which are deposited in the offices of the Ministry of Energy and Utilities.

(2) The part of Windouran referred to in the description of Country Energy's distribution district in Schedule 3 to the Act is such part of Windouran as is illustrated as being within that distribution district by the map marked "Energy South—Distribution District", copies of which are deposited in the offices of the Ministry of Energy and Utilities.

(3) The part of Merriwa referred to in the description of Country Energy's distribution district in Schedule 3 to the Act is such part of Merriwa as was within the distribution district of Ulan Electricity, as it was immediately before the date of amalgamation.

(4) The part of the unincorporated area referred to in the description of Country Energy's distribution district in Schedule 3 to the Act is such part of that area as includes:

(a) Western Land Portions WL 3486, WL 3487 and WL 3488 in the County of Fitzgerald, and

(b) the County of Ularara (Western Land Portions WL 1056, WL 1059, WL 1062, WL 1063 and WL 3069 excepted), and

(c) the Counties of Delalah and Thoulcanna.

3 Distribution district of EnergyAustralia

The part of Merriwa referred to in the description of Energy Australia's distribution district in Schedule 3 to the Act is such part of Merriwa as was within the distribution district of Shortland Electricity, as it was immediately before the date of amalgamation.

Firearms (General) Amendment (Temporary Amnesty) Regulation 2001

under the

Firearms Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Firearms Act 1996*.

PAUL WHELAN, M.P.,
Minister for Police

Explanatory note

The object of this Regulation is to provide a 3-month amnesty with respect to offences under the *Firearms Act 1996* that relate to the unlawful possession of firearms. Under the proposed amnesty:

(a) a person who is in possession of a firearm (but who is not authorised by a licence or permit under the Act to possess it) is exempt from the requirement for a licence or permit to possess the firearm if the person is surrendering it to the police (or is proceeding to a police station to surrender it), and

(b) a person who is in possession of an unregistered firearm (but who is otherwise authorised by a licence or permit to possess it) is exempt from the offence under the Act of being in possession of an unregistered firearm so long as the person has made an application for registration of the firearm.

This Regulation is made under the *Firearms Act 1996*, including section 88 (2) (r).

Firearms (General) Amendment (Temporary Amnesty) Regulation 2001

1 Name of Regulation

This Regulation is the *Firearms (General) Amendment (Temporary Amnesty) Regulation 2001*.

2 Amendment of Firearms (General) Regulation 1997

The *Firearms (General) Regulation 1997* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 119

Insert after clause 118:

119 Temporary amnesty to enable surrender or registration of firearms

(1) In this clause:

period of the amnesty means the period starting on the commencement of this clause and ending 3 months after that commencement.

(2) A person is, during the period of the amnesty, exempt from the requirement under the Act to hold a licence or permit authorising possession of a firearm if the person:

(a) is surrendering the firearm to a member of the Police Service in accordance with such directions as are issued by the Commissioner, or

(b) is proceeding to a police station (or other nominated place) for the purpose of surrendering the firearm.

(3) A person who holds a licence or permit authorising possession of a firearm does not, if the firearm is unregistered, commit an offence under section 36 of the Act of possessing an unregistered firearm.

(4) Subclause (3):

(a) only applies in respect of a person if the person has made an application to the Commissioner for the firearm to be registered, and

(b) continues to apply in respect of that person until the end of the period of the amnesty or until such time as the application is determined by the Commissioner.

(5) Nothing in this clause authorises the use of a firearm.

Fisheries Management (Abalone Share Management Plan) Amendment (Fees) Regulation 2001

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The object of this Regulation is to amend the *Fisheries Management (Abalone Share Management Plan) Regulation 2000* so as to increase:

(a) fees for the registration of transactions purporting to have the effect of transferring, assigning, transmitting or mortgaging shares in an abalone fishery, and

(b) the fee that accompanies a nomination by a shareholder in an abalone fishery of a person to take abalone on behalf of the shareholder, and

(c) the fee that accompanies an application for the approval of the transfer from one shareholder to another shareholder of the shareholder's quota of the total allowable catch for the abalone fishery.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 91 (3) (d) and 289 (the general regulation-making power).

Fisheries Management (Abalone Share Management Plan) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Fisheries Management (Abalone Share Management Plan) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Fisheries Management (Abalone Share Management Plan) Regulation 2000

The *Fisheries Management (Abalone Share Management Plan) Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Appendix Abalone Share Management Plan, clause 9 Registration of share transactions

Omit "$200" from clause 9 (2) (a). Insert instead "$208".

[2] Appendix, clause 9 (2) (b)

Omit "$350". Insert instead "$364".

[3] Appendix, clause 10 Nominated fishers

Omit "$300"from clause 10 (7). Insert instead "$312".

[4] Appendix, clause 19 Application for approval of quota transfer

Omit "$150"from 19 (2) (b). Insert instead "$156".

Fisheries Management (Aquaculture) Amendment (Fees) Regulation 2001

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The object of this Regulation is to amend the *Fisheries Management (Aquaculture) Regulation 1995* so as to increase:

(a) certain fees payable in connection with aquaculture permits and leases, and

(b) the annual contribution payable towards the costs of administration of Part 6 (Aquaculture management) of the *Fisheries Management Act 1994*, and

(c) the annual contribution payable towards the cost of carrying out research that will benefit the New South Wales aquaculture industry and the costs incurred in maintaining any relevant research committee established under the Act, and

(d) the fee payable for the issue of a special permit that authorises a person to take and possess fish or marine vegetation for aquaculture purposes.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 37 (6), 145 (2) (c), 156, 163 (8), 165 (5),167 (7), 172 (2), 173 (2), 174 (2), 191 (k) and 289 (the general regulation-making power).

Fisheries Management (Aquaculture) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Fisheries Management (Aquaculture) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Fisheries Management (Aquaculture) Regulation 1995

The *Fisheries Management (Aquaculture) Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 5 Fee payable when applying for an aquaculture permit

Omit "$200" wherever occurring in clause 5 (1) (a) and (b).
Insert instead "$208".

[2] Clause 5 (1) (c) and (f)

Omit "$300" wherever occurring. Insert instead "$312".

[3] Clause 5 (1) (d), (g) and (h)

Omit "$500" wherever occurring. Insert instead "$520".

[4] Clause 5 (1) (e)

Omit "$400". Insert instead "$416".

[5] Clause 5 (1) (i)

Omit "$50". Insert instead "$52".

[6] Clause 6A Aquaculture permit holders liable to pay contributions towards cost of administration

Omit "$350" from clause 6A (3). Insert instead "$364".

[7] Clause 7 Aquaculture permit holders liable to pay contributions for research

Omit "$100" wherever occurring in clause 7 (4) (a) (i) and (b).
Insert instead "$104".

[8] Clause 7 (4) (a) (ii)

Omit "$20". Insert instead "$21".

[9] Clause 27 Procedure for applying for an aquaculture lease

Omit "$500" wherever occurring in clause 27 (2) (a)–(c).
Insert instead "$520".

[10] Clause 27 (2) (d)

Omit "$800". Insert instead "$832".

[11] Clause 34 Application for renewal of an aquaculture lease

Omit "$400" from clause 34 (2) (a). Insert instead "$416".

[12] Clause 34 (2) (b) and (d)

Omit "$300" wherever occurring. Insert instead "$312".

[13] Clause 34 (2) (c)

Omit "$500". Insert instead "$520".

[14] Clause 36 Minimum rent for leased area

Omit "$100" from clause 36 (1) (a). Insert instead "$104".

[15] Clause 36 (1) (b)

Omit "$37.10". Insert instead "$38.60".

[16] Clause 40 Fee payable for Minister's consent to subletting of leased area

Omit "$350". Insert instead "$364".

[17] Clause 41 Procedure for getting Minister's consent to transfer of aquaculture lease

Omit "$550" from clause 41 (2) (c). Insert instead "$572".

[18] Clause 42 Transmission of aquaculture lease on lessee's death

Omit "$350" from clause 42 (b). Insert instead "$364".

[19] Clause 43 Aquaculture lease may be surrendered

Omit "$250" from clause 43 (1) (b). Insert instead "$260".

[20] Clause 43 (2) (d)

Omit "$350". Insert instead "$364".

[21] Clause 44 Aquaculture leases may be consolidated

Omit "$400" from clause 44 (2) (c). Insert instead "$416".

[22] Clause 44A Aquaculture leases may be subdivided

Omit "$400" from clause 44A (2) (c). Insert instead "$416".

[23] Clause 45 Certified copy of lease or plan

Omit "$50" wherever occurring in clause 45 (1) (a) and (3) (c). Insert instead "$52".

[24] Clause 60A Fee for permit under section 37

Omit "$150" from clause 60A (1). Insert instead "$156".

Fisheries Management (General) Amendment (Fees) Regulation 2001

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The object of this Regulation is to amend the *Fisheries Management (General) Regulation 1995* so as to increase certain fees, charges and contributions payable under the *Fisheries Management Act 1994*.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 104 (2), 106 (2), 108 (2), 110 (7), 118 (2), 127C (2) and 289 (the general regulation-making power).

Fisheries Management (General) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Fisheries Management (General) Regulation 1995

The *Fisheries Management (General) Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 21 Registration

Omit "$20" from clause 21 (4). Insert instead "$21".

[2] Clause 112 Permit to use explosives

Omit "$100" from clause 112 (5). Insert instead "$104".

[3] Clause 114 Permit to use electrical devices

Omit "$100" from clause 114 (5). Insert instead "$104".

[4] Clause 126 Sorting charge for fish

Omit "$10". Insert instead "$10.40".

[5] Clause 136 Fee to accompany application for commercial fishing licence

Omit "$400" from clause 136 (a). Insert instead "$416".

[6] Clause 136 (b)

Omit "$100". Insert instead "$104".

[7] Clause 139 Renewal of commercial fishing licence

Omit "$200" from clause 139 (2) (a). Insert instead "$208".

[8] Clause 139 (2) (b) and (7)

Omit "$100" wherever occurring. Insert instead "$104".

[9] Clause 142 Annual contribution to cost of research and to other industry costs

Omit "$315" from clause 142 (1A). Insert instead "$323".

[10] Clause 143 Fee to accompany application for issue of fishing boat licence

Omit "$140" wherever occurring in clause 143 (1) (a) and (b).
Insert instead "$145".

[11] Clause 143 (1) (b) and (3) (b)

Omit "$20" wherever occurring. Insert instead "$21".

[12] Clause 143 (3) (a) and (b)

Omit "$40" wherever occurring. Insert instead "$42".

[13] Clause 146 Renewal of fishing boat licence

Omit "$40" wherever occurring in clause 146 (2) (a) and (b) and (10) (a) and (b).
Insert instead "$42".

[14] Clause 146 (2) (b) and (10) (b)

Omit "$20" wherever occurring. Insert instead "$21".

[15] Clause 146 (7)

Omit "$100". Insert instead "$104".

[16] Clause 147 Additional licence fee for boats authorised to prawn trawl in ocean prawn trawl restricted fishery

Omit "$1.50" wherever occurring in clause 147 (2) and (6).
Insert instead "$1.56".

[17] Clause 150 Transfer of right to a fishing boat licence

Omit "$250" from clause 150 (3). Insert instead "$260".

[18] Clause 151 Boats taken to be licensed under the Act

Omit "$100" from clause 151 (3). Insert instead "$104".

[19] Clause 153 Fee to accompany application for registration

Omit "$100". Insert instead "$104".

[20] Clause 156 Application for authority to use unregistered crew members

Omit "$50" from clause 156 (2). Insert instead "$52".

[21] Clause 165 Nominated fishers

Omit "$300" from clause 165 (2) (c). Insert instead "$312".

[22] Clause 168 Endorsement fee

Omit "$400" from clause 168 (1) (a). Insert instead "$416".

[23] Clause 168 (1) (b)

Omit "$200". Insert instead "$208".

[24] Clause 172 Transfer of quota

Omit "$150" from clause 172 (2) (c). Insert instead "$156".

[25] Clause 191F Application for endorsement

Omit "$30" from clause 191F (2). Insert instead "$31".

[26] Clause 197 Fee for new endorsements

Omit "$5,000" from clause 197 (1) (a). Insert instead "$5,200".

[27] Clause 200I Endorsement fees

Omit "$2,000" from clause 200I (1) (a). Insert instead "$2,080".

[28] Clause 200I (1) (b) and (d)

Omit "$250" wherever occurring. Insert instead "$260".

[29] Clause 200I (1) (c) and (e)

Omit "$1,000" wherever occurring. Insert instead "$1,040".

[30] Clause 200M Transfer fee

Omit "$2,500" from clause 200M (1). Insert instead "$2,600".

[31] Clause 208 Fee for endorsements

Omit "$200" from clause 208 (1). Insert instead "$208".

[32] Clause 212E Application for endorsement

Omit "$250" wherever occurring in clause 212E (3) (a) and (c). Insert instead "$260".

[33] Clause 212E (3) (b)

Omit "$50". Insert instead "$52".

[34] Clause 212E (3) (c)

Omit "$30". Insert instead "$31".

[35] Clause 212O Application for endorsement of licence for further period

Omit "$250" wherever occurring in clause 212O (3) (a) and (c). Insert instead "$260".

[36] Clause 212O (3) (b)

Omit "$50". Insert instead "$52".

[37] Clause 212O (3) (c)

Omit "$30". Insert instead "$31".

[38] Clause 212U Application for special endorsement

Omit "$30" from clause 212U (2). Insert instead "$31".

[39] Clause 218B Fee to accompany application for registration as fish receiver

Omit "$750" from clause 218B (a). Insert instead "$780".

[40] Clause 218B (b)

Omit "$2,500". Insert instead "$2,600".

[41] Clause 226F Annual licence fee

Omit "$375, plus $75" from clause 226F (1).
Insert instead "$390, plus $78".

[42] Clause 226L Transfer of entitlement to history of operations

Omit "$250" from clause 226L (3). Insert instead "$260".

[43] Clause 226N Renewal of licence

Omit "$100" from clause 226N (5). Insert instead "$104".

[44] Clause 228 Fee for permit to harm marine vegetation (section 205 of the Act)

Omit "$100". Insert instead "$104".

[45] Clause 228

Omit "$50". Insert instead "$52".

Fisheries Management (Lobster Share Management Plan) Amendment (Fees) Regulation 2001

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The object of this Regulation is to amend the *Fisheries Management (Lobster Share Management Plan) Regulation 2000* so as to increase:

(a) fees for the registration of transactions purporting to have the effect of transferring, assigning, transmitting or mortgaging shares in a lobster fishery, and

(b) the fee that accompanies a nomination by a shareholder in a lobster fishery of a person to take lobster on behalf of the shareholder, and

(c) the fee that accompanies an application for the approval of the transfer from one shareholder to another shareholder of the shareholder's quota of the total allowable catch for the lobster fishery.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 91 (3) (d) and 289 (the general regulation-making power).

Fisheries Management (Lobster Share Management Plan) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Fisheries Management (Lobster Share Management Plan) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Fisheries Management (Lobster Share Management Plan) Regulation 2000

The *Fisheries Management (Lobster Share Management Plan) Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Appendix Lobster Share Management Plan, clause 9 Fee for registration of share transactions

Omit "$200" from clause 9 (2) (a). Insert instead "$208".

[2] Appendix, clause 9 (2) (b)

Omit "$350". Insert instead "$364".

[3] Appendix, clause 10 Nominated fishers

Omit "$300" from clause 10 (7). Insert instead "$312".

[4] Appendix, clause 19 Application for approval of quota transfer

Omit "$150" from clause 19 (2) (b). Insert instead "$156".

Fitness Services (Pre-paid Fees) Regulation 2001

under the

Fitness Services (Pre-paid Fees) Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fitness Services (Pre-paid Fees) Act 2000*.

JOHN WATKINS, M.P.,
Minister for Fair Trading

Explanatory note

The objects of this Regulation are as follows:

(a) to prescribe additional requirements relating to the administration of trust accounts under section 11 of the Act,

(b) to prescribe certain offences under the Act and the Regulation as offences in respect of which penalty notices may be issued and to provide for the penalties for such offences,

(c) to prescribe certain classes of physiotherapists and occupational therapists as classes of suppliers of fitness services to which the Act will not apply.

This Regulation is made under the *Fitness Services (Pre-paid Fees) Act 2000*, including sections 5 (d), 11, 16 and 18 (the general regulation-making power).

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Fitness Services (Pre-paid Fees) Regulation 2001

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Fitness Services (Pre-paid Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Definitions

In this Regulation:

Infringement Processing Bureau means the Infringement Processing Bureau within the Police Service.

IPB Code, in relation to an offence, means the code allocated to the offence by the Infringement Processing Bureau.

the Act means the *Fitness Services (Pre-paid Fees) Act 2000*.

trust account of a trustee supplier means a general trust account of the kind referred to section 11 (2) of the Act.

trust money means money received by a trustee supplier as a pre-paid fee for a fitness service that the supplier is required to hold exclusively for the consumer of the service under section 11 (1) of the Act.

trust record means a record required to be kept under Part 2.

trustee supplier—see clause 5.

visible form means any record of information by means of which the information can be produced on demand in permanent legible form in the English language.

4 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

Part 2 Administration of trust accounts

Division 1 General

5 Application of Part

This Part applies to a supplier of a fitness service (a ***trustee supplier***) to whom section 11 (1) of the Act applies.

Note. Section 11 (1) of the Act provides that if a supplier receives money for any pre-paid fee for any fitness service to be provided under a fitness service agreement at, or in connection with, a fitness centre, the supplier must:
(a) hold the money exclusively for the consumer of the service until the supplier commences to provide the agreed service, and
(b) ensure that the requirements of section 11 and the regulations under that section are complied with in relation to the money.
Section 11 (7) of the Act makes it an offence for a supplier of a fitness service to contravene a provision of section 11 or the regulations under the section.

Division 2 Provisions relating to keeping of trust accounts and records

6 Banking trust account money

A trustee supplier who receives trust money must pay it into the supplier's trust account within 3 banking days after its receipt.

Note. Section 11 (2) of the Act requires a trustee supplier to pay trust money to the credit of a general trust account at a branch of an authorised deposit-taking institution in New South Wales.

7 Records to be kept by trustee suppliers

(1) Every trustee supplier must keep the following records:

(a) a trust receipt book containing the duplicates of all receipts issued for all amounts received and required to be paid into the supplier's trust account (the duplicates being machine-numbered consecutively to correspond with the machine-numbered receipts),

(b) a deposit book of an authorised deposit-taking institution showing all deposits made by the trustee supplier into the trust account or some other written or electronic record showing those deposits,

(c) a trust account cash book or some other written or electronic record of all receipts of amounts required to be paid into, and of all payments made from, the trust account.

(2) A trustee supplier is not required to keep duplicates of receipts in a trust receipt book if the particulars entered on the receipts when they were prepared were entered simultaneously in the trust account cash book and the supplier keeps a printed record in that cash book containing those particulars recorded sequentially to correspond with the receipts issued.

8 Computer records

(1) If a trustee supplier maintains trust records by means of a computer system, the supplier must comply with this clause in relation to the records.

(2) The supplier must maintain a record, compiled in chronological sequence, of all changes (by creation, amendment or deletion) to any of the following information:

(a) the name of the consumer of the fitness service concerned,

(b) the consumer's address,

(c) the authorised deposit-taking institution's account number for the trust account,

disclosing the details of the information before and after the change.

(3) The supplier must ensure, in respect of any journal:

(a) that entries balance before entries are made in the ledger, and

(b) that any journal reference numbers are allocated in sequence under program control.

(4) The supplier must ensure in respect of any ledger that no program is capable of accepting the entry of a transaction resulting in a debit balance to an account unless a contemporaneous record of the transaction is made in such a manner as to enable the production in permanent legible form, on demand, of a separate chronological report of all such occurrences.

(5) The supplier must ensure in respect of any ledger that no program enables the deletion of an account unless:

(a) the balance of the account is zero, and

(b) the account, when deleted, is retained in visible form.

(6) The supplier must ensure that any entry in a record produced in visible form appears in chronological sequence.

(7) The supplier must ensure that a report, or each page of or entry in a report, is numbered sequentially under program control in a manner that enables the completeness of the records required to be kept by this Regulation to be conveniently verified.

(8) The supplier must ensure that no amendment to the particulars of a transaction already recorded can be made otherwise than by a separate transaction effecting the amendment.

(9) The supplier must ensure that each program requires input in each field of a data entry screen intended to receive information required by this Regulation to be included in trust records.

(10) The supplier must ensure:

(a) that a back-up copy of all records to which this clause refers is made on a computer disk or magnetic tape or by other electronic means not less frequently than once each month, and

(b) that the most recent back-up copy is kept in such a place that any incident (such as a power or disk failure) that could adversely affect the records would not also affect the back-up copy.

9 Issue of receipts

(1) A trustee supplier must cause a receipt to be prepared immediately after the supplier receives trust money for or on behalf of any consumer.

(2) When a receipt is being prepared by a supplier for issue:

(a) from the trust receipt book, a copy of the entries made on the receipt must be made simultaneously on the machine-numbered duplicate form provided in the book, or

(b) otherwise than from a trust receipt book, a copy of the entries made on the receipt must be made simultaneously in the trust cash book.

(3) The following particulars must be shown on each receipt issued by a supplier:

(a) the date of issue,

(b) the number of the receipt in numerical sequence,

(c) the name of the supplier and the words "Trust Account",

(d) the name of the consumer of the fitness service concerned,

(e) particulars of the transaction in respect of which the money was paid,

(f) the sum of money received and whether (or the extent to which) it was paid in cash or by cheque, by electronic funds transfer or otherwise.

10 Payment of trust money

(1) Trust money must not be drawn from a trustee supplier's trust account otherwise than by a cheque or electronic funds transfer.

(2) Each cheque must:

(a) be machine-numbered in series, and

(b) be marked "not negotiable", and

(c) not be payable to cash, and

(d) contain the name of the supplier or (if appropriate) of the supplier's firm and the words "Trust Account", and

(e) be signed by the supplier or another person authorised by or under clause 14 to sign the cheque.

(3) The trustee supplier must ensure that, for each cheque, a record is kept of:

(a) the date of issue, the payee and the amount of the cheque, and

(b) details identifying the ledger account to be debited and the name of the person on whose behalf the cheque was drawn, and

(c) sufficient particulars to identify the cheque and the reason for drawing it.

(4) If the supplier maintains an accounting system which (at the same time as that at which, and in the same operation as that in which, a cheque is drawn) causes the particulars required by subclause (3) to be entered directly in the cash book required to be kept, the entry of the particulars in the cash book is sufficient compliance with subclause (3).

(5) The supplier must ensure that, for each electronic funds transfer, a record is kept of:

(a) the date of the transfer, the payee and the amount transferred to or from each ledger account, and

(b) details identifying the ledger accounts to be debited and the name and code reference number of each consumer on whose behalf the transfer was made, and

(c) sufficient particulars to identify the transfer and the reason for it.

11 Record of trust account transactions

(1) A trustee supplier must keep a trust account cash book or other written record in which are entered as soon as is practicable particulars of receipts and payments of money required to be paid into, or paid out of, the supplier's trust account.

(2) The pages of the book or other record must be consecutively numbered and on the respective pages the consecutive numbers of receipts issued and cheques drawn or electronic funds transfer payments made must be shown.

(3) When money required to be paid into the trust account is received, the licensee must enter the following particulars in the book or other record:

(a) the date of receipt and the receipt number,

(b) the amount of money received and the form in which it was received,

(c) the name or code reference of the consumer of the fitness service concerned on whose behalf the money was received,

(d) details identifying the ledger account to be credited,

(e) sufficient particulars to identify the purpose for which the money was received.

(4) When money is paid out of the trust account, the trustee supplier must enter the following particulars in the book or other record:

(a) the date of issue of the cheque, the cheque number, its amount and the payee or the date of the electronic funds transfer payment, the amount transferred and the payee,

(b) details identifying the ledger account to be debited and the name of the consumer of the fitness service concerned on whose behalf the cheque was drawn or the electronic funds transfer payment was made,

(c) particulars sufficient to identify the purpose for which the cheque was drawn or the electronic funds transfer payment was made.

(5) At the end of each month, the trustee supplier must balance the cash book or other record and either:

(a) carry forward the balance to the commencement of the next month, or

(b) carry forward the balance to a ledger account provided for the purpose.

(6) The trustee supplier must, at the end of each month, prepare a statement reconciling the balance of the trust account at an authorised deposit-taking institution with the balance of the related cash book or other record.

12 Trust account ledger

(1) A trustee supplier must maintain a separate ledger account for trust money received or paid to each consumer of a fitness service in relation to whom section 11 (1) of the Act applies.

(2) The ledger account must include the name of the consumer, a reference number or other identification and particulars of each transaction affecting trust money.

(3) Those particulars must include the following:

(a) the date of the transaction,

(b) a description of the transaction,

(c) particulars sufficient to identify the trust record originating the transaction,

(d) the amount of the transaction,

(e) the resulting current balance of account arising from the transaction.

13 Trust account ledger trial balance

(1) A trustee supplier must, within 21 days after the end of each month, prepare a trial balance statement of all ledger accounts current as at the end of that month.

(2) The trial balance statement must:

(a) specify the month to which it refers and the date of its preparation, and

(b) list each ledger account that does not have a zero balance at the end of that month by stating the name of the consumer, the reference number or other identification and the balance of the account at the end of the month, and

(c) show the total of the ledger account balances at the end of that month, and

(d) show a comparison between that total and the balance in the cash book reconciled with the balance in the trust account at an authorised deposit-taking institution as required by clause 11 (6).

14 Signing of trust account cheques

(1) The following persons are authorised to sign a cheque drawn on a trust account (a ***trust cheque***):

(a) if the trustee supplier is a corporation, a director of the corporation, or

(b) if the trustee supplier is a sole proprietor, the sole proprietor, or

(c) a partner of a trustee supplier.

(2) A person who has authority to sign trust cheques otherwise than as a delegate may delegate the authority to sign those cheques to any other person or persons.

(3) The delegation must be in writing and signed by the delegator and the delegate and may be revoked by the delegator by giving written notice of revocation to the delegate.

(4) This clause does not remove any additional prohibition or restriction on the signing of cheques made by the constitution or the terms of the partnership agreement of any company or partnership concerned.

(5) A person who has authority to sign a trust cheque must not purport to delegate his or her authority to sign the cheque otherwise than in accordance with this clause.

(6) A person must not sign a trust cheque purporting to do so as the delegate of the trustee supplier if that person has not been authorised to do so in accordance with this clause.

Maximum penalty (subclause (6)): 40 penalty units in the case of a corporation or 20 penalty units in any other case.

15 Period that trust records must be kept

(1) A trustee supplier must keep any trust record for a period of 3 years after the date of creation of the record.

Note. Section 11 (5) (b) of the Act requires a trustee supplier to keep accounting records at the supplier's principal place of business in New South Wales.

(2) In the case of a record kept by means of a computer system, it is sufficient compliance with subclause (1) if the trustee supplier makes available to an investigator any of the following at the request of the investigator:

(a) a computer terminal by means of which the investigator can view the information contained in the record,

(b) a computer print-out of the information contained in the record.

Note. The term ***investigator*** is defined by section 3 (1) of the Act to have the same meaning as that term has in the *Fair Trading Act 1987*. Section 13 (1) of the Act makes clear that the investigation powers conferred on such investigators by Division 3 of Part 2 of the *Fair Trading Act 1987* extend to the administration of the *Fitness Services (Pre-paid Fees) Act 2000* and the regulations made under that Act. Also, section 12 of the Act authorises such investigators to obtain search warrants from an authorised justice if the investigator has reasonable grounds for believing that a provision of the Act or the regulations has been, is being or is about to be contravened in or about any premises.

Part 3 Penalty notices

16 Penalty notice offences

(1) For the purposes of section 16 of the Act:

(a) each offence created by a provision specified in Column 1 of Schedule 1 is a prescribed offence, and

(b) the prescribed penalty for such an offence is the amount specified in Column 4 of Schedule 1.

(2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences or to offences committed in specified circumstances, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or is committed in the circumstances so specified.

17 Short descriptions

(1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 1 consists of the IPB Code set out in relation to the offence in Column 2 of Schedule 1 together with:

(a) the expression specified in Column 3 of that Schedule, or

(b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.

(2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 1, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.

(3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used, and any such document continues to have effect as if that expression had not been amended or repealed.

(4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

Part 4 Miscellaneous

18 Classes of suppliers to which Act does not to apply

For the purposes of section 5 (d) of the Act, the following classes of supplier of fitness services are prescribed:

(a) a physiotherapist registered under the *Physiotherapists Registration Act 1945* while providing a fitness service in the course of his or her practice as a physiotherapist,

(b) an occupational therapist accredited by the Australian Association of Occupational Therapists—NSW while providing a fitness service in the course of his or her practice as an occupational therapist.

Schedule 1 Penalty notice offences

(Clauses 16 and 17)

Offences under the Act

Column 1	Column 2	Column 3	Column 4
Offence	**IPB code**	**Short description**	**Penalty**
Section 10 (2)—fail to refund pre-paid fee within the prescribed period	8670	fail to refund fee within prescribed period	$1,100
Section 11 (7)—contravene a provision of section 11	8672	contravene a provision of section 11	$440
Section 11 (7)—contravene a provision of the regulations under section 11	8673	contravene a provision of regulations under section 11	$440

Offences under this Regulation

Column 1	Column 2	Column 3	Column 4
Offence	**IPB code**	**Short description**	**Penalty**
Clause 14 (6)—sign a trust account cheque as delegate of trustee supplier when not a delegate	8674	sign cheque as delegate without authority	$440

Gas Supply (General) Amendment (Natural Gas Standards) Regulation 2001

under the

Gas Supply Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Supply Act 1996*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to amend the *Gas Supply (General) Regulation 1997* to provide for the establishment and enforcement of quality standards for natural gas in distribution pipelines.

This Regulation is made under the *Gas Supply Act 1996*, including section 83 (the general regulation-making power).

Gas Supply (General) Amendment (Natural Gas Standards) Regulation 2001

1 Name of Regulation

This Regulation is the *Gas Supply (General) Amendment (Natural Gas Standards) Regulation 2001*.

2 Amendment of Gas Supply (General) Regulation 1997

The *Gas Supply (General) Regulation 1997* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Part 6 and Schedule 1

Insert after Part 5:

Part 6 Natural gas standards

27 Definitions

In this Part:

compliant natural gas means natural gas that complies with the standards set out in Schedule 1.

non-compliant natural gas means natural gas that is not compliant natural gas.

reticulator means an authorised reticulator.

safety and operating plan, in relation to a reticulator, means a safety and operating plan lodged with the Director-General, and as amended from time to time, in accordance with the *Gas Supply (Safety and Operating Plans) Regulation 1997*.

supplier means an authorised supplier.

testing agency means a reticulator or other person who tests natural gas for the purpose of compliance by the reticulator with clause 31.

28 Natural gas in pipelines to comply with standards

(1) A reticulator must not convey non-compliant natural gas through a distribution pipeline.

(2) A supplier must not supply non-compliant natural gas to an end user customer through a distribution pipeline.

(3) A person must not inject non-compliant natural gas, or cause such gas to be injected, into a distribution pipeline.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

29 Exception from natural gas standards in special cases

(1) A reticulator does not commit an offence under clause 28 (1) by conveying non-compliant natural gas through a distribution pipeline if the gas is conveyed in accordance with this clause.

(2) Non-compliant natural gas is conveyed by a reticulator in accordance with this clause if:

(a) the reticulator reasonably believes that the conveyance of the gas is necessary to ensure the safety of the public or the security of the reticulator's pipeline, or

(b) the reticulator reasonably believes that the gas that is, or is to be, delivered to the end user customer is compliant natural gas.

(3) A reticulator conveying non-compliant natural gas in accordance with this clause must notify the Director-General:

(a) by telephone, facsimile or email as soon as practicable after the time when the non-compliant natural gas began to be conveyed in the reticulator's pipeline, and

(b) in writing within 14 days after that time.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

30 Reticulator may obtain information and documents regarding natural gas standards

(1) If a reticulator has reason to believe that a person has information or a document that may assist the reticulator in determining whether natural gas being injected into, or conveyed through, the reticulator's distribution pipeline is compliant natural gas, the reticulator may by notice in writing served on the person require the person to give the reticulator the information or a copy of the document.

(2) The notice must:

(a) identify the information or document, and

(b) specify:

(i) a reasonable time by which the requirement must be complied with, and

(ii) the form in which the information or copy of the document is to be given to the reticulator, and

(c) state that the requirement is made under this clause, and

(d) include a copy of this clause.

(3) A person must not, without lawful excuse, fail to comply with any requirement made by a notice under this clause.

(4) A person must not, in purported compliance with a requirement made under this clause, give a reticulator information that the person knows is false or misleading.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

31 Testing of natural gas

(1) A reticulator must not convey natural gas through a distribution pipeline unless the reticulator has tested the gas, or caused the gas to be tested, in accordance with the reticulator's safety and operating plan, to ascertain whether the gas is compliant natural gas.

Note. If the reticulator does not itself test the gas, the person actually testing the gas is referred to in this Part as the ***testing agency***. See clause 27.

(2) A testing agency must keep a register containing copies of all test results at the agency's main office.

(3) If a test has been made to determine a derived value (such as a Wobbe index value), the test results required to be kept in the register include the raw measurements used to determine that derived value.

(4) The testing agency must ensure that the register of test results is open for public inspection at all business hours, and copies of or extracts from the register are to be made available:

(a) to the Director-General—on request and at no cost, and

(b) to any other person—on request and on payment of a reasonable fee fixed by the testing agency.

(5) A testing agency must maintain all testing equipment used to test natural gas, or cause that testing equipment to be maintained, in accordance with the reticulator's safety and operating plan.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

32 Testing agencies and suppliers to report non-compliant natural gas

(1) A testing agency must notify the Director-General without delay if the testing agency becomes aware of any test result that shows that natural gas in a reticulator's distribution pipeline is non-compliant.

(2) A supplier who knows or becomes aware that any non-compliant natural gas is being, or is to be, conveyed through a reticulator's distribution must notify the Director-General without delay.

(3) Notice under this clause may be given by telephone, facsimile or email.

(4) A testing agency or supplier who gives notice of any matter under this clause by telephone must, within 7 days after doing so, send written notice of that matter to the Director-General.

(5) A testing agency or supplier must not send to the Director-General a copy of, or notice of, any test result that the testing agency or supplier knows, or ought to know, is false or misleading.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

33 Director-General may obtain information regarding non-compliant natural gas

(1) If the Director-General believes that non-compliant natural gas is being, or is to be, injected into or conveyed through a reticulator's distribution pipeline, the Director-General may by notice in writing served on any person require that person to give the Director-General such information regarding the injection or conveyance of the non-compliant natural gas as the Director-General specifies.

(2) The notice must:

(a) specify:

(i) a reasonable time by which the requirement must be complied with, and

(ii) the form in which the information is to be given to the Director-General, and

(b) state that the requirement is made under this clause.

(3) A person must not, in purported compliance with a requirement made by a notice under this clause, give the Director-General information that the person knows, or ought to know, is false or misleading.

(4) A person must comply with any requirement made by a notice issued by the Director-General under this clause.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

34 Director-General may issue directions and take other measures regarding non-compliant natural gas

(1) If the Director-General believes that non-compliant natural gas is being, or is to be, injected into or conveyed through a reticulator's distribution pipeline, the Director-General may issue directions to a reticulator or supplier regarding the injection or conveyance of the non-compliant natural gas.

(2) Without limiting subclause (1), the directions issued by the Director-General in accordance with this clause may require a reticulator or supplier to notify end user customers who may be supplied with the non-compliant natural gas that such gas is being, or is to be, injected into or conveyed through the distribution pipeline concerned.

(3) A person must comply with any direction issued by the Director-General under this clause.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

35 Natural gas must have odour

A reticulator must ensure that natural gas being conveyed, or to be conveyed, through the reticulator's distribution pipeline has a distinctive and unpleasant odour that is discernable at a level specified in the reticulator's safety and operating plan.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

36 Exemptions

(1) The Director-General may exempt a reticulator from any or all of the requirements of this Part.

(2) If the Director-General grants an exemption to a reticulator under this clause, the Director-General may issue directions to the reticulator regarding the conveyance of natural gas through the reticulator's distribution pipeline.

(3) A person must comply with any direction issued by the Director-General under subclause (2).

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

Schedule 1 Natural gas standards

(Clause 27)

1. Natural gas is to comply with the following specification limits:

Specification		Limit
Wobbe Index	minimum	46.0 MJ/m^3
	maximum	52.0 MJ/m^3
Oxygen	maximum	0.2 mol %
Hydrogen sulphide	maximum	5.7 mg/m^3
Total sulphur	maximum	50.0 mg/m^3
Water content	maximum	Dew point 0 °C at maximum transmission pressure (In any case, no more than 112.0 mg/m^3)
Hydrocarbon dew point	maximum	2.0 °C 3500 kPa
Total inert gases	maximum	7.0 mol %

2. The standard testing conditions for all the gas properties listed above are:

Temperature: 15 °C

Absolute pressure: 101.325 kPa

With the natural gas dry (that is, completely free from water vapour).

Gas Supply (Miscellaneous Amendments) Regulation 2001

under the

Gas Supply Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Supply Act 1996*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to make provision in connection with the amendment of the *Gas Supply Act 1996* (the ***principal Act***) by the *Gas Supply Amendment (Retail Competition) Act 2001* (the ***amending Act***):

(a) by amending the *Gas Supply (General) Regulation 1997* so as:

(i) to prescribe a rate of natural gas consumption for the purposes of the definition of ***small retail customer*** in section 33R of the principal Act, as inserted by the amending Act, and

(ii) to prescribe certain kinds of dispute for which a gas industry ombudsman scheme must make provision under section 33G of the principal Act, as inserted by the amending Act, and

(iii) to require a gas marketer to comply with decisions of a gas industry ombudsman, and

(iv) to allow the Independent Pricing and Regulatory Tribunal a discretion as to whether or not to hold a hearing in connection with its investigations in relation to an interim gas pricing order, and

(b) by amending the *Gas Supply (Savings and Transitional) Regulation 1991* so as:

(i) to ensure that a customer who enters into a contract for the supply of natural gas between 1 July 2001 and 1 January 2002 does not have to pay a termination fee if the contract is terminated before 1 July 2002, and

(ii) to provide for the construction of certain references.

This Regulation is made under the *Gas Supply Act 1996*, including section 83 (the general power to make regulations) and clause 1 of Schedule 2 (the power to make regulations of a savings or transitional nature).

Gas Supply (Miscellaneous Amendments) Regulation 2001

1 Name of Regulation

This Regulation is the *Gas Supply (Miscellaneous Amendments) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Gas Supply (General) Regulation 1997

The *Gas Supply (General) Regulation 1997* is amended as set out in Schedule 1.

4 Amendment of Gas Supply (Savings and Transitional) Regulation 1991

The *Gas Supply (Savings and Transitional) Regulation 1991* is amended as set out in Schedule 2.

5 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment of Gas Supply (General) Regulation 1997

(Clause 3)

[1] Clause 3 Definitions

Insert in alphabetical order:

gas marketer has the same meaning as it has in Division 5 of Part 2A of the Act.

Marketing Code of Conduct has the same meaning as it has in Division 5 of Part 2A of the Act.

[2] Part 3

Insert after Part 2:

Part 3 Operation of natural gas retail market

10 Definition of "small retail customer": section 33R

(1) For the purposes of the definition of ***small retail customer*** in section 33R of the Act, the prescribed rate referred to in subsection (7) of that section is 1,000 gigajoules per year.

(2) The rate at which a person consumes or is expected to consume natural gas at any premises is to be calculated by determining:

(a) the quantity of natural gas supplied to those premises in the immediately preceding period of 12 months, and

(b) the quantity of natural gas contracted to be supplied to those premises during the immediately following period of 12 months,

so that the person is taken to consume or be expected to consume natural gas at those premises only if the quantity of natural gas determined under paragraph (a) and the quantity of natural gas determined under paragraph (b) are each less than 1,000 gigajoules.

11 Additional disputes and complaints that may be dealt with under a gas industry ombudsman scheme

(1) The following disputes and complaints are prescribed as disputes and complaints for which a gas industry ombudsman scheme must make provision, as referred to in section 33G (1) of the Act:

(a) any dispute between a person and a supplier as to whether the person is, or on becoming a customer would be, a small retail customer,

(b) any dispute between a small retail customer and a supplier as to whether premises owned or occupied by the customer are connected to a distribution system,

(c) any complaint by a small retail customer that alleges that a gas marketer has contravened the Marketing Code of Conduct.

(2) A customer referred to in subclause (1) (a) is prescribed as a customer to which a gas industry ombudsman scheme:

(a) will be accessible, as referred to in section 33G (2) (d) of the Act, and

(b) will operate expeditiously and without cost, as referred to in section 33G (2) (g) of the Act.

(3) A complaint referred to in subclause (1) (c) is exempt from the restriction imposed by section 33F (2) of the Act, and is consequently reviewable under a gas industry ombudsman scheme without the need for internal review under section 33E.

12 Gas marketer to comply with decision of gas industry ombudsman

A gas marketer must not fail to comply with a decision of a gas industry ombudsman under an approved gas industry ombudsman scheme as to a dispute between the marketer and a small retail customer.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

[3] Clause 22A

Insert before clause 23:

22A Investigations by Tribunal

(1) This clause applies to any investigation conducted by the Tribunal under section 32 of the Act in relation to an interim gas pricing order referred to in clause 19 of Schedule 2 to the Act.

(2) For the purposes of any such investigation, the Tribunal may, but is not required to, hold a hearing under section 21 of the *Independent Pricing and Regulatory Tribunal Act 1992*.

Schedule 2 Amendment of Gas Supply (Savings and Transitional) Regulation 1991

(Clause 4)

Part 11

Insert after Part 10:

Part 11 Transitional provisions consequent on the enactment of the Gas Supply Amendment (Retail Competition) Act 2001

57 Negotiated contracts entered into before 1 January 2002

(1) This clause applies to any contract (other than a standard form contract referred to in section 83 (3) (a) of the Act) that is entered into between a supplier and a small retail customer on or after 1 July 2001 and before 1 January 2002.

(2) A contract to which this clause applies may not contain a provision requiring the customer to pay a termination fee in the event that the contract is terminated before 1 July 2002.

(3) Before entering into such a contract, the supplier must notify the small retail customer in writing that the customer will not be required to pay any termination fee in the event that the contract is terminated before 1 July 2002.

(4) Compliance with the requirements of this clause is taken to be a condition of the supplier's authorisation.

58 Construction of references

In any regulation under the Act:

(a) a reference to a tariff customer is to be construed as including a reference to a small retail customer, and

(b) a reference to a small customer is to be construed as a reference to a protected LPG customer.

Jury Amendment (Fees) Regulation 2001

under the

Jury Act 1977

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Jury Act 1977*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

Section 72 of the *Jury Act 1977* provides that a person who attends for jury service at a court or coronial inquest is entitled to be paid at the prescribed rate for that attendance.

The object of this Regulation is to increase the attendance fees, travelling allowances and refreshment allowance paid to jurors.

This Regulation is made under the *Jury Act 1977*, including sections 72 and 76 (the general regulation-making power).

Jury Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Jury Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Jury Regulation 1999

The *Jury Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Scales of daily fees and allowances payable in respect of jurors

(Clause 7)

Scale A Attendance fee

Day of attendance	Fee per day ($)
1st:	
(a) if a person attends for less than 4 hours on that day but is not selected for jury service	Nil
(b) if a person attends for less than 4 hours on that day and is selected for jury service	36.90
(c) if a person attends for more than 4 hours on that day (whether or not the person is selected for jury service)	73.90
2nd–5th	73.90
6th–10th	85.90
11th and subsequent days	100.30
If a person attending for jury service is paid his or her full wage or salary on a day of attendance by his or her employer (not being an amount that is the difference between the person's full wage or salary and the attendance fee)	Nil

(See clause 7 (2) regarding the requirement of submitting a completed statutory declaration if a juror claims an attendance fee.)

Scale B Travelling allowance

On each day of attendance, for one journey each way between the place of residence of a person attending for jury service, as shown on the jury roll, and the court or inquest attended, the person is entitled to be paid at the rate of 23.9 cents per kilometre with:

(a) a minimum payment of $3.35 each way (being a minimum payment for 14 kilometres each way), and

(b) a maximum payment of $23.90 each way (being a maximum payment for 100 kilometres each way),

whether or not public transport is used.

Scale C Refreshment allowance

If a juror in either a civil or criminal matter is released by the trial judge during a luncheon adjournment, the juror is entitled to be paid a refreshment allowance of $5.40.

Justices (General) Amendment (Fees) Regulation 2001

under the

Justices Act 1902

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Justices Act 1902*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to increase certain court fees (set out in the *Justices (General) Regulation 2000*) to be paid to a Clerk of a Local Court in respect of proceedings under the *Justices Act 1902*.

This Regulation is made under the *Justices Act 1902*, including section 154 (the general regulation-making power) and, in particular, section 154 (1) (a).

Justices (General) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Justices (General) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Justices (General) Regulation 2000

The *Justices (General) Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Court fees

(Clause 4)

		$
1	Proceedings commenced by way of information, complaint (other than a complaint for an order under Part 15A (Apprehended violence) of the *Crimes Act 1900*), charge or court attendance notice, including the issue and service of summons if required	58.00
2	Complaint for an order under Part 15A (Apprehended violence) of the *Crimes Act 1900* or application for variation or revocation of such an order	Nil
3	Application of a kind not otherwise provided for in this Schedule (includes issue and service of notice of hearing if required)	58.00
4	For each additional respondent in relation to a matter to which item 3 relates	37.00
5	Issue of subpoena: for each witness to be served	31.00
6	Service of subpoena: for each witness to be served	40.00
7	Certificate of conviction, order or dismissal	37.00
8	Notice of appeal to District Court: one appellant	69.00
9	Further notices of appeal (by the same appellant) in respect of convictions or orders made or sentences imposed, together with the conviction, order or sentence to which a notice of appeal under item 8 relates	37.00
10	Copy of any deposition, transcript or diskette (unless otherwise provided for under any other Act):	
	(a) for each page (or equivalent), where the matter being transcribed is under 3 months old	6.90
	(minimum fee for 1 to 8 pages or equivalent	60.00)

		$
	(b) for each page (or equivalent), where the matter being transcribed is 3 months old or older	7.90
	(minimum fee for 1 to 8 pages or equivalent	70.00)
11	Copy of any document (other than a deposition, transcript or diskette), for each page	2.00
	(minimum fee	10.00)
12	Duplicate tape recording of sound-recorded evidence, for each cassette	32.00

Land and Environment Court Amendment (Fees) Regulation 2001

under the

Land and Environment Court Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Land and Environment Court Act 1979*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to increase certain fees (set out in the *Land and Environment Court Regulation 2000*) to be taken in respect of the business of the Land and Environment Court.

This Regulation is made under the *Land and Environment Court Act 1979*, including section 78 (the general regulation-making power) and, in particular, section 78 (a).

Land and Environment Court Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Land and Environment Court Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Land and Environment Court Regulation 2000

The *Land and Environment Court Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Court fees

(Clause 4)

		$
1	Filing a process to commence proceedings in Class 1 of the Court's jurisdiction (other than proceedings referred to in item 2 or 3)	561.00
2	Filing a process to commence proceedings in Class 1 of the Court's jurisdiction where the matter relates to a development application (other than a development application relating to the subdivision of land) or to a building application, and where the value of the development or building:	
	(a) is less than $50,000	165.00
	(b) is $50,000 or more but less than $500,000	561.00
	(c) is $500,000 or more but less than $1,000,000	2,558.00
	(d) is $1,000,000 or more	3,195.00
3	Filing a process to commence proceedings in Class 1 of the Court's jurisdiction where the matter relates to an appeal under section 98 of the *Environmental Planning and Assessment Act 1979*	165.00
4	Filing a process to commence proceedings in Class 2 of the Court's jurisdiction (other than proceedings referred to in item 5)	561.00

		$
5	Filing a process to commence proceedings in Class 2 of the Court's jurisdiction where the matter relates to a development application (other than a development application relating to the subdivision of land) or to a building application, and where the value of the development or building is less than $50,000	165.00
6	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction (other than proceedings referred to in item 7, 8 or 9)	561.00
7	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction where the matter relates to an appeal, reference or other matter under the *Crown Lands Act 1989*, the *Crown Lands (Continued Tenures) Act 1989*, the *Roads Act 1993*, the *Water Act 1912* or the *Western Lands Act 1901*	79.00
8	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction where the matter relates to an appeal or objection against a valuation of land, and where the value of the land, as determined by the respondent valuing authority:	
	(a) is less than $100,000	145.00
	(b) is $100,000 or more but less than $500,000	196.00
	(c) is $500,000 or more but less than $1,000,000	310.00
	(d) is $1,000,000 or more	439.00
9	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction where the matter relates to a claim for compensation for the compulsory acquisition of land, as referred to in section 24 of the *Land and Environment Court Act 1979*, and where the amount offered as compensation by the resuming or constructing authority:	
	(a) is less than $50,000	165.00
	(b) is $50,000 or more but less than $500,000	561.00
	(c) is $500,000 or more but less than $1,000,000	2,558.00

		$
	(d) is $1,000,000 or more	3,195.00
10	In respect of item 6, 8 or 9, if the registrar determines that, because of the substance of the matter and its lack of complexity, the fee referred to in the item is not appropriate	79.00
11	Filing a process to commence proceedings in Class 4 of the Court's jurisdiction	561.00
12	Filing a process to commence proceedings in Class 5 of the Court's jurisdiction	561.00
13	Filing a process to commence proceedings in Class 6 or 7 of the Court's jurisdiction	165.00
14	Filing a process to commence an appeal to the Court under section 56A of the *Land and Environment Court Act 1979*	682.00
15	Filing a process to commence proceedings for modification of a development consent, or for modification of an approval, granted by the Court on appeal	103.00 or 30% of the original filing fee paid to the Court (whichever is the greater)
16	Production of a document, by an officer of the Court, elsewhere than at the place at which the Court sits and elsewhere than at the office of the registrar	46.00
17	Making a copy of a document, for each page (minimum fee	2.00 10.00)
18	Supplying a copy of the transcript/diskette of proceedings:	
	(a) for each page (or equivalent) where the matter being transcribed is under 3 months old (minimum fee for 1 to 8 pages or equivalent	6.90 60.00)

		$
	(b) for each page (or equivalent) where the matter being transcribed is 3 months old or older (minimum fee for 1 to 8 pages or equivalent	7.90 70.00)
	(c) for each diskette also supplied (in addition to fee under paragraph (a) or (b))	5.00
19	Furnishing a party to proceedings with a second or subsequent copy of the written opinion or reasons for opinion of a Judge or of a commissioner or other officer of the Court in relation to the proceedings, for each copy	44.00
20	Furnishing a person (other than a party to proceedings) with a first or subsequent copy of the written opinion or reasons for opinion of a Judge or of a commissioner or other officer of the Court in relation to any proceedings, for each copy	44.00
21	Opening, or keeping open, the office of the registrar:	
	(a) on a Saturday, Sunday or public holiday (except the day after Easter Monday)	444.00
	(b) on any other day:	
	(i) before 8.30 am or after 4.30 pm	444.00
	(ii) between 8.30 and 9 am or 4 and 4.30 pm	46.00
22	Supplying a duplicate tape recording of sound-recorded evidence, for each cassette	37.00
23	(a) To issue a subpoena for production	50.00
	(b) To issue a subpoena for production and to give evidence	50.00
	(c) To issue a subpoena to give evidence	25.00
24	Retrieving a document from archival storage, for each document	22.00

Legal Profession Amendment (Incorporated Legal Practices) Regulation 2001

under the

Legal Profession Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Legal Profession Act 1987*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to make provision for incorporated legal practices, as a consequence of the commencement of the *Legal Profession Amendment (Incorporated Legal Practices) Act 2000*.

The Regulation provides for the following:

(a) disclosures to be made in respect of legal and non-legal services provided by incorporated legal practices,

(b) the application of Parts 6 and 11 of the *Legal Profession Act 1987* (relating to trust accounts and legal fees and other costs) to incorporated legal practices,

(c) the conferral of certain powers of investigation on the Law Society Council and the Legal Services Commissioner in connection with incorporated legal practices,

(d) information to be provided to the Law Society Council in connection with incorporated legal practices,

(e) other matters relating to incorporated legal practices.

Explanatory note

This Regulation is made under the *Legal Profession Act 1987*, including sections 47J, 47L, 47O, 47T and 216 (the general regulation-making power).

Legal Profession Amendment (Incorporated Legal Practices) Regulation 2001

1 Name of Regulation

This Regulation is the *Legal Profession Amendment (Incorporated Legal Practices) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Legal Profession Regulation 1994

The *Legal Profession Regulation 1994* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Interpretation

Insert in alphabetical order in clause 3 (1):

associate, in relation to a solicitor, has the same meaning as it has in Division 1 of Part 6 of the Act.

Note. See also clause 27A of this Regulation.

solicitor director has the same meaning as it has in Division 2A of Part 3 of the Act.

[2] Clause 3 (1B)

Insert after clause 3 (1A):

(1B) A reference in this Regulation to a legal practitioner's or solicitor's firm includes, in relation to a legal practitioner or solicitor who provides legal services in the capacity of an officer or employee of an incorporated legal practice, a reference to the incorporated legal practice.

[3] Clause 6 Information in application: section 30

Insert after clause 6 (1) (a):

(a1) particulars of any incorporated legal practice of which the practitioner is an officer or employee, including the name of the incorporated legal practice, its Australian Company Number and the names of the directors of the incorporated legal practice,

[4] Clause 6 (1) (b)

Insert "or provides legal services" after "practises".

[5] Clause 6 (1) (f)

Insert after clause 6 (1) (e):

(f) if the practitioner is a solicitor director of an incorporated legal practice and a financial report and director's report is required to be prepared in respect of the incorporated legal practice under section 292 of the *Corporations Law*, a copy of those reports (being the reports most recently lodged with the Australian Securities and Investments Commission).

[6] Clause 9 Refusal, cancellation or suspension

Insert after clause 9 (1):

(1A) If the practitioner is a solicitor director, the appropriate Council must also, within 14 days after its decision, serve written notice of the decision on the incorporated legal practice of which the practitioner is a solicitor director.

[7] Clause 11 Publication of information

Insert "or provides legal services" after "practises".

[8] Clause 12 Notification of change in particulars

Omit clause 12 (2). Insert instead:

(2) A legal practitioner must, in accordance with any request from the appropriate Council, also notify the appropriate Council of the following particulars:

(a) particulars relating to any change to or dissolution of a partnership, formation of a new partnership, or acquisition of the practice of another legal practitioner, by the legal practitioner,

(b) particulars relating to the formation of an incorporated legal practice, or the commencement of the provision of legal services by an incorporated legal practice, or any change to or winding up of an incorporated legal practice, including any change in the directors of the incorporated legal practice.

[9] Clause 13B Requirements of written notice

Omit clause 13B (e). Insert instead:

(e) the firm name, or the name of the employer, of the practitioner including:

(i) if the practitioner is a partner, the name of the partnership, and

(ii) if the practitioner is a solicitor director or an officer or employee of an incorporated legal practice, the name of the incorporated legal practice,

[10] Clause 13H Fidelity Fund contributions: sections 48ZAB and 78A

Omit "or firm of domestic lawyers" from clause 13H (1).

Insert instead ", firm of domestic lawyers or incorporated legal practice".

[11] Part 3C

Insert after Part 3B:

Part 3C Incorporated legal practices

Division 1 Preliminary

13I Definitions

In this Part:

ASIC means the Australian Securities and Investments Commission.

ASIC Act means the *Australian Securities and Investments Commission Act 1989* of the Commonwealth or, after the commencement of the *Australian Securities and Investments Commission Act 2001* of the Commonwealth, that later Act.

controlled money has the same meaning as it has in section 61 (9) of the Act.

non-legal services means services provided by an incorporated legal practice that are not legal services, but does not include clerical or administrative services (such as typing, filing and photocopying) that are provided in connection with legal services.

13J Exempt corporations

For the purposes of section 47C (3) (c) of the Act, the following corporations are exempt and are not incorporated legal practices:

(a) the Law Society,

(b) the Bar Association,

(c) a community legal centre that complies with section 48H of the Act.

Division 2 Disclosures to be made with respect to legal services

13K Disclosures to be made in respect of legal services

(1) If a client engages an incorporated legal practice to provide legal services, each solicitor director of the incorporated legal practice, and any solicitor who provides the legal services, must ensure that a disclosure is made to the client in connection with the provision of legal services.

(2) The disclosure is to be made by giving the client a notice in writing setting out the following:

(a) a description of the legal services to be provided to the client,

(b) advice that the provision of legal services by the incorporated legal practice, including by any officer or employee of the corporation who is a solicitor, is regulated by the *Legal Profession Act 1987*,

(c) a description of the non-legal services (if any) to be provided to the client,

(d) advice that the *Legal Profession Act 1987* does not regulate the provision of those non-legal services.

(3) The disclosure is to be made before any legal services are provided to the client, or as soon as practicable afterwards.

(4) The disclosure is to be made on every occasion that the client retains the incorporated legal practice to provide legal services.

(5) A contravention of this clause is capable of being unsatisfactory professional conduct or professional misconduct.

Division 3 Application of Part 6 of the Act

Note. Section 47L of the Act provides that Part 6 of the Act applies to incorporated legal practices and, for that purpose, authorises the regulations to modify the application of Part 6.

13L Money received by incorporated legal practice for non-legal services

(1) This clause applies to money received by an incorporated legal practice, including by an officer or employee of an incorporated legal practice, in connection with or in the course of providing non-legal services.

(2) Each solicitor director of an incorporated legal practice must ensure that any money to which this clause applies:

(a) is not deposited in a general trust account that is kept for the purposes of section 61 of the Act, and

(b) is not kept in the same account as any controlled money.

(3) A contravention of this clause is capable of being unsatisfactory professional conduct or professional misconduct.

13M Keeping of accounts (section 62)

(1) Each solicitor director of an incorporated legal practice must ensure that section 62 of the Act, and the regulations under that section, are complied with:

(a) in respect of any money received by the incorporated legal practice on behalf of another person in connection with legal services provided by the practice, and

(b) in respect of any money received by an officer or employee of the incorporated legal practice on behalf of another person in the course of providing legal services.

(2) A contravention of this clause is capable of being unsatisfactory professional conduct or professional misconduct.

(3) This clause does not affect the liability of any other solicitor, who provides legal services in the capacity of officer or employee of an incorporated legal practice, for a failure to comply with section 62 of the Act, or the regulations under that section.

13N Audits

(1) Section 63 of the Act, and the regulations under that section, apply to the records of an incorporated legal practice in the same way as it applies to a solicitor's records or the records relating to a solicitor's practice.

(2) A reference in section 63 (2) of the Act to a solicitor is, in relation to an incorporated legal practice, a reference to each solicitor director of the incorporated legal practice and to any solicitor who is an officer or employee of the incorporated legal practice.

Note. The effect of subclause (2) is that the obligation under section 63 (2) of the Act to co-operate with an auditor falls on both the solicitor director of an incorporated legal practice and any solicitors who are officers or employees of the incorporated legal practice.

13O Application of section 64 of the Act to incorporated legal practices

Section 64 of the Act applies to each solicitor who is an officer or employee of an incorporated legal practice, and to money paid to a trust account kept by the incorporated legal practice, in the same way as it applies to a solicitor and a trust account kept by a solicitor.

Division 4 Application of Part 11 of the Act

Note. Section 47J of the Act provides that Part 11 of the Act applies to legal services provided by an incorporated legal practice and, for that purpose, authorises the regulations to modify the application of Part 11.

13P Solicitor directors must ensure cost disclosure requirements are complied with

(1) Each solicitor director of an incorporated legal practice must ensure that Division 2 of Part 11 of the Act is complied with in respect of any legal services provided to a client by the incorporated legal practice (including by an officer or employee of the incorporated legal practice).

(2) A failure by a solicitor director of an incorporated legal practice to ensure that Division 2 of Part 11 of the Act is complied with, in respect of such legal services, is capable of being unsatisfactory professional conduct or professional misconduct.

(3) This clause does not affect the liability of any other solicitor, who provides legal services in the capacity of an officer or employee of an incorporated legal practice, for a failure to comply with Division 2 of Part 11 of the Act.

13Q Costs assessment

(1) Sections 200 and 201 of the Act apply in respect of an incorporated legal practice.

(2) However, an application:

(a) under section 200 of the Act for an assessment of a bill of costs given to an incorporated legal practice by a barrister or solicitor retained by the incorporated legal practice, or

(b) under section 201 of the Act for an assessment of a bill of costs given by the incorporated legal practice,

may be made only by a solicitor director of the incorporated legal practice, on behalf of the incorporated legal practice, and not by the incorporated legal practice itself.

(3) Section 203 of the Act applies in respect of the application, but references to documents of or held by the applicant are taken to include references to documents of or held by the incorporated legal practice.

(4) An application for a review of such an assessment under section 208KA of the Act may be made only by a solicitor director of the incorporated legal practice, on behalf of the incorporated legal practice, and not by the incorporated legal practice itself.

(5) Despite anything to the contrary in this clause, any certificate issued under Subdivision 4 or 4A of Division 6 of Part 11 of the Act in respect of an assessment or a review applied for by a solicitor director on behalf of an incorporated legal practice is enforceable against the incorporated legal practice and not the solicitor director.

13R Liability for overcharging and misrepresentations as to costs

(1) Section 208Q of the Act applies in respect of any conduct of an incorporated legal practice.

(2) For that purpose, the deliberate charging of grossly excessive amounts of costs or a deliberate misrepresentation as to costs by an incorporated legal practice (including by an officer or employee of the incorporated legal practice) constitutes professional misconduct by:

(a) each solicitor director of the incorporated legal practice, and

(b) the solicitor (if any) involved in the conduct.

Division 5 Investigation and review of incorporated legal practices

13S Purposes for which powers may be exercised

(1) The Law Society Council and the Legal Services Commissioner may exercise the powers conferred by this Division for the following purposes:

(a) an investigation referred to in section 55 or 152 of the Act (as applied by section 47O of the Act),

(b) a review conducted under section 47P of the Act.

(2) The Law Society Council and the Legal Services Commissioner are not required to jointly exercise the powers conferred by this Division.

(3) This Division does not limit any powers the Law Society Council and the Legal Services Commissioner have under the Act.

13T Examination of persons

(1) The Law Society Council and the Legal Services Commissioner may exercise the powers conferred on ASIC by Division 2 of Part 3 of the ASIC Act.

(2) Division 2 of Part 3 of the ASIC Act applies to and in respect of the exercise of those powers, with the following modifications (and any other necessary modifications):

(a) a reference to ASIC (however expressed) is taken to be a reference to the Law Society Council or the Legal Services Commissioner,

(b) a reference to a matter that is being or is to be investigated under Division 1 of Part 3 of that Act is taken to be a reference to a matter that is being or is to be investigated or reviewed by the Law Society Council or the Legal Services Commissioner as referred to in clause 13S,

(c) a reference in section 19 to a person is taken to be a reference to a solicitor or an incorporated legal practice,

(d) a reference to a prescribed form is taken to be a reference to a form approved by the Law Society Council or the Legal Services Commissioner.

(3) Sections 22 (2), 25 (2), 26 and 27 of the ASIC Act do not apply in respect of the exercise of the powers conferred on the Law Society Council and the Legal Services Commissioner by this clause.

13U Inspection of books

(1) The Law Society Council and the Legal Services Commissioner may exercise the powers conferred on ASIC by sections 30 (1), 34 and 37–39 of the ASIC Act.

(2) Those provisions apply to an in respect of the exercise of those powers, with the following modifications (and any other necessary modifications):

(a) a reference to ASIC (however expressed) is taken to be a reference to the Law Society Council or the Legal Services Commissioner,

(b) a reference to a body corporate (including a body corporate that is not an exempt public authority) is taken to be a reference to an incorporated legal practice,

(c) a reference to an eligible person in relation to an incorporated legal practice is taken to be a reference to an officer or employee of the incorporated legal practice,

(d) a reference to a member or staff member is taken to be a reference to the Law Society Council, the Legal Services Commissioner or a person authorised by the Council or the Commissioner who is an officer or employee of the Council or the Commissioner,

(e) a reference in section 37 to a proceeding is taken to be a reference to an investigation or review referred to in clause 13S, or any proceedings under the Act that arise as a result of that investigation or review.

13V Power to hold hearings

(1) The Law Society Council and the Legal Services Commissioner may hold hearings for the purpose of an investigation or review referred to in clause 13S.

Note. Compare section 51 of the ASIC Act.

(2) Sections 52, 56 (1), 58, 59 (1), (2), (5), (6) and (8) and 60 (paragraph (b) excepted) of the ASIC Act apply to and in respect of any such hearing, with the following modifications (and any other necessary modifications):

(a) a reference to ASIC (however expressed) is taken to be a reference to the Law Society Council or the Legal Services Commissioner,

(b) a reference to a member or staff member is taken to be a reference to the Law Society Council, the Legal Services Commissioner or a person authorised by the Council or the Commissioner who is an officer or employee of the Council or the Commissioner,

(c) a reference to a person in section 58 is taken to be a reference to a solicitor or an incorporated legal practice,

(d) a reference to a prescribed form is taken to be a reference to a form approved by the Law Society Council or the Legal Services Commissioner.

13W Failure to comply with investigation or review

The following acts or omissions are capable of being unsatisfactory professional conduct or professional misconduct:

(a) a failure by a solicitor to comply with any requirement made by the Law Society Council or the Legal Services Commissioner, or a person authorised by the Council or the Commissioner, in the exercise of the powers conferred by this Division,

(b) a contravention by a solicitor of any condition imposed by the Law Society Council or Legal Services Commissioner in the exercise of the powers conferred by this Division,

(c) a failure by a solicitor director of an incorporated legal practice to ensure that the incorporated legal practice, or any officer or employee of the incorporated legal practice, complies with any of the following:

(i) any requirement made by the Law Society Council or the Legal Services Commissioner, or a person authorised by the Council or the Commissioner, in the exercise of the powers conferred by this Division,

(ii) any condition imposed by the Law Society Council or Legal Services Commissioner in the exercise of the powers conferred by this Division.

Division 6 Miscellaneous

13X Appointment of new solicitor director

For the purposes of section 48D (3) of the Act, the prescribed time (being the time in which a new solicitor director must be appointed for the purposes of that section) is the period of 7 days commencing when the incorporated legal practice ceases to have a solicitor director.

[12] Clause 15 Insurable solicitors

Insert after clause 15 (2):

(2A) Subclause (2) (a) does not apply in respect of a solicitor who is employed by an incorporated legal practice.

[13] Clause 16 Provision of information relating to insurance

Insert "(including, in relation to a solicitor director, the conduct of an incorporated legal practice of which the solicitor is a solicitor director)" after "solicitor's practice" in clause 16 (1).

[14] Clause 17 Definition

Omit clause 17 (2). Insert instead:

(2) However, in relation to a solicitor, firm of solicitors or incorporated legal practice that commences practice or providing legal services after 1 April in any year, the first applicable period is the period starting on the commencement of the practice or the provision of legal services and ending on 31 March next following.

[15] Clause 18 Amount of deposit: section 64

Omit "the solicitor or the firm of solicitors" from clause 18 (1) (a).
Insert instead "the solicitor, firm of solicitors or incorporated legal practice".

[16] Clause 18 (1) (b), (1A), (2), (4) and (4A)

Omit "solicitor or firm" wherever occurring.
Insert instead "solicitor, firm or incorporated legal practice".

[17] Clause 19 Time for deposit

Omit "solicitor or firm of solicitors" wherever occurring in clause 19 (1) and (2).
Insert instead "solicitor, firm of solicitors or incorporated legal practice".

[18] Clause 19 (3)

Omit "The solicitor or firm of solicitors".
Insert instead "The solicitor, firm of solicitors or incorporated legal practice".

[19] Clause 19 (3)

Omit "the solicitor or firm".
Insert instead "the solicitor, firm or incorporated legal practice".

[20] Clause 27 Definitions

Omit the definition of ***associate***.

[21] Clause 27A

Insert after clause 27:

27A "Associate"—extended meaning

For the purposes of paragraph (g) of the definition of ***associate*** in section 60 of the Act, an incorporated legal practice is an associate of a solicitor who is a solicitor director of the incorporated legal practice or an officer or employee of the incorporated legal practice.

[22] Clause 35 Payment of trust money by cheque or electronic funds transfer

Omit clause 35 (2) (e).

[23] Clause 35 (2A)

Insert after clause 35 (2):

(2A) A cheque must be signed by:

(a) except as provided by paragraph (b)—the solicitor, a partner of the solicitor who is a solicitor or 2 persons authorised under clause 40 (1) to sign the cheque, or

(b) in the case of a trust bank account maintained by an incorporated legal practice—a solicitor director of the incorporated legal practice or 2 persons authorised under clause 40 (1) to sign the cheque.

[24] Clause 35 (5)

Omit clause 35 (5) (a), (b) and (c). Insert instead:

(a) except as provided by paragraph (b)—the solicitor, a partner of the solicitor who is a solicitor, or 2 persons authorised under clause 40 to effect an electronic funds transfer from the trust account concerned, or

(b) in the case of a trust bank account maintained by an incorporated legal practice—a solicitor director of the incorporated legal practice or 2 persons authorised under clause 40 to effect an electronic funds transfer from the trust account concerned.

[25] Clause 40 Delegation

Omit "the trust bank account maintained by the solicitor or his or her firm" from clause 40 (1).

Insert instead "a trust bank account maintained".

[26] Clause 40 (1) (c)

Insert at the end of clause 40 (1) (b):

, or

(c) if the solicitor is a solicitor director of an incorporated legal practice and neither the solicitor nor any other solicitor director is able to sign the cheque or effect the transfer with due expedition because of the illness, injury or absence for good reason of the solicitor or any other solicitor director.

[27] Clause 48 Accountant's report to be lodged with Law Society

Insert at the end of clause 48 (1) (b):

, and

(c) each incorporated legal practice of which the solicitor was a solicitor director, at any time during that year.

[28] Clause 48 (6)

Insert after clause 48 (5):

(6) It is a sufficient compliance with this clause by a solicitor practising as a solicitor director of an incorporated legal practice if one accountant's report is lodged for the incorporated legal practice.

[29] Clause 52 Cessation of practice or change in practice arrangements

Insert at the end of clause 52 (1) (c):

, or

(d) ceases to be a solicitor director of an incorporated legal practice, or

(e) becomes a solicitor director of another incorporated legal practice, or

(f) is a party to a dissolution of an incorporated legal practice.

[30] Clause 52 (2)

Insert at the end of clause 52 (2) (b):

, or

(c) ceases to hold or control controlled money and the controlled money is not held or controlled by a person or persons who were solicitor directors of the incorporated legal practice of which the solicitor was a solicitor director and who are continuing to practise in that role,

[31] Clause 69 Duty to report irregularities

Insert "or an associate of the solicitor" after "practitioner)" in clause 69 (1).

[32] Clause 69 (1)

Insert "or associate" after "the solicitor".

[33] Clause 77A

Insert after clause 77:

77A Disclosures by incorporated legal practices

Clauses 13K and 13P do not apply in respect of legal services provided to a client by an incorporated legal practice if the solicitor who provides those services (in the capacity of an officer or employee of the incorporated legal practice) was retained by the client to provide those services before 1 July 2001 and made any disclosure required by Division 2 of Part 11 of the Act.

[34] Schedule 1 Forms

Omit "carried on practice solely or in partnership under the above name" from Form 5.

Insert instead "carried on practice solely or in partnership under the above name or as solicitor director(s) of the above incorporated legal practice".

Legal Profession Amendment (Practising Certificates) Regulation 2001

under the

Legal Profession Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Legal Profession Act 1987*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to extend, from 1 July 2001 to 1 September 2001, the period in which certain practising certificates remain in force. The practising certificates to be extended are practising certificates issued to insurable solicitors that are in force immediately before 1 July 2001. The extension will apply only if an approved professional indemnity insurance policy is in place with respect to the solicitor by 1 July 2001 or if the company that manages the Solicitors' Mutual Indemnity Fund can lawfully use the Fund for the purposes of indemnifying insurable solicitors for the extension period.

This Regulation is made under the *Legal Profession Act 1987*, including section 36 and section 216 (the general regulation-making power).

Legal Profession Amendment (Practising Certificates) Regulation 2001

1 Name of Regulation

This Regulation is the *Legal Profession Amendment (Practising Certificates) Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

3 Amendment of Legal Profession Regulation 1994

The *Legal Profession Regulation 1994* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 6A

Insert after clause 6:

6A Duration of certificate: section 36

Schedule 1A has effect.

Note. Schedule 1A provides for an extension of the duration of certain practising certificates that were issued for the 2000-2001 practising period.

[2] Schedule 1A

Insert after Schedule 1:

Schedule 1A Duration of practising certificates issued for 2000–2001

(Clause 6A)

1 Extension of practising certificates held by insurable solicitors

(1) For the purposes of section 36 (4) (b) of the Act, the common date for the duration of current practising certificates that, immediately before 1 July 2001, are held by insurable solicitors (that is, the ***relevant date*** for the purposes of that section) is 1 September 2001.

(2) As a result, those current practising certificates remain in force until immediately before 1 September 2001, subject to section 36 (3) of the Act.

(3) This clause applies in respect of a current practising certificate held by an insurable solicitor only if:

(a) before 1 July 2001, the Attorney General approves a policy of indemnity insurance under section 41 (2) of the Act that provides indemnity insurance for the extension period to all insurable solicitors who, immediately before 1 July 2001, hold current practising certificates, or

(b) the company can lawfully make payments from the Solicitors' Mutual Indemnity Fund for the purposes of indemnifying insurable solicitors for the extension period.

(4) In this clause:

company has the meaning given by section 39 of the Act.

current practising certificate means a practising certificate in force immediately before 1 July 2001.

extension period means the period from 1 July 2001 to immediately before 1 September 2001.

insurable solicitor has the meaning given by section 39 of the Act.

Note. See clause 15 for the meaning of "insurable solicitor".

Local Courts (Civil Claims) Amendment (Fees) Regulation 2001

under the

Local Courts (Civil Claims) Act 1970

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Courts (Civil Claims) Act 1970*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to increase certain court fees (set out in the *Local Courts (Civil Claims) Regulation 2000*) to be paid to a registrar in respect of the business of a Local Court under the *Local Courts (Civil Claims) Act 1970*.

This Regulation is made under the *Local Courts (Civil Claims) Act 1970*, including section 85 (Regulations—court fees).

Local Courts (Civil Claims) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Local Courts (Civil Claims) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Local Courts (Civil Claims) Regulation 2000

The *Local Courts (Civil Claims) Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Court fees

(Clause 4)

		$
1	Filing a statement of claim:	
	(a) in respect of a claim for an amount not exceeding $3,000	58.00
	(b) in respect of a claim for an amount exceeding $3,000 but not exceeding $10,000	76.00
	(c) in respect of a claim for an amount exceeding $10,000	144.00
2	Filing a notice of cross-claim or a third or subsequent party notice:	
	(a) in respect of a claim for an amount not exceeding $3,000	58.00
	(b) in respect of a claim for an amount exceeding $3,000 but not exceeding $10,000	76.00
	(c) in respect of a claim for an amount exceeding $10,000	144.00
3	Filing a certificate or certified copy of conviction or order	58.00
4	Filing a certificate of readiness:	
	(a) in respect of a claim for an amount not exceeding $3,000	Nil
	(b) in respect of a claim for an amount exceeding $3,000 but not exceeding $10,000	106.00
	(c) in respect of a claim for an amount exceeding $10,000	179.00

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5	Filing an application for an order under section 18A (1) of the *Arbitration (Civil Actions) Act 1983* for the rehearing of an action referred for arbitration. This amount is subject to any rules providing for the refund of the whole or any part of the amount	255.00
6	Making a copy of any document or part of a document, other than as prescribed by Item 7, for each page (minimum fee	2.00 10.00)
7	Supply of duplicate tape recording of sound-recorded evidence, for each cassette	32.00
8	For each copy of the transcript of any proceedings:	
	(a) for each page, where the matter being transcribed is under 3 months old (minimum fee for 1 to 8 pages	6.90 60.00)
	(b) for each page, where the matter being transcribed is 3 months old or older (minimum fee for 1 to 8 pages	7.90 70.00)
9	Except as provided by Item 10, service or attempted service by an officer of the Sheriff of any process or other document, including service by post and preparation of affidavit of service	40.00
10	Service or attempted service of a statement of claim by post, for each address at which service is effected or attempted	25.00
11	Filing an application for a certificate of judgment (otherwise than pursuant to the *Service and Execution of Process Act 1992* of the Commonwealth)	11.00
12	(a) To issue a subpoena for production	25.00
	(b) To issue a subpoena for production and to give evidence	25.00
	(c) To issue a subpoena to give evidence	11.00
13	Execution or attempted execution of a writ of execution or warrant to apprehend a judgment debtor	50.00

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14	Disbursements in executing or attempting to execute a writ of execution, including a fee for keeping possession	As prescribed by the Scale of Fees under the *Sheriff Act 1900*
15	Levy on writ of execution	
16	For work undertaken in preparing for a sale of land on instructions from a judgment creditor—if sale does not proceed	

Occupational Health and Safety (Savings and Transitional) Amendment Regulation 2001

under the

Occupational Health and Safety Act 1983

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Occupational Health and Safety Act 1983*.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The *Occupational Health and Safety (Savings and Transitional) Regulation 2001* continued, for a further period of 3 months ending immediately before 1 July 2001, the effect of regulations made under the *Occupational Health and Safety Act 1983* that were repealed on 1 April 2001 by the operation of section 10 (3) of the *Subordinate Legislation Act 1989*.

The object of this Regulation is to extend that period by a further period of 2 months ending immediately before 1 September 2001. This Regulation will be repealed by the *Occupational Health and Safety Act 2000* when that Act commences.

This Regulation is made under Part 5 of the *Occupational Health and Safety Act 1983*.

Occupational Health and Safety (Savings and Transitional) Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Occupational Health and Safety (Savings and Transitional) Amendment Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

3 Amendment of Occupational Health and Safety (Savings and Transitional) Regulation 2001

The *Occupational Health and Safety (Savings and Transitional) Regulation 2001* is amended by omitting from clause 2 the matter "1 July 2001" and by inserting instead the matter "1 September 2001".

4 Notes

The explanatory note does not form part of this Regulation.

Property, Stock and Business Agents (General) Amendment Regulation 2001

under the

Property, Stock and Business Agents Act 1941

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Property, Stock and Business Agents Act 1941*.

JOHN WATKINS, M.P.,
Minister for Fair Trading

Explanatory note

The *Property, Stock and Business Agents (General) Regulation 1993* requires a licensed agent to include a notice containing advice concerning remedies available under the *Consumer Claims Act 1998* in a statement of claim or itemised account issued under section 42A of the *Property, Stock and Business Agents Act 1941*.

The object of this Regulation is to amend that requirement so that a notice need not be included in a statement of claim or itemised account if the original agency agreement contained a similar notice approved by the Director-General of the Department of Fair Trading, and the statement or account is issued to a party to the agreement. A consequential amendment is also made to the rules of conduct for licensees.

This Regulation is made under the *Property, Stock and Business Agents Act 1941*, including sections 42A (6) and 92 (the general regulation-making power).

Property, Stock and Business Agents (General) Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Property, Stock and Business Agents (General) Amendment Regulation 2001*.

2 Amendment of Property, Stock and Business Agents (General) Regulation 1993

The *Property, Stock and Business Agents (General) Regulation 1993* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 16

Omit the clause. Insert instead:

16 Notice under section 42A

(1) A licensee must (except as provided by subclause (2)) include in or append to a statement of claim or itemised account under section 42A of the Act a legible and conspicuous notice in a form approved by the Director-General for the purposes of this subclause.

Maximum penalty: 20 penalty units in the case of a corporation or 10 penalty units in any other case.

(2) A licensee is not required to include or append a notice as referred to in subclause (1) if:

(a) the statement of claim or itemised account is served on or given to a person who is a party to the agreement pursuant to which the statement or account is issued, and

(b) a legible and conspicuous notice in a form approved by the Director-General for the purposes of this subclause was included in that agreement.

(3) A notice under subclause (1) or (2) is to contain advice concerning remedies available under the *Consumer Claims Act 1998*.

[2] Schedule 1 Rules of conduct

Omit clause 9 (2). Insert instead:

(2) The itemised account must include a notice in a form approved by the Director-General for the purposes of this subclause.

Public Authorities (Financial Arrangements) Amendment (Crown Transactions Entity) Regulation 2001

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Authorities (Financial Arrangements) Act 1987*.

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The object of this Regulation is:

(a) to prescribe the Crown Transactions Entity as an ***authority*** for the purposes of the *Public Authorities (Financial Arrangements) Act 1987*, and

(b) to give the Crown Transactions Entity investment powers under Part 4 of Schedule 4 to that Act, which authorises investments of any kind.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including sections 3 (1) (Definitions), 24 (Investment powers of authorities) and 43 (the general regulation-making power).

Public Authorities (Financial Arrangements) Amendment (Crown Transactions Entity) Regulation 2001

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Crown Transactions Entity) Regulation 2001*.

2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

The *Public Authorities (Financial Arrangements) Regulation 2000* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Schedule 3 Authorities having Part 4 investment powers

Insert in alphabetical order:

Crown Transactions Entity, the Treasury

[2] Schedule 4 Authorities specifically included

Insert in alphabetical order:

Crown Transactions Entity, the Treasury

Public Authorities (Financial Arrangements) Amendment (Hour-Glass Investment Facility) Regulation 2001

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, with the advice of the Executive Council and on the recommendation of the Treasurer, has made the following Regulation under the *Public Authorities (Financial Arrangements) Act 1987*.

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The object of this Regulation is to prescribe certain additional authorised investments for an authority that may exercise Part 1 investment powers under the *Public Authorities (Financial Arrangements) Act 1987*.

The additional investments are investments in an Hour-Glass investment facility which is a unit trust scheme.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including section 43 (the general regulation-making power) and clause 2 (c) of Schedule 4.

Public Authorities (Financial Arrangements) Amendment (Hour-Glass Investment Facility) Regulation 2001

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Hour-Glass Investment Facility) Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

3 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

The *Public Authorities (Financial Arrangements) Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Clause 48A

Insert after clause 48:

48A Additional investments for Part 1 authorities

The following additional investments are prescribed for the purposes of clause 2 (c) of Schedule 4 to the Act:

Any investment in an Hour-Glass investment facility of the Treasury Corporation (being a unit trust scheme within the meaning of the *Duties Act 1997*).

Public Authorities (Financial Arrangements) Amendment (Public Sector Mapping Agency) Regulation 2001

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Authorities (Financial Arrangements) Act 1987*.

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The object of this Regulation is to expand the investment powers of the Department of Information Technology and Management. This Regulation will give the Department the power to invest in a share in a proposed incorporated joint venture to be known as PSMA Australia Ltd, being a joint venture of the Public Sector Mapping Agencies.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including sections 3 (1) (Definitions), 24 (Investment powers of authorities) and 43 (the general regulation-making power).

Public Authorities (Financial Arrangements) Amendment (Public Sector Mapping Agency) Regulation 2001

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Public Sector Mapping Agency) Regulation 2001*.

2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

The *Public Authorities (Financial Arrangements) Regulation 2000* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 52C

Insert in appropriate order:

52C Additional investment—Department of Information Technology and Management

The following additional investment is prescribed in respect of the Department of Information Technology and Management for the purposes of clause 2 (c) of Schedule 4 to the Act:

Investment of $1 in one share in PSMA Australia Limited, being an incorporated joint venture of the Public Sector Mapping Agencies.

Real Property Amendment (Fees) Regulation 2001

under the

Real Property Act 1900

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Real Property Act 1900*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The objects of this Regulation are:

(a) to increase certain fees payable to the Registrar-General under the *Real Property Act 1900*, and

(b) to introduce new fees for:

  (i) the production of any Crown grant, certificate of title or other document that the Registrar-General allows to be produced by post, and

  (ii) the lodgment of a building management statement for a building containing various lots (not being strata lots), and

(c) to correct the description of a fee item relating to the examination and authentication of certain dealings etc to better reflect the nature of the service provided, and

(d) to remove an obsolete fee, being the fee for licensing any person to print approved forms containing a licence number issued by the Registrar-General.

This Regulation is made under the *Real Property Act 1900*, including section 144 (the general regulation-making power) and, in particular, section 144 (1) (a).

Real Property Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Real Property Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Real Property Regulation 1998

The *Real Property Regulation 1998* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 5

Omit the Schedule. Insert instead:

Schedule 5 Fees

(Clause 13)

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Copies		
1	On lodgment of an application for a certified copy of a registered instrument or part of it affecting land under the provisions of the Act—for each copy	60.00
	In addition, if the application is received by post and:	
	(a) no more than 20 instruments are to be copied	11.00
	(b) more than 20 instruments are to be copied—for the first 100 instruments or any part of that number	20.00
	(c) more than 100 instruments are to be copied—for each 100 instruments or any part of that number after the first 100 instruments	20.00

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2	For supplying a copy of a document or part of a document available from the Document Copy Service	4.00
	In addition, in the case of a document containing 20 or more pages, or if an application is made for multiple copies of a document containing 10 or more pages	Such reasonable fee (determined by the Registrar-General) as is warranted by the cost incurred in preparing the copy or copies
	Advertisements	
3	On advertisement, pursuant to section 12 (1) (h1) of the Act, of the intended exercise or performance of any power, authority, duty or function conferred or imposed on the Registrar-General by the Act	Such fee as the Registrar-General determines having regard to the cost of the advertisement
	Production of documents	
4	For each Crown grant, certificate of title or other document produced for the purpose of any application, request, dealing or plan to be subsequently lodged	16.50
5	In addition, for each Crown grant, certificate of title or other document produced for the purpose of any application, request, dealing or plan to be subsequently lodged that the Registrar-General allows to be produced by post	11.00
	Applications, requests and dealings	
6	On lodgment of an application to bring land under the Act	120.00
7	On lodgment of an application, request or dealing for which no fee is otherwise provided	60.00
8	On lodgment of an application or request for amendment of a folio of the Register, Crown grant or certificate of title	60.00

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9	On lodgment of an application under section 81A of the Act for the extinguishment of a restrictive covenant	60.00
	In addition:	
	(a) for each hour or part of an hour occupied in examining the application	100.00
	(b) for the Registrar-General's costs of serving notice under section 81D of the Act by way of registered post	Such fee as the Registrar-General determines having regard to the cost of posting the notice
10	On lodgment of an application under section 49 of the Act for the cancellation of an easement that has been abandoned	60.00
	In addition, for each hour or part of an hour occupied in examining the application	100.00
11	On lodgment of an application for the determination under Part 14A of the Act of the position of the common boundary of adjoining lands	60.00
12	On lodgment of a building management statement	60.00
13	For every plan, sketch or diagram accompanying a dealing, application, request or instrument	60.00
14	In addition, for any dealing, application or request mentioned in items 6–11 that the Registrar-General allows to be lodged by post	11.00
Caveats		
15	On lodgment or recording of a caveat	60.00
16	On withdrawal or partial withdrawal of a caveat pursuant to section 74M (1) of the Act	60.00

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17	On lodgment of a request for withdrawal or partial withdrawal of a Registrar-General's caveat (no fee is payable for withdrawal or partial withdrawal of a Registrar-General's caveat consequent on lodgment and registration of a dealing)	60.00
18	On lodgment of a request for the Registrar-General to direct the manner of service of a notice on a caveator pursuant to section 74N (1) (e) of the Act	60.00
19	On lodgment of an application for preparation of a notice for service on a caveator pursuant to section 74C (3), 74I (1) or (2) or 74J (1) of the Act	60.00
20	On lodgment of a notice of a change of name of a caveator or of the address for service of a notice on a caveator	60.00
	Authentication of forms	
21	For examination and authentication of any dealing, application, request or caveat that is required by any Act to be in an approved form which contains departures from the approved form and which is not a form licensed by the Registrar-General, an additional	60.00
	Official searches	
22	On requisition for an official search of a manual folio of the Register (whether or not requiring the continuation of a search from the date of a previous search of that folio or the date of a prior certificate of result of a search)	60.00
	In addition, for each half-hour or part of a half-hour occupied in the search after the first hour	30.00

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Computer folios		
23	On the lodgment of a requisition for a computer folio certificate, final search of a computer folio or search of a historical record	4.00
Public searches		
24	On the lodgment of a requisition requiring dispatch of information by post, facsimile or other approved means:	
	(a) for an initial search of a folio of the Register, including investigation as to title reference, a copy of the relevant folio and the transmission fee	29.70
	In addition, for inclusion in the initial search of any additional document forming part of the Register (per document)	4.00
	(b) for a final search of a folio of the Register, including a copy of the search and the transmission fee	22.00
	(c) for providing copies of a folio or dealing if no investigation as to title reference is required, including a copy of the folio or dealing and the transmission fee	22.00
	In addition, for inclusion of each additional document required	4.00
	(d) for a historical search of a folio of the Register, including a copy of the search and the transmission fee	22.00
	(e) for providing copies of an instrument or a plan only, including a copy of the document and the transmission fee	22.00
	In addition, for inclusion of each additional document required	4.00

		$
	(f) for supplying documents by facsimile transmission if no transmission cost is included in the initial fee and for supplying additional documents or copies, for each sheet	1.10
Searches generally		
25	In the case of a requisition for an official search of a manual folio, a computer folio certificate, a final search of a computer folio or a search of a historical record that, in the opinion of the Registrar-General, is a search for which the above schedule of fees is not appropriate	Such reasonable fee (determined by the Registrar-General in negotiation with the requesting party) as is warranted by the cost incurred in carrying out the search
Certificates of title		
26	For the issue of a certificate of title on any request or application	60.00
Miscellaneous		
27	On depositing an instrument declaratory of trusts or other instrument not specified	60.00
28	On lodgment of a requisition for statement of grounds under section 121 of the Act	60.00
29	On lodgment of a request for the issue of a summons under section 12 of the Act	60.00
30	On lodgment of a request for the issue of a notice under section 136 of the Act	60.00
31	For recording of any memorial or notification not otherwise provided for	60.00
32	On lodgment of a request for delivery of a document or documents pursuant to section 23A (3) (c) of the Act (no fee is payable if the request is made during the currency of the primary application)	15.00

		$
33	For furnishing a certificate of ownership (*Local Government Act 1993*—section 700 (2)) and incorporating in it any information as to subsisting encumbrances or interests	30.00
	In addition, for supplying each additional document forming part of the Register	4.00
34	For supplying information in response to a written inquiry as to the manner in which a proposed dealing or plan should be drawn, or as to whether a proposed dealing or plan is entitled to registration, or in response to a written inquiry that necessitates any searching or investigation	Such reasonable fee (determined by the Registrar-General) as is warranted by the cost incurred in supplying the information, searching or investigating
35	For production of documents at the Office of State Revenue	20.00
36	For supplying details of lots created on the registration of a deposited plan or strata plan (within the meaning of the *Conveyancing (General) Regulation 1998*)	2.00
37	In addition, for any dealing, application, request or caveat that refers to more than 20 folios of the Register	60.00 for each group of 20 folio references or part of that number

Residential Tribunal Amendment Regulation 2001

under the

Residential Tribunal Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Residential Tribunal Act 1998*.

JOHN WATKINS, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Residential Tribunal Regulation 1999* so as:

(a) to ensure that applications to the Residential Tribunal that are lodged electronically are lodged by means approved by the Registrar of the Tribunal, and

(b) to provide that electronic authentication of the identity of a person authorised to make such an application is sufficient compliance with a requirement that the application be signed by such a person.

This Regulation is made under the *Residential Tribunal Act 1998*, including section 78 (the general power to make regulations).

Residential Tribunal Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Residential Tribunal Amendment Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Residential Tribunal Regulation 1999

The *Residential Tribunal Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 18 Applications

Insert "approved by the Registrar" after "electronic means" in clause 18 (4).

[2] Clause 19 Particulars of application

Insert after clause 19 (7):

(8) An application that is lodged by electronic means is taken to be duly signed so long as:

(a) it identifies a person who, under this Regulation, is authorised to sign the application, and

(b) it indicates that person's approval to the making of the application and (where appropriate) that person's belief in the truth of the information contained in the application,

by electronic or other means approved by the Registrar.

Roads (General) Amendment (Penalty Notices) Regulation 2001

under the

Roads Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Roads Act 1993*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to increase the penalties for offences dealt with by way of a penalty notice issued under section 243 of the *Roads Act 1993* in relation to contraventions of certain provisions under the *Roads (General) Regulation 2000*.

This Regulation is made under the *Roads Act 1993*, including sections 243 (Penalty notices for certain offences) and 264 (the general regulation-making power).

Roads (General) Amendment (Penalty Notices) Regulation 2001

1 Name of Regulation

This Regulation is the *Roads (General) Amendment (Penalty Notices) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Roads (General) Regulation 2000

The *Roads (General) Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Penalty notice offences

(Clauses 74 and 75)

Column 1 Offence provision	Column 2 Penalty $	Column 3 IPB Code	Column 4 Short description
Roads (General) Regulation 2000			
Clause 6 (3)	355	5695	disregard traffic controller
Clause 11 (1) (a)	355	5696	place on road thing likely to injure person/damage vehicle
Clause 11 (1) (b)	355	5697, 5698	place on road thing likely restrict/ endanger road use/interfere with public
Clause 11 (1) (c)	355	5699	unload/load vehicle on/from shoulder likely cause road damage
Clause 11 (1) (d)	355	5700	allow escape on road liquid/loose/ waste material
Clause 11 (3) (a)	355	5701	fail to place thing out of line of traffic
Clause 11 (3) (b)	355	5702	not ensure thing on road adequately guarded
Clause 11 (3) (c)	355	5703	not ensure thing on road adequately lit at night
Clause 11 (3) (d)	355	5704	fail to remove thing from road
Clause 12 (a)	237	5705	drive on road vehicle/animal causing damage
Clause 12 (b)	237	5706	tether animal on road capable of causing damage
Clause 13 (1) (a)	237	5707	propel/drag thing capable of causing road damage

Column 1 Offence provision	Column 2 Penalty $	Column 3 IPB Code	Column 4 Short description
Clause 13 (1) (b)	237	5708	drive with wheel chains on non slippery road
Clause 13 (2)	355	5709	drive vehicle with tracks/spikes/bars/ projections
Clause 14	237	5710	drive on road vehicle in disrepair causing damage
Clause 15	355	5711	carry out road work without hazard guard/light
Clause 16	355	5712	extinguish/interfere with/obscure street light/hazard warning light
Clause 17 (1)	355	5713	jump onto/from bridge on road
Clause 18	355	5714	cast/throw thing onto/into road/vehicle from land/road/building/structure
Clause 19	237	5715	allow water to drip/flow on road from adjoining land (occupier)
Clause 20	355	5716	excavate near road so as to threaten damage to road/structure/work
Clause 21	237	5717	erect/maintain/use door/gate opening outwards into road
Clause 22 (1)	118	5718	drive vehicle past toll collection point without payment/direction
Clause 22 (3)	118	5719	fail to pay toll directed to be paid within 7 days
Clause 23 (2)	118	5720	pay toll money to officer in container/ package/receptacle
Clause 23 (3) (a)	118	5721	pay toll money to machine in container/package/receptacle
Clause 23 (3) (b)	118	5722	pay toll money to machine with wrong coin denomination
Clause 23A (1) (a)	237	6710	tamper/interfere with electronic device
Clause 23A (1) (b)	237	6711	tamper/interfere with equipment
Clause 23A (1) (c)	237	6717, 6713	tamper/interfere with part of device/ equipment
Clause 23A (2) (a)	237	6718	use voucher/device not issued by toll operator
Clause 23A (2) (b)	237	6720	use voucher/device for wrong class of vehicle

Column 1 Offence provision	Column 2 Penalty $	Column 3 IPB Code	Column 4 Short description
Clause 24	118	6722	fail to pay toll to operator on demand
Clause 25 (1)	237	5724	drive vehicle other than on tollway carriageway
Clause 26 (1)	237	5725	walk other than on tollway footway or footbridge
Clause 27 (1)	355	5726	leave vehicle unattended on tollway
Clause 28	237	5727	load/unload vehicle on tollway without officer's direction
Clause 29 (a)	355	5728	fail to park broken vehicle off tollway (driver)
Clause 29 (b)	355	5729	fail to warn traffic of broken vehicle on tollway (driver)
Clause 29 (c)	355	5730	fail to remove broken vehicle from tollway (driver)
Clause 30	237	5731	allow animal to stray on tollway (person in charge)
Clause 32 (2)	355	5732	contravene lawful tollway direction of authorised officer
Clause 33 (3)	355	5733	contravene direction in RTA tollway notice
Clause 38 (a)	355	5734	climb on bridge
Clause 38 (b)	355	5735	remain on moving span of bridge closed to traffic
Clause 39	355	5736	light/maintain/use fire on/under/near bridge
Clause 41 (2)	118	5737	fish from bridge contrary to notice
Clause 42 (2)	355	5738	contravene bridge traffic direction
Clause 43	237	5739	riding bicycle on Harbour Bridge except on cycleway
Clause 44 (1) (a)	118	5740–5743	sell/hire/offer goods on Harbour/ Anzac Bridge without permit
Clause 44 (1) (b)	118	5744, 5745	provide/offer services on Harbour/ Anzac Bridge without permit
Clause 44 (1) (c)	118	5746–5749	conduct/participate entertainment/ exhibition on Harbour/Anzac Bridge without permit

Column 1 Offence provision	Column 2 Penalty $	Column 3 IPB Code	Column 4 Short description
Clause 44 (1) (d)	118	5750–5753	conduct/participate assembly/ procession on Harbour/Anzac Bridge without permit
Clause 44 (1) (e)	118	5754, 5755	display/distribute advertisement/ advertising on Harbour/Anzac Bridge without permit
Clause 46	237	5756, 5757	moor vessel to bridge/make fast floating timber to bridge
Clause 47 (1) (a)	237	5758	cause/allow vessel exceed speed limit past bridge (master)
Clause 47 (1) (b)	237	5759	cause/allow vessel past bridge without power or tow (master)
Clause 47 (1) (c)	237	5760	cause/allow vessel to tow with tide past bridge (master)
Clause 47 (1) (d)	237	5761	cause/allow vessel to pass bridge abreast other vessel (master)
Clause 48	237	5762	fail to ensure bridge navigation lights displayed (operator)
Clause 51 (1)	237	5763	cause/allow vessel to approach unopened bridge (master)
Clause 51 (2) (a)	237	5764	fail to give bridge “ready to pass signal” (master)
Clause 51 (2) (b)	237	5765	fail to take vessel promptly through open bridge (master)
Clause 53 (3)	118	5766	damage/deface/destroy ferry notice displayed at access point
Clause 55	118	5767	use ferry without paying ferry charge
Clause 56	237	5768	board ferry before allowed by ferry operator
Clause 57	237	5769	drive vehicle/animal to ferry beyond “STOP” sign
Clause 58 (1) (a)	118	5770–5773	sell/hire/offer to sell/hire goods on ferry
Clause 58 (1) (b)	118	5774, 5775	provide/offer services for gain on ferry
Clause 58 (1) (c)	118	5776–5779	conduct/participate in entertainment/ exhibition on ferry
Clause 59 (2)	237	5780	fail to extinguish vehicle light when directed

Column 1 Offence provision	Column 2 Penalty $	Column 3 IPB Code	Column 4 Short description
Clause 60	237	5781	occupy vehicle/animal area on ferry (foot passenger)
Clause 61 (a)	237	5782, 5783	obstruct/interfere with ferry
Clause 61 (b)	237	5784	obstruct ferry operator
Clause 61 (c)	237	5785, 5786	obstruct person boarding/leaving ferry
Clause 61 (d)	237	5787, 5788	leave vehicle/animal unattended on ferry
Clause 61 (e)	237	5789–5791	open container of petrol/inflammable spirit/oil/light match/expose naked light on ferry
Clause 61 (f)	237	5792	smoke on ferry
Clause 61 (g)	237	5793–5796	move on to/occupy ferry flap while ferry in motion/without permission
Clause 62 (3)	237	5797	contravene ferry operator traffic direction
Clause 63 (1)	237	5798	fail to keep moving ferry's gates and exits closed (operator)
Clause 63 (2)	237	5799, 5800	not securely moor ferry/adjust ferry gates before allowing boarding (operator)
Clause 69 (a)	237	5801	fail to ensure gate is white (permit holder)
Clause 69 (b)	237	5802	fail to ensure gate posts have reflectors (permit holder)
Clause 70	237	5803	fail to ensure gate approach good order (permit holder)

Road Transport (Driver Licensing) Amendment (Car-based Motor Tricycles) Regulation 2001

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The objects of this Regulation are:

(a) to allow the holders of car licences (other than provisional licences) to drive car-based motor tricycles without the need to obtain a separate motorcycle licence, and

(b) to extend the demerit points regime to include the offence under clause 45A of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* which relates to the conveying of children under the age of 16 years in or on car-based motor tricycles.

Even though a person will not need a motorcycle licence to drive a car-based motor tricycle, the driver of such a motor tricycle, and any passenger in or on the motor tricycle, are each required to wear a motor bike helmet under the existing law.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 19 and 20.

Road Transport (Driver Licensing) Amendment (Car-based Motor Tricycles) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Car-based Motor Tricycles) Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

3 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 15 First-stage provisional licences (provisional P1)

Insert after clause 15 (4) (a):

(a1) in the case of a provisional P1 licence of class C, the holder must not drive a car-based motor tricycle,

[2] Clause 15A Second-stage provisional licences (provisional P2)

Insert after clause 15A (4):

(4A) In addition to any other conditions that may be attached to the licence, a provisional P2 licence is subject to the condition that the holder must not drive a car-based motor tricycle.

[3] Clause 26 Licence classes

Insert clause 26 (3). Insert instead:

(3) The holder of a car licence may drive any of the following:

(a) a motor vehicle with a GVM that is not greater than 4.5 tonnes and that is constructed or equipped to seat not more than 12 adults (including the driver),

(b) a car-based motor tricycle,

(c) any tractor or implement.

(3A) However, the authority conferred by a car licence does not entitle the holder to drive:

(a) a motor bike, or

(b) a motor trike (other than a car-based motor tricycle) that does not have a body type commonly known as, or similar to, a sedan, station wagon, coupe, convertible, roadster, utility, tray top or van.

[4] Clause 26 (8)

Omit "(3)". Insert instead "(3A)".

[5] Schedule 1 Demerit points offences and penalties

Insert "45A (1) or" before "47A" in the matter relating to the offence of unauthorised carriage of pillion passenger on motor bike or motor trike in Part 2.

[6] Dictionary

Insert in alphabetical order:

car-based motor tricycle means a motor trike that:

(a) has displayed on it a compliance plate issued by the Australian Transport Safety Bureau, with the category LEM, LEP or LEG, and

(b) has a GVM that is not greater than 1 tonne, and

(c) is constructed or equipped to seat not more than 3 adult persons including the driver, and

(d) has a rear mounted engine of a kind manufactured for a motor car, and

(e) has a transmission of a kind manufactured for a motor car with direct drive to the rear wheels, and

(f) has at least 2 of the following characteristics:

(i) pedal operated clutch or automatic transmission,

(ii) pedal operated fully integrated braking system,

(iii) left-hand operated gear stick not mounted on the handlebars.

Road Transport (Driver Licensing) Amendment (Fees) Regulation 2001

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Road Transport (Driver Licensing) Regulation 1999* (**the 1999 Regulation**) so as to increase certain fees payable under the *Road Transport (Driver Licensing) Act 1998*.

Fees under the 1999 Regulation that are not being increased include:

(a) fees for replacement and duplicate licences (not being learner licences), and

(b) in relation to competency based assessment, the scheme participation fee and the fee for a replacement log book, and

(c) the fee for a certificate from the Roads and Traffic Authority's records.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 19 (the general regulation-making power) and 20 (and, in particular, section 20 (2) (f)).

Road Transport (Driver Licensing) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

4 Note

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 3

Omit the Schedule. Insert instead:

Schedule 3 Fees

(Clause 62)

1	**Issue or renewal of driver licences**		
	(a)	1-year	$36
	(b)	3-year	$87
	(c)	5-year	$117
	(d)	provisional P1 licence	$36
	(e)	provisional P2 licence	$57
	(f)	learner licence	$15
2	**Replacement or duplicate licence**		
	(a)	learner licence	$15
	(b)	any other licence	$17
3	**Application for driving or riding test**		$36
4	**Competency based assessment**		
	(a)	scheme participation fee	$17
	(b)	replacement log book	$5
5	**Entry fee for authorised rider training course**		
	(a)	provisional licence rider training course	$90
	(b)	learner licence rider training course	$60
6	**Certificate from Authority's records**		$20
7	**Information from records (other than a certificate)**		$15

8	**Hazard Perception Test**	$11
9	**Driver Qualification Test**	$11

Road Transport (General) Amendment (Fees) Regulation 2001

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to increase the fees payable under the *Road Transport (General) Act 1999*. The increased fees are for access to information:

(a) contained in the database of declarations and orders maintained under section 13 (3) of that Act, and

(b) from the records of the Roads and Traffic Authority (including certificates and other documents issued under section 46 of that Act).

The daily fee for the storage of an impounded motor vehicle or trailer is not being increased.

This Regulation is made under the *Road Transport (General) Act 1999*, including section 71 (the general regulation-making power) and, in particular, section 71 (2) (b).

Road Transport (General) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (General) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Road Transport (General) Regulation 1999

The *Road Transport (General) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees and other charges

(Clauses 13, 17 (1) and 18)

	Fee or charge category	Provision prescribing fee or charge	Amount payable ($)
1	Daily impounding fee for motor vehicle or trailer under clause 5 (2) (a) of Schedule 1 to the Act	clause 13	3
2	Access to information contained in database of declarations and orders maintained under section 13 (3) of the Act	clause 17 (1)	15
3	Information from records of the Authority (including certificates and other documents issued under section 46 of the Act)	clause 18	15

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Car-based Motor Tricycles) Regulation 2001

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

Clause 45A of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* prohibits the conveying of children under the age of 16 years in or on car-based motor tricycles. The object of this Regulation is to enable offences under that clause to be dealt with by way of a penalty notice under section 15 of the *Road Transport (General) Act 1999*.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 15 and 71 (the general regulation-making power).

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Car-based Motor Tricycles) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Car-based Motor Tricycles) Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

3 Amendment of Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999

The *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Schedule 2 Penalty notice offences

Insert after the matter relating to clause 45 of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*:

45A	1441	drive car-based motor tricycle with passenger under 16 yrs	1	220

[2] Schedule 2

Omit "1,110" from Column 5 of the matter relating to clause 47B of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

Insert instead "1,100".

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment Regulation 2001

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to increase the amounts of certain penalties listed in Schedule 2 to the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* (the Principal Regulation).

This Regulation also omits from the Principal Regulation provisions and penalty notice offences now obsolete following the conclusion of the Sydney Olympic Games.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 15 and 71 (the general regulation-making power) and, in particular, section 71 (2) (b).

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999

The *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 6 Penalty notice offences

Omit clause 6 (4) and (5).

[2] Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Penalty notice offences

(Clauses 5 and 6)

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Australian Road Rules				
Rule 20:				
(a) in the case of a class A motor vehicle:				
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	3587, 3599, 3611, 3623, 3635, 3647, 3804	exceed speed 15 km/h and under	1	118
(ii) driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3588, 3600, 3612, 3624, 3636, 3648, 3805	exceed speed over 15 km/h	1	188

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3589, 3601, 3613, 3625, 3637, 3649, 3806	exceed speed over 30 km/h	1	524
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	3590, 3602, 3614, 3626, 3638, 3650, 3807	exceed speed over 45 km/h	1	1,447
(b) in the case of a class B motor vehicle:				
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	3591, 3603, 3615, 3627, 3639, 3651, 3809	exceed speed 15 km/h and under	1	181
(ii) driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3592, 3604, 3616, 3628, 3640, 3652, 3810	exceed speed over 15 km/h	1	284
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3593, 3605, 3617, 3629, 3641, 3653, 3811	exceed speed over 30 km/h	1	524
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	3594, 3606, 3618, 3630, 3642, 3654, 3812	exceed speed over 45 km/h	1	1,447

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) in the case of a class C motor vehicle:				
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	3595, 3607, 3619, 3631, 3643, 3655, 3813	exceed speed 15 km/h and under	1	181
(ii) driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3596, 3608, 3620, 3632, 3644, 3656, 3814	exceed speed over 15 km/h	1	284
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3597, 3609, 3621, 3633, 3645, 3657, 3815	exceed speed over 30 km/h	1	839
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	3598, 3610, 3622, 3634, 3646, 3658, 3816	exceed speed over 45 km/h	1	2,173
Rule 27 (1):				
(a) in relation to the use of a motor vehicle	2855	not turn left from far left side of road	1	165
(b) in relation to the use of any other vehicle	2618	not turn left from far left side of road	1	45

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Rule 28 (1):				
(a) in relation to the use of a motor vehicle	2856	not turn left from multi-lane road from within left lane	1	165
(b) in relation to the use of any other vehicle	2619	not turn left from multi-lane road from within left lane	1	45
Rule 29:				
(a) in relation to the use of a motor vehicle	2857	turn left contrary to road marking	1	118
(b) in relation to the use of any other vehicle	2620	turn left contrary to road marking	1	45
Rule 31 (1) and (2):				
(a) in relation to the use of a motor vehicle	0268	not turn right from left of line/strip correctly	1	211
(b) in relation to the use of any other vehicle	2621	not turn right from left of line/strip correctly	1	45
Rule 31 (1) and (3):				
(a) in relation to the use of a motor vehicle	0272	not turn right from left of centre of road correctly	1	211
(b) in relation to the use of any other vehicle	2622	not turn right from left of centre of road correctly	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 31 (1) and (4):				
(a) in relation to the use of a motor vehicle	0275	not turn right from far right side of one-way road	1	165
(b) in relation to the use of any other vehicle	2623	not turn right from far right side of one-way road	1	45
Rule 32 (1):				
(a) in relation to the use of a motor vehicle	2859	not turn right from multi-lane road from within right lane	1	165
(b) in relation to the use of any other vehicle	2624	not turn right from multi-lane road from within right lane	1	45
Rule 33 (1) and (2):				
(a) in relation to the use of a motor vehicle	2860	turn right contrary to road marking	1	118
(b) in relation to the use of any other vehicle	2625	turn right contrary to road marking	1	45
Rule 33 (1) and (3):				
(a) in relation to the use of a motor vehicle	2861	not turn right near to right of centre of intersection	1	165
(b) in relation to the use of any other vehicle	2626	not turn right near to right of centre of intersection	1	45
Rule 37 (a)	0276	begin U-turn without view of approaching traffic	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 37 (b)	0277	begin U-turn when driver could obstruct traffic	1	211
Rule 38	2863	make U-turn without giving way to vehicle/pedestrian	1	211
Rule 39 (1)	2864	make U-turn at break in dividing strip contrary to sign	1	118
Rule 39 (2)	2865	make U-turn on length of road contrary to sign	1	118
Rule 40	2866	make U-turn at intersection with traffic lights	1	165
Rule 41	2867	make U-turn at intersection (no lights) contrary to sign	1	118
Rule 42 (a)	0278	not start U-turn in lane nearest dividing line/median strip	1	165
Rule 42 (b)	0317	not start U-turn from left of centre of road	1	165
Rule 43 (1)	2869	turn left into/from road/area/land contrary to Division 1	1	165
Rule 43 (2)	2870	turn right into/from road/area/land contrary to Division 2	1	165

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rules 46 (1), 46 (2) and 47	0329	not give sufficient left change of direction signal	1	118
Rules 46 (1), 46 (3) and 47	0331	give left change of direction signal (less than 5 seconds)	1	118
Rules 46 (1) and 47	0453	not give left change of direction signal with lights	1	118
Rule 46 (4)	2872	not stop left change of direction signal after change	1	70
Rules 48 (1) and 49	0350	not give right change of direction signal with lights	1	118
Rules 48 (1), 48 (2) and 49	0407	not give sufficient right change of direction signal	1	118
Rules 48 (1), 48 (3) and 49	0419	give right change of direction signal (less than 5 seconds)	1	118
Rule 48 (4)	2874	not stop right change of direction signal after change	1	70
Rule 51	2875	operate indicator light contrary to permitted use	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rules 53 (1) and 54	2876	not give stop signal with brake lights/signal/ device	1	118
Rule 53 (2)	2877	not give sufficient warning of stopping	1	118
Rule 53 (3)	2878	not give stop signal when slowing suddenly	1	118
Rule 56 (1) (a), otherwise than at toll booth:				
(a) in relation to the use of a motor vehicle	2879, 3835, 3836, 3837, 3838	not stop at stop line at red light	1	211
(b) in relation to the use of any other vehicle	2627	not stop at stop line at red light	1	45
Rule 56 (1) (a), at toll booth	3798	not stop at stop line at red light	1	126
Rule 56 (1) (b), otherwise than at toll booth:				
(a) in relation to the use of a motor vehicle	0422	not stop before stop sign at red light	1	211
(b) in relation to the use of any other vehicle	2628	not stop before stop sign at red light	1	45
Rule 56 (1) (b), at toll booth	0423	not stop before stop sign at red light	1	126

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Rule 56 (1) (c), otherwise than at toll booth:				
(a) in relation to the use of a motor vehicle	0425	not stop before lights at red light	1	211
(b) in relation to the use of any other vehicle	2629	not stop before lights at red light	1	45
Rule 56 (1) (c), at toll booth	0426	not stop before lights at red light	1	126
Rule 56 (2) (a):				
(a) in relation to the use of a motor vehicle	2880	not stop at stop line at red arrow	1	211
(b) in relation to the use of any other vehicle	2630	not stop at stop line at red arrow	1	45
Rule 56 (2) (b):				
(a) in relation to the use of a motor vehicle	0427	not stop before stop sign at red arrow	1	211
(b) in relation to the use of any other vehicle	2631	not stop before stop sign at red arrow	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 56 (2) (c):				
(a) in relation to the use of a motor vehicle	0439	not stop before lights at red arrow	1	211
(b) in relation to the use of any other vehicle	2632	not stop before lights at red arrow	1	45
Rule 57 (2) (a)	2881	not stop at stop line at yellow light/arrow	1	211
Rule 57 (2) (b)	0440	not stop before stop sign at yellow light/arrow	1	211
Rule 57 (2) (c)	0441	not stop before intersection at yellow light/arrow	1	211
Rule 57 (3)	2882	not leave intersection safely after yellow light/arrow	1	211
Rule 59 (1), otherwise than at toll booth	2883	proceed after stopping for red traffic light	1	211
Rule 59 (1), at toll booth	3801	proceed after stopping for red traffic light	1	126
Rule 60	2884	proceed after stopping for red traffic arrow	1	211
Rule 61 (2)	2885	proceed when lights/arrow yellow/red	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 61 (5)	2886	not leave intersection after light/arrow goes yellow/red	1	211
Rule 62 (a)	0473	not give way at lights to pedestrian on road	1	211
Rule 62 (b) (i)	0474	not give way at lights to other vehicle (left turn)	1	211
Rule 62 (b) (ii)	0474	not give way at lights to pedestrian (left turn)	1	211
Rule 62 (c)	0475	not give way at lights to oncoming vehicle (right turn)	1	211
Rules 63 (2) and 67 (2)	0668	not stop at traffic light-stop sign (lights not working)	1	211
Rules 63 (2) and 67 (3)	0689	not give way to vehicle at traffic light-stop sign	1	211
Rules 63 (2) and 67 (4)	0670	not give way to pedestrian at traffic light-stop sign	1	211
Rules 63 (3) and 72 (2)	2889	not give way at intersection to vehicle on right	1	211
Rules 63 (3) and 72 (3) (a)	2890	not give way to vehicle (left turn)	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rules 63 (3) and 72 (3) (b)	2890	not give way to pedestrian (left turn)	1	211
Rules 63 (3) and 72 (4) (a)	0443	not give way to vehicle (left turn from slip lane)	1	211
Rules 63 (3) and 72 (4) (b)	1094	not give way to pedestrian (left turn from slip lane)	1	211
Rules 63 (3) and 72 (5) (a)	0555	not give way to vehicle (right turn)	1	211
Rules 63 (3) and 72 (5) (b)	0444	not give way to oncoming vehicle (right turn)	1	211
Rules 63 (3) and 72 (5) (c)	0445	not give way to pedestrian (right turn)	1	211
Rules 63 (3) and 73 (2) (a)	2892	not give way to vehicle at T-intersection	1	211
Rules 63 (3) and 73 (2) (b)	2892	not give way to pedestrian at T-intersection	1	211
Rules 63 (3) and 73 (3) (a)	2893	not give way to vehicle at T-intersection (slip lane)	1	211
Rules 63 (3) and 73 (3) (b)	2893	not give way to pedestrian at T-intersection (slip lane)	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rules 63 (3) and 73 (4)	2894	not give way to pedestrian at T-intersection (left turn)	1	211
Rules 63 (3) and 73 (5) (a)	2895	not give way to vehicle (slip lane at terminating road)	1	211
Rules 63 (3) and 73 (5) (b)	2895	not give way to pedestrian (slip lane at terminating road)	1	211
Rules 63 (3) and 73 (6) (a)	2896	not give way to vehicle (right turn at terminating road)	1	211
Rules 63 (3) and 73 (6) (b)	2896	not give way to pedestrian (right turn at terminating road)	1	211
Rule 64 (a)	0458	not give way to vehicle (flashing yellow arrow)	1	211
Rule 64 (b)	0459	not give way to pedestrian (flashing yellow arrow)	1	211
Rule 64 (c)	0460	not give way to oncoming vehicle (flashing yellow arrow)	1	211
Rule 65 (2) (a)	2898	not give way to pedestrian (flashing yellow light)	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 65 (2) (b)	2899	obstruct pedestrian (flashing yellow light)	1	211
Rule 65 (2) (c)	2900	overtake/pass vehicle (flashing yellow light)	1	211
Rule 66 (1) and (2)	2901	not stop before stop line (twin red lights)	1	200
Rule 66 (1) and (3)	2901	not stop before lights (twin red lights)	1	200
Rule 66 (4)	2902	proceed after stopping (twin red lights showing)	1	200
Rule 67 (1) and (2)	2903	not stop at stop line (intersection with no lights)	1	211
Rule 67 (1) and (3)	2904	not give way to vehicle (intersection with no lights)	1	211
Rule 67 (1) and (4)	2904	not give way to pedestrian (intersection with no lights)	1	211
Rule 68 (1) and (2)	2905	not stop at/before stop line/stop sign	1	211
Rule 68 (1) and (3)	1459	not give way to vehicle/pedestrian (stop sign)	1	211
Rule 69 (1) and (2)	2906	not give way to vehicle (give way sign/line)	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 69 (1) and (3)	2906	not give way to pedestrian (give way sign/line)	1	211
Rule 70	2907	disobey give way sign on bridge/narrow road	1	211
Rule 71 (1) and (2)	2908	not give way to vehicle/pedestrian (give way sign/line)	1	211
Rule 72 (1) and (2)	2909	not give way to vehicle on right (unmarked intersection)	1	211
Rule 72 (1) and (3) (a)	2910	not give way to vehicle (left turn—unmarked intersection)	1	211
Rule 72 (1) and (3) (b)	2910	not give way to pedestrian (left turn—unmarked intersection)	1	211
Rule 72 (1) and (4) (a)	2911	not give way to vehicle (slip turn—unmarked intersection)	1	211
Rule 72 (1) and (4) (b)	2911	not give way to pedestrian (slip turn—unmarked intersection)	1	211
Rule 72 (1) and (5) (a)	0471	not give way to vehicle on right (unmarked intersection)	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 72 (1) and (5) (b)	0462	not give way to oncoming vehicle (unmarked intersection)	1	211
Rule 72 (1) and (5) (c)	0463	not give way to pedestrian (unmarked intersection)	1	211
Rule 73 (1) and (2) (a)	2913	not give way to vehicle—turn from terminating road (unmarked intersection)	1	211
Rule 73 (1) and (2) (b)	2913	not give way to pedestrian—turn from terminating road (unmarked intersection)	1	211
Rule 73 (1) and (3) (a)	2914	not give way to vehicle—left turn from slip lane (unmarked intersection)	1	211
Rule 73 (1) and (3) (b)	2914	not give way to pedestrian—left turn from slip lane (unmarked intersection)	1	211
Rule 73 (1) and (4)	2915	not give way to pedestrian—left turn into terminating road (unmarked intersection)	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 73 (1) and (5) (a)	2916	not give way to vehicle—slip turn into terminating road (unmarked intersection)	1	211
Rule 73 (1) and (5) (b)	2916	not give way to pedestrian—slip turn into terminating road (unmarked intersection)	1	211
Rule 73 (1) and (6) (a)	2917	not give way to vehicle—right turn into terminating road (unmarked intersection)	1	211
Rule 73 (1) and (6) (b)	2917	not give way to pedestrian—right turn into terminating road (unmarked intersection)	1	211
Rule 74 (1) (a)	2918	leave area/land—not give way to vehicle	1	118
Rule 74 (1) (b)	2918	leave area/land—not give way to pedestrian	1	118
Rule 74 (1) (c)	2919	leave area—not give way to vehicle on area	1	118
Rule 74 (1) (d)	0764	leave area—not give way to pedestrian on area	1	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 75 (1) (a)	2920	enter area/land—not give way to pedestrian on road	1	118
Rule 75 (1) (b)	2921	enter area/land—not give way vehicle on area	1	118
Rule 75 (1) (b)	2921	enter area/land—not give way to pedestrian on area	1	118
Rule 75 (1) (c)	2922	not give way to vehicle—right turn into area/land	1	118
Rule 75 (1) (d)	2923	not give way to vehicle—enter area/land at T-intersection	1	118
Rule 76 (1)	2924	drive into path of approaching tram	1	205
Rule 76 (2)	2925	not move out of path of approaching tram	1	70
Rule 77 (1)	2926	driver in left lane/traffic line not give way to bus	1	118
Rule 78 (1)	2927	move into path of police or emergency vehicle	1	141

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 78 (2)	2928	not move out of path of police/ emergency vehicle	1	141
Rule 79 (1)	2929	not give way to police/emergency vehicle	1	282
Rule 80 (1):				
(a) in relation to the use of a motor vehicle	2930	approach children's crossing too quickly to stop safely	1	211
(b) in relation to the use of any other vehicle	2633	approach children's crossing too quickly to stop safely	1	45
Rule 80 (2) (a):				
(a) in relation to the use of a motor vehicle	2931	disobey hand-held stop sign at children's crossing	1	211
(b) in relation to the use of any other vehicle	2634	disobey hand-held stop sign at children's crossing	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 80 (2) (b):				
(a) in relation to the use of a motor vehicle	2932	not stop at children's crossing—pedestrian on crossing	1	211
(b) in relation to the use of any other vehicle	2635	not stop at children's crossing—pedestrian on crossing	1	45
Rule 80 (3) (a):				
(a) in relation to the use of a motor vehicle	2933	proceed at children's crossing while sign shown	1	211
(b) in relation to the use of any other vehicle	2636	proceed at children's crossing while sign shown	1	45
Rule 80 (3) (b):				
(a) in relation to the use of a motor vehicle	2934	proceed at children's crossing contrary to directions	1	211
(b) in relation to the use of any other vehicle	2637	proceed at children's crossing contrary to directions	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 80 (4):				
(a) in relation to the use of a motor vehicle	2935	proceed at children's crossing—pedestrian at crossing	1	211
(b) in relation to the use of any other vehicle	2638	proceed at children's crossing—pedestrian at crossing	1	45
Rule 81 (1):				
(a) in relation to the use of a motor vehicle	2936	approach pedestrian crossing too quickly to stop safely	1	211
(b) in relation to the use of any other vehicle	2639	approach pedestrian crossing too quickly to stop safely	1	45
Rule 81 (2):				
(a) in relation to the use of a motor vehicle	2937	not give way to pedestrian on pedestrian crossing	1	211
(b) in relation to the use of any other vehicle	2640	not give way to pedestrian on pedestrian crossing	1	45

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Rule 82:				
(a) in relation to the use of a motor vehicle	2938	pass/overtake vehicle at pedestrian/ children's crossing	1	211
(b) in relation to the use of any other vehicle	2641	pass/overtake vehicle at pedestrian/ children's crossing	1	45
Rule 83:				
(a) in relation to the use of a motor vehicle	2939	not give way to pedestrian in shared zone	1	118
(b) in relation to the use of any other vehicle	2642	not give way to pedestrian in shared zone	1	45
Rule 84 (1) (a)	2940	not give way to tram (drive through dividing strip break)	1	70
Rule 84 (1) (b)	3843	not give way to vehicle (drive through dividing strip break)	1	211
Rule 85 (a)	2941	not give way to vehicle in turning lane	1	211
Rule 85 (b)	2941	not give way to vehicle entering turning lane	1	211
Rule 86 (1)	2942	not give way to vehicle (median turning bay)	1	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 87 (1)	2943	not give way to vehicle (enter road from side/shoulder)	1	165
Rule 87 (3)	2944	not give way to vehicle (enter road from parking area)	1	165
Rule 88 (1):				
(a) in relation to the use of a motor vehicle	2945	disobey left turn only sign	1	118
(b) in relation to the use of any other vehicle	2643	disobey left turn only sign	1	45
Rule 88 (2):				
(a) in relation to the use of a motor vehicle	2946	disobey left lane must turn left sign	1	118
(b) in relation to the use of any other vehicle	2644	disobey left lane must turn left sign	1	45
Rule 89 (1):				
(a) in relation to the use of a motor vehicle	2947	disobey right turn only sign	1	118
(b) in relation to the use of any other vehicle	2645	disobey right turn only sign	1	45
Rule 89 (2):				
(a) in relation to the use of a motor vehicle	2948	disobey right lane must turn right sign	1	118
(b) in relation to the use of any other vehicle	2646	disobey right lane must turn right sign	1	45

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Rule 90:				
(a) in relation to the use of a motor vehicle	2949	disobey no turns sign	1	118
(b) in relation to the use of any other vehicle	2647	disobey no turns sign	1	45
Rule 91 (1):				
(a) in relation to the use of a motor vehicle	2950	disobey no left turn sign	1	118
(b) in relation to the use of any other vehicle	2648	disobey no left turn sign	1	45
Rule 91 (2):				
(a) in relation to the use of a motor vehicle	2951	disobey no right turn sign	1	118
(b) in relation to the use of any other vehicle	2649	disobey no right turn sign	1	45
Rule 92 (1):				
(a) in relation to the use of a motor vehicle	2952	drive contrary to direction of traffic lane arrow	1	118
(b) in relation to the use of any other vehicle	2650	drive contrary to direction of traffic lane arrow	1	45
Rule 93 (1) (a)	2953	pass vehicle contrary to no overtaking or passing sign	1	118
Rule 93 (1) (b)	2954	overtake vehicle contrary to no overtaking or passing sign	1	118
Rule 94	2955	disobey no overtaking on bridge sign	1	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 95 (1)	2956	drive in emergency stopping lane	1	118
Rule 96 (1)	2957	stop on area marked with keep clear marking	1	118
Rule 97 (1)	2958	disobey road access sign	1	118
Rule 98 (1):				
(a) in relation to the use of a motor vehicle	2959	disobey one-way sign	1	118
(b) in relation to the use of any other vehicle	2651	disobey one-way sign	1	45
Rule 99 (1):				
(a) in relation to the use of a motor vehicle	2960	disobey keep left sign	1	118
(b) in relation to the use of any other vehicle	2652	disobey keep left sign	1	45
Rule 99 (2):				
(a) in relation to the use of a motor vehicle	2961	disobey keep right sign	1	118
(b) in relation to the use of any other vehicle	2653	disobey keep right sign	1	45
Rule 100:				
(a) in relation to the use of a motor vehicle	2962	disobey no entry sign	1	118
(b) in relation to the use of any other vehicle	2654	disobey no entry sign	1	45
Rule 101 (1)	2963	not stop before hand-held stop sign	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 101 (2) (a)	2964	proceed past hand-held stop sign while sign shown	1	211
Rule 101 (2) (b)	2965	proceed past hand-held stop sign contrary to directions	1	211
Rule 102 (1)	2966	disobey clearance/low clearance sign	1	118
Rule 103 (1)	2967	disobey bridge load limit (gross mass) sign	1, 2, 15	157
Rule 103 (1)	2968	disobey gross load limit sign	1, 2, 15	157
Rule 103 (2)	2969	disobey bridge load limit (mass per axle group) sign	1, 2,15	157
Rule 104 (1)	2970	disobey no trucks sign (GVM)	1, 2, 15	118
Rule 104 (2)	2971	disobey no trucks sign (length)	1, 2, 15	118
Rule 104 (3)	2972	disobey no trucks sign	1, 2, 15	118
Rule 105	2973	disobey trucks must enter sign	1	118
Rule 106 (1)	2974	disobey no buses sign (GVM)	1, 2, 15	118
Rule 106 (2)	2975	disobey no buses sign (length)	1, 2, 15	118
Rule 106 (3)	2976	disobey no buses sign	1, 2, 15	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 107	2977	disobey buses must enter sign	1	118
Rule 108 (1)	2978	disobey trucks and buses low gear sign	1	211
Rule 111 (1) and (2)	2979	not enter roundabout on left (leave less than halfway)	1	165
Rule 111 (1) and (3)	2980	not enter roundabout on right (leave more than halfway)	1	165
Rule 111 (1) and (5)	2981	not enter roundabout in direction of traffic lane arrow	1	118
Rule 112 (2)	2982	not give left change of direction signal in roundabout	1	118
Rule 112 (3)	2983	not maintain left change of direction signal in roundabout	1	118
Rule 113 (2)	2984	not give right change of direction signal in roundabout	1	118
Rule 113 (3)	2985	not maintain right change of direction signal in roundabout	1	118
Rule 114 (1) (a)	2986	not give way to vehicle when entering roundabout	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 114 (1) (b)	2987	not give way to tram when entering roundabout	1	211
Rule 114 (2)	2988	not give way to tram when driving in roundabout	1	211
Rule 115 (1)	2989	not drive left of traffic island in roundabout	1	157
Rule 116	2990	not drive in roundabout in direction of traffic lane arrow	1	118
Rule 117 (1)	2991	not give left change of direction signal in roundabout	1	118
Rule 117 (2)	2992	not give right change of direction signal in roundabout	1	118
Rule 118 (1)	2993	not give left change of direction signal (exit roundabout)	1	118
Rule 118 (2)	2994	not stop left change of direction signal (exit roundabout)	1	70
Rule 119	2995	rider on left in roundabout not give way to vehicle	1	211
Rule 121 (a)	2996	not stop at stop line/sign at level crossing	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 121 (b)	2997	not give way to train/tram at level crossing with stop sign	1	211
Rule 122	2998	disobey give way sign/line at level crossing	1	211
Rule 123 (a)	2999	enter level crossing contrary to lights/bells	1	200
Rule 123 (b)	3000	enter level crossing with gate/boom/ barrier operating	1	200
Rule 123 (c)	3001	enter level crossing when train/tram on/entering crossing	1	200
Rule 123 (d)	3002	enter level crossing when approaching train/tram seen/heard	1	200
Rule 123 (e)	3003	enter level crossing when crossing/road beyond blocked	1	70
Rule 124	3004	not leave level crossing when safe	1	70
Rule 125 (1)	3005	unreasonably obstruct driver/pedestrian	1	63

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Rule 126	3006	drive behind other vehicle too closely to stop safely	1	165
Rule 127 (1)	3007	long vehicle not required distance from other long vehicle	1	165
Rule 128	3008	enter intersection when intersection/ road beyond blocked	1	118
Rule 129 (1):				
(a) in relation to the use of a motor vehicle	3009	not drive on far left side of road	1	157
(b) in relation to the use of any other vehicle	2655	not drive on far left side of road	1	45
Rule 130 (1) (a) and (2):				
(a) in relation to the use of a motor vehicle	3010	drive in right lane on road with speed-limit over 80 km/h	1	118
(b) in relation to the use of any other vehicle	2656	drive in right lane on road with speed-limit over 80 km/h	1	45
Rule 130 (1) (b) and (2):				
(a) in relation to the use of a motor vehicle	3011	disobey keep left unless overtaking sign	1	118
(b) in relation to the use of any other vehicle	2657	disobey keep left unless overtaking sign	1	45

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Rule 131:				
(a) in relation to the use of a motor vehicle	3012	not keep left of oncoming vehicle	1	70
(b) in relation to the use of any other vehicle	2658	not keep left of oncoming vehicle	1	45
Rule 132 (1):				
(a) in relation to the use of a motor vehicle	3013	not keep left of centre on two-way road	1	157
(b) in relation to the use of any other vehicle	2659	not keep left of centre on two-way road	1	45
Rule 132 (2):				
(a) in relation to the use of a motor vehicle	3014	not keep left of dividing line	1	157
(b) in relation to the use of any other vehicle	2660	not keep left of dividing line	1	45
Rule 135 (1):				
(a) in relation to the use of a motor vehicle	3015	not keep left of median strip	1	157
(b) in relation to the use of any other vehicle	2661	not keep left of median strip	1	45
Rule 136	3016	drive wrong way on one-way service road	1	118
Rule 137 (1):				
(a) in relation to the use of a motor vehicle	3017	drive on dividing strip	1	118
(b) in relation to the use of any other vehicle	2662	drive on dividing strip	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 138 (1):				
(a) in relation to the use of a motor vehicle	3018	drive on/over continuous line near painted island	1	118
(b) in relation to the use of any other vehicle	2663	drive on/over continuous line near painted island	1	45
Rule 140	3019	overtake vehicle when unsafe	1	118
Rule 141 (1)	3020	overtake to left of vehicle	1	118
Rule 141 (2)	3021	cyclist pass/overtake left of left turning vehicle	1	45
Rule 142 (1)	3022	overtake to right of vehicle turning right/making U-turn	1	118
Rule 143 (1)	3023	disobey do not overtake turning vehicle sign (left turn)	1	118
Rule 143 (2)	3024	disobey do not overtake turning vehicle sign (right/U-turn)	1	118
Rule 144 (a)	3025	overtake vehicle too closely	1	118
Rule 144 (b)	3026	cut in front of vehicle after overtaking	1	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 145	3027	increase speed while being overtaken	1	118
Rule 146 (1)	3028	not drive within marked line on multi-lane road	1	118
Rule 146 (2)	3029	not drive within single line of traffic (no lines marked)	1	118
Rule 147	3030	move from marked lane to another across continuous line	1	118
Rule 148 (1)	3031	not give way (move from marked lane to another)	1	118
Rule 148 (2)	3032	not give way (move from one line of traffic to another)	1	118
Rule 149	3033	not give way to vehicle ahead when merging	1	118
Rule 150 (1)	3034	drive on/over continuous white edge line	1	70
Rule 151 (1), in relation to a motor cycle	3035	ride motor bike more than 2 abreast on road	1	45
Rule 151 (1), in relation to a bicycle	3802	ride bicycle more than 2 abreast on road	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 151 (2), in relation to a motor cycle	3036	ride motor bike more than 2 abreast in marked lane	1	45
Rule 151 (2), in relation to a bicycle	3803	ride bicycle more than 2 abreast in marked lane	1	45
Rule 151 (4), in relation to a motor cycle	3037	ride motor bike more than 1.5m from another	1	45
Rule 151 (4), in relation to a bicycle	3845	ride bicycle more than 1.5m from another	1	45
Rule 152 (1) and (2)	3038	drive in lane (red cross on overhead device)	1	118
Rule 152 (1) and (3)	3039	drive in lane (flashing red cross on overhead device)	1	118
Rule 153 (1)	3040	drive in bicycle lane	1	118
Rule 154 (1)	3041	drive in bus lane	1	211
Rule 155 (1)	3042	drive in tram lane	1	141
Rule 156 (1)	3043	drive in transit lane	1	141
Rule 157 (1)	3044	drive in truck lane	1	211
Rule 159 (1)	3045	not drive in lane marked for particular vehicle	1	211
Rule 160 (2)	3046	pass/overtake to right of tram	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 160 (3)	3047	pass/overtake tram turning/signalling left	1	70
Rule 161 (2)	3048	pass/overtake to left of tram	1	70
Rule 161 (3)	3049	pass/overtake tram turning/signalling right	1	70
Rule 162 (1) (a)	3050	drive on safety zone	1	118
Rule 162 (1) (b)	3051	not drive safely to left of safety zone	1	118
Rule 163 (1) and (2)	3052	drive past rear of stopped tram when pedestrian is crossing	1	70
Rule 164 (1) and (2)	3053	not give way to pedestrian near stopped tram	1	70
Rule 164 (1) and (3)	3054	proceed near stopped tram (road not clear of pedestrians)	1	70
Rule 164 (1) and (4)	3055	pass/overtake stopped tram at prohibited speed	1	70
Rule 167, in relation to a sign bearing the words “no stopping”	3261, 3371, 6963, 9190	disobey no stopping sign	1, 13	141
Rule 167, in relation to a sign bearing the words “no standing”	0036, 0037, 7518, 7519	disobey no standing sign	1, 13	63

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 168 (1)	3262, 3372, 6964, 9191	disobey no parking sign	1, 13	63
Rule 169	3263, 3373, 6965, 9192	stop at side of road with continuous yellow edge line	1, 13	141
Rule 170 (1)	3264, 3374, 6966, 9193	stop in intersection	1, 13	63
Rule 170 (2)	3265, 3375, 8465, 6967	stop on/near intersection (traffic lights)	1, 13	63
Rule 170 (3)	3266, 3376, 8466, 6968	stop on/near intersection (no traffic lights)	1, 13	63
Rule 171 (1)	3267, 3377, 8467, 6969	stop on/near children's crossing	1, 13	210
Rule 172 (1)	3268, 3378, 8468, 6970	stop on/near pedestrian crossing	1, 13	210
Rule 173 (1)	3269, 3379, 8469, 6971	stop on/near marked foot crossing	1, 13	210
Rule 174 (2)	3270, 3380, 8470, 6972	stop near bicycle crossing lights	1, 13	63
Rule 175 (1)	3271, 3381, 8471, 6973	stop on/near level crossing	1, 13	63
Rule 176 (1)	3272, 3382, 8472, 6974	stop on clearway	1, 13	141
Rule 177 (1)	3273, 3383, 8473, 6975	stop on freeway	1, 13	141
Rule 178	3274, 3384, 8474, 6976	stop in emergency stopping lane	1, 13	141

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 179 (1)	3275, 3385, 8475, 6977	stop in loading zone	1, 13	86
Rule 179 (2) (a)	3276, 3386, 8476, 6978	stop in loading zone longer than ½ hour	1, 13	86
Rule 179 (2) (b)	3277, 3387, 8477, 6979	stop in loading zone longer than indicated	1, 13	86
Rule 180 (1)	3278, 3388, 8478, 6980	stop in truck zone	1, 13	86
Rule 181 (1)	3279, 3389, 8479, 6981	stop in works zone	1, 13	86
Rule 182 (1)	3280, 3390, 8480, 6982	stop in taxi zone	1, 4, 13	63
Rule 183 (1), in relation to a bus zone in a clearway, transit lane or bus lane	3281, 3391, 8481, 6983	stop in bus zone	1, 3, 4, 13	118
Rule 183 (1), otherwise than in relation to a bus zone in a clearway, transit lane or bus lane	3282, 3392, 8482, 6984	stop in bus zone	1, 3, 4, 13	86
Rule 184 (1), in relation to a minibus zone in a clearway, transit lane or bus lane	3283, 3393, 8483, 6985	stop in minibus zone	1, 3, 4, 13	118
Rule 184 (1), otherwise than in relation to a minibus zone in a clearway, transit lane or bus lane	3284, 3394, 8484, 6986	stop in minibus zone	1, 3, 4, 13	86
Rule 185 (1)	3285, 3395, 8485, 6987	stop in permit zone	1, 4, 13	63
Rule 186 (1)	3286, 3396, 8486, 6988	stop in mail zone	1, 4, 13	63
Rule 187, in relation to a lane or track in a clearway, transit lane or bus lane	3287, 3397, 8487, 6989	stop in/on bus/tram/transit/ truck lane/tracks	1, 13	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 187, in relation to a lane or track in a clearway, transit lane or bus lane	3288, 3398, 8488, 6990	stop in/on bus/tram/transit/ truck lane/tracks	1, 13	118
Rule 187, otherwise than in relation to a lane or track in a clearway, transit lane or bus lane	3289, 3399, 8489, 6991	stop in/on bus/tram/transit/ truck lane/tracks	1, 13	86
Rule 187, otherwise than in relation to a lane or track in a clearway, transit lane or bus lane	3290, 3400, 6992, 9194	stop in/on bus/tram/transit/ truck lane/tracks	1, 13	86
Rule 188	3291, 3401, 6993, 9195	stop in shared zone	1, 13	63
Rule 189	3292, 3402, 6994, 9196	double park	1, 13	86
Rule 190 (1)	3293, 3403, 6995, 9197	stop in/near safety zone	1, 13	118
Rule 191	3294, 3404, 6996, 9198	stop near obstruction so as to obstruct traffic	1, 13	63
Rule 192 (1)	3295, 3405, 6997, 9199	stop on structure	1, 13	63
Rule 192 (2)	3296, 3406, 6998, 9200	stop in tunnel/underpass	1, 13	63
Rule 193 (1)	3297, 3407, 6999, 9201	stop on crest/curve outside built-up area	1, 13	63
Rule 194 (1)	3298, 3408, 8392, 9202	stop near fire hydrant/indicator/ plug indicator	1, 13	63
Rule 195 (1)	3299, 3409, 8393, 9203	stop at/near bus stop	1, 4, 13	86
Rule 196 (1)	3300, 3410, 8394, 9204	stop at/near tram stop	1, 4, 13	86

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 197 (1)	3301, 3411, 8395, 9205	stop on path/strip in built-up area	1, 12, 13	63
Rule 198 (1)	3302, 3412, 8396, 9206	obstruct access to ramp/path/ passageway	1, 12, 13	63
Rule 198 (2)	3303, 3413, 8397, 9207	stop on/across driveway/other access to/from land	1, 12, 13	63
Rule 199 (1)	3304, 3414, 8398, 9208	stop near postbox	1, 13	63
Rule 200 (1)	3305, 3415, 8399, 9209	not stop heavy/long vehicle on road shoulder	1, 13	70
Rule 200 (2)	3306, 3416, 8400, 9210	stop heavy/long vehicle longer than 1 hr	1, 13	70
Rule 201	3308, 3418, 8401, 9211	disobey bicycle parking sign	1, 13	63
Rule 202	3309, 3419, 8402, 9212	disobey motor bike parking sign	1, 13	63
Rule 203 (1)	3310, 3420, 8403, 9213	stop in parking area for disabled	1, 13	141
Rule 205	3311, 3421, 8404, 9214	park continuously for longer than permitted	1, 12, 13	63
Rule 208 (1) and (2)	3312, 3422, 8405, 9215	not parallel park in direction of travel	1, 12, 13	63
Rule 208 (1) and (3)	3313, 3423, 8406, 9216	not parallel park near left	1, 12, 13	63
Rule 208 (1) and (4)	3314, 3424, 8407, 9217	not parallel park near road side	1, 12, 13	63

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 208 (1) and (5)	3315, 3425, 8408, 9218	parallel park close to front/back of vehicle	1, 12, 13	63
Rule 208 (1) and (6)	3316, 3426, 8409, 9219	parallel park close to dividing line/strip	1, 12, 13	63
Rule 208 (1) and (7)	3317, 3427, 8410, 9220	parallel park close if no dividing line/strip	1, 12, 13	63
Rule 208 (1) and (8)	3318, 3428, 8411, 9221	park so as to obstruct vehicles/ pedestrians	1, 12, 13	63
Rule 209 (2) (a)	3319, 3429, 8412, 9222	not parallel park in direction of travel	1, 12, 13	63
Rule 209 (2) (b)	3320, 3430, 8413, 9223	not parallel park near centre of median strip	1, 12, 13	63
Rule 209 (2) (c)	3321, 3431, 8414, 9224	parallel park close to front/back of vehicle	1, 12, 13	63
Rule 210 (1) and (2) (a)	3322, 3432, 8415, 9225	not park at 45° angle	1, 13	63
Rule 210 (1) and (2) (b)	3323, 3433, 8416, 9226	not position rear of vehicle correctly (45° angle parking)	1, 13	63
Rule 210 (1) and (4) (a)	3325, 3435, 8418, 9228	not park at 135° angle	1, 13	63
Rule 210 (1) and (4) (b)	3326, 3436, 8419, 9229	not position front of vehicle correctly (135° angle parking)	1, 13	63
Rule 211 (1)	3327, 3437, 8420, 9230	disobey park in bays only sign	1, 13	63

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 211 (2)	3328, 3438, 8421, 9575	not park wholly within parking bay	1, 13	63
Rule 211 (3)	3329, 3439, 8422, 9576	use more parking bays than necessary	1, 13	63
Rule 212 (1)	3056	enter/leave median strip parking area contrary to sign	1	63
Rule 212 (2)	3057	not enter/leave median strip parking area forwards	1	63
Rule 213 (2) and (3) (a)	3058	leave engine on	1	70
Rule 213 (2) and (3) (b)	3059	not restrain vehicle properly	1	70
Rule 213 (2) and (4) (a)	3060	not remove ignition key (vehicle unattended)	1	70
Rule 213 (2) and (4) (b)	3061	not lock doors (vehicle unattended)	1	70
Rule 215 (1) (a)	3062	head/tail/number plate light/lights not on/visible	1	70
Rule 215 (1) (b)	3063	clearance/side marker lights not on/visible	1	70
Rule 216 (1) (a)	3064	tail/rear lights not on/visible (towing from front)	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 216 (1) (b)	3065	rear lights not on/visible (towing from rear)	1	70
Rule 217 (1)	3066	use rear fog light when not permitted	1	70
Rule 218 (1) (a)	3067	use/allow use of high-beam on vehicle in front	1	70
Rule 218 (1) (b)	3068	use/allow use of high-beam on oncoming vehicle	1	70
Rule 219	3069	use/allow use of light on/in vehicle likely/to dazzle	1	70
Rule 220 (1) (a)	3070	clearance/side marker lights not on/visible (wide vehicle)	1, 2, 13	70
Rule 220 (1) (b)	3071	parking lights not on/visible (not wide vehicle)	1, 2, 13	70
Rule 221	3072	use/allow use of hazard warning lights when not permitted	1	70
Rule 222 (2)	3073	not use bus warning lights when children getting on/off	1	115
Rule 223 (a)	3074	animal-drawn vehicle—white light not fitted/visible	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 223 (b)	3075	animal-drawn vehicle—red light not fitted/visible	1	45
Rule 223 (c) (i)	3076	animal-drawn vehicle—reflector not fitted/over 1.5m	1	45
Rule 223 (c) (ii)	3077	animal-drawn vehicle—reflector not fitted/visible	1	45
Rule 224	3078	use/allow use of horn/warning device unnecessarily	1	95
Rule 226 (1)	3079	drive heavy vehicle without portable warning triangles	1, 2	70
Rule 226 (2)	3080	not produce portable warning triangles for inspection	1, 2	70
Rule 227 (2) and (4) (a)	3081	warning triangle not in front of stopped vehicle	1, 2	70
Rule 227 (2) and (4) (b)	3082	warning triangle not behind stopped vehicle	1, 2	70
Rule 227 (2) and (4) (c)	3083	warning triangle not beside stopped vehicle	1, 2	70
Rule 227 (3) and (4) (a)	3084	warning triangle not in front of fallen load	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 227 (3) and (4) (b)	3085	warning triangle not behind fallen load	1, 2	70
Rule 227 (3) and (4) (c)	3086	warning triangle not beside fallen load	1, 2	70
Rule 228	3087	travel past no pedestrians sign	1	45
Rule 229	3088	disobey road access sign	1	45
Rule 230 (1) (a)	3089	not cross road by shortest safe route	1	45
Rule 230 (1) (b)	3090	stay on road longer than necessary to cross	1	45
Rule 231 (1) and (2)	3091	cross when pedestrian lights not green	1	45
Rule 231 (1) and (3) (a)	3092	not cross quickly to safety area (pedestrian lights)	1	45
Rule 231 (1) and (3) (b)	3093	not cross quickly to nearest side (pedestrian lights)	1	45
Rule 231 (1) and (4)	3094	not stay in safety area at pedestrian lights	1	45
Rule 232 (1) and (2)	3095	cross against traffic light (no pedestrian lights)	1	45
Rule 232 (1) and (3) (a)	3096	not cross quickly to safety area (no pedestrian lights)	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 232 (1) and (3) (b)	3097	not cross quickly to nearest side (no pedestrian lights)	1	45
Rule 232 (1) and (4)	3098	not stay in safety area (no pedestrian lights)	1	45
Rule 233 (1)	3099	cross road before tram stops	1	45
Rule 233 (2) (a)	3100	not cross by shortest safe route after getting off tram	1	45
Rule 233 (2) (b)	3101	stay on road after getting off tram	1	45
Rule 234 (1)	3102	pedestrian not cross part/road at crossing	1	45
Rule 234 (2)	3103	stay on crossing longer than necessary	1	45
Rule 235 (1) (a)	3104	not use pedestrian facility at level crossing	1	45
Rule 235 (1) (b)	3105	not cross within 20m of level crossing	1	45
Rule 235 (2) (a)	3106	cross level crossing contrary to warning lights/bells	1	45
Rule 235 (2) (b)	3107	cross level crossing with gate/boom/barrier operating	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 235 (2) (c)	3108	cross level crossing when tram/train on/entering crossing	1	45
Rule 235 (2) (d)	3109	cross level crossing when approaching tram/train seen/heard	1	45
Rule 235 (2) (e)	3110	cross level crossing when crossing/road beyond blocked	1	45
Rule 236 (1)	3111	pedestrian move into driver's path	1	45
Rule 236 (2)	3112	pedestrian obstruct driver's/other pedestrian's path	1	45
Rule 237 (1)	3113	get on/into moving vehicle	1	45
Rule 238 (1)	3114	pedestrian not travel on footpath/nature strip	1	45
Rule 238 (2) (a)	3115	pedestrian not keep to side of road	1	45
Rule 238 (2) (b)	3116	travel on road beside more than 1 other pedestrian/vehicle	1	45
Rule 239 (1)	3117	pedestrian on bicycle path/separated footpath	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 239 (3)	3118	not keep out of path of bicycle/pedestrian	1	45
Rule 240 (1)	3119	use wheeled device (dividing line/median strip)	1	45
Rule 240 (1)	3120	use wheeled device (multi-lane 1-way road)	1	45
Rule 240 (1)	3121	use wheeled toy (dividing line/median strip)	1	45
Rule 240 (1)	3122	use wheeled toy (multi-lane 1-way road)	1	45
Rule 240 (2) (a)	3123	use wheeled device on prohibited road	1	45
Rule 240 (2) (b)	3124	use wheeled device on road at prohibited time	1	45
Rule 240 (3) (a)	3125	use wheeled toy on prohibited road	1	45
Rule 240 (3) (b)	3126	use wheeled toy on road at prohibited time	1	45
Rule 241 (1) (a)	3127	not keep left when using wheeled device/toy	1	45
Rule 241 (1) (b)	3128	travel alongside more than 1 pedestrian/vehicle (wheeled device/toy)	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 242 (1) (a)	3129	not keep left of shared/path (wheeled device/toy)	1	45
Rule 242 (1) (b)	3130	not give way on shared/path (wheeled device/toy)	1	45
Rule 243 (1)	3131	use wheeled device on pedestrian separated path	1	45
Rule 243 (2)	3132	obstruct bicycle on separated/path (wheeled device)	1	45
Rule 244	3133	hold onto moving vehicle (wheeled device/toy)	1	45
Rule 245 (a)	3134	not sit astride bicycle rider's seat	1	45
Rule 245 (b)	3135	not ride bicycle with hand on bars	1	45
Rule 245 (c)	3136	ride bicycle in incorrect position	1	45
Rule 246	3137	carry more persons on bicycle than permitted	1	45
Rule 247 (1)	3138	not ride in bicycle lane	1	45
Rule 248	3139	bicycle cross on children's/marked foot/pedestrian crossing	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 249	3140	ride bicycle on pedestrian part of separated footpath	1	45
Rule 250 (1)	3141	ride bicycle on footpath (12 yrs or older)	1	45
Rule 250 (2) (a)	3142	bicycle not keep left (shared/foot path)	1	45
Rule 250 (2) (b)	3143	bicycle not give way (shared/foot path)	1	45
Rule 251	3144	bicycle not ride to left of oncoming bicycle on path	1	45
Rule 252 (1)	3145	disobey no bicycles sign/road marking	1	45
Rule 253	3146	bicycle rider moving into path of driver/pedestrian	1	45
Rule 254 (1)	3147	ride on bicycle that is being towed	1	45
Rule 254 (2)	3148	hold onto moving vehicle while riding bicycle	1	45
Rule 255	3149	ride bicycle too close to rear of motor vehicle	1	45
Rule 256 (1)	3150	rider not wear bicycle helmet/fitted/ fastened	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 256 (2)	3151	passenger not wear bicycle helmet/fitted/ fastened	1	45
Rule 257 (1)	3152	tow bicycle trailer with person in/on trailer	1	45
Rule 258 (a)	3153	ride bicycle without working brake	1	45
Rule 258 (b)	3154	ride bicycle without working warning device	1	45
Rule 259 (a)	3155	ride bicycle without visible front white light	1	45
Rule 259 (b)	3156	ride bicycle without visible rear red light	1	45
Rule 259 (c)	3157	ride bicycle without visible red reflector	1	45
Rule 260 (1)	3158	not stop before red bicycle crossing light	1	45
Rule 260 (2)	3159	proceed before allowed (red bicycle crossing light)	1	45
Rule 261 (1) and (2)	3160	not stop before yellow bicycle crossing light	1	45
Rule 261 (1) and (3)	3161	proceed before allowed (yellow bicycle crossing light)	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 262 (1)	3162	not cross intersection safely (bicycle crossing lights)	1	45
Rule 262 (2)	3163	not finish crossing road safely (bicycle crossing lights)	1	45
Rule 264	3164	driver not wearing seatbelt	1	220
Rule 265 (1) and (2)	3165	passenger 16 yrs or older not in seat with seatbelt	1	220
Rule 265 (1) and (3)	3166	passenger 16 yrs or older not wearing seatbelt	1	220
Rule 265 (1) and (4)	3167	passenger 16 yrs or older in front seat when not permitted	1	220
Rule 266 (1) and (2)	3168	drive with passenger under 1 yr not in restraint	1	220
Rule 266 (1) and (3)	3169	drive with passenger (over 1 yr but under 16 yrs) not restrained	1	220
Rule 266 (1) and (4)	3170	drive with passenger (under 16 yrs) in front seat not restrained	1	220
Rule 268 (1)	3171	travel in/on vehicle in part not for passengers/goods	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 268 (2)	3172	travel in/on part of vehicle designed for carrying goods	1	70
Rule 268 (3)	3173	part of body outside vehicle window/door (driver)	1	70
Rule 268 (4)	3174	part of body outside vehicle window/door (passenger)	1	70
Rule 269 (1)	3175	alight from moving vehicle	1	70
Rule 269 (3)	3176	cause hazard to person/vehicle (door open/alighting)	1	70
Rule 269 (4)	3177	drive moving bus with doors opened	1	111
Rule 270 (1) (a)	3178	ride motor bike with no helmet (rider alone)	1	220
Rule 270 (1) (b) (where helmeted rider rides bike with one unhelmeted passenger only)	1421	ride motor bike with one unhelmeted passenger	1	220
Rule 270 (1) (b) (where helmeted rider rides bike with 2 unhelmeted passengers	1422	ride motor bike with 2 unhelmeted passengers	1	440
Rule 270 (1) (b) (where helmeted rider rides bike with 3 unhelmeted passengers)	1424	ride motor bike with 3 unhelmeted passengers	1	660

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 270 (1) (b) (where helmeted rider rides bike with 4 or more unhelmeted passengers)	1426	ride motor bike with 4 or more unhelmeted passengers	1	880
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with one unhelmeted passenger only)	1427	ride motor bike with one unhelmeted passenger (rider not helmeted)	1	440
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 2 unhelmeted passengers)	1428	ride motor bike with 2 unhelmeted passengers (rider not helmeted)	1	660
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 3 unhelmeted passengers)	1429	ride motor bike with 3 unhelmeted passengers (rider not helmeted	1	880
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 4 or more unhelmeted passengers)	1430	ride motor bike with 4 or more unhelmeted passengers (rider not helmeted)	1	1,100
Rule 270 (2)	3180	motor bike passenger not wearing helmet	1	220
Rule 271 (1) (a)	3181	not sit astride on motor bike rider's seat	1	70
Rule 271 (1) (b)	3182	not ride motor bike with hand on bars	1	70
Rule 271 (1) (c)	3183	ride motor bike in incorrect position	1	70
Rule 271 (2) (a)	3184	not sit astride pillion seat	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 271 (2) (b)	3185	feet not on pillion footrests	1	70
Rule 271 (2) (a) and (3)	3186	passenger not sit astride pillion seat (rider)	1	70
Rule 271 (2) (b) and (3)	3187	passenger's feet not on pillion footrests (rider)	1	70
Rule 271 (4)	3188	ride motor bike with more than 1 passenger	1	70
Rule 271 (5)	3189	exceed number of passengers in motor bike sidecar	1	70
Rule 272 (a)	3190	passenger interfere with driver's control of vehicle	1	70
Rule 272 (b)	3191	passenger obstruct driver's view	1	70
Rule 274	3192	not stop on red T light	1	211
Rule 275	3193	not stop on yellow T light	1	211
Rule 277	3194	proceed before allowed after stop on red/yellow T light	1	211
Rule 279 (2)	3195	proceed before allowed after stop on white T light/arrow	1	211

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 279 (3)	3196	not leave intersection safely (white T light/arrow)	1	211
Rule 281	3197	not stop on red B light	1	211
Rule 282	3198	not stop on yellow B light	1	211
Rule 284	3199	proceed before allowed after stop on red/yellow B light	1	211
Rule 286 (2)	3200	proceed before allowed after stop on white B light/arrow	1	211
Rule 286 (3)	3201	not leave intersection safely (white B light/arrow)	1	211
Rule 287 (1) and (2) (a)	3202	not give particulars to other driver	1	118
Rule 287 (1) and (2) (b)	3203	not give particulars to injured person	1	118
Rule 287 (1) and (2) (c)	3204	not give particulars to owner of damaged property	1	118
Rule 287 (1) and (3)	3205	not give particulars to police	1	118
Rule 288 (1)	3206	drive on path	1	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 288 (4)	3207	driver not give way to user/animal on path	1	118
Rule 289 (1)	3208	drive on nature strip	1	118
Rule 289 (2)	3209	driver not give way to user/animal on nature strip	1	118
Rule 290	3210	drive on traffic island	1	118
Rule 291	3211, 9128	start/drive vehicle causing unnecessary noise/smoke	1, 2	95
Rule 292 (a)	3212, 9129	drive/tow vehicle with unsecured load	1, 2, 12	263
Rule 292 (b)	3213, 9130	drive/tow vehicle with load causing instability	1, 2, 12	263
Rule 292 (c)	3214, 9131	drive/tow vehicle with overhanging load	1, 2	118
Rule 293 (2)	3215, 9132	not remove/have removed any thing fallen/put on road	1, 2	118
Rule 294 (1) (a) (i)	3216	tow without control of towed vehicle	1	70
Rule 294 (1) (a) (ii)	3217	towed vehicle not in order/with licensed person/in control	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 294 (1) (b)	3218	tow vehicle when unsafe	1	70
Rule 294 (2) (a)	3219	tow without control of trailer	1	70
Rule 294 (2) (b)	3220	tow trailer when unsafe	1	70
Rule 295 (1) and (2)	3221	not keep required distance (towing with towline)	1	70
Rule 295 (1) and (3)	3222	not keep required distance (towing with towline—motor bike)	1	70
Rule 295 (1), (4) and (5) (a)	3223, 9133	warning material not correct shape/length	1, 2	70
Rule 295 (1), (4) and (5) (b)	3224, 9142	warning material not correct position	1, 2	70
Rule 295 (1), (4) and (5) (c)	3225, 9143	warning material not visible	1, 2	70
Rule 296 (1)	3226	not reverse vehicle safely	1	118
Rule 296 (2)	3227	reverse vehicle further than necessary	1	70
Rule 297 (1)	3228	drive without proper control of vehicle	1	118
Rule 297 (2)	3229	drive vehicle without clear view	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Rule 298	3230	tow trailer with person in/on trailer	1	70
Rule 299 (1) (a)	3231	drive vehicle with TV/VDU image visible	1	95
Rule 299 (1) (b)	3232	drive vehicle with TV/VDU image likely to distract	1	95
Rule 300	3233	drive using hand-held mobile phone	1	118
Rule 301	3234	lead animal while driving vehicle/riding bicycle	1	45
Rule 302	3235	not give way when riding animal on footpath/nature strip	1	45
Rule 303 (1)	3236	ride animal more than 2 abreast (not multi-lane road)	1	45
Rule 303 (2)	3237	ride animal more than 2 abreast (marked lane)	1	45
Rule 303 (4)	3238	ride animal more than 1.5m from another rider	1	45
Rule 304 (1)	3239	not obey direction of police/authorised person	1	45

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Local Government Act 1993				
Section 650 (1) (in relation to a notice or sign referred to in section 650 (2) (a))	2839, 3562, 6655, 6663	stand vehicle in area when area closed to public	1, 6, 7, 12	63
Section 650 (1) (in relation to a notice or sign referred to in section 650 (2) (b))	6656, 6664	stand vehicle in area longer than allowed	1, 6, 7, 12	63
Section 650 (1) (in relation to a notice or sign referred to in section 650 (2) (c))	6660, 6668	stand vehicle in disabled persons parking space without authority	1, 6, 7, 12	141
Section 650 (4) (a)	6657, 6665	not stand vehicle in marked parking space	1, 6, 7, 12	63
Section 650 (4) (b)	6658, 6666	stand vehicle in occupied marked parking space	1, 6, 7, 12	63
Section 650 (4) (c)	6659, 6667	not stand vehicle wholly in marked parking space	1, 6, 7, 12	63
Section 650 (5) (in relation to the parking of motor vehicles)	6661	fail to comply with parking direction	1, 6, 7, 12	63
Section 650 (5) (in relation to the movement of motor vehicles)	6662	fail to comply with vehicle movement direction	1, 6, 7, 12	63

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Motor Accidents Compensation Act 1999				
Section 8 (1)	1372, 7136	use uninsured motor vehicle	1, 2, 4	428
Section 8 (1)	1373, 7137	cause uninsured motor vehicle to be used	1, 2, 4	428
Section 8 (1)	1374, 7138	permit uninsured motor vehicle to be used	1, 2, 4	428
Motor Vehicles Taxation Act 1988				
Section 9 (1) (a), in relation to use of vehicles where tax unpaid	0761, 9628	owner drive/use vehicle with tax unpaid	1, 2	428
Section 9 (1) (b), in relation to use of vehicles where tax unpaid	0762, 9629	owner cause driving/use of vehicle with tax unpaid	1, 2	428
Section 9 (1) (b), in relation to use of vehicles where tax unpaid	0763, 9630	owner permit driving/use of vehicle with tax unpaid	1,2	428

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Road Transport (Driver Licensing) Act 1998				
Section 22 (1) (a)		obtain licence/renew licence by false statement/mis-representation/ dishonest means		
Section 22 (1) (b)		possess licence obtained/renewed dishonestly		
Section 23 (1) (a)	0040	unlawfully possess Australian licence	1	503
Section 23 (1) (b)	0042	unlawfully possess article like licence	1	503
Section 23 (2)	0043	alter licence	1	503
Section 23 (3)	0127	produce altered licence	1	503
Section 23 (4) (in relation to forging a driver licence)	0152	forge driver licence	1	503
Section 23 (4) (in relation to fraudulently altering, using or lending a driver licence)	0153	fraudulently alter/use/lend driver licence	1	503
Section 23 (4) (in relation to fraudulently allowing a driver licence to be used by another person)	0156	allow use of driver licence by other person	1	503
Section 24 (2)		fail to give specimen signature		

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Section 25 (1) (a):				
(a) where the driver held a licence under the Act (but not a licence appropriate to the class of vehicle driven, being a class of vehicle that requires a Class C, Class R, Class LR or Class MR licence):				
(i) for the first offence, or the first offence within the last 5 years	3240, 6940	unlicensed driver/rider	1, 2	336
(ii) for the second or subsequent offence within the last 5 years	3242, 6942	unlicensed driver/rider	1, 2	524
(b) where the driver held a licence under the Act (but not a licence appropriate to the class of vehicle driven, being a class of vehicle that requires a Class HR, Class HC or Class MC licence):				
(i) for the first offence, or the first offence within the last 5 years	3244, 6944	unlicensed driver/rider	1, 2	420
(ii) for the second or subsequent offence within the last 5 years	3246, 6946	unlicensed driver/rider	1, 2	839

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) where the driver held a licence issued under the law in force in another State or Territory, but had resided continuously in New South Wales during the previous 3 months:				
(i) for the first offence, or the first offence within the last 5 years	3248, 6948	unlicensed driver/rider	1, 2	336
(ii) for the second or subsequent offence within the last 5 years	3250, 6950	unlicensed driver/rider	1, 2	524
(d) where the driver held a licence under the Act that had expired less than 2 years before:				
(i) for the first offence, or the first offence within the last 5 years	3252, 6952	unlicensed driver/rider	1, 2	336
(ii) for the second or subsequent offence within the last 5 years	3254, 6954	unlicensed driver/rider	1, 2	524

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(e) where the driver held a licence under the Act that had expired 2 years or more before:				
(i) for the first offence, or the first offence within the last 5 years	3256, 6956	unlicensed driver/rider	1, 2	420
(ii) for the second or subsequent offence within the last 5 years	3258, 6958	unlicensed driver/rider	1, 2	839
(f) where the driver had never been licensed within the meaning of section 25 (4) (for the first offence only)	3260, 6960	unlicensed driver/rider	1, 2	524
Section 25 (1) (b):				
(a) where the driver held a licence under the Act (but not a licence appropriate to the class of vehicle driven), being a class of vehicle that requires a Class C, Class R, Class LR or Class MR licence):				
(i) for the first offence, or the first offence within the last 5 years	3241, 6941	permit unlicensed driver/rider	1, 2	336
(ii) for the second or subsequent offence within the last 5 years	3243, 6943	permit unlicensed driver/rider	1, 2	524

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(b) where the driver held a licence under the Act (but not a licence appropriate to the class of vehicle driven, being a class of vehicle that requires a Class HR, Class HC or Class MC licence):				
(i) for the first offence, or the first offence within the last 5 years	3245, 6945	permit unlicensed driver/rider	1, 2	420
(ii) for the second or subsequent offence within the last 5 years	3247, 6947	permit unlicensed driver/rider	1, 2	839
(c) where the driver held a licence issued under the law in force in another State or Territory, but had resided continuously in New South Wales during the previous 3 months:				
(i) for the first offence, or the first offence within the last 5 years	3249, 6949	permit unlicensed driver/rider	1, 2	336
(ii) for the second or subsequent offence within the last 5 years	3251, 6951	permit unlicensed driver/rider	1, 2	524

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) where the driver held a licence under the Act that had expired less than 2 years before:				
(i) for the first offence, or the first offence within the last 5 years	3253, 6953	permit unlicensed driver/rider	1, 2	336
(ii) for the second or subsequent offence within the last 5 years	3255, 6955	permit unlicensed driver/rider	1, 2	524
(e) where the driver held a licence under the Act that had expired 2 years or more before:				
(i) for the first offence, or the first offence within the last 5 years	3257, 6957	permit unlicensed driver/rider	1, 2	420
(ii) for the second or subsequent offence within the last 5 years	3259, 6959	permit unlicensed driver/rider	1, 2	839
(f) where the driver had never been licensed within the meaning of section 25 (4) (for the first offence only)	3846, 4288	permit unlicensed driver/rider	1, 2	524
Section 25A (1) (a)		drive while disqualified for licence		
Section 25A (1) (b)		false information in application while disqualified for licence		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 25A (2) (a)		drive while licence suspended		
Section 25A (2) (b)		false information in application while licence suspended		
Section 25A (3) (a)		drive while licence cancelled/after licence refused		
Section 25A (3) (b)		false information in application while licence cancelled/after licence refused		
Section 32 (4) (a)		reproduce likeness in licence		
Section 32 (4) (b)		cause/permit reproduction of likeness		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Road Transport (Driver Licensing) Regulation 1999				
Clause 12 (1) (a)	1303	unaccompanied learner	1	70
Clause 12 (1) (b)	2496	fail to display 'L' plates on car as required	1	70
Clause 12 (2) (a)	2497	learner ride motor cycle with other person	1	70
Clause 12 (2) (b)	2498	fail to display 'L' plates on motorcycle as required	1	70
Clause 12 (3)	2499	ride motorcycle of prohibited capacity/power	1	70
Clause 12 (4)	2500	cause/permit/ allow learner breach	1	70
Clause 12 (4)	2501	fail to prevent learner breach	1	70
Clause 12 (5) (a)	2502	fail to supervise driving	1	70
Clause 12 (5) (b)	3839	fail to take precautions to prevent breach	1	70
Clause 13	2504	learner tow other vehicle	1	70
Clause 15 (6) (a)	2505	provisional P1 C holder tow vehicle over 250 kg	1	70
Clause 15 (6) (b)	2506	provisional P1 R holder tow vehicle	1	70

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 30 (1) (a)	2507	fail to notify change of name	1	70
Clause 30 (1) (b)	2508	fail to notify change of address	1	70
Clause 55 (5) (a)	3560	visiting driver not carry licence	1	70
Clause 55 (5) (b)	3561	visiting driver not produce licence	1	70
Clause 56 (where the licence concerned is a provisional P1 licence of class R licence and the holder of the licence drives a motor cycle with engine capacity greater than 260 ml or a power to weight ratio greater than 150 kilowatts per tonne but otherwise than in relation to a condition relating to a 90 km/hour speed limit):				
(a) for the first offence, or the first offence within 5 years	1304	not comply conditions of licence	1	336
(b) for the second or subsequent offence within the last 5 years	1305	not comply conditions of licence	1	524

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 56 (otherwise than where the licence concerned is a provisional P1 licence of class R licence and the holder of the licence drives a motor cycle with engine capacity greater than 260ml or a power to weight ratio greater than 150 kilowatts per tonne and otherwise than in relation to a condition relating to a 90 km/hour speed limit):				
(a) in relation to licence conditions generally	2509	fail to comply with licence conditions	1	70
(b) in relation to P plates for holders of P1 licences of class C	1309	not comply P1 licence—no P plates (class C)	1	70
(c) in relation to P plates for holders of P1 licences of class R	1310	not comply P1 licence—no P plates (class R)	1	70
(d) in relation to P plates for holders of P2 licences	1114	not comply P2 licence—no P plates	1	70
Clause 56 in relation to a condition relating to a 90 km/hour speed limit	1306, 1307, 1308	exceed 90 km/h— provisional licence	1	70
Clause 57 (1)	2510	fail to return licence	1, 2	70
Clause 57 (2)	2511	fail to carry notice about condition	1, 2	70
Clause 57 (3)	2512	fail to provide evidence about register contents	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 58	2513	fail to provide information when required	1, 2	70
Road Transport (General) Act 1999				
Section 19 (2) (a)	3668	not produce licence	1	70
Section 20 (1)		person with learner fail to produce licence/give particulars		
Section 20 (2)		person with learner at registry fail to produce licence/give particulars		
Section 21 (1) (a)		responsible person/custodian fail to supply particulars of driver		
Section 21 (1) (b)		other person fail to supply particulars of driver		
Section 22 (2)		fail to produce licence to court		
Section 23 (1)		demand production of licence without authority		
Section 26 (3)		fail to surrender licence		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 34 (5)		fail to surrender licence (suspension notice)		
Section 43 (5)		fail to supply particulars of driver (camera-recorded/detected offence)		
Section 43 (6)		falsely nominate driver (camera-recorded/detected offence)		
Section 50 (2)		obstruct/delay officer entering/ inspecting premises/place/ vehicle/trailer		
Section 52 (1)		use vehicle without owners consent		
Section 53 (1)		procure use/hire of vehicle/trailer by fraud/ misrepresentation		
Section 53 (2)		aid/abet person to procure use/hire of vehicle/trailer by fraud/ misrepresentation		
Section 59 (1)		fail to provide information (written off vehicles)		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 60 (1)		fail to provide information (demolished/ dismantled vehicles)		
Section 61 (1)		fail to provide information (vehicles under care/custody/ control)		
Section 63		provide false/misleading information to Authority		
Section 64 (a)		obtain access to information/ register without authority		
Section 64 (b)		make/alter/delete entry in register without authority		
Section 64 (c)		interfere with register without authority		
Section 65		disclose information without authority		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Road Transport (General) Regulation 1999				
Clause 19		remove/deface/ destroy/damage penalty notice on vehicle/trailer		
Clause 20		fail to comply with order/notice/ direction/ requirement/ request		
Clause 21		provide false/misleading information		
Road Transport (Mass, Loading and Access) Regulation 1996				
Clause 16 (operate or drive Class 2 vehicle not in accordance with notice or permit):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by a notice issued, or a permit granted, under Division 2 of Part 3 with respect to that axle:				
(i) by not more than 0.5 tonne	6353, 6469	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	6354, 6470	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Division 2 of Part 3 with respect to that axle:				
(i) by not more than 1 tonne	6355, 6471	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 1.5 tonnes	6356, 6472	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	6357, 6473	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	6358, 6474	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Division 2 of Part 3 with respect to that axle group:				
(i) by not more than 1 tonne	6359, 6475	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6360, 6476	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6361, 6477	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6362, 6478	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	847
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Division 2 of Part 3 with respect to that vehicle:				
(i) by not more than 1 tonne	6045	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 2 tonnes	6046	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6047	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6048	owner/driver operate vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	847
Clause 16 (operate Class 2 vehicle not in accordance with notice or permit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	6132, 6135, 2236	owner/driver operate class 2 vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	6133, 6136, 2236	owner/driver operate class 2 vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	857

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable permit or notice that applies to the vehicle or combination concerned	6134, 6137, 2236	owner/driver operate class 2 vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	6138, 6139, 2237	owner/driver operate class 2 vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	157
Clause 16 (drive vehicle not in accordance with notice or permit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	6262, 5231, 2234	owner/driver drive class 2 vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	6263, 6260, 2234	owner/driver drive class 2 vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	857

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable permit or notice that applies to the vehicle or combination concerned	6264, 6261, 2234	owner/driver drive class 2 vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	6265, 6266, 2235	owner/driver drive class 2 vehicle contrary to notice/permit	1, 2, 6, 7, 13, 15	157
Clause 30—not keep documents (notice)	2165, 5232	owner/driver not carry copy of notice in driving compartment	1, 2, 6, 7, 13, 15	123
Clause 30—not keep documents (permit)	2165, 5233	owner/driver not carry copy of permit in driving compartment	1, 2, 6, 7, 13, 15	123
Clause 30—not keep documents (information sheet)	2165, 5234	owner/driver not carry copy of information sheet in driving compartment	1, 2, 6, 7, 13, 15	123
Clause 31 (vehicle or load in breach of a mass limit):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified in Schedule 1 with respect to that axle:				
(i) by not more than 0.5 tonne	6363, 6439	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 0.5 tonne but not more than 1 tonne	6364, 6440	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified in Schedule 1 with respect to that axle or axle group:				
(i) by not more than 1 tonne	6365, 6441	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 1.5 tonnes	6366, 6442	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	6367, 6443	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	6368, 6444	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified in Schedule 1 with respect to that axle group:				
(i) by not more than 1 tonne	6369, 6445	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6370, 6446	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	423

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(iii) by more than 2 tonnes but not more than 3 tonnes	6371, 6447	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6372, 6448	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum specified in Schedule 1 with respect to that vehicle:				
(i) by not more than 1 tonne	7271, 6033	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7272, 6034	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7273, 6035	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7274, 6036	vehicle/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
Clause 31 (owner of vehicle failing to comply otherwise than in relation to a breach of a mass limit)	2166, 9092	vehicle/load fail to comply Sch 1—owner	1, 2, 6, 7, 13, 15	157
Clause 31 (driver of vehicle failing to comply otherwise than in relation to a breach of a mass limit)	2167, 9095	vehicle/load fail to comply Sch 1—driver	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 32 (trailer or load in breach of a mass limit):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified in Schedule 1 with respect to that axle:				
(i) by not more than 0.5 tonne	6373, 6383	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	6374, 6384	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified in Schedule 1 with respect to that axle or axle group:				
(i) by not more than 1 tonne	6375, 6385	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 1.5 tonnes	6376, 6386	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	6377, 6387	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(iv) by more than 2 tonnes but not more than 2.5 tonnes	6378, 6388	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified in Schedule 1 with respect to that axle group:				
(i) by not more than 1 tonne	6379, 6389	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6380, 6390	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6381, 6391	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6382, 6392	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	847
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum specified in Schedule 1 with respect to that vehicle:				
(i) by not more than 1 tonne	7275, 7279	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7276, 7280	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7277, 7281	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(iv) by more than 3 tonnes but not more than 4 tonnes	7278, 7282	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	847
Clause 32 (trailer failing to comply otherwise than in relation to a breach of a mass limit)	2168, 9093, 9096	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	157
Clause 32 (trailer load failing to comply otherwise than in relation to a breach of a mass limit)	2169, 9093, 9096	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	157
Clause 32 (failure to comply otherwise than in relation to a trailer or trailer load and otherwise than in relation to a breach of a mass limit)	2170, 9093, 9096	trailer/load fail to comply with Sch 1	1, 2, 6, 7, 13, 15	157
Clause 33 (trailer or load in breach of a mass limit):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified in Schedule 1 with respect to that axle:				
(i) by not more than 0.5 tonne	6393	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	6394	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified in Schedule 1 with respect to that axle or axle group:				
(i) by not more than 1 tonne	6395	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 1.5 tonnes	6396	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	6397	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	6398	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified in Schedule 1 with respect to that axle group:				
(i) by not more than 1 tonne	6399	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6400	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6401	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(iv) by more than 3 tonnes but not more than 4 tonnes	6402	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum specified in Schedule 1 with respect to that vehicle:				
(i) by not more than 1 tonne	7283	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7284	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7285	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7286	trailer/load fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
Clause 33 (combination in breach of a mass limit):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified in Schedule 1 with respect to that axle:				
(i) by not more than 0.5 tonne	6403, 6459	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	6404, 6460	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified in Schedule 1 with respect to that axle or axle group:				
(i) by not more than 1 tonne	6405, 6461	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 1.5 tonnes	6406, 6462	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	6407, 6463	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	6408, 6464	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified in Schedule 1 with respect to that axle group:				
(i) by not more than 1 tonne	6409, 6465	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6410, 6466	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6411, 6467	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(iv) by more than 3 tonnes but not more than 4 tonnes	6412, 6468	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum specified in Schedule 1 with respect to that vehicle:				
(i) by not more than 1 tonne	6041, 7287	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6042, 7288	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6043, 7289	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6044, 7290	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	847
Clause 33 (otherwise than in relation to a breach of a mass limit)	2171, 9094, 9097	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	157
Clause 33 (otherwise than in relation to a breach of a mass limit)	2172, 9094, 9097	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	157
Clause 33 (otherwise than in relation to a breach of a mass limit)	2173, 9094, 9097	combination fail to comply Sch 1	1, 2, 6, 7, 13, 15	157
Clause 35 (4) owner of motor vehicle not comply with loading requirement	2174, 5238, 5273	vehicle/load fail to comply requirement	1, 2, 6, 7, 13, 15	524
Clause 35 (4) driver of motor vehicle not comply with loading requirement	2175, 5238, 5273	vehicle/load fail to comply requirement	1, 2, 6, 7, 13, 15	524

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 35 (5) owner of trailer not comply with loading requirement	2176, 5239, 5274, 5275	vehicle/load fail to comply requirement	1, 2, 6, 7, 13, 15	524
Clause 35 (5) owner of vehicle towing trailer not comply with loading requirement	2177, 5239, 5274, 5275	vehicle/load fail to comply requirement	1, 2, 6, 7, 13, 15	524
Clause 35 (5) driver of vehicle towing trailer not comply with towing requirement	2178, 5239, 5274, 5275	vehicle/load fail to comply requirement	1, 2, 6, 7, 13, 15	524
Clause 35 (6) owner of vehicle that is part of a combination not comply with loading requirement	2179, 5240, 5276, 5277	vehicle/load fail to comply requirement	1, 2, 6, 7, 13, 15	524
Clause 35 (6) driver of vehicle that is part of a combination not comply with loading requirement	2180, 5240, 5276, 5277	vehicle/load fail to comply requirement	1, 2, 6, 7, 13, 15	524
Clause 35 (6) owner of trailer that is part of a combination not comply with loading requirement	2181, 5240, 5276, 5277	vehicle/load fail to comply requirement	1, 2, 6, 7, 13, 15	524

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of a class 1, 2 or 3 vehicle):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle:				
(i) by not more than 0.5 tonne	5921	breach condition of notice/permit— owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	5922	breach condition of notice/permit— owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle or axle group:				
(i) by not more than 1 tonne	5925	breach condition of notice/permit— owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 1.5 tonnes	5926	breach condition of notice/permit—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	5927	breach condition of notice/permit—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	5928	breach condition of notice/permit—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle group:				
(i) by not more than 1 tonne	5933	breach condition of notice/permit—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5934	breach condition of notice/permit—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5935	breach condition of notice/permit—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5936	breach condition of notice/permit—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Part 3 with respect to that vehicle:				
(i) by not more than 1 tonne	5941	breach condition of notice/permit— owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5942	breach condition of notice/permit— owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5943	breach condition of notice/permit— owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5944	breach condition of notice/permit— owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of an exemption by owner of a class 1, 2 or 3 vehicle):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle:				
(i) by not more than 0.5 tonne	5923	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	5924	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle or axle group:				
(i) by not more than 1 tonne	5929	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 1.5 tonnes	5930	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	5931	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	5932	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle group:				
(i) by not more than 1 tonne	5937	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5938	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5939	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5940	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by an exemption granted under Part 4 with respect to that vehicle:				
(i) by not more than 1 tonne	5945	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5946	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5947	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5948	breach condition of exemption—owner Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of whole combination):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle:				
(i) by not more than 0.5 tonne	5949	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	5950	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle or axle group:				
(i) by not more than 1 tonne	5953	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	210

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
(ii) by more than 1 tonne but not more than 1.5 tonnes	5954	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	5955	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	5956	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle group:				
(i) by not more than 1 tonne	5961	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5962	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5963	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5964	breach condition of notice/permit— owner combination	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Part 3 with respect to that vehicle:				
(i) by not more than 1 tonne	5969	breach condition of notice/permit—owner combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5970	breach condition of notice/permit—owner combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5971	breach condition of notice/permit—owner combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5972	breach condition of notice/permit—owner combination	1, 2l, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of an exemption by owner of whole combination):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle:				
(i) by not more than 0.5 tonne	5951	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	5952	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle or axle group:				
(i) by not more than 1 tonne	5957	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 1.5 tonnes	5958	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	5959	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	5960	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle group:				
(i) by not more than 1 tonne	5965	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5966	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5967	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5968	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by an exemption granted under Part 4 with respect to that vehicle:				
(i) by not more than 1 tonne	5973	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5974	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5975	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5976	breach condition of exemption—owner combination	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle or axle group:				
(i) by not more than 0.5 tonne	5977	breach condition of notice/permit— owner part combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	5978	breach condition of notice/permit— owner part combination	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle:				
(i) by not more than 1 tonne	5981	breach condition of notice/permit— owner part combination	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 1.5 tonnes	5982	breach condition of notice/permit—owner part combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	5983	breach condition of notice/permit—owner part combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	5984	breach condition of notice/permit—owner part combination	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle group:				
(i) by not more than 1 tonne	5989	breach condition of notice/permit—owner part combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5990	breach condition of notice/permit—owner part combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5991	breach condition of notice/permit—owner part combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5992	breach condition of notice/permit—owner part combination	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Part 3 with respect to that vehicle:				
(i) by not more than 1 tonne	5997	breach condition of notice/permit— owner part combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5998	breach condition of notice/permit— owner part combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5999	breach condition of notice/permit— owner part combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6000	breach condition of notice/permit— owner part combination	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of an exemption by owner of part of a combination):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle:				
(i) by not more than 0.5 tonne	5979	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	5980	breach condition of exemption—owner part combination	1, 2., 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle or axle group:				
(i) by not more than 1 tonne	5985	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 1.5 tonnes	5986	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	5987	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	5988	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle group:				
(i) by not more than 1 tonne	5993	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	5994	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	5995	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	5996	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by an exemption granted under Part 4 with respect to that vehicle:				
(i) by not more than 1 tonne	6001	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6002	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6003	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6004	breach condition of exemption—owner part combination	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of notice or permit by driver of a combination Class 3 vehicle):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle:				
(i) by not more than 0.5 tonne	7434	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	7435	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle or axle group:				
(i) by not more than 1 tonne	7438	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 1.5 tonnes	7439	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	7440	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	7441	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle group:				
(i) by not more than 1 tonne	7446	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7447	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7448	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7449	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Part 3 with respect to that vehicle:				
(i) by not more than 1 tonne	7454	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7455	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7456	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7457	breach condition of notice/permit—combination Class 3 vehicle—driver	1, 2, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of an exemption for a combination Class 3 vehicle):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle:				
(i) by not more than 0.5 tonne	7436	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	7437	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle or axle group:				
(i) by not more than 1 tonne	7442	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 1.5 tonnes	7443	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	7444	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	7445	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle group:				
(i) by not more than 1 tonne	7450	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7451	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7452	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7453	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by an exemption granted under Part 4 with respect to that vehicle:				
(i) by not more than 1 tonne	7458	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7459	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7460	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7461	breach condition of exemption—combination Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit for a single Class 3 vehicle):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle:				
(i) by not more than 0.5 tonne	7462	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(i) by more than 0.5 tonne but not more than 1 tonne	7463	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle or axle group:				
(i) by not more than 1 tonne	7466	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
(ii) by more than 1 tonne but not more than 1.5 tonnes	7467	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	7468	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	7469	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle group:				
(i) by not more than 1 tonne	7474	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7475	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7476	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7477	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Part 3 with respect to that vehicle:				
(i) by not more than 1 tonne	7482	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7483	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7484	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7485	breach condition of notice/permit—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (in relation to a breach of a mass limit in respect of a condition of an exemption for a single Class 3 vehicle):				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle:				
(i) by not more than 0.5 tonne	7464	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	7465	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle or axle group:				
(i) by not more than 1 tonne	7470	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) by more than 1 tonne but not more than 1.5 tonnes	7471	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	7472	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	7473	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle group:				
(i) by not more than 1 tonne	7478	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7479	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7480	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7481	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by an exemption granted under Part 4 with respect to that vehicle:				
(i) by not more than 1 tonne	7486	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	7487	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	7488	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	7489	breach condition of exemption—single Class 3 vehicle—driver	1, 2, 6, 7, 13, 15	847
Clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit for a Class 1, 2 or 3 vehicle):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2238, 5241, 6269	breach condition of notice/permit—driver Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	857

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2238, 6267, 6270	breach condition of notice/permit—driver Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2238, 6268, 6271	breach condition of notice/permit—driver Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2240, 6275, 6276	breach condition of notice/permit—driver Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	157
Clause 36 (in relation to a breach of a mass limit in respect of a condition of an exemption for a Class 1, 2 or 3 vehicle):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2239, 6272	breach condition of exemption—driver Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2239, 6273	breach condition of exemption—driver Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	857

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2239, 6274	breach condition of exemption—driver Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2241, 6277	breach condition of exemption—driver Class 1, 2 or 3 vehicle	1, 2, 6, 7, 13, 15	157
Clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit for a combination vehicle):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2242, 6278, 6281	breach condition of notice/permit—driver combination	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2242, 6279, 6282	breach condition of notice/permit—driver combination	1, 2, 6, 7, 13, 15	857

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2242, 6280, 6283	breach condition of notice/permit—driver combination	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2244, 6287, 6288	breach condition of notice/permit—driver combination	1, 2, 6, 7, 13, 15	157
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2243, 6284	breach condition of exemption—driver combination	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2243, 6285	breach condition of exemption—driver combination	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2243, 6286	breach condition of exemption—driver combination	1, 2, 6, 7, 13, 15	857

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
(d) that does not involve (a), (b) or (c)	2245, 6289	breach condition of exemption—driver combination	1, 2, 6, 7, 13, 15	157
Clause 36 (otherwise than in relation to a breach of a mass limit), in relation to a notice or permit for a Class 1, 2 or 3 vehicle:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2246, 6290, 6293	breach condition of notice/permit—driver vehicle not part of combination	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2246, 6291, 6294	breach condition of notice/permit—driver vehicle not part of combination	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2246, 6292, 6295	breach condition of notice/permit—driver vehicle not part of combination	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2248, 6299, 6300	breach condition of notice/permit—driver vehicle not part of combination	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit) in relation to a breach of condition of an exemption applicable to a vehicle not part of a combination:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2247, 6296	breach condition of exemption—driver vehicle not part of combination	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2247, 6297	breach condition of exemption—driver vehicle not part of combination	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2247, 6298	breach condition of exemption—driver vehicle not part of combination	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2249, 6301	breach condition of exemption—driver vehicle not part of combination	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit) in relation to a breach of a condition of a notice or permit for a vehicle forming part of a combination:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2250, 6302, 6305	breach condition of notice/permit— driver vehicle forming part of combination	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2250, 6303, 6306	breach condition of notice/permit— driver vehicle forming part of combination	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2250, 6304, 6307	breach condition of notice/permit— driver vehicle forming part of combination	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2252, 6311, 6312	breach condition of notice/permit— driver vehicle forming part of combination	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit) in relation to a breach of a condition of an exemption applicable to a vehicle forming part of a combination:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2251, 6308	breach condition of exemption—driver vehicle forming part of combination	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2251, 6309	breach condition of exemption—driver vehicle forming part of combination	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2251, 6310	breach condition of exemption—driver vehicle forming part of combination	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2253, 6313	breach condition of exemption—driver vehicle forming part of combination	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit), in relation to a notice or permit for a Class 1, 2 or 3 vehicle:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	1194, 5179, 6189	breach condition of notice/permit—owner allow combination to be driven	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	1194, 6187, 6190	breach condition of notice/permit—owner allow combination to be driven	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	1194, 6188, 6191	breach condition of notice/permit—owner allow combination to be driven	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	1196, 6195, 6196	breach condition of notice/permit—owner allow combination to be driven	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit) in relation to breach of a condition of an exemption applicable to a combination:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	1195, 6192	breach condition of exemption—owner allow combination to be driven	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	1195, 6193	breach condition of exemption—owner allow combination to be driven	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	1195, 6194	breach condition of exemption—owner allow combination to be driven	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	1197, 6197	breach condition of exemption—owner allow combination to be driven	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 36 (otherwise than in relation to a breach of a mass limit) in relation to a breach of a condition of a notice or permit applicable to a vehicle not part of a combination:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2254, 5180, 6200	breach condition of notice/permit— owner allow vehicle not part of combination to be driven	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2254, 6198, 6201	breach condition of notice/permit— owner allow vehicle not part of combination to be driven	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2254, 6199, 6202	breach condition of notice/permit— owner allow vehicle not part of combination to be driven	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2256, 6206, 6207	breach condition of notice/permit— owner allow vehicle not part of combination to be driven	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit) in relation to a breach of an exemption applicable to a vehicle not part of a combination:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2255, 6203	breach condition of exemption—owner allow vehicle not part of combination to be driven	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2255, 6204	breach condition of exemption—owner allow vehicle not part of combination to be driven	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2255, 6205	breach condition of exemption—owner allow vehicle not part of combination to be driven	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2257, 6208	breach condition of exemption—owner allow vehicle not part of combination to be driven	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 36 (otherwise than in relation to a breach of a mass limit), in relation to a notice or permit for a Class 1, 2 or 3 vehicle:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2258, 6209, 6212	breach condition of notice/permit— owner allow vehicle forming part of combination to be driven	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2258, 6210, 6213	breach condition of notice/permit— owner allow vehicle forming part of combination to be driven	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2258, 6211, 6214	breach condition of notice/permit— owner allow vehicle forming part of combination to be driven	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2260, 6218, 6219	breach condition of notice/permit— owner allow vehicle forming part of combination to be driven	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit) in relation to a breach of a condition of an exemption applicable to a vehicle forming part of a combination:				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2259, 6215	breach condition of exemption—owner allow vehicle forming part of combination to be driven	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2259, 6216	breach condition of exemption—owner allow vehicle forming part of combination to be driven	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2259, 6217	breach condition of exemption—owner allow vehicle forming part of combination to be driven	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2261, 6220	breach condition of exemption—owner allow vehicle forming part of combination to be driven	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2262, 5245, 6315	fail to meet Class 3 condition notice/permit—person—driver	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2262, 5244, 6316	fail to meet Class 3 condition notice/permit—person—driver	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2262, 6314, 6317	fail to meet Class 3 condition notice/permit—person—driver	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2264, 6321, 6322	fail to meet Class 3 condition notice/permit—person—driver	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2263, 6318	fail to meet Class 3 condition exemption—person—driver	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2263, 6319	fail to meet Class 3 condition exemption—person—driver	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2263, 6320	fail to meet Class 3 condition exemption—person—driver	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2265, 6323	fail to meet Class 3 condition exemption—person—driver	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2266, 6324, 6327	fail to meet Class 3 condition notice/permit—combination—driver	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2266, 6325, 6328	fail to meet Class 3 condition notice/permit—combination—driver	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2266, 6326, 6329	fail to meet Class 3 condition notice/permit—combination—driver	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2268, 6333, 6334	fail to meet Class 3 condition notice/permit—combination—driver	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2267, 6330	fail to meet Class 3 condition exemption—combination—driver	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2267, 6331	fail to meet Class 3 condition exemption—combination—driver	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2267, 6332	fail to meet Class 3 condition exemption—combination—driver	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2269, 6335	fail to meet Class 3 condition exemption—combination—driver	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2270	fail to meet Class 3 condition notice/permit—combination—operator	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2270	fail to meet Class 3 condition notice/permit—combination—operator	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2270	fail to meet Class 3 condition notice/permit—combination—operator	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2272	fail to meet Class 3 condition notice/permit—combination—operator	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2271	fail to meet Class 3 condition exemption—combination—operator	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2271	fail to meet Class 3 condition exemption—combination—operator	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2271	fail to meet Class 3 condition exemption—combination—operator	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2273	fail to meet Class 3 condition exemption—combination—operator	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2274, 6336, 6339	fail to meet Class 3 condition notice/permit—vehicle—driver	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2274, 6337, 6340	fail to meet Class 3 condition notice/permit—vehicle—driver	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2274, 6338, 6341	fail to meet Class 3 condition notice/permit—vehicle—driver	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2276, 6347	fail to meet Class 3 condition notice/permit—vehicle—driver	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2275, 6342	fail to meet Class 3 condition exemption—vehicle—driver	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2275, 6343	fail to meet Class 3 condition exemption—vehicle—driver	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2275, 6344	fail to meet Class 3 condition exemption—vehicle—driver	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2277, 6347	fail to meet Class 3 condition exemption—vehicle—driver	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2278	fail to meet Class 3 condition notice/permit—vehicle—operator	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2278	fail to meet Class 3 condition notice/permit—vehicle—operator	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2278	fail to meet Class 3 condition notice/permit—vehicle—operator	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2280	fail to meet Class 3 condition notice/permit—vehicle—operator	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 36 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable exemption	2279	fail to meet Class 3 condition exemption—vehicle—operator	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable exemption	2279	fail to meet Class 3 condition exemption—vehicle—operator	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable exemption that applies to the vehicle or combination concerned	2279	fail to meet Class 3 condition exemption—vehicle—operator	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2281	fail to meet Class 3 condition exemption—vehicle—operator	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 38 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	6255, 2289	combination accompanied by pilot—owner (wrong area)	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	6256, 2291	combination accompanied by pilot—owner (wrong time)	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	6257, 2293	combination accompanied by pilot—owner (insufficient pilot/ escort vehicles)	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2295, 2296, 6258	pilot vehicle fail to comply Sch 2—owner	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 38 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2288	oversize vehicle accompanied by pilot (wrong area)	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2290	oversize vehicle accompanied by pilot (wrong time)	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2292	oversize vehicle accompanied by pilot (insufficient pilot/escort vehicles)	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2298, 2299, 6259	escort vehicle fail to comply Sch 2—owner	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 38 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2282, 5248	pilot accompany oversize vehicle (wrong area)	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2284, 5249	pilot accompany oversize vehicle (wrong time)	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2286, 5250	pilot accompany oversize vehicle (insufficient pilot/ escort vehicles)	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2294, 5251, 6248	pilot fail to comply with Sch 2	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 38 (otherwise than in relation to a breach of a mass limit):				
(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2283, 6350	pilot accompany combination (wrong area)	1, 2, 6, 7, 13, 15	857
(b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under an applicable notice or permit	2285, 6351	pilot accompany combination (wrong time)	1, 2, 6, 7, 13, 15	857
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under an applicable notice or permit that applies to the vehicle or combination concerned	2287, 6352	pilot accompany combination (insufficient pilot/ escort vehicles)	1, 2, 6, 7, 13, 15	857
(d) that does not involve (a), (b) or (c)	2297, 5252, 6349	escort vehicle fail to comply Sch 2	1, 2, 6, 7, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 41:				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum prescribed by or under that clause with respect to that axle:				
(i) by not more than 0.5 tonne	5192	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	5193	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	632
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum prescribed by or under that clause with respect to that axle or axle group:				
(i) by not more than 1 tonne	5194	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 1.5 tonnes	5195	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	5196	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(iv) by more than 2 tonnes but not more than 2.5 tonnes	5197	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum prescribed by or under that clause with respect to that axle group:				
(i) by not more than 1 tonne	6413	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6414	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6415	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6416	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	847
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight prescribed by or under that clause with respect to that vehicle:				
(i) by not more than 1 tonne	6417	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6418	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	423

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
(iii) by more than 2 tonnes but not more than 3 tonnes	6419	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6420	fail to comply with maximum axle load	1, 2, 6, 7, 13, 15	847
Clause 41, in relation to an offence arising because the laden weight of a vehicle exceeds the maximum laden weight prescribed by or under that clause with respect to that vehicle:				
(a) by not more than 1 tonne	6421	fail to comply with load limit	1, 2, 6, 7, 13, 15	210
(b) by more than 1 tonne but not more than 2 tonnes	6422	fail to comply with load limit	1, 2, 6, 7, 13, 15	423
(c) by more than 2 tonnes but not more than 3 tonnes	6423	fail to comply with load limit	1, 2, 6, 7, 13, 15	632
(d) by more than 3 tonnes but not more than 4 tonnes	6424	fail to comply with load limit	1, 2, 6, 7, 13, 15	847
Clause 41I (1):				
(a) if the offence comprises a contravention of clause 41C by the owner of a combination	3848, 9992	combination standing/driven in breach of cl 41C (vehicle owner)	1, 2, 6, 7, 13, 15	157
(b) if the offence comprises a contravention of the conditions of a notice by the owner of a combination	3849, 9993	combination standing/driven in breach of notice (vehicle owner)	1, 2, 6, 7, 13, 15	157

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) if the offence comprises a contravention of the conditions of a permit by the owner of a combination	3850, 9994	combination standing/driven in breach of permit (vehicle owner)	1, 2, 6, 7, 13, 15	157
(d) if the offence comprises a contravention of clause 41C by the driver of a combination	3851, 9995	vehicle driver stand/drive combination in breach of cl 41C	1, 2, 6, 7, 13, 15	157
(e) if the offence comprises a contravention of the conditions of a notice by the driver of a combination	3852, 9996	vehicle driver stand/drive combination in breach of notice	1, 2, 6, 7, 13, 15	157
(f) if the offence comprises a contravention of the conditions of a permit by the driver of a combination	3853, 9997	vehicle driver stand/drive combination in breach of permit	1, 2, 6, 7, 13, 15	157
Clause 47 (3) relating to a breach of a mass limit:				
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified in the notice for that class of vehicle with respect to that axle:				
(i) by not more than 0.5 tonne	6425	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	210
(ii) by more than 0.5 tonne but not more than 1 tonne	6426	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	632

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified in the notice for that class of vehicle with respect to that axle or axle group:				
(i) by not more than 1 tonne	6427	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 1.5 tonnes	6428	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	423
(iii) by more than 1.5 tonnes but not more than 2 tonnes	6429	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	632
(iv) by more than 2 tonnes but not more than 2.5 tonnes	6430	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	847
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified in the notice for that class of vehicle with respect to that axle group:				
(i) by not more than 1 tonne	6431	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6432	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	423

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(iii) by more than 2 tonnes but not more than 3 tonnes	6433	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6434	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	847
(d) if the offence arises because the sum of the axle loads of a group of axles (other than an axle group of a kind referred to in (a), (b) or (c)) of a vehicle exceeds the maximum specified in the notice for that class of vehicle with respect to that axle group:				
(i) by not more than 1 tonne	6435	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	210
(ii) by more than 1 tonne but not more than 2 tonnes	6436	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	423
(iii) by more than 2 tonnes but not more than 3 tonnes	6437	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	632
(iv) by more than 3 tonnes but not more than 4 tonnes	6438	fail to comply with axle load notice	1, 2, 6, 7, 13, 15	847
Clause 51 (3)	0465, 4000	drive road train exceed mass	1, 2, 6, 7, 13, 15	157
Clause 51 (3)	0466, 4001	cause/permit road train exceed mass	1, 2, 6, 7, 13, 15	157
Clause 52	0467, 4002	drive road train exceed tracking limit	1, 2, 6, 7, 13, 15	95

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 54 (1)	0468, 4003	drive road train exceed 53.5m	1, 2, 6, 7, 13, 15	157
Clause 54 (1)	0469, 4004	cause/permit road train exceed 53.5m	1, 2, 6, 7, 13, 15	157
Clause 54 (3)	0480, 4005	drive road train exceed determined length	1, 2, 6, 7, 13, 15	157
Clause 54 (3)	0481, 4006	cause/permit road train exceed determined length	1, 2, 6, 7, 13, 15	157
Clause 55 (1) (a)	0535, 4007	drive vehicle with projecting load/equipment	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (a)	0536, 4008	cause/permit vehicle with projecting load/equipment	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (b)	0537, 4009	drive bike with projecting load/equipment	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (b)	0538, 4010	cause/permit bike with projecting load/equipment	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (c)	0541, 4011	drive bike & sidecar with projecting load/equipment	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (c)	0542, 4012	cause/permit bike & sidecar with projecting load/equipment	1, 2, 6, 7, 13, 15	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 55 (1) (d)	0543, 4013	drive articulated vehicle with projection forward of pivot pin	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (d)	0545, 4014	cause/permit articulated vehicle with projection forward of pivot pin	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (e)	0552, 4015	drive articulated vehicle exceed 19m	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (e)	0553, 4016	cause/permit articulated vehicle exceed 19m	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (f) (i)	0575, 4017	drive multi-deck combination exceed 25m	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (f) (i)	0576, 4018	cause/permit multi-deck combination exceed 25m	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (f) (ii)	0602, 4019	drive combination exceed 19m	1, 2, 6, 7, 13, 15	118
Clause 55 (1) (f) (ii)	0605, 4020	cause/permit combination exceed 19m	1, 2, 6, 7, 13, 15	118
Clause 55 (4) (a)	0608, 4021	not have warning marker on projecting load/equipment	1, 2, 6, 7, 13, 15	118
Clause 55 (4) (b)	0611, 4022	not have light/reflectors on projecting load/equipment	1, 2, 6, 7, 13, 15	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 56 (1) and (4) (a)	0614, 4023	unstable/unsafe load on vehicle—vehicle owner	1, 2, 6, 7, 13, 15	263
Clause 56 (1) and (4) (b)	0615, 4024	unstable/unsafe load on vehicle—vehicle driver	1, 2, 6, 7, 13, 15	263
Clause 56 (2) and (4) (a)	0616, 4025	insecure load on vehicle—vehicle owner	1, 2, 6, 7, 13, 15	263
Clause 56 (2) and (4) (b)	0617, 4026	insecure load on vehicle—vehicle driver	1, 2, 6, 7, 13, 15	263
Clause 56 (1) and (5) (a)	0648, 4027	unstable/unsafe load on trailer—trailer owner	1, 2, 6, 7, 13, 15	263
Clause 56 (1) and (5) (b)	0649, 4028	unstable/unsafe load on trailer—tow vehicle owner	1, 2, 6, 7, 13, 15	263
Clause 56 (1) and (5) (c)	0652, 4029	unstable/unsafe load on trailer—tow vehicle driver	1, 2, 6, 7, 13, 15	263
Clause 56 (2) and (5) (a)	0765, 4037	insecure load on trailer—owner	1, 2, 6, 7, 13, 15	263
Clause 56 (2) and (5) (b)	0768, 4038	insecure load on trailer—tow vehicle owner	1, 2, 6, 7, 13, 15	263
Clause 56 (2) and (5) (c)	0769, 4039	insecure load on trailer—tow vehicle driver	1, 2, 6, 7, 13, 15	263
Clause 57 (a)	0653, 4030	drive vehicle with insufficient view	1, 2, 13, 15	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 57 (b)	0655, 4031	drive bike with insufficient view	1, 2, 13, 15	157
Clause 57 (c)	0663, 4032	not have proper control	1, 2, 13, 15	263
Clause 62 (1)	0665, 4033	drive/cause lorry exceed mass limit	1, 2, 6, 7, 13, 15	157
Clause 63 (1)	0666, 4034	drive/cause lorry not display mass limits	1, 2, 6, 7, 13, 15	70
Clause 67 (4)	0676, 4035	lorry owner not comply with requirement	1, 2	157
Clause 69	0731, 4036	not comply with weight determination direction	1, 2, 6, 7, 13, 15	157
Road Transport (Safety and Traffic Management) Act 1999				
Section 9 (1) (a)		drive with special range concentration of alcohol		
Section 9 (1) (b)		attempt drive with special range concentration of alcohol		
Section 9 (1) (c)		accompany learner with special range concentration of alcohol		
Section 9 (2) (a)		drive with low range concentration of alcohol		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 9 (2) (b)		attempt to drive with low range concentration of alcohol		
Section 9 (2) (c)		accompany learner with low range concentration of alcohol		
Section 9 (3) (a)		drive with mid range concentration of alcohol		
Section 9 (3) (b)		attempt to drive with mid range concentration of alcohol		
Section 9 (3) (c)		accompany learner with mid range concentration of alcohol		
Section 9 (4) (a)		drive with high range concentration of alcohol		
Section 9 (4) (b)		attempt to drive with high range concentration of alcohol		
Section 9 (4) (c)		accompany learner with high range concentration of alcohol		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 12 (1) (a)		drive while under influence of alcohol/drug		
Section 12 (1) (b)		attempt to drive while under influence of alcohol/drug		
Section 12 (1) (c)		accompany learner while under influence of alcohol/drug		
Section 13 (2)		fail to undergo breath test		
Section 13 (5)		disobey request/signal to stop for breath test		
Section 15 (4)		fail to submit to breath analysis		
Section 16		wilfully alter concentration of alcohol		
Section 21 (1)		doctor/nurse fail to take blood sample		
Section 22 (1)		hinder/obstruct doctor/nurse taking blood sample		
Section 22 (2)		driver prevent doctor/nurse from taking blood sample		

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment Regulation 2001

Amendments Schedule 1

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 22 (3)		person other than driver prevent doctor/nurse from taking blood sample		
Section 23 (1) (a)		doctor/nurse fail to divide blood sample		
Section 23 (1) (b)		doctor/nurse fail to place samples in container		
Section 23 (1) (c)		doctor/nurse fail to fasten/seal container		
Section 23 (1) (d)		doctor/nurse fail to mark/label container		
Section 23 (3)		fail to promptly submit sample for analysis		
Section 29 (1)		fail to submit to assessment as directed		
Section 29 (2) (a) (i)		refuse/fail to submit to (drug) blood test		
Section 29 (2) (a) (ii)		refuse/fail to submit to (drug) urine test		
Section 29 (2) (b)		wilfully introduce/alter drug in blood/urine after requirement to submit to assessment		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 29 (2) (c)		wilfully introduce/alter drug in blood/urine after requirement to provide sample		
Section 29 (5) (a)		doctor fail to take sample		
Section 29 (5) (b)		doctor not treat sample as required		
Section 29 (7)		hinder/obstruct doctor taking blood/urine sample		
Section 30 (6) (a)		fail to comply with prohibition/ requirement of officer		
Section 30 (6) (b)		obstruct officer making prohibition/ requirement		
Section 40 (1) (a)		organise/promote/ take part in race on road/area		
Section 40 (1) (b)		organise/promote/ take part in attempt to break record on road/area		
Section 40 (1) (c)		organise/promote/ take part in speed trial on road/area		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 40 (1) (d)		organise/promote/ take part in competitive trial on road/area		
Section 40 (3)		not comply with condition of race/attempt/trial		
Section 41 (1)	3659	burnout	1	368
Section 41 (2)	3660	aggravated burnout	1	473
Section 41 (4)		engage in prescribed competitive activity		
Section 42 (1) (a)		negligent driving occasioning death		
Section 42 (1) (b)		negligent driving occasioning grievous bodily harm		
Section 42 (1) (c)	3661	negligent driving	1	165
Section 42 (2)		drive recklessly/ furiously/in manner dangerous/at speed dangerous		
Section 43 (1)		drive with intent to menace		
Section 43 (2)		drive knowing other may be menaced		
Section 48 (1)	3662	sell/offer for sale/purchase speed evasion article	1	1,089

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 48 (2), in relation to driving a vehicle	3663	drive vehicle with speed evasion article	1	1,089
Section 48 (2), in relation to standing a vehicle	3664	stand vehicle with speed evasion article	1	1,089
Section 48 (3)	3665	responsible person vehicle driven with speed evasion article	1	1,089
Section 48 (3)	3666	responsible person vehicle stood with speed evasion article	1	1,089
Section 49 (3)	3667	fail to surrender speed evasion article	1	1,089
Section 52 (1) (a)		install/display device without authority		
Section 52 (1) (b)		interfere with/ alter/remove device without authority		
Section 52 (2)		install/display false sign/signal/ marking/structure/ device		
Section 53 (2)		fail to comply with direction— remove sign/ signal/marking/ structure/device		
Section 61 (1) (a) and (2)		use vehicle without monitoring device		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 61 (1) (b) and (2)		use vehicle—monitoring device not produce data		
Section 62 (2)		fail to keep record of journey for 12 months		
Section 64 (6) (a)		obstruct/hinder officer exercising power		
Section 64 (6) (b)		not comply with requirement of officer		
Section 65 (4)		obstruct/hinder authorised officer		
Section 66 (4)		responsible person not comply with notice		
Section 67 (1)		tamper with monitoring device		
Section 67 (2)		make false vehicle movement record		
Section 70		fail to stop after accident causing death/injury		
Section 73 (3)		carry out research on blood/saliva that identifies person		
Section 74 (2)		not comply with direction—closed road/area		
Section 76 (7)	6961, 6962	fail to pay tow-away charge	1, 2	220

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999				
Clause 19 (1) (a), (3)	1988, 8249	drive more than 5 hrs (heavy truck)	1, 2, 4	157
Clause 19 (1) (b), (3)	1989, 8250	drive more than 12 hrs in 24 hrs (heavy truck)	1, 2, 4	157
Clause 19 (1) (c), (3)	1990, 8251	drive more than 72 hrs in 7 days (heavy truck)	1, 2, 4	157
Clause 19 (2) (a), (3)	1991, 8252	drive more than 5 hrs (coach)	1, 2, 4	157
Clause 19 (2) (b), (3)	1992, 8253	drive more than 12 hrs in 24 hrs (coach)	1, 2, 4	157
Clause 19 (2) (c), (3)	1993, 8254	drive more than 11 hrs in 24 hrs (two-up coach)	1, 2, 4	157
Clause 19 (2) (d), (3)	1994, 8255	drive more than 72 hrs in 7 days (coach)	1, 2, 4	157
Clause 19 (2) (e), (3)	1995, 8256	drive more than 66 hrs in 7 days (two-up coach)	1, 2, 4	157
Clause 20 (1) (a), (3)	0628, 8257	work more than 5 hrs (heavy truck)	1, 2, 4	157
Clause 20 (1) (b), (3)	0629, 8258	work more than 14 hrs in 24 hrs (heavy truck)	1, 2, 4	157
Clause 20 (1) (c), (3)	0630, 8259	work more than 72 hrs in 7 days (heavy truck)	1, 2, 4	157
Clause 20 (2) (a), (3)	0631, 8260	work more than 5 hrs (coach)	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 20 (2) (b), (3)	0632, 8261	work more than 12 hrs in 24 hours (coach)	1, 2, 4	157
Clause 20 (2) (c), (3)	0633, 8262	work more than 11 hrs in 24 hrs (two-up coach)	1, 2, 4	157
Clause 20 (2) (d), (3)	0634, 8263	work more than 72 hrs in 7 days (coach)	1, 2, 4	157
Clause 20 (2) (e), (3)	0635, 8264	work more than 66 hrs in 7 days (two-up coach)	1, 2, 4	157
Clause 21 (1) (a), (3)	1996, 8265	drive without 30 mins rest in 5.5 hrs (heavy truck)	1, 2, 4	157
Clause 21 (1) (b), (3)	1997, 8266	drive without 10 hrs rest in 24 hrs (heavy truck)	1, 2, 4	157
Clause 21 (1) (c), (3)	1998, 8267	drive without 96 hrs rest in 7 days (heavy truck)	1, 2, 4	157
Clause 21 (2) (a), (4), (5)	1999, 8268	drive without 30 mins rest in 5.5 hrs (coach)	1, 2, 4	157
Clause 21 (2) (b), (4)	2000, 8269	drive without 12 hrs rest in 24 hrs (coach)	1, 2, 4	157
Clause 21 (2) (c), (5)	2001, 8270	drive without 13 hrs rest in 24 hrs (two-up coach)	1, 2, 4	157
Clause 21 (2) (d), (5)	2002, 8271	drive without 13 hours rest in 53 hrs (two-up coach)	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 21 (2) (e), (5)	2003, 8272	drive without 102 hrs rest in 7 days (two-up coach)	1, 2, 4	157
Clause 21 (2) (f), (4), (5)	2004, 8273	drive without 384 hrs rest in 28 days (coach)	1, 2, 4	157
Clause 28 (1) (a), (3)	0636, 8274	drive more than 5 hrs (heavy truck TFMS)	1, 2, 4	157
Clause 28 (1) (b), (3)	0637, 8275	drive more than 14 hrs in 24 hrs (heavy truck TFMS)	1, 2, 4	157
Clause 28 (1) (b), (2), (3)	0638, 8276	drive more than 12 hrs in 24 hrs (heavy truck TFMS two-up)	1, 2, 4	157
Clause 28 (1) (c), (3)	0639, 8277	drive more than 144 hrs in 14 days (heavy truck TFMS)	1, 2, 4	157
Clause 29 (1) (a), (2)	0640, 8278	work more than 5 hrs (heavy truck TFMS)	1, 2, 4	157
Clause 29 (1) (b), (2)	0641, 8279	work more than 14 hrs in 24 hrs (heavy truck TFMS)	1, 2, 4	157
Clause 29 (1) (c), (2)	0642, 8280	work more than 144 hrs in 14 days (heavy truck TFMS)	1, 2, 4	157
Clause 30 (1) (a), (3)	0643, 8281	drive without 30 mins rest in 5.5 hrs (heavy truck TFMS)	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 30 (1) (b), (3)	0644, 8282	drive without 10 hrs rest in 24 hrs (heavy truck TFMS)	1, 2, 4	157
Clause 30 (1) (c), (3)	0645, 8283	drive without 192 hrs rest in 14 days (heavy truck TFMS)	1, 2, 4	157
Clause 34 (1)	8284	fail to record employment details in DCM	1, 2, 4	157
Clause 34 (1)	8285	fail to record ceasing employment details in DCM	1, 2, 4	157
Clause 35 (4)	8286	fail to comply with cl 35 notice—medical examination	1, 2, 4	157
Clause 36 (4)	8287	fail to comply with cl 36 notice—fatigue management course	1, 2, 4	157
Clause 37 (1)	8288	fail to report DCM destroyed, lost or stolen	1, 2, 4	157
Clause 37 (2)	8289	fail to return recovered DCM	1, 2, 4	157
Clause 40 (4)	8290	fail to comply with cl 40 notice—employee courses	1, 2, 4	157
Clause 48 (1)	2005, 8291	not have logbook	1, 2, 4	157
Clause 48 (2)	2006, 8292	not carry logbook	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 49 (2)	2007, 8293	fail to record particulars before driving or working	1, 2, 4	157
Clause 49 (3)	2008, 8294	fail to record particulars of vehicle driven	1, 2, 4	157
Clause 49 (4)	2009, 8295	fail to record particulars of change of activity	1, 2, 4	157
Clause 50 (2)	2010, 8296	fail to record information—beginning non-local area work	1, 2, 4	157
Clause 51 (2)	2011, 8297	fail to continue to record information—end non-local area work	1, 2, 4	157
Clause 52 (a)	2012, 8298	fail to record logbook information on separate sheet	1, 2, 4	157
Clause 52 (b)	2013, 8299	fail to record logbook information as per instructions	1, 2, 4	157
Clause 52 (c)	0646, 8300	fail to use logbook sheets in sequence	1, 2, 4	157
Clause 52 (d)	2014, 8301	fail to sign/date logbook sheet	1, 2, 4	157
Clause 52 (e)	8302	fail to write with sufficient pressure in logbook	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 52 (f)	2015, 8303	fail to record other logbook information as per instructions	1, 2, 4	157
Clause 54 (3)	2016, 8304	fail to make supplementary record correctly	1, 2, 4	157
Clause 56 (1)	8305	employer fail to record information—local area work	1, 2, 4	157
Clause 57 (1)	8306	self-employed local area driver fail to record information	1, 2, 4	157
Clause 58 (1)	2017, 8307	driver not carry driving records for last 28 days	1, 2, 4	157
Clause 58 (3)	2018, 8308	driver not produce driving records for last 28 days	1, 2, 4	157
Clause 60	8309	driver not give copy of driving records to employer	1, 2, 4	157
Clause 61 (1)	8310	employer not keep employee driving records for 12 months	1, 2, 4	157
Clause 61 (1)	8311	employer not keep employee driving records at required place	1, 2, 4	157
Clause 61 (2)	8312	self-employed driver not keep driving records for 12 months	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 61 (2)	8313	self-employed driver not keep driving records at base	1, 2, 4	157
Clause 62 (1)	8314	employer not keep local area records for 12 months	1, 2, 4	157
Clause 62 (1)	8315	employer not keep local area records at required place	1, 2, 4	157
Clause 62 (2)	8316	self-employed driver not keep local area records 12 months	1, 2, 4	157
Clause 62 (2)	8350	self-employed driver not keep local records at base	1, 2, 4	157
Clause 63 (3)	8317	fail to comply with notice to produce driving records	1, 2, 4	157
Clause 64 (1)	0647, 8318	fail to report logbook destroyed, lost or stolen	1, 2, 4	157
Clause 64 (2) (a)	8319	driver fail to cancel unused sheets in recovered logbook	1, 2, 4	157
Clause 64 (2) (b)	8320	driver fail to give recovered logbook to Authority	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 65	2019, 8321	driver possessing more than one logbook	1, 2, 4	157
Clause 66 (1)	8322	driver possessing false driving record/DCM	1, 2, 4	157
Clause 67	8323	driver fail to report faulty DSMD	1, 2, 4	157
Clause 69 (a)	2020, 8324	make false/ misleading entry in driving record	1, 2, 4	157
Clause 69 (b)	2021, 8325	deface/change driving record	1, 2, 4	157
Clause 70	2022, 8326	falsely represent driving record	1, 2, 4	157
Clause 71 (1)	8327	make entry in another person's driving record	1, 2, 4	157
Clause 72	8328	destroy driving record	1, 2, 4	157
Clause 73	8329	interfere with DSMD	1, 2, 4	157
Clause 75 (a)	8330	ask/direct/require core driving hours offence	1, 2, 4	157
Clause 75 (b)	8331	ask/direct/require driving record offence	1, 2, 4	157
Clause 75 (c)	8332	ask/direct/require speeding offence	1, 2, 4	157
Clause 76 (a)	8333	consignor encouraging driving hours offence	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 76 (b)	8334	consignor encouraging driving record offence	1, 2, 4	157
Clause 76 (c)	8335	consignor encouraging speeding offence	1, 2, 4	157
Clause 77	8336	allow driver to commit driving hours offence	1, 2, 4	157
Clause 78 (1)	8337	employer/ responsible employee roster causing offence	1, 2, 4	157
Clause 78 (2)	8338	employer/ responsible employee schedule causing offence	1, 2, 4	157
Clause 93 (2)	8339	fail to return DCM on cancellation of TFMS	1, 2, 4	157
Clause 95 (1)	8340	fail to arrange TFMS review	1, 2, 4	157
Clause 96 (1)	8341	fail to keep report of TFMS review for 2 years	1, 2, 4	157
Clause 96 (4)	8342	fail to give copy of TFMS report to Authority	1, 2, 4	157
Clause 97 (4)	8343	fail to give records to Authority—TFMS audit	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 119 (2)	8344	fail to return varied or cancelled exemption	1, 2, 4	157
Clause 125	8345	contravene condition of exemption	1, 2, 4	157
Clause 130 (3) (a)	1952, 9054	fail to comply with direction	1, 2, 4	157
Clause 130 (3) (b)	1953, 9055	obstruct/hinder authorised person	1, 2, 4	157
Clause 134 (2)	8346	fail to answer question about work engaged in	1, 2, 4	157
Clause 135	3307, 8347	provide false/misleading information/ statement	1, 2, 4	157
Clause 136 (3)	8348	fail to help authorised person	1, 2, 4	157

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 137 (2)	2023, 8349	fail to comply with direction not to drive	1, 2, 4	157
Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999				
Clause 38 (1):				
(a) in the case of a class B motor vehicle:				
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	3669, 3677, 3685, 3693, 3701, 3817, 3825	exceed speed 15 km/h and under	1	181
(ii) driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3670, 3678, 3686, 3694, 3702, 3818, 3826	exceed speed over 15 km/h	1	284
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3671, 3679, 3687, 3695, 3703, 3819, 3827	exceed speed over 30 km/h	1	524
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	3672, 3680, 3688, 3696, 3704, 3820, 3828	exceed speed over 45 km/h	1	1,447
(b) in the case of a class C motor vehicle:				
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	3417, 3681, 3689, 3697, 3705, 3821, 3829	exceed speed 15 km/h and under	1	181

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment Regulation 2001

Amendments Schedule 1

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(ii) driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3673, 3682, 3690, 3698, 3706, 3822, 3830	exceed speed over 15 km/h	1	284
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3674, 3683, 3691, 3699, 3707, 3823, 3831	exceed speed over 30 km/h	1	839
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	3675, 3684, 3692, 3700, 3708, 3824, 3832	exceed speed over 45 km/h	1	2,173
Clause 38 (2)		owner cause/ permit/allow heavy vehicle to exceed 100 km/h		
Clause 38 (4)				
(a) in the case of a vehicle driven at a speed of not more than 15 km/h above the speed limit applicable	3709, 3713, 3717	learner exceed speed 15 km/h and under	1	118
(b) in the case of a vehicle driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3710, 3714, 3718	learner exceed speed over 15 km/h	1	188
(c) in the case of a vehicle driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3711, 3715, 3719	learner exceed speed over 30 km/h	1	524

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(d) in the case of a vehicle driven at a speed of more than 45 km/h above the speed limit applicable	3712, 3716, 3720	learner exceed speed over 45 km/h	1	1,447
Clause 38 (5):				
(a) in the case of a vehicle driven at a speed of not more than 15 km/h above the speed limit applicable	0990, 1054, 1101	provisional P1 exceed speed 15 km/h and under	1	118
(b) in the case of a vehicle driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	0991, 1055, 1102	provisional P1 exceed speed over 15 km/h	1	188
(c) in the case of a vehicle driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	0992, 1056, 1103	provisional P1 exceed speed over 30 km/h	1	524
(d) in the case of a vehicle driven at a speed of more than 45 km/h above the speed limit applicable	0993, 1057, 1104	provisional P1 exceed speed over 45 km/h	1	1,447
Clause 38 (6):				
(a) in the case of a vehicle driven at a speed of not more than 15 km/h above the speed limit applicable	0995, 1280, 1284	provisional P2 exceed speed 15 km/h and under	1	118
(b) in the case of a vehicle driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	0996, 1281, 1285	provisional P2 exceed speed over 15 km/h	1	188

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(c) in the case of a vehicle driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	0997, 1282, 1286	provisional P2 exceed speed over 30 km/h	1	524
(d) in the case of a vehicle driven at a speed of more than 45 km/h above the speed limit applicable	0998, 1283, 1287	provisional P2 exceed speed over 45 km/h	1	1,447
Clause 39		exceed 25 km/h on Lord Howe Island		
Clause 40 (1):				
(a) in the case of a class A motor vehicle:				
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	3721, 3733, 3745	pass school bus at more than 40 km/h—15 km/h and under	1	118
(ii) driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3722, 3734, 3746	pass school bus at more than 40 km/h—over 15 km/h	1	188
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3723, 3735, 3747	pass school bus at more than 40 km/h—over 30 km/h	1	524
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	3724, 3736, 3748	pass school bus at more than 40 km/h—over 45 km/h	1	1,447

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(b) in the case of a class B motor vehicle:				
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	3725, 3737, 3749	pass school bus at more than 40 km/h—15 km/h and under	1	181
(ii) driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3726, 3738, 3750	pass school bus at more than 40 km/h—over 15 km/h	1	284
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3727, 3739, 3751	pass school bus at more than 40 km/h—over 30 km/h	1	524
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	3728, 3740, 3752	pass school bus at more than 40 km/h—over 45 km/h	1	1,447
(c) in the case of a class C motor vehicle:				
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	3729, 3741, 3753	pass school bus at more than 40 km/h—15 km/h and under	1	181
(ii) driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	3730, 3742, 3754	pass school bus at more than 40 km/h—over 15 km/h	1	284

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	3731, 3743, 3755	pass school bus at more than 40 km/h—over 30 km/h	1	839
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	3732, 3744, 3756	pass school bus at more than 40 km/h—over 45 km/h	1	2,173
Clause 42 (1)	3757	not stop engine of stationary vehicle	1, 2	95
Clause 43 (1)	3758	allow waste oil/grease to drop on roadway	1, 2	95
Clause 43 (2)	3759	responsible person allow waste oil/grease to drop on roadway	1, 2	95
Clause 44	3760	splash mud on bus passenger	1	95
Clause 45 (1)	3761	driver convey passenger unsafely seated	1	70
Clause 45 (2)	3762	travel in unenclosed part of trailer	1	70
Clause 45A	1441	drive car-based motor tricycle with passenger under 16 yrs	1	220
Clause 46 (1)	2057	front seat child restraint where airbag fitted	1	220
Clause 47 (2) (a)	3763	rider unlawfully carry passenger	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 47 (2) (a)	3766	rider carry passenger not safely seated in sidecar	1	70
Clause 47 (2) (b)	3764	responsible person motor cycle carrying unlawful passenger	1	70
Clause 47 (2) (b)	3767	responsible person motor cycle carrying unlawful sidecar passenger	1	70
Clause 47 (2) (c)	3765	unlawful motor cycle passenger	1	70
Clause 47 (2) (c)	3768	unlawful sidecar passenger	1	70
Clause 47A (1)	0732	unlawfully carry pillion passenger	1	70
Clause 47B (where driver wearing seatbelt drives with one unrestrained passenger only)	1431	drive with one unrestrained passenger	1	220
Clause 47B (where driver wearing seatbelt drives with 2 unrestrained passengers)	1432	drive with 2 unrestrained passengers	1	440
Clause 47B (where driver wearing seatbelt drives with 3 unrestrained passengers)	1433	drive with 3 unrestrained passengers	1	660
Clause 47B (where driver wearing seatbelt drives with 4 or more unrestrained passengers)	1434	drive with 4 or more unrestrained passengers	1	880

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 47B (where driver not wearing seatbelt drives with one unrestrained passenger only)	1435	drive with one unrestrained passenger (driver not wearing seatbelt)	1	440
Clause 47B (where driver not wearing seatbelt drives with 2 unrestrained passengers)	1436	drive with 2 unrestrained passengers (driver not wearing seatbelt)	1	660
Clause 47B (where driver not wearing seatbelt drives with 3 unrestrained passengers)	1437	drive with 3 unrestrained passengers (driver not wearing seatbelt)	1	880
Clause 47B (where driver not wearing seatbelt drives with 4 or more unrestrained passengers)	1440	drive with 4 or more unrestrained passengers (driver not wearing seatbelt)	1	1,100
Clause 48 (1) (a)	3769	articulated vehicle tow other vehicle	1, 2	67
Clause 48 (1) (b)	3770	motor vehicle tow more than one vehicle	1, 2	67
Clause 49 (1) (a)	3771	towed vehicle exceed towing capacity	1, 2	157
Clause 49 (1) (b)	3772	towed vehicle exceed maximum laden weight	1, 2	157
Clause 50 (1) (a)	3840	not comply with minimum distance	1, 2	70
Clause 50 (1) (b) (i)	3773	not have competent person in charge of towed vehicle	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 50 (1) (b) (ii)	3774	breach of permit for towed vehicle	1, 2	70
Clause 50 (1) (c) (i)	3841	not have lift equipment approved by Authority	1, 2	70
Clause 50 (1) (c) (ii)	3775	not display hoisting capacity	1, 2	70
Clause 50 (1) (c) (iv)	3776	not interconnect brakes	1, 2	70
Clause 50 (1) (c) (v)	3777	not release weight from lifting device	1, 2	70
Clause 50 (1) (c) (vi)	3778	tow truck exceed 80 km/h while towing	1, 2	70
Clause 50 (1) (e)	3779	not display object on tow rope	1, 2	70
Clause 50 (1) (f)	3780	not have proper lighting on towed vehicle	1, 2	70
Clause 53 (1)	3781	drive with lights not turned on	1	70
Clause 54 (1) (a)	3782, 3784, 3786	cycle exceed 40 km/h after sunset (capacity 100 ml or less)	1	70
Clause 54 (1) (b)	3783, 3785, 3787	cycle exceed 50 km/h after sunset (capacity 100 ml–200 ml)	1	70
Clause 55 (a)	3788	unlawful use of fog lamp	1	70
Clause 55 (b)	0737	unlawful use of spot/search lamp	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 55 (c)	3790	unlawful use of additional headlamps	1	70
Clause 55 (e)	3791	unlawful use of flashing warning lights	1	70
Clause 56 (1)	2058	improperly use crimson warning light on vehicle	1, 2	70
Clause 57 (1)		unlit street vending machine		
Clause 57 (2)		improperly lit street vending machine		
Clause 58 (1)		leave vehicle unlit at night where no street lights		
Clause 58 (3)		leave vehicle unattended at night with headlights on		
Clause 59 (2)	0738	use transporter at prohibited time	1	263
Clause 59 (4)		contravene condition of transporter permit		
Clause 60 (1)	3330, 3440, 8423, 9577	stop/park in restricted parking area	1, 8, 9, 10, 11, 13, 16	63
Clause 61 (1)	3331, 3441, 8424, 9578	park outside metered space	1, 13, 16	63
Clause 61 (2)	3332, 3442, 8425, 9579	park without paying meter fee	1, 13, 16	63
Clause 61 (4)	3333, 3443, 8426, 9580	park after meter expired	1, 13, 16	63

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 61 (5)	3334, 3444, 8427, 9581	park for longer than allowed by metered signs	1, 13, 16	63
Clause 62 (a)	3335, 3445, 8428, 9582	park in occupied metered space	1, 13, 16	63
Clause 62 (b)	3336, 3446, 8429, 9583	park across markings of metered space	1, 13, 16	63
Clause 63 (2)	3337, 3447, 8430, 9584	park in discontinued metered space	1, 13, 16	63
Clause 64 (a)	3338, 8431	insert prohibited matter into parking meter	1, 13, 16	63
Clause 64 (b)	3339, 8432	deface/affix anything to parking meter	1, 13, 16	63
Clause 65 (a)	3340, 8433	damage parking meter	1, 13, 16	63
Clause 65 (b)	3341, 8434	interfere with parking meter	1, 13, 16	63
Clause 65 (c)		fraudulently operate parking meter		
Clause 66 (1)	3342, 3448, 8435, 9585	park without current ticket	1, 13, 16	63
Clause 66 (3)	3343, 3449, 8436, 9586	park after ticket expired	1, 13, 16	63
Clause 66 (4)	3344, 3550, 8437, 9587	park for longer than allowed by ticket signs	1, 13, 16	63
Clause 67 (a)	3345, 3551, 8438, 9588	park in occupied ticket space	1, 13, 16	63

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 67 (b)	3346, 3552, 8439, 9589	park across markings of ticket space	1, 13, 16	63
Clause 68 (2)	3347, 3553, 8440, 9590	park in discontinued ticket space	1, 13, 16	63
Clause 69 (a)	3348, 8441	display article/thing falsely resembling parking ticket	1, 13, 16	355
Clause 69 (b)	3349, 8442	display altered/ defaced/mutilated/ illegible parking ticket	1, 13, 16	355
Clause 70 (a)	3350, 8443	insert prohibited matter into ticket machine	1, 13, 16	355
Clause 70 (b)	3351, 8444	deface/affix anything to ticket machine	1, 13, 16	63
Clause 71 (1)	3352, 3554, 8445, 9591	park without current coupon	1, 13, 16	63
Clause 71 (3)	3353, 3555, 8446, 9592	display more than 3 coupons at a time	1, 13, 16	63
Clause 71 (4)	3354, 3556, 8447, 9593	park after coupon expired	1, 13, 16	63
Clause 71 (5)	3355, 3557, 8448, 9594	park for longer than allowed by coupon signs	1, 13, 16	63
Clause 72 (a)	3356, 3558, 8449, 9595	park in occupied coupon space	1, 13, 16	63

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 72 (b)	3357, 3847, 8450, 9596	park across markings of coupon space	1, 13, 16	63
Clause 73 (2)	3358, 3559, 8451, 9597	park in discontinued coupon space	1, 13, 16	63
Clause 74 (a)	3359, 8452	display article/thing falsely resembling parking coupon	1, 13, 16	355
Clause 74 (b)	3360, 8453	display altered/ defaced/mutilated parking coupon	1, 13, 16	355
Clause 75 (1) (a) and (2)		not comply with direction (not park in pay parking area)		
Clause 75 (1) (b) and (2)		not comply with direction (remove vehicle from pay parking area)		
Clause 76 (3) (a)	3361, 8455	deface/affix matter to loading zone ticket machine	1, 13, 16	63
Clause 76 (3) (b)	3362, 8456	make loading zone machine produce excess tickets	1, 13, 16	355
Clause 76 (3) (c)	3363, 8457	interfere with loading zone ticket machine	1, 13, 16	355
Clause 76 (4)	3369, 8463	display article/thing suggesting vehicle lawfully in loading zone	1, 13, 16	355

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 77 (1)	3364, 3563, 8458, 9598	park without current loading zone ticket	1, 13, 16	63
Clause 77 (3)	3365, 3564, 8459, 9599	display more than one loading zone ticket	1, 13, 16	63
Clause 77 (4)	3366, 3565, 8460, 9600	park after loading zone ticket expired	1, 13, 16	63
Clause 77 (5)	3367, 3566, 8461, 9601	replace expired loading zone ticket	1, 13, 16	63
Clause 78 (2)	3368, 3567, 8462, 9602	park in discontinued ticket loading zone	1, 13, 16	63
Clause 79 (1)	0740, 773, 9238, 9239	park in special event parking area	1, 13, 14, 16	141
Clause 80 (1)		use mobility parking scheme authority without being entitled		
Clause 80 (3)		not deliver authority on notice of revocation		
Clause 81 (1)		stop in bus zone/at bus stop		
Clause 82 (1)		stop/wait next to clearway line		
Clause 83 (1)		child under 12 ride on Gazetted footpath		
Clause 84	3792	interrupt funeral procession	1	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 85 (1)	3793	unlawfully take precedence at ferry/punt/bridge/ crossing	1	70
Clause 86	3794	drive on road/area closed to traffic	1	70
Clause 87 (2)		unlawfully drive long vehicle in Sydney CBD		
Clause 88 (1)	3795	ride toy vehicle while attached to another vehicle	1	45
Clause 88 (2)	3796	rider permit toy vehicle to be drawn by another vehicle	1	45
Clause 88 (3)	3797	allow/cause/ permit power assisted toy vehicle to be ridden	1	45
Clause 89 (2)		not comply with prohibition in notice		
Clause 90 (1)	3585	not inspect driver licence	1	70
Clause 90 (2)	3586	not carry licence	1, 2	70
Clause 91		custodian permit use of vehicle without owner's consent		
Clause 92 (1)		permit child to drive motor vehicle		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 93 (3)	3842	owner not display bus signs	1, 2	205
Clause 93 (4)	3571	driver not display school bus signs	1, 2	205
Clause 93 (6)	3572	not activate school bus four way flasher	1, 2	205
Clause 94 (2)	3573	own school bus without warning system	1, 2	205
Clause 94 (3)	3574	drive school bus without warning system	1, 2	115
Clause 94 (4)	3575	driver not activate school bus warning system	1, 2	115
Clause 94 (5)	3576	driver unlawfully activate school bus warning system	1, 2	115
Clause 95 (3) (a)	3577	own bus without door safety system	1, 2	199
Clause 95 (3) (b)	3578	own bus without safety padding	1, 2	199
Clause 95 (3) (c)	3579	own bus without field of view system	1, 2	199
Clause 95 (4) (a)	3580	drive bus without door safety system	1, 2	111
Clause 95 (4) (b)	3581	drive bus without safety padding	1, 2	111

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 95 (4) (c)	3582	drive bus without field of view system	1, 2	111
Clause 96 (2)	3583	own bus not comply door closing requirements	1, 2	111
Clause 96 (3)	3584	drive bus not comply door closing requirements	1, 2	111
Clause 96A (1)	0753	ride bicycle negligently	1	45
Clause 96A (2)	0754	ride bicycle furiously	1	45
Clause 96A (2)	0758	ride bicycle recklessly	1	45
Clause 123A (1) (a)	0783, 0789, 9240, 9241	not park at specified angle	1, 13	63
Clause 123A (1) (b)	0796, 0798, 9242, 9243	not position vehicle within markings (angle parking)	1, 13	63
Clause 123A (1) (c)	0882, 0884, 9244, 9245	not position rear of vehicle correctly (angle parking)	1, 13	63
Clause 123A (1) (d)	0886, 0887, 9246, 9247	not position front of vehicle correctly (angle parking)	1, 13	63
Clause 130 (2)		interfere/tamper with blood sample		
Clause 132 (1)	3569	obscure traffic control device	1, 2, 12	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 132 (2)		not remove obstruction from traffic control device	1, 2, 12	118
Clause 132 (3)	3570	unlawfully display turning vehicle sign	1, 2	118
Clause 136		cause/permit/ allow other person to contravene Act		
Clause 140		cause/permit/ allow use of vehicle not speed-limited		
Clause 158 (1)		not comply with order/notice/ direction/ requirement/ request under Regulation/Rules		
Clause 159		furnish false information		
Road Transport (Vehicle Registration) Act 1997				
Section 18 (1), where the vehicle is not a trailer	2300, 8619	use unregistered vehicle on road/area	1, 2	428
Section 18 (1), where the vehicle is a trailer	2301, 8620	use unregistered trailer on road/area	1, 2	428
Section 19 (1) (a)		register/renew registration by false statement/ misrepresentation/ dishonest means		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 19 (1) (b)		possess registration device/plate/ document without lawful authority/ excuse		
Section 19 (2) (a)		obtain/renew unregistered vehicle permit by false statement/ misrepresentation/ dishonest means		
Section 19 (2)		possess registration device/plate/ document without lawful authority/ excuse		
Section 20		use registrable vehicle contrary to sec 26 conditions/ prohibition		
Section 21A (a)		unlawfully stamp/affix vehicle identification number		
Section 21A (b)		unlawfully alter/ deface/remove/ obliterate vehicle identification number		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 26 (1A)		operator/owner/ chargee/seller/ possessor fail to afford police/Authority inspection facilities		
Section 27A (2)		delay/obstruct Authority exercising inspection powers		
Section 27B (1) (a)		use dangerously defective vehicle on road/area		
Section 27B (1) (b)		cause/permit use of dangerously defective vehicle on road/area		
Section 27B (6)		hinder/obstruct police officer/Authority		
Road Transport (Vehicle Registration) Regulation 1998				
Clause 23 (4)	2302, 6049	not comply notice to return number plate	1, 2	70
Clause 28 (1) (a)	2303, 6050	not notify damaged number plate to Authority	1, 2	70
Clause 28 (1) (b)	2304, 6051	not surrender number plate to Authority	1, 2	70
Clause 29 (1) (a)	2306, 6053	not notify Authority of lost/stolen number plate	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 29 (1) (a)	2307, 6054	not notify Authority of destroyed number plate	1, 2	70
Clause 29 (1) (b)	2308, 6055	not deliver number plate to Authority	1, 2	70
Clause 29 (2)	2309, 6056	not notify Authority of lost/stolen bicycle rack plate	1, 2	70
Clause 29 (2)	2310, 6057	not notify Authority of destroyed bicycle rack plate	1, 2	70
Clause 30 (1)	2312, 6059	not notify recovered lost/stolen number plate	1, 2	70
Clause 30 (1)	2313, 6060	not deliver recovered lost/stolen number plate	1, 2	70
Clause 32 (8)	2314, 6061	not return number plate after registration expiry	1, 2	70
Clause 34 (3)	2315, 6062	not give vehicle purchaser inspection report	1, 2	70
Clause 39 (4)	2316, 8894	not return certificate on transfer cancellation	1, 2	70
Clause 40 (4)		not comply with requirement of notice		

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 41 (2) (a)	2317, 8895	not give Authority statement that label destroyed	1, 2	70
Clause 41 (2) (b)	2318, 8896	not return certificate & plates on surrender	1, 2	70
Clause 43 (5) (a)	2319, 8897	not destroy cancelled label	1, 2	70
Clause 43 (5) (b)	2320, 8898	not return certificate and plates on cancellation	1, 2	70
Clause 47 (3)	2321, 8899	not notify Authority recovered traders label	1, 2	70
Clause 47 (3)	2322, 8900	not deliver to Authority recovered traders label	1, 2	70
Clause 51 (1) (a)	2323, 8901	drive vehicle with altered traders label	1, 2	118
Clause 51 (1) (a)	2324, 8902	drive vehicle with mutilated/defaced traders label	1, 2	118
Clause 51 (1) (a)	2325, 8903	allow vehicle with altered traders label	1, 2	118
Clause 51 (1) (a)	2326, 8904	allow vehicle with mutilated/defaced traders label	1, 2	118
Clause 51 (1) (a)	2327, 8905	in charge vehicle with altered traders label	1, 2	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 51 (1) (a)	2328, 8906	in charge vehicle with mutilated/defaced traders label	1, 2	118
Clause 51 (1) (b)	2329, 8907	drive vehicle with unclear traders label	1, 2	70
Clause 51 (1) (b)	2330, 8908	allow vehicle with unclear traders label	1, 2	70
Clause 51 (1) (b)	2331, 8909	in charge vehicle with unclear traders label	1, 2	70
Clause 51 (1) (c)	2332, 8910	drive vehicle with another traders plate	1, 2	70
Clause 51 (1) (c)	2333, 8911	allow vehicle with another traders plate	1, 2	70
Clause 51 (1) (c)	2334, 8912	in charge vehicle with another traders label	1, 2	70
Clause 51 (1) (d)	2335, 8913	drive vehicle with incorrect traders label	1, 2	70
Clause 51 (1) (d)	2336, 8914	allow vehicle with incorrect traders label	1, 2	70
Clause 51 (1) (d)	2337, 8915	in charge vehicle with incorrect traders label	1, 2	70
Clause 51 (1) (e)	2338, 8916	drive vehicle with void traders label	1, 2	70
Clause 51 (1) (e)	2339, 8917	allow vehicle with void traders label	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 51 (1) (e)	2340, 8918	in charge vehicle with void traders label	1, 2	70
Clause 51 (1) (f)	2341, 8919	drive vehicle with expired traders label	1, 2	70
Clause 51 (1) (f)	2342, 8920	allow vehicle with expired traders label	1, 2	70
Clause 51 (1) (f)	2343, 8921	in charge vehicle with expired traders label	1, 2	70
Clause 51 (2)	2344, 8922	deface/alter traders label	1, 2	70
Clause 51 (3)	2345, 8923	lend traders label	1, 2	70
Clause 51 (3)	2346, 8924	part with traders label	1, 2	70
Clause 52 (a)	2347, 8925	not record use of traders plate	1, 2	70
Clause 52 (a1)		not keep record for required time		
Clause 52 (b)	2348, 8926	not produce record of traders plate to police	1, 2	70
Clause 53	2349, 8927	not answer questions on traders plate use	1, 2	70
Clause 54 (1)	2350, 8928	not notify Authority sale/disposal/ cessation traders plate	1, 2	70
Clause 55 (2)	2351, 8929	not return traders plate within 14 days	1, 2	70

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
Clause 55 (3)	2352, 8930	drive vehicle with expired traders plate	1, 2	70
Clause 55 (3)	2353, 8931	allow vehicle with expired traders plate	1, 2	70
Clause 55 (3)	2354, 8932	in charge vehicle with expired traders plate	1, 2	70
Clause 57 (1) (a) in respect of the use of a registrable vehicle that does not comply with any of the following provisions of Schedule 4:				
(a) clause 161, defective LPG equipment or labelling	2358, 8936	use vehicle not comply with standard: lpg equipment/ labelling	1, 2	95
(b) clauses 85, 86, 87, 88, 89, 90 and 91, defective headlights	2359, 8937	use vehicle not comply with standard: headlights	1, 2	70
(c) clauses 94, 95, 96 and 97, defective tail lights	2360, 8938	use vehicle not comply with standard: tail lights	1, 2	70
(d) clauses 106 and 107, defective brake lights	2361, 8939	use vehicle not comply with standard: brake lights	1, 2	70
(e) clauses 70, 71, 72, 73, 74, 75, 76 and 77, exceed dimensions	2362, 8940	use vehicle not comply with standard: dimensions	1, 2	70

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(f) clauses 132, 133, 134, 135, 136, 137, 138, 139, 140 and 141, defective brakes	2363, 8941	use vehicle not comply with standard: brakes	1, 2	157
(g) clause 135, defective emergency brake	2364, 8942	use vehicle not comply with standard: emergency brake	1, 2	70
(h) clause 22, defective steering	2365, 8943	use vehicle not comply with standard: steering	1, 2	157
(i) clause 74, excessive overhang	2366, 8944	use vehicle not comply with standard: overhang	1, 2	70
(j) clause 26, oil and grease leaks	2367, 8945	use vehicle not comply with standard: oil/grease containment	1, 2	95
(k) clause 29, seat belt removed or defective	2368, 8946	use vehicle not comply with standard: seat belt	1, 2	211
(l) clause 28, defective seating	2369, 8947	use vehicle not comply with standard: seating	1, 2	95
(m) clauses 21 and 31, defective door latches, hinges	2370, 8948	use vehicle not comply with standard: door latches/hinges	1, 2	70
(n) clause 26, defective body/chassis structural member	2371, 8949	use vehicle not comply with standard: body/chassis structural member	1, 2	95

Column 1 Provision	Column 2 IPB Code	Column 3 Short description text	Column 4 Authorised officer	Column 5 Penalty $
(o) clauses 154, 155, 156, 157, 158 and 159, undue emission, inefficient silencer or noise	2372, 8950	use vehicle not comply with standard: emission/silencer/ noise	1, 2	95
(p) clauses 48, 49, 50, 51, 52, 53, 54, 55 and 56, defective tyres	2373, 8951	use vehicle not comply with standard: tyres	1, 2	70
(q) clause 189, defective or missing fire extinguisher (bus)	2374, 8952	use vehicle not comply with standard: bus fire extinguisher	1, 2	70
(r) clauses 166–178, road train equipment offences	2375, 8953	use vehicle not comply with standard: road train equipment	1, 2	95
(s) clause 29, motor vehicle not fitted or equipped with seat belts or seat belt anchorages	2376, 8954	use vehicle not comply with standard: seat belts/anchorages not fitted/ equipped	1, 2	211
(t) clause 21 (a), vehicle failing to comply with standard (other than standard referred to in paragraphs (a)–(s))	0759, 9631	use vehicle not comply with standard: other	1, 2	70
(u) clause 21 (b), vehicle cause danger or unreasonable annoyance	0778, 9252	use vehicle cause danger/annoyance	1, 2	95
Clause 57 (1) (b)	2377, 8955	use unsafe/unserviced vehicle on road/area	1, 2	118

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 57 (2)	2378, 8956	operator vehicle used in contravention cl 57 (1)	1, 2	70
Clause 57 (4) (a)	2379, 8957	not prepare vehicle condition report	1, 2	70
Clause 57 (4) (b)	2380, 8958	not retain copy of vehicle condition report	1, 2	70
Clause 57 (4) (b)	2381, 8959	not leave vehicle condition report for operator	1, 2	70
Clause 57 (5) (a)	2382, 8960	not provide vehicle condition form	1, 2	70
Clause 57 (5) (a)	2383, 8961	not nominate vehicle condition report receiver	1, 2	70
Clause 57 (5) (b)	2384, 8962	not retain left vehicle condition report	1, 2	70
Clause 57 (5) (c)	2385, 8963	not provide vehicle condition report to police	1, 2	70
Clause 57 (5) (c)	2386, 8964	not cause production of vehicle condition report to police	1, 2	70
Clause 60 (3) (a)	2387, 8965	modify/add component contrary to standards	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 60 (3) (b)	2388, 8966	modify/add component without certification	1, 2	70
Clause 61 (4)	2389, 8967	not comply with inspection notice	1, 2	70
Clause 61 (4)	2390, 8968	not comply with changed inspection notice	1, 2	70
Clause 63 (5) (a)	2391, 8969	conduct inspection/test without examiner authority	1, 2	70
Clause 63 (5) (b)	2392, 8970	issue inspection report without examiner authority	1, 2	70
Clause 63 (6)	3833, 9990	issue false/misleading inspection report	1, 2	157
Clause 64 (2)	2393, 8971	use premises for inspection/test without examiner authority	1, 2	70
Clause 64 (2A)	3834, 9991	permit issue of false/misleading inspection report	1, 2	157
Clause 67 (4)	2394, 8972	breach condition of examiner authority	1, 2	70
Clause 74 (1)	2395, 8973	stamp/affix vehicle part number without authority	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 74 (2)	2396, 8974	alter/deface vehicle part number	1, 2	70
Clause 74 (2)	2397, 8975	remove/obliterate vehicle part number	1, 2	70
Clause 74 (3)	2398, 8976	possess vehicle part aware number altered/defaced	1, 2	70
Clause 74 (3)	2399, 8977	possess vehicle part aware number removed/ obliterated	1, 2	70
Clause 75 (a)	2400, 8978	not notify Authority changed/replaced vehicle part	1, 2	70
Clause 75 (b)	2401, 8979	not notify details of changed/replaced vehicle part	1, 2	70
Clause 75 (c)	2402, 8980	not retain vehicle part notification	1, 2	70
Clause 75 (d)	2403, 8981	not produce vehicle part notification to police	1, 2	70
Clause 78 (5)	2404, 8982	unlawfully deface/remove defect label	1, 2	211
Clause 84 (1)	2405, 8983	use vehicle in breach of registration condition	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 84 (1)	2406, 8984	permit vehicle in breach of registration condition	1, 2	70
Clause 84 (2)	0226, 4284	use vehicle in breach of minor defect notice	1, 2	211
Clause 84 (2)	0227, 4285	use vehicle in breach of major defect notice	1, 2	211
Clause 84 (2)	0228, 4286	permit vehicle in breach of minor defect notice	1, 2	211
Clause 84 (2)	0229, 4287	permit vehicle in breach of major defect notice	1, 2	211
Clause 84 (3)	2409, 8987	cause/permit use of unregistered vehicle	1, 2	428
Clause 84 (3A)		cause/permit use of vehicle—registration suspended		
Clause 85 (1) (a)	2410, 8988	use vehicle without correctly fixed/displayed number plate	1, 2	70
Clause 85 (1) (b)	2411, 8989	use vehicle with unauthorised number plate	1, 2	70
Clause 85 (1) (c)	2412, 8990	use vehicle with obscured/defaced/illegible number plate	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Clause 85 (1) (c)	2413, 8991	use vehicle with illegal number plate	1, 2	70
Clause 85 (1) (d)	2414, 8992	use vehicle with obscured/defaced/ illegible label	1, 2	70
Clause 85 (1) (d)	2415, 8993	use vehicle with illegal label	1, 2	70
Clause 85 (1) (d)	3844, 4283	not display registration label	1, 2	70
Clause 85 (1) (e)	2416, 8994	use vehicle with expired label	1, 2	70
Clause 85 (2) (a)	2417, 8995	use vehicle displaying altered plate/label	1, 2	70
Clause 85 (2) (b)	2418, 8996	use vehicle displaying misleading plate/label	1, 2	70
Clause 85 (3)	2419, 8997	operator cause/permit/ allow contravention of cl 85 (1)/85 (2)	1, 2	70
Clause 85 (3)	2420, 8998	operator fail to prevent contravention of cl 85 (1)/85 (2)	1, 2	70
Clause 86 (1)	2421, 8999	fail to notify Authority under Regulation	1, 2	70
Clause 86 (3)	2422, 8505	provide false/misleading garage address location	1, 2	70

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Roads Act 1993				
Section 112, if the offence arises because the laden weight of the vehicle exceeds the maximum specified by means of a notice displayed in accordance with section 112:				
(a) by not more than 1 tonne	3974, 3975, 5154, 9177	breach weight limits for road/bridge/ causeway/road-ferry by 1 tonne	1, 2, 15	210
(b) by more than 1 tonne but not more than 2 tonnes	3976, 3977, 5155, 9178	breach weight limits for road/bridge/ causeway/road-ferry by 2 tonnes	1, 2, 15	423
(c) by more than 2 tonnes but not more than 3 tonnes	3978, 3979, 5156, 9179	breach weight limits for road/bridge/ causeway/road-ferry by 3 tonnes	1, 2, 15	632
(d) by more than 3 tonnes but not more than 4 tonnes	3980, 3981, 5157, 9180	breach weight limits for road/bridge/ causeway/road-ferry by 4 tonnes	1, 2, 15	847

Column 1	Column 2	Column 3	Column 4	Column 5
Provision	**IPB Code**	**Short description text**	**Authorised officer**	**Penalty $**
Section 235, in relation to an offence under section 112, if the offence arises because the laden weight of the vehicle exceeds the maximum specified by means of a notice displayed in accordance with section 112:				
(a) by not more than 1 tonne	3982, 3983, 3984, 3985, 5158, 5159, 5166, 5167	owner/person in charge of vehicle breach weight limits for road/bridge/ causeway/road-ferry by 1 tonne	1, 2, 15	210
(b) by more than 1 tonne but not more than 2 tonnes	3986, 3987, 3988, 3989, 5160, 5161, 5168, 5169	owner/person in charge of vehicle breach weight limits for road/bridge/ causeway/road-ferry by 2 tonnes	1, 2, 15	423
(c) by more than 2 tonnes but not more than 3 tonnes	3990, 3991, 3992, 3993, 5162, 5163, 5170, 5171	owner/person in charge of vehicle breach weight limits for road/bridge/ causeway/road-ferry by 3 tonnes	1, 2, 15	632
(d) by more than 3 tonnes but not more than 4 tonnes	3994, 3995, 3996, 3997, 5164, 5165, 5172, 5173	owner/person in charge of vehicle breach weight limits for road/bridge/ causeway/road-ferry by 4 tonnes	1, 2, 15	847

Road Transport (Mass, Loading and Access) Amendment (Fees) Regulation 2001

under the

Roads Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Roads Act 1993*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to increase certain fees payable under the *Roads Act 1993*, being:

(a) the fee for the issue of a permit under Part 5A (Special towing provisions) of the *Road Transport (Mass, Loading and Access) Regulation 1996* (**the 1996 Regulation**), and

(b) the fee for the issue of a Class 1, 2 or 3 permit, and

(c) the fee for the issue of a permit exempting a person from the operation of any of the provisions of clause 55 (1) of the 1996 Regulation relating to the projection of loading or equipment of vehicles.

This Regulation is made under the *Roads Act 1993*, including section 264 (the general regulation-making power).

Road Transport (Mass, Loading and Access) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Mass, Loading and Access) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Road Transport (Mass, Loading and Access) Regulation 1996

The *Road Transport (Mass, Loading and Access) Regulation 1996* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 41H Application fee for permit

Omit "$53" from clause 41H (1). Insert instead "$54".

[2] Clause 48 Class 1, 2 and 3 permit application fees

Omit "$53" from clause 48 (1). Insert instead "$54".

[3] Clause 55B Exemption by permit

Omit "$53" from clause 55B (4). Insert instead "$54".

Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment (TFMS Fee) Regulation 2001

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to increase (from $51 to $52) the fee payable under the *Road Transport (Safety and Traffic Management) Act 1999* in relation to the registration of an applicant as a participant in the Transitional Fatigue Management Scheme (TFMS) for heavy truck drivers and the employers of heavy truck drivers.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general regulation-making power, and, in particular, section 71 (11) and clause 9 of Schedule 1.

Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment (TFMS Fee) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment (TFMS Fee) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Notes

The explanatory note does not form part of this Regulation.

4 Amendment of Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999

The *Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999* is amended by omitting from Schedule 1 the matter "$51" and by inserting instead the matter "$52".

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Car-based Motor Tricycles) Regulation 2001

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to prohibit the conveying of children under the age of 16 years in or on car-based motor tricycles.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 and Schedule 1.

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Car-based Motor Tricycles) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Car-based Motor Tricycles) Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

3 Amendment of Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Clause 45A

Insert after clause 45:

45A Children under 16 prohibited from travelling in or on car-based motor tricycles

(1) A person must not drive a car-based motor tricycle on a road if any person under the age of 16 years is in or on any part of the motor tricycle.

Maximum penalty: 20 penalty units.

(2) Subclause (1) does not apply to a person who is the holder of a motor bike rider's licence.

(3) In this clause, ***car-based motor tricycle*** has the same meaning as in the *Road Transport (Driver Licensing) Regulation 1999*.

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Tow-away Charge) Regulation 2001

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to increase the tow-away charge payable under the *Road Transport (Safety and Traffic Management) Act 1999* for the removal of unattended motor vehicles or trailers.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general regulation-making power and, in particular, section 71 (11)) and clauses 4 and 9 of Schedule 1.

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Tow-away Charge) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Tow-away Charge) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 5

Omit the Schedule. Insert instead:

Schedule 5 Fees and other charges

(Clause 155 (2))

	Fee or charge category	Provision prescribing fee or charge	Amount payable ($)
1	Tow-away charge under section 76 (5) of the Act	clause 155 (2)	131

Road Transport (Vehicle Registration) Amendment (Fees) Regulation 2001

under the

Road Transport (Vehicle Registration) Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Vehicle Registration) Act 1997*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to increase certain fees payable for services provided by the Roads and Traffic Authority under the *Road Transport (Vehicle Registration) Act 1997*.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including section 14 (the general regulation-making power) and 15 (Regulations to establish registration system) and, in particular, section 15 (2) (b) and (f).

Road Transport (Vehicle Registration) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Road Transport (Vehicle Registration) Regulation 1998

The *Road Transport (Vehicle Registration) Regulation 1998* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Scheduled fees

(Clause 79)

Provision	Fee category	Amount $
Clauses 11 (1) (c) and 32 (1) (b)	1 Registration or renewal of registration of a motor vehicle or trailer for a period exceeding 3 months in the case of:	
	(a) a motor vehicle (not being a motor vehicle referred to in paragraph (b), (c), (d), (e) or (f))	43
	(b) a public passenger vehicle:	
	(i) in the case of a bus (not being a bus registered in the name of the State Transit Authority) or other vehicle with an unladen weight of 5 tonnes or more equipped to seat more than 8 adult persons	267
	(ii) in the case of a bus (not being a bus registered in the name of the State Transit Authority) or other vehicle with an unladen weight of less than 5 tonnes equipped to seat more than 8 adult persons	155
	(iii) in the case of a taxi-cab (not being a taxi-cab licensed under the *Passenger Transport Act 1990* to operate in a transport district within the meaning of the *Transport Administration Act 1988*)	155

Provision	Fee category	Amount $
	(iv) in the case of any other public passenger vehicle (not being a mourning coach, private hire car or wedding car)	155
	(c) an articulated motor lorry	223
	(d) a motor lorry (not being an articulated motor lorry), including a tow truck that is not a trailer, with an unladen weight of 5 tonnes or more or a prime mover	155
	(e) a trailer, including a trailer that is a tow truck, with an unladen weight of 2.5 tonnes or more	109
	(f) a tow truck that is not a trailer, with an unladen weight of less than 5 tonnes or a trailer, that is a tow truck, with an unladen weight of less than 2.5 tonnes	99
Clauses 11 (1) (c) and 32 (1) (b)	2 Registration or renewal of registration of a motor vehicle or trailer for a period not exceeding 3 months in the case of:	
	(a) a motor vehicle referred to in item 1 (a)	17
	(b) a motor vehicle referred to in:	
	item 1 (b) (i)	73
	item 1 (b) (ii)	45
	item 1 (b) (iii)	45
	item 1 (b) (iv)	45
	(c) a motor vehicle or trailer referred to in:	
	item 1 (c)	62
	item 1 (d)	45
	item 1 (e)	34
	item 1 (f)	31
Clauses 36 (1) (b) and (3) (b), 37 (3) (b) and 39 (1) (d)	3 Transfer of registration of motor vehicle or trailer:	
	(a) where application for transfer is made within 14 days of acquiring a motor vehicle or trailer	21

Provision		Fee category	Amount $
		(b) where application for transfer is made after the period referred to in paragraph (a)	76 in addition to the fee in paragraph (a)
Clause 45 (1)	4	Issue, or renewal, of a trader's plate:	
		(a) in the case of a trader's plate for use on a motor vehicle other than a motor bike:	
		(i) a yearly rate	284
		(ii) a monthly rate	24
		(b) in the case of a trader's plate for use on a motor bike:	
		(i) a yearly rate	69
		(ii) a monthly rate	7
Clause 54 (2)	5	Transfer of a trader's plate	21
Clause 62 (1)	6	Inspection of applicable vehicle by the Authority (other than an inspection to which item 7 or 8 applies):	
		(a) in the case of an articulated motor lorry	180
		(b) in the case of a bus or other vehicle with an unladen weight of 5 tonnes or more equipped to seat more than 8 adult persons	112
		(c) in the case of a motor lorry (not being an articulated motor lorry), including a tow truck that is not a trailer, with an unladen weight of 5 tonnes or more or a prime mover	112
		(d) in the case of a motor lorry (not being an articulated motor lorry or a tow truck) with an unladen weight of more than 2 tonnes but less than 5 tonnes	36
		(e) in the case of a bus or other vehicle with an unladen weight of less than 5 tonnes equipped to seat more than 8 adult persons	56

Provision		Fee category	Amount $
		(f) in the case of a taxi-cab or other public passenger vehicle (not being a public passenger vehicle referred to in paragraph (b) or (e) or mourning coach, private hire car or wedding car)	56
		(g) in the case of a trailer, including a trailer that is a tow truck, with an unladen weight of 2.5 tonnes or more	66
		(h) in the case of a tow truck that is not a trailer with an unladen weight of less than 5 tonnes or a trailer, that is a tow truck, with an unladen weight of less than 2.5 tonnes	56
		(i) in the case of a trailer (not being a trailer that is a tow truck) with an unladen weight of less than 2.5 tonnes	16
		(j) in the case of a motor bike	16
		(k) in the case of any other registrable vehicle	26
Clause 62 (1A)	7	Inspection by the Authority of a registrable vehicle to determine whether the vehicle's exhaust emission levels comply with this Regulation	34
Clause 62 (1)	8	Inspection by the Authority of a registrable vehicle that is a re-inspection to determine whether work required as a consequence of a previous inspection has been carried out:	
		(a) where a defect notice directs that faults be rectified within a specified period of time and authorises the use of the vehicle during that time	30
		(b) all other re-inspections	61
Clause 63 (3)	9	Examiner's authority:	
		(a) issue of authority	118
		(b) duplicate of authority	15
Clause 64 (5)	10	Proprietor's authority:	
		(a) issue of authority	236
		(b) duplicate of authority	15

Road Transport (Vehicle Registration) Amendment (Fees) Regulation 2001

Amendment Schedule 1

Provision	Fee category	Amount $
Clauses 78A and 78B	11 Accreditation of registered operator under a Maintenance Management Accreditation Scheme	66 plus 22 per nominated vehicle

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Security Industry Amendment Regulation 2001

under the

Security Industry Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Security Industry Act 1997*.

PAUL WHELAN, M.P.,
Minister for Police

Explanatory note

At present, the Director of Casino Surveillance appointed under the *Casino Control Act 1992* is exempt from the operation of the *Security Industry Act 1997* (ie the Director is not, in carrying out duties as the Director, required to be licensed under the *Security Industry Act 1997*). The position of the Director of Casino Surveillance will be abolished on 1 July 2001 as a consequence of the *Casino Control Amendment Act 2001*.

The object of this Regulation is to preserve the exemption with respect to the functions previously undertaken by the Director of Casino Surveillance by providing that the Casino Control Authority (which would otherwise be required to be licensed under the *Security Industry Act 1997*) is exempt from the operation of that Act to the extent that it will now be exercising those functions.

This Regulation is made under the *Security Industry Act 1997*, including section 6 (3) and section 48 (the general power to make regulations).

Security Industry Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Security Industry Amendment Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Security Industry Regulation 1998

The *Security Industry Regulation 1998* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 5 Exemptions: section 6

Omit "following classes". Insert instead "following persons or classes".

[2] Clause 5 (f)

Omit the paragraph. Insert instead:

(f) the Casino Control Authority, but only to the extent to which it is exercising functions under section 141 (2) (i), (j) and (k) of the *Casino Control Act 1992*,

Strata Schemes (Freehold Development) Amendment (Fees) Regulation 2001

under the

Strata Schemes (Freehold Development) Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Freehold Development) Act 1973*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to increase certain fees payable to the Registrar-General under the *Strata Schemes (Freehold Development) Act 1973*.

This Regulation is made under the *Strata Schemes (Freehold Development) Act 1973*, including section 158 (the general regulation-making power) and, in particular, section 158 (1) (d).

Strata Schemes (Freehold Development) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Strata Schemes (Freehold Development) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Strata Schemes (Freehold Development) Regulation 1997

The *Strata Schemes (Freehold Development) Regulation 1997* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clause 26)

		$
1	On lodgment of a plan for registration	590.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	60.00
	And, in addition, for the preparation and supply of a certificate of title for common property in a strata scheme	60.00
	And, in addition, for each lot shown on the plan	60.00
	And, if the plan is accompanied by a copy of the proposed by-laws for the strata scheme	120.00
	And, if the plan is accompanied by a section 88B instrument in which only one easement, restriction on the use of land, positive covenant or profit à prendre is to be created, irrespective of the number of lots burdened or benefited, an additional	60.00
	And, if the plan is accompanied by a section 88B instrument in which the combined number of easements, restrictions on the use of land, positive covenants or profits à prendre to be created is 2 or more, an additional	120.00

		$
	And, if the plan is accompanied by a section 88B instrument in which only one easement is to be released, irrespective of the number of lots burdened or benefited, an additional	60.00
	And, if the plan is accompanied by a section 88B instrument in which the number of easements to be released is 2 or more, an additional	120.00
	And, if the plan is a strata plan of consolidation—for each folio of the Register to be consolidated, an additional	15.00
2	On lodgment of a substituted plan or any sheet of such a plan	60.00
3	On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument	Such fee as would be appropriate to the instrument as an original lodgment fee
4	On lodgment of an application to amend a plan	60.00
	And, in addition, if the application involves the amendment of a certificate of title or folio of the Register:	
	(a) for the first certificate or folio	60.00
	(b) for each certificate or folio after the first	10.00
5	For examining a plan before lodgment	649.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	63.80
6	On lodgment of a notification of change of by-laws	60.00
7	On lodgment of a notice of conversion	60.00
8	On lodgment of a notification of change of address for service of notices on an owners corporation	60.00

		$
9	On lodgment of an order varying a strata scheme	60.00
10	On lodgment of an application for an order terminating a strata scheme	60.00
	And, in addition, for each hour or part of an hour occupied in examining the application	100.00
11	On lodgment of an order terminating a strata scheme	60.00
12	On lodgment of a certificate that the initial period has expired, given by an owners corporation pursuant to section 9 (3) (d) (i), 13 (2) (b) (i) or 28 (4) (b) of the Act	60.00
13	On lodgment of a strata management statement	60.00
14	On lodgment for registration of a strata development contract	120.00
15	On lodgment for registration of an amendment to a strata development contract	60.00
16	For supplying a copy, available from the Document Copy Service, of a strata development contract or part of a strata development contract	4.00
17	For supplying a copy of a strata development contract or part of a strata development contract in response to a requisition requiring dispatch of information by post, facsimile or other means approved by the Registrar-General	20.00
	And, in addition, for supplying documents by facsimile transmission, for each sheet in excess of 2 sheets	1.00
	And, for each requisition if more than 20 pages but not more than 100 pages of a strata development contract or contracts are to be copied	20.00
18	For supplying a copy, available from the Document Copy Service, of any by-laws lodged with a strata plan	4.00

		$
19	On lodgment of any document not otherwise referred to in this Schedule	60.00

Strata Schemes (Leasehold Development) Amendment (Fees) Regulation 2001

under the

Strata Schemes (Leasehold Development) Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Leasehold Development) Act 1986*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to increase certain fees payable to the Registrar-General under the *Strata Schemes (Leasehold Development) Act 1986*.

This Regulation is made under the *Strata Schemes (Leasehold Development) Act 1986*, including section 196 (the general regulation-making power) and, in particular, section 196 (1) (d).

Strata Schemes (Leasehold Development) Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Strata Schemes (Leasehold Development) Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Strata Schemes (Leasehold Development) Regulation 1997

The *Strata Schemes (Leasehold Development) Regulation 1997* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clause 28)

		$
1	On lodgment of a plan for registration	590.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	60.00
	And, in addition, for the preparation and supply of a certificate of title for common property in a leasehold strata scheme	60.00
	And, in addition, for each lot shown on the plan	60.00
	And, if the plan is accompanied by a copy of the proposed by-laws for the leasehold strata scheme	120.00
	And, if the plan is accompanied by a section 88B instrument in which only one easement, restriction on the use of land, positive covenant or profit à prendre is to be created, irrespective of the number of lots burdened or benefited, an additional	60.00
	And, if the plan is accompanied by a section 88B instrument in which the combined number of easements, restrictions on the use of land, positive covenants or profits à prendre to be created is 2 or more, an additional	120.00

		$
	And, if the plan is accompanied by a section 88B instrument in which only one easement is to be released, irrespective of the number of lots burdened or benefited, an additional	60.00
	And, if the plan is accompanied by a section 88B instrument in which the number of easements to be released is 2 or more, an additional	120.00
	And, if the plan is lodged for registration as a strata plan of consolidation—for each folio of the Register to be consolidated, an additional	15.00
2	On lodgment of a substituted plan or any sheet of such a plan	60.00
3	On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument	Such fee as would be appropriate to the instrument as an original lodgment fee
4	On lodgment of an application to amend a plan	60.00
	And, in addition, if the application involves the amendment of a certificate of title or folio of the Register: (a) for the first certificate or folio (b) for each certificate or folio after the first	 60.00 10.00
5	For examining a plan before lodgment	649.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	63.80
6	On lodgment of a notification of change of by-laws	60.00
7	On lodgment of a notice of conversion	60.00
8	On lodgment of a notification of change of address for service of notices on an owners corporation	60.00

		$
9	On lodgment of an order varying a leasehold strata scheme	60.00
10	On lodgment of an application for an order terminating a leasehold strata scheme	60.00
	And, in addition, for each hour or part of an hour occupied in examining the application	100.00
11	On lodgment of an order terminating a leasehold strata scheme	60.00
12	On lodgment of a certificate that the initial period has expired, given by an owners corporation pursuant to section 11 (2) (d) (i), 16 (2) (b) (i) or 32 (4) (b) of the Act	60.00
13	On lodgment of a strata management statement	60.00
14	On lodgment for registration of a strata development contract	120.00
15	On lodgment for registration of an amendment to a strata development contract	60.00
16	For supplying a copy, available from the Document Copy Service, of a strata development contract or part of a strata development contract	4.00
17	For supplying a copy of a strata development contract or part of a strata development contract in response to a requisition requiring dispatch of information by post, facsimile or other means approved by the Registrar-General	20.00
	And, in addition, for supplying documents by facsimile transmission, for each sheet in excess of 2 sheets	1.00
	And, for each requisition if more than 20 pages but not more than 100 pages of a strata development contract or contracts are to be copied	20.00

		$
18	For supplying a copy, available from the Document Copy Service, of any by-laws lodged with a strata plan	4.00
19	On lodgment of any document not otherwise referred to in this Schedule	60.00

Supreme Court Amendment (Fees) Regulation 2001

under the

Supreme Court Act 1970

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Supreme Court Act 1970*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to increase certain court fees set out in the *Supreme Court Regulation 2000* to be paid to a clerk or a registrar of the Supreme Court or the Sheriff (depending on circumstances) in respect of the business of the Court.

This Regulation is made under the *Supreme Court Act 1970*, including section 130 (Fees and percentages).

Supreme Court Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Supreme Court Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 July 2001.

3 Amendment of Supreme Court Regulation 2000

The *Supreme Court Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Court fees

(Clause 4)

			$
1	(1)	Filing an initiating process (other than an initiating process referred to in paragraph (2) or (3) or filed in the Court of Appeal)	1,122 (in the case of a corporation) or 561 (in any other case)
	(2)	Filing an initiating process in the Equity Division for entry in the Commercial List, the Construction List or the Admiralty List	2,558 (in the case of a corporation) or 1,279 (in any other case)
	(3)	Filing an initiating process by which an application for a grant or resealing under Part 78 (Probate) of the *Supreme Court Rules 1970* is made in respect of an estate the sworn gross value of which:	
		(a) does not exceed $50,000	Nil
		(b) is $50,000 or more but does not exceed $250,000	495
		(c) is $250,000 or more but does not exceed $500,000	624

		$
	(d) is $500,000 or more but does not exceed $1,000,000	938
	(e) is $1,000,000 or more	1,250

(4) The fees for filing a cross-claim under Part 6 (Cross-claims) of the *Supreme Court Rules 1970* in any Division of the Court are to be the same fees as are from time to time payable in respect of the filing of an initiating process in that Division.

Note 1. In this item, ***initiating process*** means:
(a) an originating process under the *Supreme Court Rules 1970* (other than a notice of appeal to the Court of Appeal and a summons for leave to appeal to the Court of Appeal), or
(b) a notice of appeal under Part 5 of the *Justices Act 1902*, or
(c) a petition, or
(d) subject to Note 3, an originating process under the *Corporations Law*, or
(e) a writ of summons under the *Admiralty Rules* of the Commonwealth.

Note 2. Where proceedings are entered in the Commercial List, the Construction List or the Admiralty List:
(a) the fee payable is the difference between the fee referred to in paragraph (2) of item 1 and any fee paid under paragraph (1) or (3) of that item, and
(b) the fee is payable:
  (i) if the proceedings are entered pursuant to an order of the Court—by the party requesting the making of the order, or
  (ii) if the proceedings are entered by the consent of the parties—by the parties to the proceedings in equal proportions.

		$
	Note 3. This item does not apply to: (a) a summons by which an application for a grant or resealing under Part 78 (Probate) of the *Supreme Court Rules 1970* is made in respect of an estate the sworn gross value of which is less than $50,000, or (b) a summons by which an application is made in the course of a winding up by the Court under the *Corporations Law*, unless it is a summons claiming relief under section 1321 of the *Corporations Law* or regulation 5.6.26 (3) or 5.6.54 (2) of the *Corporations Regulations*, or (c) a summons to pass accounts which is filed pursuant to section 85 (1AA) of the *Wills, Probate and Administration Act 1898*. **Note 4.** No fee is payable: (a) in respect of a summons issued under Part 58 (Taking Evidence for Foreign and Australian Courts and Tribunals) of the *Supreme Court Rules 1970*, or (b) for an initiating process which relates to the issue of a subpoena to be served outside the State under the *Service and Execution of Process Act 1992* of the Commonwealth.	
2	For filing in the Court of Appeal:	
	(a) a holding summons for leave to appeal or to cross-appeal	220 (in the case of a corporation) or 110 (in any other case)
	(b) an ordinary summons for leave to appeal or to cross-appeal in respect of an application initiated by a holding summons	1,026 (in the case of a corporation) or 513 (in any other case)

			$
	(c)	any other summons	1,244 (in the case of a corporation) or 622 (in any other case)
	(d)	notice of appeal without appointment	498 (in the case of a corporation) or 249 (in any other case)
	(e)	notice of appeal with appointment:	
		(i) in proceedings in which a summons has been filed in the Court of Appeal	2,614 (in the case of a corporation) or 1,307 (in any other case)
		(ii) in proceedings in which a notice of appeal without appointment has been filed	3,364 (in the case of a corporation) or 1,682 (in any other case)
		(iii) in any other proceedings	3,858 (in the case of a corporation) or 1,929 (in any other case)
	Note. The fee under item 2 (e) (ii) is payable for the obtaining of an appointment to proceed with a cross-appeal if an appeal has been discontinued before the filing of a notice of appeal with appointment in respect of the discontinued appeal.		
3	For allocation of a date for hearing of the proceedings by one or more judges, a judge and jury or a master		2,136 (in the case of a corporation) or 1,068 (in any other case)

			$
		Note 1. The fee is payable by the plaintiff or appellant in the proceedings. If the Court or a registrar so orders, the fee is payable by another party to the proceedings or by any parties to the proceedings in the proportions ordered. **Note 2.** A fee is payable for: (a) an application for leave to appeal or cross-appeal if the appeal or cross-appeal has been set down for hearing on the basis that oral argument on the appeal or cross-appeal will proceed concurrently with the application for leave to appeal or cross-appeal, or (b) proceedings allocated a date for hearing after 1 September 2000 whether the proceedings were initiated before or after that date. **Note 3.** No fee is payable: (a) in criminal proceedings, or (b) if the proceedings are of an interlocutory nature only. **Note 4.** A hearing allocation fee is not payable and, if paid, is to be remitted if: (a) the proceedings do not proceed on the allocated date for hearing, and (b) a registrar is satisfied that the adjournment was due to circumstances beyond the control of the parties to the proceedings.	
4	(1)	Filing a requisition for civil trial by jury (to be paid by party requesting jury)	1,362 (in the case of a corporation) or 681 (in any other case)
	(2)	Daily jury retention fee (to be paid by party requesting jury for each day jury is required after the first day of a civil trial)	620 (in the case of a corporation) or 310 (in any other case)

		$
5	Filing an application for an order under section 76B of the Act for referral of an action to arbitration	628 (in the case of a corporation) or 314 (in any other case)
6	Filing notice of motion under Rule 2 of Part 19 of the *Supreme Court Rules 1970* or an interlocutory process under the *Corporations Law*	260 (in the case of a corporation) or 130 (in any other case)
7	To open or keep open the registry or part of the registry or to open or keep open an office of a clerk of the Court elsewhere in the State:	
	(a) on a Saturday, Sunday or public holiday (except the day after Easter Monday)	888 (in the case of a corporation) or 444 (in any other case)
	(b) on any other day:	
	(i) before 8.30 am or after 4.30 pm	888 (in the case of a corporation) or 444 (in any other case)
	(ii) between 8.30 and 9 am or 4 and 4.30 pm	92 (in the case of a corporation) or 46 (in any other case)
	Note. No fee is payable in criminal proceedings.	

		$
8	For an officer of the Court to produce a document at a place other than the Supreme Court Building, Queens Square, Sydney	92 (in the case of a corporation) or 46 (in any other case)
9	To furnish a copy of the written opinion or reasons for opinion of any judge or of any master or other officer of the Court:	
	(a) for a printed copy	44
	(b) for any other kind of copy	27
	Note. A party to proceedings before the Court is entitled to one copy of the opinion or reasons for opinion in relation to the proceedings without charge.	
10	To prepare appeal papers—for the first 11 copies, or such other number of copies as is ordered to be printed by the registrar—for each volume of not more than 250 pages	888 (in the case of a corporation) or 444 (in any other case)
11	The fees to be paid to the Marshal in Admiralty are to be the same fees as are from time to time taken by the Sheriff or an officer of the Sheriff for service and execution of process of the Court.	
12	Certificate of a registrar as to a signature of a public notary	37
13	To prepare a copy of a will, a certificate of grant, an exemplification or a divorce decree, or a copy of a certificate of conviction (except where it is requested by a party to the proceedings)	37
14	Making a copy of any document, otherwise than as provided for by item 9 or 13 for each page (minimum fee	2 10)

			$
15		Supply of duplicate tape recording of sound-recorded evidence, for each cassette	32
16		For each copy of the transcript of any proceedings:	
		(a) for each page, where the matter being transcribed is under 3 months old (minimum fee for 1 to 8 pages	6.90 60)
		(b) for each page, where the matter being transcribed is 3 months or older (minimum fee for 1 to 8 pages	7.90 70)
17		To conduct a genealogical search on a probate file (for each file searched)	71
18		To conduct an adoption search (for each file searched)	37
		Note. This amount also includes a copy of any document, if approved by the Court.	
19		To conduct a search for an application for a grant or resealing under Part 78 (Probate) of the *Supreme Court Rules 1970* (for each file searched)	27
20		To lodge a caveat against an application for a grant or resealing under Part 78 (Probate) of the *Supreme Court Rules 1970*	54 (in the case of a caveator that is a corporation) or 27 (in any other case)
21		To lodge a will that is not attached to an initiating process by which an application for a grant or resealing under Part 78 (Probate) of the *Supreme Court Rules 1970* is made	27
22	(1)	To issue a subpoena for production	100 (in the case of a corporation) or 50 (in any other case)

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	(2)	To issue a subpoena for production and to give evidence	100 (in the case of a corporation) or 50 (in any other case)
	(3)	To issue a subpoena to give evidence	50 (in the case of a corporation) or 25 (in any other case)
23		Notice lodged by a legal practitioner of another State, of a Territory of the Commonwealth or of New Zealand for admission as a legal practitioner of the Court **Note.** This fee is fixed as referred to in section 40 of the *Mutual Recognition Act 1992* of the Commonwealth and in section 40 of the *Trans-Tasman Mutual Recognition (New South Wales) Act 1996*. Under those Acts, such a fee cannot be greater than the fee imposed on persons in New South Wales seeking to be admitted as legal practitioners of the Court.	(See Note to this item)
24		For storing material over 1 kg in weight that is produced on subpoena (to be paid by the party requesting issue of the subpoena) **Note.** This fee must be remitted under clause 11 if: (a) within 4 weeks of being granted leave to inspect the material, the party requesting the issue of the subpoena: (i) notifies the Court in writing of that part of the material that is not required for the purposes of the proceedings, and (ii) consents to the return of that part to the person who produced the material, and (b) the remainder of the material weighs less than 1 kg.	96 (in the case of a corporation) or 48 (in any other case)

		$
25	For storing material produced under a notice to produce (to be paid by the party who issued the notice), but only if the party who produced the material to the Court or the registry does not collect the material within the time specified in a notice issued to that party by a registrar	96 (in the case of a corporation) or 48 (in any other case)
26	The fee for a service not otherwise provided for in this Schedule **Note.** This fee is chargeable only with the approval of the Principal Registrar.	54 (in the case of a corporation) or 27 (in any other case)

Workers Compensation (General) Amendment (Conciliation Conference Fees) Regulation 2001

under the

Workers Compensation Act 1987 and the Workplace Injury Management and Workers Compensation Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Workers Compensation Act 1987* and the *Workplace Injury Management and Workers Compensation Act 1998*.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The object of this Regulation is to amend the *Workers Compensation (General) Regulation 1995* to increase the amounts specified in that Regulation that are payable to a legal practitioner or agent as costs for legal services or agent services associated with conciliation conferences so as to make those amounts the same as the amounts that are currently payable because of the operation of section 6 of the *Intergovernmental Agreement Implementation (GST) Act 2000* (which ceases to have effect on 1 July 2001), as follows:

(a) assistance with any pre-conciliation telephone discussion and preparation and lodgment of a request for conciliation (including any appropriate attachments)—$220 (increased from $200),

(b) preparation for, and attendance and participation at, a conciliation conference, for each hour or part of any hour—$220 (increased from $200),

(c) assistance in the preparation and execution of terms of agreement in a case where resolution of the dispute is achieved—$82.50 (increased from $75).

Explanatory note

This Regulation is made under the *Workers Compensation Act 1987* (**the 1987 Act**) and the *Workplace Injury Management and Workers Compensation Act 1998* (**the 1998 Act**), including section 280 (the general regulation-making power) of, and Part 18A of Schedule 6 to, the 1987 Act and sections 113 and 248 (the general regulation-making power) of the 1998 Act.

Workers Compensation (General) Amendment (Conciliation Conference Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Workers Compensation (General) Amendment (Conciliation Conference Fees) Regulation 2001*.

2 Amendment of Workers Compensation (General) Regulation 1995

The *Workers Compensation (General) Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 51B Maximum costs for legal practitioners and agents at conciliation conferences

Omit "$200" wherever occurring in clause 51B (1) (a) and (b).
Insert instead "$220".

[2] Clause 51B (1) (c)

Omit "$75". Insert instead "$82.50".

Workers Compensation (Insurance Premiums) Amendment (Premium Discount Scheme) Regulation 2001

under the

Workers Compensation Act 1987 and Workplace Injury Management and Workers Compensation Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Workers Compensation Act 1987* and the *Workplace Injury Management and Workers Compensation Act 1998*.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The object of this Regulation is to establish a premium discount scheme (***the Scheme***) for workers compensation insurance premium discounts for employers who implement programs to improve occupational health and safety and workplace injury management.

There are two strands to the Scheme:

(a) the Premium Discount Scheme (General), and

(b) the Small Business Strategy.

An employer may participate in either strand of the Scheme, but there are eligibility restrictions on employers for each strand.

Premium Discount Scheme (General)

The Premium Discount Scheme (General) (***the PDS (General)***) provides for the WorkCover Authority (***the Authority***) to approve Premium Discount Advisers (***PDAs***). An employer who wishes to participate in the PDS (General) engages an approved PDA. The functions of a PDA are:

(a) to audit the performance and systems of employers to assess whether standards, benchmarks or performance criteria set by the Authority have been met, and

(b) to issue certificates verifying whether those employers are entitled to a premium discount under the Scheme.

The Authority will determine a rating for each PDA (***the PDA Rating***) of between 0% and 15%. The PDA Rating of the employer's PDA is used to determine the amount of the discount to which an employer is entitled.

The PDS (General) provides for employers to receive insurance premium discounts for the three years in which they participate in the Scheme. Discount amounts are calculated in accordance with an Insurance Premiums Order made by the Governor under section 168 of the *Workers Compensation Act 1987*. The Insurance Premiums Order may set a maximum amount of a premium discount.

Small Business Strategy

The Small Business Strategy is restricted to employers who have 20 or fewer full time equivalent workers. The Strategy provides for the Authority to approve sponsors, who may be organisations such as an industrial organisation of employers, or a regional chamber of commerce.

The Authority may invite sponsors to submit proposals for programs to assist employers to improve occupational health and safety and injury management (***a small business premium discount program***). The Authority may enter into a funding agreement with a sponsor by which the Authority agrees to provide funds for the sponsor's program.

An employer who wishes to participate in the Small Business Strategy enrols in a small business premium discount program. The Small Business Strategy provides for employers to receive discounts for the two or three years of the program in which they enrol. As in the PDS (General), discount amounts are calculated in accordance with the Insurance Premiums Order.

Premium discounts

The system of discounts is as follows:

First year of participation

The employer's PDA or sponsor carries out a verification within 6 months of the commencement of the employer's first year of participation. If the employer passes the verification within that period, the employer is provisionally entitled to a discount on the insurance premium for that year. The amount of the discount is based on:

(a) in the case of an employer participating in the PDS (General)—the PDA Rating of the employer's PDA, or

(b) in the case of an employer participating in the Small Business Strategy—a discount level of 10%.

The employer's PDA or sponsor carries out a second verification within 12 months of the commencement of the employer's first year of participation. If the employer passes this second verification, then the provisional discount is confirmed.

Second year of participation

If the employer's PDA or sponsor verifies that the employer has passed the second verification, the employer is provisionally entitled to a discount on the premium for the employer's second year of participation. The amount of the discount is based on:

(a) in the case of an employer participating in the PDS (General)—two-thirds of the PDA Rating of the employer's PDA, or

(b) in the case of an employer participating in the Small Business Strategy—a discount level of 10%.

The employer's PDA or sponsor carries out a third verification within 12 months of the commencement of the employer's second year of participation. If the employer passes this third verification within that period, the provisional discount for the second year of participation is confirmed.

Third year of participation

If the employer's PDA or sponsor verifies that the employer has passed the third verification, the employer is provisionally entitled to a discount on the premium for the employer's third year of participation. An employer participating in the Small Business Strategy may undertake a third year of participation in a small business premium discount program only if the employer enrols in a program that provides for a third year.

The amount of the discount is based on:

(a) in the case of an employer participating in the PDS (General)—one-third of the PDA Rating of the employer's PDA, or

(b) in the case of an employer participating in the Small Business Strategy—a discount level of 5%.

The employer's PDA or sponsor carries out a fourth verification within 12 months of the commencement of the employer's third year of participation. If the employer passes this fourth verification within that period, the provisional discount for the third year of participation is confirmed.

An employer who fails to pass a verification within the specified period may attempt that year of participation again (in the case of the Small Business Strategy, only with the consent of the sponsor). However, the three years of participation must be completed within a period of 5 years.

This Regulation is made under the *Workers Compensation Act 1987* and the *Workplace Injury Management and Workers Compensation Act 1998*, including section 230A of that Act.

Workers Compensation (Insurance Premiums) Amendment (Premium Discount Scheme) Regulation 2001

1 Name of Regulation

This Regulation is the *Workers Compensation (Insurance Premiums) Amendment (Premium Discount Scheme) Regulation 2001*.

2 Amendment of Workers Compensation (Insurance Premiums) Regulation 1995

The *Workers Compensation (Insurance Premiums) Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 11 Cost of an individual claim

Omit "Motor Accidents Act 1988" from clause 11 (5) (b).
Insert instead "*Motor Accidents Compensation Act 1999*".

[2] Part 9

Insert after clause 26:

Part 9 Premium Discount Scheme

Division 1 Preliminary

27 Commencement

The Scheme commences at 4 pm on 30 June 2001.

28 Interpretation

(1) In this Part:

Code of Conduct for PDAs means a Code of Conduct for PDAs approved by the Authority under clause 68.

Code of Conduct for Sponsors means a Code of Conduct for sponsors approved by the Authority under clause 68.

cost of claims has the same meaning as in clause 11.

enrolled employer, in relation to a sponsor, means an employer enrolled in a small business premium discount program conducted by the sponsor.

managed fund insurer means an insurer to which Division 4 of Part 7 of the Act applies.

member, in relation to a PDA, means:

(a) if the PDA is or includes an individual—that individual or each such individual, and

(b) if the PDA is or includes a body corporate—each director or person involved in the management of the body corporate (however described), and

(c) if the PDA is or includes a partnership—each member of the partnership, and

(d) each employee of the PDA, and

(e) each person engaged by the PDA for the purpose of carrying out the PDA's functions under the Scheme.

minimum premium employer means a category B employer who pays the minimum premium in respect of a policy of insurance under Schedule 7 to an insurance premiums order that applies to the policy under section 168 of the Act.

occupational health and safety legislation means the *Occupational Health and Safety Act 1983* or the *Occupational Health and Safety Act 2000*.

Premium Discount Adviser or ***PDA*** means a Premium Discount Adviser approved by the Authority under clause 32.

Premium Discount Guidelines means guidelines issued by the Authority under clause 66.

Principal, in relation to a PDA, means a Principal of the PDA as referred to in clause 36.

relevant Insurance Premiums Order, in relation to the calculation of a discount under this Part on a premium with respect to a policy, means an insurance premiums order in force under section 168 of the Act that applies to the policy.

sponsor means a sponsor approved by the Authority under clause 42.

the Scheme means the Premium Discount Scheme established under clause 29.

(2) For the purposes of this Part, an employer completes the PDS (General) when a PDA engaged by the employer verifies that the employer has passed the fourth verification (within the meaning of clause 50).

29 Premium Discount Scheme

(1) There is established a scheme called the "Premium Discount Scheme", to be administered by the Authority.

(2) The object of the Scheme is to provide for a discount on workers compensation insurance premiums for employers who implement programs to improve workplace safety and injury management for injured workers.

(3) There are two strands to the Scheme:

(a) the Premium Discount Scheme (General) (***the PDS (General)***), and

(b) the Premium Discount Scheme Small Business Strategy (***the Small Business Strategy***).

(4) An employer may participate in either strand of the Scheme, subject to this Part.

30 Employers eligible to participate in PDS (General)

(1) An employer is eligible to participate in the PDS (General) if the employer has a policy of insurance with a licensed managed fund insurer.

(2) However, the following classes of employers are not eligible to participate in the PDS (General):

(a) minimum premium employers,

(b) employers who:

(i) are participating in the Small Business Strategy, or

(ii) have passed the second verification under the Small Business Strategy, or

(iii) have completed the PDS (General), or

(iv) are precluded from participating in the PDS (General) by reason of clause 60 (Time limits on participation in Scheme).

(3) Despite subclause (2) (b), if an employer referred to in that paragraph that is a body corporate merges with, acquires or is acquired by another body corporate, or reconstitutes itself into two or more bodies corporate, the body or bodies formed by the merger, acquisition or reconstitution is or are eligible to participate in the PDS (General) (if otherwise eligible).

31 Employers entitled to participate in Small Business Strategy

(1) An employer is eligible to participate in the Small Business Strategy if the employer:

(a) has no more than 20 full time equivalent workers, and

(b) has a policy of insurance with a licensed managed fund insurer.

(2) However, the following classes of employers are not eligible to participate in the Small Business Strategy:

(a) minimum premium employers,

(b) employers who:

(i) are participating in the PDS (General), or

(ii) have completed the PDS (General), or

(iii) have passed the fourth verification under the Small Business Strategy, or

(iv) who are precluded from participating in the Small Business Strategy by reason of clause 60 (Time limits on participation in Scheme).

(3) An employer who enrols in a small business premium discount program under Division 3 remains eligible to participate in the Small Business Strategy even if the number of the employer's workers subsequently increases to more than 20 full time equivalent workers.

(4) Despite subclause (2) (b), if an employer referred to in that paragraph that is a body corporate merges with, acquires or is acquired by another body corporate, or reconstitutes itself into two or more bodies corporate, the body or bodies formed by the merger, acquisition or reconstitution is or are eligible to participate in the Small Business Strategy (if otherwise eligible).

Division 2 Premium Discount Scheme (General)

Subdivision 1 Premium Discount Advisers

32 Approval of Premium Discount Advisers

(1) The Authority may on application approve any of the following (***the applicant***) as a Premium Discount Adviser in accordance with the Premium Discount Guidelines:

(a) an individual,

(b) a body corporate,

(c) a group consisting of a combination of individuals or bodies corporate or both (including a partnership or other unincorporated association).

(2) The Authority may not approve an applicant as a PDA unless:

(a) the applicant has an Australian Business Number, and

(b) the applicant has provided to the Authority such information as the Authority may reasonably require in order to assess the applicant's suitability to be a PDA and the character of the applicant's proposed members, and

(c) the Authority is satisfied that:

(i) the applicant is suitable to be a PDA, and

(ii) the applicant, and each of the applicant's proposed members, is of good character.

(3) For the purpose of assessing whether an applicant is suitable to be a PDA and the character of the applicant's proposed members, the Authority may make such inquiries and undertake such investigations about the applicant, and each of the applicant's proposed members, as it thinks fit.

(4) In this clause, ***proposed member***, in relation to an applicant, has the same meaning as ***member*** has in relation to a PDA.

33 Conditions of approval

(1) An approval as a PDA is subject to the following conditions:

(a) the PDA must hold professional indemnity insurance covering the activities of the PDA (including the activities of the PDA's members) in carrying out the functions of a PDA,

(b) the PDA must sign a performance agreement containing such terms as the Authority may require, and must comply with that performance agreement,

(c) the PDA, and each member of the PDA, must comply with the Code of Conduct for PDAs,

Note. Clause 63 (1) provides that it is an offence for a PDA to fail to comply with the Code of Conduct for PDAs.

(d) the PDA must comply with the Premium Discount Guidelines and any directions given by the Authority under clause 67 (for example, directions as to the use of audit tools),

(e) each Principal of the PDA, and each member of the PDA involved in carrying out audits under the Scheme, must satisfactorily complete such course of training as the Authority may direct,

(f) the PDA must co-operate with any review of the PDA by the Authority under clause 38, and must allow the Authority access to the PDA's premises and records for that purpose,

(g) any conditions of approval set out in the Premium Discount Guidelines.

(2) The Authority may at any time impose further conditions on an approval by notice in writing, and vary or revoke those conditions by notice in writing.

34 Functions of a PDA

A PDA has the following functions:

(a) to audit the performance and systems of employers to assess whether standards, benchmarks or performance criteria set by the Authority have been met,

(b) to issue certificates verifying whether those employers are entitled to a premium discount under the Scheme,

(c) such other functions as are set out in the Premium Discount Guidelines.

35 Relationship with employer

(1) An employer may engage a PDA to act as PDA in relation to the employer for the purposes of the Scheme.

(2) The PDA engaged by an employer may engage any other person or body in order to assist it to carry out its functions in relation to the employer under the Scheme.

36 Principals of a PDA

(1) A PDA must have at least one Principal, and may have more than one Principal.

(2) A Principal of a PDA is an individual who is:

(a) a member of the PDA (other than a person engaged by the PDA as referred to in paragraph (e) of the definition of ***member*** in clause 28), and

(b) nominated as a Principal by the PDA.

(3) An individual may not be a Principal of more than one PDA.

(4) Subclause (3) does not prevent a member of a PDA from carrying out work for more than one PDA.

37 Functions of Principals

The function of a Principal of a PDA is to ensure that the PDA and each member of the PDA complies with this Regulation, the Code of Conduct for PDAs, the Premium Discount Guidelines, the performance agreement signed by the PDA and any directions given by the Authority under clause 67.

38 Review of PDAs by Authority

(1) The Authority may at any time review the performance and operations of a PDA, or of any member of the PDA, in accordance with the Premium Discount Guidelines.

(2) For the purpose of conducting a review under this clause, the Authority may make such inquiries and undertake such investigations as it thinks fit.

(3) The Authority may take action at any time under subclause (4) if it determines that:

(a) the PDA or a member of the PDA has failed to comply with this Regulation, the Premium Discount Guidelines, the Code of Conduct for PDAs, the performance agreement signed by the PDA or with any direction given by the Authority under clause 67, or

(b) the PDA has become bankrupt, applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounded with its creditors or made an assignment of its remuneration for their benefit, or

(c) the PDA has entered into administration (whether voluntary or involuntary) or has been wound up, or

(d) the PDA has not been engaged by an employer during the three years preceding the commencement of a review by the Authority, or

(e) a Principal of the PDA ceases to be a member of the PDA, being a person who, in the opinion of the Authority, was integral to the performance or operations of the PDA.

(4) The Authority may take any one or more of the following actions:

(a) disallow or adjust the PDA Rating of the PDA by notice in writing,

(b) disallow or adjust the entitlement to a premium discount of an employer by whom the PDA is engaged by notice in writing,

(c) suspend or cancel the approval of a PDA by notice in writing.

(5) Before taking action under subclause (4), the Authority may give an employer by whom the PDA concerned is engaged an opportunity to make oral or written submissions to the Authority about the matter.

(6) An action referred to in subclause (4) takes effect 14 days after notice of the action is given to the PDA.

(7) The actions that the Authority may take under subclause (4) are in addition to any other powers of the Authority.

Note. For example, the Authority may also issue directions to a PDA or impose or vary conditions of an approval of a PDA.

Subdivision 2 PDA Ratings

39 Initial PDA Ratings

(1) In its approval of a PDA, the Authority is to classify it as a Category 1, a Category 2 or a Category 3 PDA.

(2) A Category 1 PDA has the PDA Rating for a Category 1 PDA specified in the Table to this clause until immediately before 4 pm on 30 June following its approval, unless the Authority reclassifies it as a Category 2 PDA under subclause (3).

(3) A Category 1 PDA may, in accordance with the Premium Discount Guidelines, request the Authority to reclassify the PDA as a Category 2 PDA. The following provisions apply if such a request is made:

(a) the Authority is to determine in accordance with the Premium Discount Guidelines whether to reclassify the PDA as a Category 2 PDA,

(b) if the Authority reclassifies the PDA, the PDA has the PDA Rating for a Category 2 PDA specified in the Table to this clause from the date that the Authority notifies it of the reclassification until immediately before 4 pm on 30 June following its approval, and thereafter the PDA Rating of the PDA is as determined by the Authority under clause 40.

(4) A Category 2 PDA or a Category 3 PDA has the PDA Rating specified in the Table to this clause for that category of PDA until immediately before 4 pm on 30 June following its approval. Thereafter, the PDA Rating of the PDA is as determined by the Authority under clause 40.

Table

PDA Category	PDA Rating
Category 1 PDA	5%
Category 2 PDA	10%
Category 3 PDA	15%

40 Subsequent determination of PDA Rating by Authority

(1) Each year the Authority is to:

(a) assess the success of each PDA in achieving cost savings for employers engaging the PDA (including reductions in the cost of claims for employers), and

(b) on the basis of that assessment, determine a PDA rating for each PDA of 0% to 15%.

(2) A PDA Rating determined by the Authority for a PDA has effect (or is taken to have effect) from the time specified by the Authority in the notice of determination (whether or not the notice is given to the PDA before or after the time specified in the notice).

(3) A PDA Rating has effect until immediately before the time specified by the Authority in the next notice of determination of the PDA Rating for the PDA (including a notice disallowing or adjusting the PDA Rating of the PDA under clause 38).

(4) The assessment referred to in subclause (1) (a) is to be undertaken in accordance with the Premium Discount Guidelines, and otherwise as the Authority determines.

(5) For the purpose of undertaking an assessment, the Authority may make such inquiries and undertake such investigations as it thinks fit.

(6) The Authority may publish the PDA Rating of PDAs from time to time in such manner as the Authority determines.

41 PDA Rating not transferable

(1) A member of a PDA who becomes a member of another PDA or carries out work for another PDA does not thereby transfer the PDA Rating of the first-mentioned PDA to that other PDA.

(2) A PDA that merges with, or acquires or is acquired by, another PDA does not thereby transfer its PDA Rating to the other PDA, or acquire the PDA rating of that other PDA.

Division 3 Small Business Strategy

42 Approval of sponsors

(1) The Authority may on application approve any of the following (***the applicant***) as a sponsor in accordance with the Premium Discount Guidelines:

(a) a body or organisation,

(b) a group consisting of more than one body or organisation.

(2) The Authority may not approve an applicant as a sponsor unless:

(a) the applicant has an Australian Business Number, and

(b) the applicant has provided to the Authority such information as the Authority may reasonably require in order to assess the application.

(3) For the purpose of an assessment under this clause, the Authority may make such inquiries and undertake such investigations about the applicant as it thinks fit.

43 Conditions of approval

(1) An approval as a sponsor is subject to the following conditions:

(a) the sponsor must hold professional indemnity insurance covering the activities of the sponsor (including the activities of each person employed or engaged by the sponsor) in carrying out the functions of a sponsor,

(b) the sponsor must comply with the Code of Conduct for Sponsors,

Note. Clause 63 (2) provides that it is an offence for a sponsor to fail to comply with the Code of Conduct for Sponsors.

(c) the sponsor must comply with the Premium Discount Guidelines and any directions given by the Authority under clause 67,

(d) the sponsor must comply with the terms of any funding agreement between the sponsor and the Authority,

(e) the sponsor must co-operate with any review of the sponsor by the Authority under clause 49, and must allow the Authority access to the sponsor's premises and records for that purpose,

(f) any conditions of approval set out in the Premium Discount Guidelines.

(2) The Authority may at any time impose further conditions on an approval by notice in writing, and vary or revoke those conditions by notice in writing.

44 Authority may invite proposals for small business discount programs

(1) The Authority may at any time invite, in such manner as the Authority determines, sponsors to submit a proposal to conduct a program to assist employers to improve their occupational health and safety and injury management performance (a ***small business premium discount program***).

(2) A proposal is to be made in accordance with the Premium Discount Guidelines.

(3) The Authority may request the sponsor to provide further information or particulars about the proposed small business premium discount program.

45 Assessment of proposals

(1) The Authority is to assess proposals for small business premium discount programs according to criteria and procedures set out in the Premium Discount Guidelines.

(2) After such assessment, the Authority may accept or reject the proposal, or accept it subject to specified modifications.

46 Funding agreements

A sponsor whose proposal has been accepted with or without modifications by the Authority may enter into an agreement (a ***funding agreement***) in accordance with the Premium Discount Guidelines with the Authority by which the Authority agrees to

provide funds to the sponsor for the proposed small business premium discount program on the terms set out in the funding agreement.

47 Relationship with employer

(1) An employer may enrol in a small business premium discount program proposed to be conducted by a sponsor at any time after the sponsor is approved up to 6 months after the commencement of a premium year (within the meaning of clause 50) of the employer.

(2) An employer who enrolled in a small business program of 2 years duration and who has passed the third verification for that program (within the meaning of clause 50) may enrol in the third year of a small business premium discount program of 3 years duration, but only with the consent of the sponsor conducting that program.

48 Functions of a sponsor

A sponsor has the following functions:

(a) to implement its small business premium discount program in accordance with the funding agreement, this Regulation, the Premium Discount Guidelines, the Code of Conduct for Sponsors and any directions given by the Authority under clause 67,

(b) such other functions as are set out in the Premium Discount Guidelines.

49 Review of sponsors by Authority

(1) The Authority may at any time review the performance and operations of a sponsor in accordance with the Premium Discount Guidelines.

(2) For the purpose of conducting a review under this clause, the Authority may make such inquiries and undertake such investigations as it thinks fit.

(3) The Authority may take action at any time under subclause (4) if it determines that:

(a) a sponsor has failed to comply with the funding agreement, this Regulation, the Premium Discount Guidelines, the Code of Conduct for Sponsors or with any direction given by the Authority under clause 67, or

(b) the sponsor has become bankrupt, applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounded with its creditors or made an assignment of its remuneration for their benefit, or

(c) the sponsor has entered into administration (whether voluntary or involuntary) or has been wound up, or

(d) the small business premium discount program conducted by the sponsor has ceased to be viable.

(4) The Authority may take any one or more of the following actions:

(a) disallow or adjust the entitlement to a premium discount of an enrolled employer by notice in writing,

(b) suspend or cancel the approval of a sponsor by notice in writing,

(c) suspend or cancel the sponsor's program by notice in writing.

(5) The Authority may by notice in writing require a sponsor to repay to the Authority any funds provided to the sponsor by the Authority that:

(a) have not been spent by the sponsor, or

(b) if spent, were not spent in accordance with the funding agreement.

(6) Before taking action under subclause (4), the Authority may give an employer enrolled in a program conducted by the sponsor concerned an opportunity to make oral or written submissions to the Authority about the matter.

(7) An action referred to in subclause (4) or (5) takes effect 14 days after the notice of the action is given to the sponsor.

(8) The actions that the Authority may take under subclause (4) or (5) are in addition to any other powers of the Authority.

Note. For example, the Authority may also issue directions to a sponsor or impose or vary conditions of an approval of a sponsor.

(9) The Authority may recover funds payable to it under subclause (5) as a debt in a court of competent jurisdiction.

Division 4 Premium discounts

50 Definitions

(1) In this Division:

first verification means a verification to assess whether:

(a) in the case of an employer participating in the PDS (General)—the employer has met the standards, benchmarks or performance criteria set by the Authority for the first verification, or

(b) in the case of an employer participating in the Small Business Strategy—the employer has met the objectives set by the employer's sponsor for the first verification.

first year of participation, in relation to an employer, means the premium year of the employer in which the employer attempts to pass the first verification and the second verification.

fourth verification means a verification to assess whether:

(a) in the case of an employer participating in the PDS (General)—the employer has met the standards, benchmarks or performance criteria set by the Authority for the fourth verification, or

(b) in the case of an employer participating in the Small Business Strategy—the employer has met the objectives set by the employer's sponsor for the fourth verification.

premium year, in relation to an employer, means a period of insurance of up to 12 consecutive months commencing on the date of issue or renewal of a policy of insurance by the employer.

second verification means a verification to assess whether:

(a) in the case of an employer participating in the PDS (General)—the employer has met the standards, benchmarks or performance criteria set by the Authority for the second verification, or

(b) in the case of an employer participating in the Small Business Strategy—the employer has met the objectives set by the employer's sponsor for the second verification.

second year of participation, in relation to an employer, means the premium year of the employer in which the employer attempts to pass the third verification.

third verification means a verification to assess whether:

(a) in the case of an employer participating in the PDS (General)—the employer has met the standards, benchmarks or performance criteria set by the Authority for the third verification, or

(b) in the case of an employer participating in the Small Business Strategy—the employer has met the objectives set by the employer's sponsor for the third verification.

third year of participation, in relation to an employer, means the premium year of the employer in which the employer attempts to pass the fourth verification.

year of participation means the first year of participation, the second year of participation or the third year of participation.

(2) For the purposes of this Division:

(a) an employer passes a verification when the employer's PDA or sponsor issues a certificate verifying that the employer:

(i) in the case of an employer participating in the PDS (General)—has met the standards, benchmarks or performance criteria set by the Authority for that verification, or

(ii) in the case of an employer participating in the Small Business Strategy—has met the objectives set by the sponsor for that verification, and

(b) a reference to a PDA Rating, in relation to a PDA verifying that an employer has passed a verification, is a reference to the PDA Rating of the PDA at the time that it so verifies.

51 First year of participation

(1) An employer is to attempt to pass the first verification within 6 months of the commencement of the employer's first year of participation. The employer may make more than one attempt during that period.

(2) If the employer's PDA or sponsor verifies that the employer has passed the first verification within that period, the employer is provisionally entitled to a discount on the insurance premium payable with respect to the employer's first year of participation.

(3) The amount of premium discount to which the employer is provisionally entitled is to be calculated in accordance with the relevant Insurance Premiums Order. For that purpose, the ***PDS level*** for the first year of participation is:

(a) in the case of an employer participating in the PDS (General)—a percentage rate equal to the PDA Rating of the PDA who verifies that the employer has passed the first verification, or

(b) in the case of an employer participating in the Small Business Strategy—a percentage rate of 10%.

Note. The relevant Insurance Premiums Order may set a maximum amount of premium discount for a year of participation.

(4) An employer is to attempt to pass the second verification within 12 months of the commencement of the employer's first year of participation. The employer may make more than one attempt during that period.

(5) The employer's entitlement to the discount referred to in subclause (2) is confirmed if the employer's PDA or sponsor verifies that the employer has passed the second verification.

52 Change in PDA Rating—first year of participation

(1) This clause applies to an employer who is participating in the PDS (General).

(2) If the PDA who verifies that the employer has passed the second verification is the same PDA who verified that the employer passed the first verification, but the PDA Rating of that PDA has changed since then, the ***PDS level*** for the first year of participation is a percentage rate equal to the PDA Rating of the PDA at the time that the PDA verifies that the employer has passed the second verification (even though that may result in a lower PDS level).

(3) If the PDA who verifies that the employer has passed the second verification is different to the PDA who verified that the employer passed the first verification, the ***PDS level*** for the first year of participation is a percentage rate equal to the PDA Rating of the PDA who verifies that the employer has passed the second verification (even though that may result in a lower PDS level).

53 Second year of participation

(1) An employer is provisionally entitled to a discount on the insurance premium payable with respect to the employer's second year of participation if the employer's PDA or sponsor verifies that the employer has passed the second verification.

(2) The amount of premium discount to which the employer is provisionally entitled is to be calculated in accordance with the relevant Insurance Premiums Order. For that purpose, the ***PDS level*** for the employer's second year of participation is:

(a) in the case of an employer participating in the PDS (General)—a percentage rate equal to two-thirds of the PDA Rating of the PDA who verifies that the employer has passed the second verification, and

(b) in the case of an employer participating in the Small Business Strategy—a percentage rate of 10%.

Note. The relevant Insurance Premiums Order may set a maximum amount of premium discount for a year of participation.

(3) An employer is to attempt to pass the third verification within 12 months of the commencement of the employer's second year of participation. The employer may make more than one attempt during that period.

(4) The employer's entitlement to the discount referred to in subclause (1) is confirmed if the employer's PDA or sponsor verifies that the employer has passed the third verification.

54 Change in PDA Rating—second year of participation

(1) This clause applies to an employer who is participating in the PDS (General).

(2) If the PDA who verifies that the employer has passed the third verification is the same PDA who verified that the employer passed the second verification, but the PDA Rating of that PDA has changed since then, the ***PDS level*** for the second year of participation is a percentage rate equal to two-thirds of the PDA Rating of the PDA at the time that the PDA verifies that the employer has passed the third verification (even though that may result in a lower PDS level).

(3) If the PDA who verifies that the employer has passed the third verification is different to the PDA who verified that the employer passed the second verification, the ***PDS level*** for the second year of participation is a percentage rate equal to two-thirds of the PDA Rating of the PDA who verifies that the employer has passed the third verification (even though that may result in a lower PDS level).

55 Third year of participation

(1) An employer is provisionally entitled to a discount on the insurance premium payable with respect to the employer's third year of participation if the employer's PDA or sponsor verifies that the employer has passed the third verification.

Note. An employer who is participating in the Small Business Strategy has a third year of participation only if the employer is enrolled in a small business premium discount program of 3 years duration.

(2) The amount of premium discount to which the employer is provisionally entitled is to be calculated in accordance with the relevant Insurance Premiums Order. For that purpose, the ***PDS level*** for the third year of participation is:

(a) in the case of an employer participating in the PDS (General)—a percentage rate equal to one-third of the PDA Rating of the PDA who verifies that the employer has passed the third verification, or

(b) in the case of an employer participating in the Small Business Strategy—a percentage rate of 5%.

Note. The relevant Insurance Premiums Order may set a maximum amount of premium discount for a year of participation.

(3) An employer is to attempt to pass the fourth verification within 12 months of the commencement of the employer's third year of participation. The employer may make more than one attempt during that period.

(4) The employer's entitlement to the discount referred to in subclause (2) is confirmed if the employer's PDA or sponsor verifies that the employer has passed the fourth verification.

56 Change in PDA Rating—third year of participation

(1) This clause applies to an employer who is participating in the PDS (General).

(2) If the PDA who verifies that the employer has passed the fourth verification is the same PDA who verified that the employer passed the third verification, but the PDA Rating of that PDA has changed since then, the ***PDS level*** for the third year of participation is a percentage rate equal to one-third of the PDA Rating of the PDA at the time that the PDA verifies that the employer has passed the fourth verification (even though that may result in a lower PDS level).

(3) If the PDA who verifies that the employer has passed the fourth verification is different to the PDA who verified that the employer passed the third verification, the ***PDS level*** for the third year of participation is a percentage rate equal to one-third of the PDA Rating of the PDA who verifies that the employer has passed the fourth verification (even though that may result in a lower PDS level).

57 Verifications

(1) A PDA verifies whether an employer has passed a verification by carrying out an audit. A PDA must carry out an audit in accordance with the Premium Discount Guidelines and any directions given by the Authority under clause 67.

(2) A PDA is to verify an employer as having passed a verification if the employer has achieved the standards, benchmarks or performance criteria set by the Authority for that verification.

(3) A sponsor must carry out a verification in accordance with the terms of the funding agreement, the Premium Discount Guidelines and any directions given by the Authority under clause 67.

(4) A sponsor is to verify an employer as having passed a verification if the employer has met the objectives set by the sponsor for that verification.

58 Provisional entitlement not confirmed

An employer who does not pass a verification within the period specified for that verification (and whose provisional entitlement to a discount is therefore not confirmed) must repay to the employer's insurer (in such manner as the insurer specifies) an amount equal to the amount of discount received by the employer as a result of the provisional entitlement.

59 Year of participation may be repeated

(1) An employer who does not pass a verification specified for a year of participation within the period specified for that year of participation may attempt to pass that verification again in the employer's next premium year, or the premium year following that premium year.

(2) However, an employer participating in the Small Business Strategy may only attempt to pass a verification again under this clause with the sponsor's consent.

(3) **First verification and second verification attempted again**
Clause 51 (and clause 52, if relevant) apply to the premium year in which the employer attempts to pass the first verification and the second verification again.

(4) **Second verification only attempted again**
If the employer passed the first verification in the employer's first year of participation but did not pass the second verification, the following provisions apply:

(a) in the premium year in which the employer attempts to pass the second verification again, the employer is taken to have passed the first verification and is not required to pass that verification again, and

(b) clause 51 (and clause 52, if relevant) otherwise apply to that premium year.

(5) **Third verification attempted again**
Clause 53 (and clause 54, if relevant) apply to the premium year in which the employer attempts to pass the third verification again.

(6) **Fourth verification attempted again**
Clause 55 (and clause 56, if relevant) apply to the premium year in which the employer attempts to pass the fourth verification again.

60 Time limits on participation in Scheme

An employer ceases to be eligible to participate in the Scheme after the expiry of a period of 5 years from the commencement of the premium year in which the employer first attempted to pass the first verification.

Division 5 Reviews and appeals

61 Internal review

(1) An applicant for approval as a PDA that is aggrieved by a decision of the Authority to refuse to approve the applicant may request the General Manager of the Authority to review the decision.

(2) A PDA that is aggrieved by a determination of a PDA Rating for the PDA by the Authority may request the General Manager to review the determination.

(3) A request for a review is to:

(a) be in writing, and

(b) clearly outline the reasons for the request, and

(c) be served on the Authority within 14 days of the day on which the Authority gave the applicant notice of the decision or determination concerned.

(4) The PDA is to provide any documents or information in support of the request that the Authority requires the PDA by notice in writing to provide.

(5) The General Manager may delegate the review of a decision or determination under this clause, but only to a person who was not involved with the original decision or determination.

62 Appeal to Administrative Decisions Tribunal

(1) A PDA that is aggrieved by a decision of the Authority to cancel or suspend the PDA's approval may appeal to the Administrative Decisions Tribunal (***the Tribunal***) against the decision.

(2) An appeal must be made within 14 days (or such longer period as the Authority may allow) after notice of the decision is given to the PDA. The appeal is to be lodged with the Tribunal, and notice giving details of the appeal is to be given to the Authority.

(3) An appeal does not affect any decision with respect to which it is made until the appeal is determined.

Division 6 Offences

Note. The workers compensation legislation sets out other offences that may affect persons participating in or involved in the Scheme, in particular offences dealing with fraud on the workers compensation scheme (see section 173A (Giving false information for premium calculation) of the Act and section 235A (Fraud on workers compensation scheme) of the *Workplace Injury Management and Workers Compensation Act 1998*.

63 Failure to comply with Code of Conduct

(1) A PDA must comply with the Code of Conduct for PDAs.

Maximum penalty: 50 penalty units.

(2) A sponsor must comply with the Code of Conduct for sponsors.

Maximum penalty: 50 penalty units.

64 Purporting to be a PDA

(1) A person who is not a PDA must not indicate that the person is a PDA.

Maximum penalty: 50 penalty units.

(2) A person who is not a member of a PDA must not indicate that the person is a member of a PDA.

Maximum penalty: 50 penalty units.

(3) Without limiting subclauses (2) and (3), a person indicates that the person is a PDA or a member of a PDA if the person continues to act as a PDA or a member of a PDA after the approval of the PDA has been suspended or cancelled.

65 Failure to notify Authority of changes concerning PDA

A PDA must notify the Authority in writing if any of the following changes takes place within 14 days after the change takes place:

(a) a Principal of the PDA ceases to be a Principal, or a member of the PDA,

(b) the PDA ceases to operate, or merges with or acquires another PDA,

(c) a change in the composition of the PDA that materially affects the skills or expertise of the PDA in occupational health and safety or injury management.

Maximum penalty: 50 penalty units.

Division 7 General

66 Premium Discount Guidelines

(1) The Authority may from time to time issue guidelines for or with respect to the following matters:

(a) the criteria to be used by the Authority in determining the suitability of an applicant, or a class of applicants, to be a PDA or a sponsor,

(b) conditions of approval for PDAs and sponsors,

(c) the functions of PDAs and sponsors,

(d) the engagement of PDAs by employers (including fees payable to PDAs by employers),

(e) the enrolment of employers in small business premium discount programs (including fees payable to sponsors by employers),

(f) the criteria to be used by the Authority in classifying a PDA as a Category 1 PDA, a Category 2 PDA or a Category 3 PDA,

(g) the reclassification of a Category 1 PDA as a Category 2 PDA,

(h) the criteria to be used by the Authority in determining PDA Ratings for PDAs,

(i) benchmarks, standards or performance criteria to be achieved by employers in order for the employers to be entitled to a premium discount under the PDS (General) or the Small Business Strategy,

(j) notification of matters and provision of information to the Authority by PDAs and sponsors,

(k) the carrying out of audits and verifications by PDAs and verifications by sponsors,

(l) the functions of PDAs and sponsors,

(m) the submission and assessment of proposals for small business premium discount programs,

(n) the content and conduct of small business premium discount programs,

(o) the nature of funding agreements between the Authority and sponsors,

(p) review of PDAs or sponsors by the Authority,

(q) other matters in connection with the Scheme.

67 Directions by Authority to PDAs or sponsors

The Authority may at any time give directions to PDAs and sponsors concerning the carrying out of the Scheme. Such directions may be given to all PDAs or sponsors, or to a particular PDA or sponsor, or a particular class of PDAs or sponsors.

68 Codes of Conduct

(1) The Authority may at any time issue a Code of Conduct for PDAs or a Code of Conduct for Sponsors (or both) and may at any time vary or revoke a Code of Conduct.

(2) A Code of Conduct may provide for any of the following matters:

(a) conditions of approval for PDAs or sponsors or particular classes of PDAs or sponsors,

(b) standards of behaviour of PDAs and members of PDAs,

(c) standards of behaviour of sponsors, and persons employed or engaged by sponsors to carry out the functions of a sponsor under the Scheme,

(d) operational requirements for PDAs or sponsors,

(e) any other matter in connection with the Scheme.

69 Calculation of premium discount

(1) Calculation of the amount of a premium discount under this Part is to be made in accordance with the relevant Insurance Premiums Order, including any maximum premium discount amount set in the relevant Insurance Premiums Order.

(2) An insurer may make provision for any premium discount to which an employer is entitled (and any adjustments arising from changes to an entitlement to the discount) in any manner that the insurer chooses.

Note. For example, an insurer may give a premium discount by decreasing the amount of an instalment payable, or by giving the employer a refund, or a rebate on the next premium payable by the employer. The insurer may require an employer whose entitlement to a discount was not confirmed to repay the discount, or may increase the amount of an instalment payable.

(3) Clause 24 does not prevent an insurer from adjusting an instalment in accordance with this clause.

70 Powers of Authority if PDA or sponsor ceases to operate

(1) If a PDA ceases to operate (whether because its approval is suspended or cancelled or for any other reason), the Authority may do such things as it thinks fit to enable the employer to continue to participate in the PDS (General), including arranging another PDA for the employer.

(2) If a sponsor ceases to operate (whether because its approval is suspended or cancelled or for any other reason), the Authority may do such things as it thinks fit to enable the employer to continue to participate in the Small Business Strategy, including arranging for enrolled employers to participate in a small business premium discount program conducted by another sponsor.

71 Statistics

The Authority may collect and disseminate statistics and other information arising out of the Scheme (including records of individuals) for the following purposes:

(a) promoting education and knowledge about the Scheme or about occupational health and safety or injury management,

(b) research into workers compensation, occupational health and safety or injury management,

(c) statistical analysis.

Rules

District Court Amendment (Discovery and Inspection) Rule 2001

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 31 May 2001.

J G Cowen

Secretary to the Rule Committee

Explanatory note

The object of this Rule is to amend Part 22 of the *District Court Rules 1973* to ensure that its provisions are consistent with the provisions of Part 23 of the *Supreme Court Rules 1970*.

District Court Amendment (Discovery and Inspection) Rule 2001

1 Name of Rule

This Rule is the *District Court Amendment (Discovery and Inspection) Rule 2001*.

2 Amendment of District Court Rules 1973

The *District Court Rules 1973* are amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Rule.

Schedule 1 Amendments

(Clause 2)

[1] Part 22, rule 1

Omit paragraph (c). Insert instead:

(c) ***privileged document*** means in relation to an action, unless and until the Court directs that it cease to be a privileged document:

(i) a document of which evidence could not be adduced in the action over the objection of any person, by virtue of the operation of Division 1 of Part 3.10 of the *Evidence Act 1995*, or

(ii) a document the contents or production of which would disclose a protected confidence or the contents of a document recording a protected confidence or protected identity information, within the meaning of section 126B of the *Evidence Act 1995*, where:

(A) consent by the protected confider within the meaning of section 126C of the *Evidence Act 1995* has not been given to disclosure of the confidence, contents or information, and

(B) section 126D of the *Evidence Act 1995* would not operate to stop Division 1A of Part 3.10 of the *Evidence Act 1995* from preventing the adducing of evidence in respect of the confidence, contents or information, or

(iii) a document of which evidence could not be adduced in the action by virtue of the operation of section 126H of the *Evidence Act 1995*, or

(iv) where Party B is a natural person, a document the contents or production of which may tend to prove that party B:

(A) has committed an offence against or arising under an Australian law or a law of a foreign country, or

(B) is liable to pay a civil penalty,

within the meaning of section 128 of the *Evidence Act 1995*, or

(v) a document the admission or use of which in a proceeding would be contrary to section 129 of the *Evidence Act 1995*, or

(vi) a document that relates to matters of state within the meaning of section 130 of the *Evidence Act 1995*, or

(vii) a document to which section 131 of the *Evidence Act 1995* applies, or

(viii) a document:

(A) the disclosure of the contents of which, or

(B) the production of which, or

(C) the admission or use of which,

in the action would be contrary to any Act or Commonwealth Act other than the *Evidence Act 1995* or the *Evidence Act 1995* of the Commonwealth,

[2] Part 22, rule 4

Insert at the end of rule 4 (c):

, or

(d) inspect any document in relation to which a question arises under this Part, for the purpose of determining the question, and order that the document be produced to the Court for the purpose of inspection by the Court.

Orders

Conveyancers Licensing Amendment (Royal & Sun Alliance) Order 2001

under the

Conveyancers Licensing Act 1995

I, the Minister for Fair Trading, in pursuance of section 8 of the *Conveyancers Licensing Act 1995*, make the following Order.

Signed at Sydney, this 25th day of June 2001.

JOHN WATKINS, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Order is to specify a policy of professional indemnity insurance that is an approved policy for the purposes of the *Conveyancers Licensing Act 1995*.

This Order is made under section 8 of the *Conveyancers Licensing Act 1995*.

Conveyancers Licensing Amendment (Royal & Sun Alliance) Order 2001

1 Name of Order

This Order is the *Conveyancers Licensing Amendment (Royal & Sun Alliance) Order 2001*.

2 Note

The explanatory note does not form part of this Order.

3 Amendment of Conveyancers Licensing Order 2000

The *Conveyancers Licensing Order 2000* is amended by inserting after clause 3 (c) the following paragraph:

(d) the master policy of professional indemnity insurance (Number FI304753DF) of Royal & Sun Alliance Insurance Australia Limited covering the period from 1 July 2001 to 30 June 2002.

Electricity Supply (Pricing of Electricity) Order 2001

under the

Electricity Supply Act 1995

I, Professor Marie Bashir AC, Governor of the State of New South Wales, on the recommendation of the Treasurer and with the advice of the Executive Council, and in pursuance of sections 43B (1) and 43N (1) of the *Electricity Supply Act 1995*, make the following Order.

Dated, this 27th day of June 2001.

By Her Excellency's Command,

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The *Electricity Supply Act 1995* enables the Governor, by order made on the recommendation of the Treasurer, to determine a price increase:

(a) under section 43B (1), for the provision of network services for customers of electricity distributors, and

(b) under section 43N (1), for the provision of network services to the direct customers of transmission operators,

that is not more than 0.550 cents per kilowatt hour above the pricing determination made in accordance with the National Electricity Code for the provision of those services.

This Order revokes the current price increase of 0.520 cents per kilowatt hour and determines that there is to be no price increase.

The Order applies to electricity network services that are provided on or after 1 July 2001.

Electricity Supply (Pricing of Electricity) Order 2001

1 Name of Order

This Order is the *Electricity Supply (Pricing of Electricity) Order 2001*.

2 Provision of network services to customers of electricity distributors

A nil amount is determined for the purposes of section 43B (1) of the *Electricity Supply Act 1995*.

3 Provision of network services to direct customers of transmission operators

A nil amount is determined for the purposes of section 43N (1) of the *Electricity Supply Act 1995*.

4 Application of Order

This Order applies to electricity network services that are provided on or after 1 July 2001.

5 Repeal of Electricity Supply (Pricing of Electricity) Order 1998

The *Electricity Supply (Pricing of Electricity) Order 1998* is repealed with effect from 1 July 2001.

Transport Administration (State Transit Authority—Fares) Amendment Order 2001

under the

Transport Administration Act 1988

I, John Douglas Stott, Chief Executive of the State Transit Authority, in pursuance of the *Transport Administration Act 1988*, make the following Order on behalf of the State Transit Authority.

JOHN D. STOTT,
Chief Executive
State Transit Authority

Explanatory note

The object of this Order is to amend the *Transport Administration (State Transit Authority—Fares) Order 1991* so as:

(a) to increase certain fares for bus and ferry services in the Sydney Suburban Area (including services that are provided in conjunction with the rail services provided by the State Rail Authority), and

(b) to increase certain fares for bus and ferry services in the Newcastle Suburban Area (including services that are provided in conjunction with the rail services provided by the State Rail Authority), and

(c) to remove references to several redundant tickets (namely, the CityHopper, DayRover, StarCityLink and Sydney DayPass tickets) and to introduce a new ticket (namely, the DayTripper ticket).

Fares for pensioners' combined rail/bus/ferry excursion tickets are not being increased.

Transport Administration (State Transit Authority—Fares) Amendment Order 2001

1 Name of Order

This Order is the *Transport Administration (State Transit Authority—Fares) Amendment Order 2001*.

2 Commencement

This Order commences on 1 July 2001.

3 Amendment of Transport Administration (State Transit Authority—Fares) Order 1991

The *Transport Administration (State Transit Authority—Fares) Order 1991* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Order.

Schedule 1 Amendments

(Clause 3)

[1] Clause 8 Validity of tickets

Omit clause 8 (6)–(8). Insert instead:

(6) A DayTripper ticket issued by the State Transit Authority is valid only:

(a) for the day on which it is issued and until 4 am on the next day, if issued from a railway or ferry booking office, or

(b) for the day of first use specified on the ticket and until 4 am on the next day, if issued from a State Transit Authority booking office (other than a ferry booking office).

[2] Clause 9 Certain services excluded from TravelPasses etc

Omit ", BusTripper, Sydney DayPass, DayRover, CityHopper and StarCityLink" from clause 9 (1).

Insert instead "and BusTripper".

[3] Clause 13 Definitions

Omit the definitions of ***CityHopper ticket***, ***DayRover ticket***, ***StarCityLink ticket*** and ***Sydney DayPass ticket*** from clause 13 (1).

[4] Clause 13 (1), definition of "DayTripper ticket"

Insert in alphabetical order:

DayTripper ticket means a ticket that allows:

(a) unlimited travel on the State Transit Authority's bus services within the Sydney Suburban Area, and

(b) unlimited travel on the State Transit Authority's ferry services within the Sydney Suburban Area, and

(c) unlimited travel on the State Rail Authority's rail services in the area bounded by Bondi Junction, Cowan, Carlingford, Richmond, Emu Plains, Macarthur (via Granville, via Regents Park or via East Hills), Otford and Cronulla.

[5] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Charges

(Clause 4)

Part 1 Sydney Suburban Area

SINGLE TRIP FARES

	Full fare	Concession
	$	$
BUS SERVICES		
1 or 2 sections (to 3.2 km)	1.50	0.70
3–5 sections (to 8.0 km)	2.60	1.30
6–9 sections (to 14.4 km)	3.30	1.60
10–15 sections (to 24.0 km)	3.80	1.90
16 or more sections	4.60	2.30
FERRY SERVICES		
Inner Harbour Zone 1	4.20	2.10
Inner Harbour Zone 2	4.40	2.20
Manly:		
Ferry	5.30	2.60
JetCat (full fare only)	6.60	—
Parramatta City	6.30	3.10
Upper Parramatta River	5.30	2.60

MULTI-TRIP FARES

	Full fare	Concession
	$	$
BUS SERVICES		
TravelTen Blue (1 or 2 sections)	11.00	5.50
TravelTen Brown (3–5 sections)	18.40	9.20
TravelTen Red (6–9 sections)	23.00	11.50
TravelTen Green (10–15 sections)	31.00	15.50
TravelTen Orange (16 or more sections)	39.00	19.50
BusTripper	9.50	4.70
FERRY SERVICES		
FerryTen (Inner Harbour Zone 1)	26.30	13.10
FerryTen (Inner Harbour Zone 2)	28.80	14.40
FerryTen (Manly Ferry)	38.80	19.40
FerryTen (Manly JetCat) (full fare only)	54.70	—
FerryTen (Parramatta City)	44.60	22.30
FerryTen (Upper Parramatta River)	38.80	19.40
MULTI-TRIP INTERMODAL FARES		
DayTripper	13.00	6.50

PERIODICAL FARES

	Full fare	Concession
	$	$
WEEKLY PERIODICAL FARES		
Blue TravelPass	26.00	13.00
Red TravelPass	29.00	14.50
Orange TravelPass	33.00	16.50
Green TravelPass	37.00	18.50
Yellow TravelPass	41.00	20.50
Pink TravelPass	44.00	22.00
Pittwater TravelPass	46.00	23.00
Brown TravelPass	50.00	25.00
Purple TravelPass	58.00	29.00
Two Zone TravelPass	26.00	13.00

QUARTERLY PERIODICAL FARES

The charge for a quarterly TravelPass ticket is 11 times that for the corresponding weekly TravelPass ticket.

YEARLY PERIODICAL FARES

The charge for a yearly TravelPass ticket is 40 times that for the corresponding weekly TravelPass ticket.

SPECIAL SERVICES

	Full fare	Concession
	$	$
SPECIAL (SPORTING) SERVICES		
Old RAS Showground (Moore Park)	4.30	2.10
Sydney Cricket Ground or Sydney Football Stadium	4.30	2.10

SPECIAL (RACECOURSE) SERVICE		
Royal Randwick Racecourse	4.30	2.10

Part 2 Newcastle Suburban Area

	Full fare	Concession
	$	$
BUS SERVICES		
Newcastle Multi-Ride 1-Hour bus ticket	2.50	1.20
Newcastle Multi-Ride 4-Hour bus ticket	4.80	2.40
Newcastle Time-Ten Multi-Ride bus ticket	20.60	10.30
FERRY SERVICE		
Newcastle–Stockton	1.80	0.90
INTERMODAL SERVICE		
Newcastle Multi-Ride Day bus-ferry ticket	7.40	3.70
INTERMODAL WEEKLY PERIODICAL FARES		
Newcastle Orange TravelPass	33.00	16.50
Newcastle Yellow TravelPass	41.00	20.50
Newcastle Pink TravelPass	44.00	22.00

QUARTERLY PERIODICAL FARES

The charge for a quarterly TravelPass ticket is 11 times that for the corresponding weekly TravelPass ticket.

YEARLY PERIODICAL FARES

The charge for a yearly TravelPass ticket is 40 times that for the corresponding weekly TravelPass ticket.

Part 3 Additional concessional fares

	$
PENSIONER'S COMBINED RAIL/BUS/FERRY EXCURSION TICKETS	
(a) Travel wholly within the Sydney Suburban Area, wholly within the Newcastle Suburban Area, between Gosford and the Newcastle Suburban Area or between the Newcastle Suburban Area and Gosford	1.10
(b) Travel wholly within the Sydney Suburban and Outer Metropolitan Areas, between Morisset and the Sydney Suburban and Outer Metropolitan Areas or between the Sydney Suburban and Outer Metropolitan Areas and Morisset	2.20
(c) Travel wholly within the CityRail Area otherwise than as referred to in paragraph (a) or (b)	3.30
SCHOOL TRAVEL	
Bus term ticket for school travel (per term)	37.00

Other Legislation

Sheriff Act 1900—Scale of Fees

under the

Sheriff Act 1900

Her Excellency the Governor, with the advice of the Executive Council, has fixed the following scale of fees to be chargeable in the Sheriff's Office under section 9 of the *Sheriff Act 1900*, with effect on and from 1 July 2001.

BOB DEBUS, M.P.,
Attorney General

	Scale of fees to be chargeable in the Sheriff's Office	$
1	Service or attempted service of any process or other document, including service by post and preparation of an affidavit of service—for each address at which service of the process or other document is effected or attempted	40
2	For execution, or attempted execution, of any writ, warrant or commission	207
3	Levy on a writ of execution—3% of amount collected by the Sheriff or an officer of the Sheriff	
4	For work undertaken in preparing for a sale of land on instructions from a judgment creditor—if sale does not proceed	508
5	Keeper's fee, each person for each day of 8 hours or part of the day	278
6	Making a copy of any document, for each page (minimum fee	2 10)
7	On every search—each name	13

Sheriff Act 1900—Scale of Fees

Scale of fees to be chargeable in the Sheriff's Office		$
8	Certifying office copy of writ	13
9	Attending a view by a jury (to be paid by the party making the request)	109
10	To open or keep open the Office:	
	(a) on a Saturday, Sunday or public holiday (except the day after Easter Monday)	444
	(b) on any other day:	
	(i) before 9 am or after 4.30 pm	444
	(ii) between 9 and 9.30 am or 4 and 4.30 pm	46
11	The amount reasonably incurred for:	
	(a) advertising,	
	(b) keeping of livestock levied on,	
	(c) officers' travelling expenses in relation to a view, or in conveying an arrested person to a correctional centre or to court,	
	(d) travelling expenses for each keeper or assistant including, where necessary, the cost of meals,	
	(e) the execution/service or attempted execution/service of any writ, warrant, commission, summons, process or other document not otherwise provided for.	

OFFICIAL NOTICES

Appointments

COAL MINES REGULATION ACT 1982

Appointment of an Inspector

PURSUANT to section 7 (1) (d) of the Coal Mines Regulation Act 1982, I, Professor Marie Bashir, AC, Governor of the State of New South Wales, appointed Mark Stephen FISHER as an Inspector of Coal Mines on and from 14 May 2001.

Signed at Sydney this 6th day of June 2001.

Professor MARIE BASHIR, AC,
Governor of the State of New South Wales

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Mineral Resources, and Minister for Fisheries

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable M. IEMMA, M.P., Minister for Public Works and Services, and Minister Assisting the Premier on Citizenship, to act for and on behalf of the Minister for Mineral Resources and Minister for Fisheries, as on and from 30 June 2001 with a view to him performing the duties of the Honourable E. M. Obeid, M.L.C., during his absence from the State.

BOB CARR, M.P.,
Premier

The Cabinet Office, Sydney
16 May 2001

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Transport and Minister for Roads

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable J. A. WATKINS, M.P., Minister for Fair Trading, Minister for Corrective Services, and Minister for Sport and Recreation, to act for and on behalf of the Minister for Transport and Minister for Roads, as on and from 1 July 2001, with a view to him performing the duties of the Honourable P. C. Scully, M.P., during his absence from the State.

BOB CARR, M.P.,
Premier

The Cabinet Office, Sydney
27 June 2001

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Treasurer, Minister for State Development, and Vice President of the Executive Council

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable A. J. REFSHAUGE, Deputy Premier, Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs, and Minister for Housing, to act for and on behalf of the Treasurer, and Minister for State Development as on and from 29 June 2001 with a view to him performing the duties of the Honourable M. R. Egan, M.L.C., during his absence from the State.

BOB CARR, M.P.,
Premier

The Cabinet Office, Sydney
27 June 2001

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Police

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable R. S. AMERY, M.P., Minister for Agriculture, and Minister for Land and Water Conservation, to act for and on behalf of the Minister for Police, as on and from 29 June 2001, with a view to him performing the duties of the Honourable P. F. P. Whelan, M.P., during his absence from the State.

BOB CARR, M.P.,
Premier

The Cabinet Office, Sydney
27 June 2001

GOVERNMENT AND RELATED EMPLOYEES APPEAL TRIBUNAL ACT 1980

Appointment of Acting Senior Chairperson of the Government and Related Employees Appeal Tribunal

HER Excellency the Governor, with the advice of the Executive Council and in pursuance of section 9 of the Government and Related Employees Appeal Tribunal Act 1980, has approved the appointment of Patricia Ann LYNCH (being a current Chairperson of the Government and Related Employees Appeal Tribunal) as Acting Senior Chairperson of the Government and Related Employees Appeal Tribunal for the period during which the office of Senior Chairperson is vacant, being a period commencing on 3 July 2001 and ending on 31 August 2001.

JOHN DELLA BOSCA, MLC,
Minister for Industrial Relations

HEALTH SERVICES ACT 1997

Appointment of the Director of
HealthQuest/Government Medical Officer

THE Chief Executive Officer of the Central Sydney Area Health Service has approved, pursuant to section 33 of the Health Services Act 1997, the appointment of Dr Armand CASOLIN as the Director of HealthQuest, effective from the 15 January 2001. As Director of HealthQuest, Dr Casolin also holds the office of Government Medical Officer for the purpose of medical opinion pursuant to the Public Sector Management Act 1988, the Teaching Services Act 1980, the Superannuation Act 1916, and the Judges' Pensions Act 1953.

Dr DIANA HORVATH, AO,
Chief Executive Officer,
Central Sydney Area Health Service

LOCAL GOVERNMENT ACT 1993

Instrument Made Under Section 213

I, HARRY WOODS, M.P., Minister for Local Government, on being satisfied that:

A. On 1 July 2001 the Areas of Conargo and Windouran are to be amalgamated so as to constitute a new Area having the name the Area of Conargo, by declaration of Professor Marie Bashir AC, Governor of the State of New South Wales, in the Proclamation published in the *Government Gazette* of 11 May 2001 ("the Proclamation"); and

B. A postal ballot of eligible electors of the ward representing the former Area of Windouran has been conducted in accordance with the Rules approved by me, and the Returning Officer has made a declaration of the result in accordance with those Rules; and

C. The persons appointed herein as Councillors of the new Conargo Shire Council for the ward representing the former Area of Windouran are those persons supported in a postal ballot of eligible electors of the Area of Windouran;

ON THE CONDITION PRECEDENT that the persons appointed herein as Councillors of the new Conargo Shire Council for the ward representing the former Area of Windouran are qualified to hold civic office under section 274 of the Act on the date of nomination as a candidate for the postal ballot, as declared by those persons in their signed nomination forms.

DO, by this Instrument made in accordance with section 213 (1) of the Act and Clause 4 (1) (b) of the Proclamation, HEREBY APPOINT the following three (3) persons as Councillors of the new Conargo Shire Council for the ward representing the former Area of Windouran:

Mac WALLACE
Sally DYE
Peter McCRABB

SUBJECT TO THE FOLLOWING FURTHER CONDITIONS:

1. In accordance with Clause 4 (2) of the Proclamation, despite section 292 of the Act, a by-election need not be held if a casual vacancy occurs in the office of Councillor of the new Conargo Shire Council in the ward representing the former Area of Windouran before the next ordinary election of Councillors for the Conargo Shire Council, unless the number of Councillors remaining to represent that ward is less than two (2);

2. A Councillor appointed by this Instrument has all of the duties, powers and responsibilities imposed on a Councillor elected under the provisions of the Local Government Act 1993 by the Act or any other Act or Regulation;

3. This Instrument is to be available for inspection by any person free of charge during ordinary office hours:

   (a) prior to 1 July 2001 at the offices of Windouran Shire Council and Conargo Shire Council; and

   (b) from 1 July 2001 at the offices of the new Conargo Shire Council;

   1. I may, by a further instrument terminate this appointment without giving a reason for doing so;

   2. Unless terminated at an earlier date, in pursuance of clause 2 of the Proclamation and section 287 of the Act, this appointment ceases to have effect on the date of the next ordinary election of Councillors for the Conargo Shire Council.

Dated at Sydney this 21st day of June 2001.

HARRY WOODS,
Minister for Local Government.

MINES RESCUE ACT 1994

Appointment of Directors to the Mines Rescue Board

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of section 10 (3) of the Mines Rescue Act 1994, has appointed the following nominees as Directors of the Mines Rescue Board from 1 July 2001 to 31 December 20001, both dates inclusive.

Bruce Mc KENSEY
Val ISTOMIN
Bruce ALLAN
Don RAMSAY
Sydney Theo BROWN
Howard Keith FISHER
Michael Joseph WATSON

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources
Minister for Fisheries

PARRAMATTA STADIUM TRUST ACT 1988

Appointment of Trustees of the Trust and Nomination of Chairperson and Deputy Chairperson

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 4 (3) of the Parramatta Stadium Trust Act 1988, that Mr Alan OVERTON, OAM, Mr Ken CRITCHLEY, Dr Michael JOHNSON, Ms Doris DREWERY, Mr Dennis FITZGERALD, Mr Craig GALLAGHER and Ms Dianne COSTIN, be appointed to the Office of Trustee of the Parramatta Stadium Trust from 14 December 2001, and that pursuant to Clause 8 (1) of

Schedule 1 to the Parramatta Stadium Trust Act 1988, Mr Alan OVERTON, OAM, be appointed Chairperson, and Mr Ken CRITCHLEY, be appointed as Deputy Chairperson of the Trust for the above term.

JOHN WATKINS, M.P.,
Minister for Sport and Recreation,
Minister for Corrective Services,
Minister for Fair Trading

PUBLIC SECTOR MANAGEMENT ACT 1988

Appointment of Acting Director-General

Department of Industrial Relations

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 10B(1) of the Public Sector Management Act 1988, has approved the appointment of Patricia MANSER to act in the position of Director-General, Department of Industrial Relations, while the holder of that position is absent for the period commencing on 7 July 2001 and ending on 22 July 2001.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

PUBLIC SECTOR MANAGEMENT ACT 1988

NSW Treasury

HER Excellency the Governor and the Executive Council, upon the recommendation of The Hon. Michael Egan, Treasurer, has approved, pursuant to the provisions of section 10B of the Public Sector Management Act 1988, that Ian William NEALE be appointed to act in the position of Secretary, of the NSW Treasury from 23 June 20001 to 8 July 2001.

MICHAEL EGAN, M.L.C.,
Treasurer, Minister for State Development,
Leader of the Government in the Legislative Council, and Vice President of the Executive Council

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PUBLIC SECTOR MANAGEMENT ACT 1988

Appointment of General Manager

Workcover Authority

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 10B of the Public Sector Management Act 1988, appoint Rodney Stuart McINNES to act in the position of General Manager of the WorkCover Authority from 7 July 2001 to 22 July 2001.

Hon. J. J DELLA BOSCA, MLC
Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier on the Central Coast

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NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

Notification under Section 8 and Section 11 – Fishing Closure

Macleay River

I, Edward Obeid, do now, by this notification, prohibit the taking of all species of fish by recreational and commercial fishers, as applicable, from the waters described in Column 1 of the schedule to this notification, by the methods shown in column 2 of the schedule, subject to the conditions attached to the schedule, from 1 July 2001 until 30 September 2001.

The Hon EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources and Minister for Fisheries

SCHEDULE

Macleay River

Column 1 ***Waters***	*Column 2* ***Method***
The whole of the waters of the Macleay River including its tributaries upstream of the township of Kinchela.	All methods, other than prescribed traps, hoop or lift nets for the taking of crabs, and the use of traps for the taking of eels.
The whole of the waters of the Macleay River, including all its tributaries, the Macleay Arm and Clybucca Creek, from the township of Kinchela downstream to where the eastern most extremity of both breakwaters meet the ocean.	All methods, other than the use of prescribed traps, hoop or lift nets for the taking of crabs, the use of a bait trap, the use of prescribed traps for the taking of eels, use of prescribed lines, and the use of prescribed meshing nets subject to the conditions below.

Conditions

(1) Recreational fishing

- Recreational fishing as described in this notification is only permitted during the period 6am to 9pm each day.
- A personal bag limit of 10 finfish, comprising any mix of species, but not more than five bream and one mulloway and not more of any species of finfish than allowed by an existing bag limit (where this is less than 10 finfish) applies to recreational fishing described in this notification.
- This personal bag limit does not apply in respect of poddy mullet (for live bait), which have a bag limit of 20 fish less than 15cm.

(2) Commercial fishing

- Lawful mesh nets with mesh size not less than 95mm (3¾ inches) are to be used only by the method of 'splashing', that is, shooting the net, splashing the water in the vicinity and retrieving the net as a continuous operation.
- Meshing is only permitted at night between the period 6pm to 6am, and flathead are not to be retained.
- A daily logsheet is to be completed and submitted to NSW Fisheries or lodged weekly with the Macleay River Fishermen's Cooperative to assist with ongoing monitoring of fish stocks.

Explanatory note

Prescribed in relation to fishing gear and methods means as 'prescribed' in the Fisheries Management (General) Regulation 1995 for lawful use in the waters described in column 1 of this notification.

FISHERIES MANAGEMENT ACT 1994 F97/326

Notification under Section 8 and Section 11 – Fishing Closure

Richmond River and adjacent ocean waters

I, EDWARD OBEID, do now, by this notification, prohibit the taking of all species of fish by recreational and commercial fishers, as applicable, from the waters described in Column 1 of the schedule to this notification, by the methods shown in column 2 of the schedule, subject to the conditions attached to the schedule, from 1 July 2001 until 30 September 2001.

The Hon EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources and Minister for Fisheries

SCHEDULE

Richmond River and adjacent Ocean Waters

Column 1 ***Waters***	*Column 2* ***Method***
The whole of the tidal waters of the Richmond River including its tributaries upstream of the Burns Point Ferry crossing.	All methods other than the use of prescribed traps, hoop or lift nets for the taking of crabs only.
The whole of the tidal waters of the Richmond River extending downstream from the Burns Point Ferry crossing to the eastern most point of the break waters at the entrance to the Richmond River, and including North Creek, Fishery Creek and Ballina Quays.	All methods other than the use of prescribed hoop or lift nets for the taking of crabs, the use of a yabby pump, use of lines as prescribed, and the use of hauling nets in accordance with condition 2 below.
Those ocean waters within a boundary from the mean high water mark at Lennox Head at the intersection of the coordinates (28º 48' .432 and 153º 36' .367), thence east to the intersection of the coordinates (28º 48' .432 and 153º 37' .836), thence south to the intersection of the coordinates (28º 52' .154 and 153º 37' .836), thence south west to the intersection of the coordinates (28º 53' .580 and 153º 37' .360), thence south west to the intersection of the coordinates (28º 57' .530 and 153º 33' .420), thence south west to the intersection of the coordinates (29º 00' .000 and 153º 30' .988), thence west to the mean high water mark on South Ballina Beach at the intersection of the coordinates (29º 00' .000 and 153 º 28' .65).	All methods other than the use of prescribed lines and traps, the gathering of pipis by legal methods and the use of prescribed methods for the taking of mullet and pilchards in the ocean hauling fishery.

Conditions

(1) Recreational fishing

- Recreational fishing in the Richmond River as described in this notification is only permitted during the period 6am to 7pm each day.
- A personal bag limit of 10 finfish, comprising any mix of species, but not more than five bream and one mulloway, and not more of any species of finfish than allowed by an existing bag limit (where this is less than 10 finfish) applies to recreational fishing described in this notification.
- This personal bag limit does not apply in respect of poddy mullet (for live bait), which have a bag limit of 20 fish less than 15cm.

(2) Commercial fish hauling in the Richmond River:

- The taking of mullet by prescribed hauling methods is only permitted in waters directly adjacent to the beach on the northern bank of the entrance of the Richmond River, immediately downstream of Missingham Bridge.

Explanatory note (not part of this notification):

The coordinates in Column 1 to this closure relate to an ocean area generally defined as being within the boundaries of a line drawn in a generally easterly direction from the mean high water mark at Lennox Head for 2.6km then in a generally southerly direction for approximately 10km, to approximately 5km seaward from the northern wall of the Ballina Bar, then in a generally south westerly direction for a distance of approximately 16.5km to the northern tip of South Riordan Shoals which is about 3.8km from the shore and then finally west back to mean high water mark at the southern end of South Ballina Beach.

Prescribed in relation to fishing gear and methods means as 'prescribed' in the Fisheries Management (General) Regulation 1995 for lawful use in the waters described in column 1 of this notification.

Department of Land and Water Conservation

Land Conservation

ARMIDALE OFFICE
Department of Land and Water Conservation
108 Faulkner Street, Armidale, NSW 2350
Phone: (02) 6772 5488 Fax (02) 6771 5348

APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the term of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Peter James HOBSON (re-appointment) Paul Arthur KING (new member) Anthony LANGLEY (re-appointment) Arthur Sydney MACALPINE (new member) Geoffrey Jack MILLARD (re-appointment) John Vincent MOORE (new member)	Goonoowigall Bushland Reserve Trust	Reserve No. 89639 Public Purpose: Preservation of Native Flora, and Public Recreation Notified: 6 February 1976 Locality: Inverell File Reference: AE81 R 115

For a term commencing the date of this notice and expiring 31 December 2004.

DUBBO OFFICE
Department of Land and Water Conservation
142 Brisbane Street (PO Box 865), Dubbo, NSW 2830
Phone: (02) 6841 5200 Fax: (02) 6841 5231

REVOCATION OF RESERVATION OF CROWN LAND

PURSUANT to section 90 of the Crown Lands Act 1989, the reservation of Crown land specified in Column 1 of the Schedule hereunder is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2				
Land District: Dubbo Local Government Area: Dubbo City Council Parish: Erskine County: Lincoln Locality: Erskine Reserve No.: 76926 Purpose: Generally Notified: 30 July 1954 File Reference: DB98H158	The whole being Lot	Sec.	D.P. No.	Parish	County
	40	*	754311	Erskine	Lincoln

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the lands comprised therein are freed and discharged from any rights of the public or any other person to the same as highways.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Land District of Warren;
Local Government Area of Warren

Lot 1 DP 705263 and Lot 1 DP 705264, Parish of Marebone, County of Gregory (not being land under the Real Property Act). File No: DB01H68.

Note: On closing, the titles for Lot 1 DP 705263 and Lot 1 DP 705264 shall vest in Warren Shire Council as Operational Land.

FAR WEST REGIONAL OFFICE
Department of Land and Water Conservation
45 Wingewarra Street (PO Box 1840), Dubbo, NSW 2830
Phone: (02) 6883 3000 Fax: (02) 6883 3099

APPOINTMENT OF MEMBERS OF LOCAL LAND BOARD

IN pursuance of the provisions of the Western Lands Act 1901, the undermentioned persons have been appointed as members of the Local Land Board for the Administrative District particularised hereunder for terms commencing 1 January 2001 and expiring 31 December 2001.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

LOCAL LAND BOARD MEMBERS

Administrative District:	Cobar
Members Appointed:	Peter Whinfield BRADLEY; Thomas James RUSSELL
Administrative District:	Hillston
Members Appointed:	Bill SHERIDAN; James McLaurin GRAHAM
Administrative District:	Walgett North
Members Appointed:	Peter WATERFORD; Adrian NEWTON

ASSIGNMENT OF NAME TO A RESERVE TRUST

PURSUANT to Clause 4(3) of Schedule 8 to the Crown Lands Act 1989, the name specified in Column 1 of the Schedule hereunder is assigned to the reserve trust constituted as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2
Balranald Caravan Park Trust	Reserve No. 68009 Public Purpose: Public Recreation and Resting Place Notified: 25 November 1938 File Reference: WL87R20

SCHEDULE 2

COLUMN 1	COLUMN 2
Cobar Regeneration Area Reserve Trust	Reserve No. 88550 Public Purpose: Regeneration Area Notified: 7 April 1972 File Reference: WL98R1033

SCHEDULE 3

COLUMN 1	COLUMN 2
Euabalong Public Recreation Reserve Trust	Reserve No. 85998 Public Purpose: Public Recreation Notified: 14 October 1966 File Reference: WL66788

SCHEDULE 4

COLUMN 1	COLUMN 2
Lions Park Reserve Trust	Reserve No. 86245 Public Purpose: Public Recreation Notified: 21 April 1967 File Reference: WL86R314

APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to Section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Clive Maxwell LINNETT (re-appointment) Janice Ann LONGFELLOW (re-appointment) Raymond John LONGFELLOW (re-appointment)	Ivanhoe Public Hall Reserve Trust	Reserve No. 85525 Public Purpose: Hall Notified: 5 November 1965 Locality: Ivanhoe File Reference: WL96R78

For a term commencing this day and expiring 28 June 2006.

MAITLAND OFFICE
Department of Land and Water Conservation
Newcastle Road (PO Box 6), East Maitland, NSW 2323
Phone: (02) 4934 2280 Fax: (02) 4934 2252

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

COLUMN 1	COLUMN 2	COLUMN 3
Toronto District Landcare Incorporated	Fassifern Environmental Protection (R1003001) Reserve Trust	Reserve No. 1003001 Public Purpose: Environmental Protection Notified: This day File Reference: MD89H127

Commencing this day.

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the schedule hereunder is reserved as specified opposite thereto in Column 2 of the schedule.

RICHARD AMERY, MP.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2
Land District: Newcastle Local Government Area: Lake Macquarie City Council Parish: Awaba County: Northumberland Locality: Fassifern Lot Sec D.P. No. 256 * 755207 Area: 2621 square metres File Reference: MD89H127	Reserve No. 1003001 Public Purpose: Environmental Protection

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ASSESSMENT OF CROWN LAND UNDER PART 3 OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATION 1995

A DRAFT assessment has been prepared for Crown land situated as described hereunder.

Inspection of this draft assessment during normal business hours may be made at the following listed locations.

Department of Land and Water Conservation (Maitland), Cnr Banks & Newcastle Road, East Maitland Department of Land and Water Conservation (Newcastle), 464 King Street, Newcastle Port Stephens Shire Council, 116 Pacific Highway, Raymond Terrace.

Submissions in writing will be accepted by the Manager Resource Assessment and Planning of the Newcastle Regional Office, 464 King Street, Newcastle until 4 p.m on 27/07/2001.

RICHARD AMERY M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Draft assessment of Crown land below the mean high water mark of the Hunter River at King Street Raymond Terrace adjacent to Lot 1 DP 862816 about 10 square metres. Parish Eldon County Gloucester.

Land Assessment Number 56.

File number MD99 H18.

APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to section 93, Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

COLUMN 1	COLUMN 2	COLUMN 3
The person for the time being holding the office of **Land Access Manager, (Hunter), Department of Land and Water Conservation** (Ex-Officio Member)	Cessnock Regional Shooting Complex Trust	Reserve No: 54562 Public Purpose: Rifle Range Notified: 15th April 1921 Locality: Cessnock File No: MD99R32

For a term commencing this day and expiring 10th March 2004.

Note: This ex-officio appointment replaces that of "Access and Licensing Manager, Hunter Region, Department of Land and Water Conservation" following restructure of that Department.

COLUMN 1	COLUMN 2	COLUMN 3
The person for the time being holding the office of **Manager, Resource Access and Compliance (Hunter), Department of Land and Water Conservation** (Ex-Officio Member)	Newcastle International Sports Centre Trust	Reserve No: 84753 Public Purpose: Public Recreation Notified: 14th February 1964 Locality: Broadmeadow File No: MD80R276

Note: This ex-officio appointment replaces that of "Manager, Resource Access Works and Services, Department of Land and Water Conservation" following restructure of that Department.

COLUMN 1	COLUMN 2	COLUMN 3
The person for the time being holding the office of **Regional Co-ordinator, Hunter, Strategic Project Division, Premiers Department** (Ex-Officio Member)		

For a term commencing this day and expiring 26th August 2004.

COLUMN 1	COLUMN 2	COLUMN 3
The person for the time being holding the office of **Regional Co-ordinator, Hunter, Strategic Project Division, Premiers Department**	Newcastle Showground and Exhibition Centre Trust	Dedication No: 570083 Public Purpose: Showground Notified: 2nd August 1905 Locality: Broadmeadow File No: MD80R235

For a term commencing this day and expiring 22nd July 2004.

ESTABLISHMENT OF RESERVE TRUST

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2
Fassifern Environmental Protection (R1003001) Reserve Trust	Reserve No. 1003001 Public Purpose: Environmental Protection Notified: This day File Reference: MD89H127

ASSESSMENT OF CROWN LAND UNDER PART 3 OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATION 2000

A DRAFT assessment has been prepared for Crown land situated as described hereunder.

Inspection of this draft assessment during normal business hours may be made at the following listed locations.

Department of Land and Water Conservation (Maitland), Cnr Banks & Newcastle Road, East Maitland Department of Land and Water Conservation (Newcastle), 464 King Street, Newcastle Gosford City Council, 49 Mann Street, Gosford.

Submissions in writing will be accepted by the Manager Resource Knowledge of the Newcastle Regional Office, 464 King Street, Newcastle until 4 p.m on 27/07/2001.

RICHARD AMERY M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Draft assessment of Crown land, being Lot 186 DP 755253, about 6.68 ha. at Goerge Downes Drive Central Mangrove.

Land Assessment Number 42.

File number MD83 H174.

ASSESSMENT OF CROWN LAND UNDER PART 3 OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATION 1995

A DRAFT assessment has been prepared for Crown land situated as described hereunder.

Inspection of this draft assessment during normal business hours may be made at the following listed locations.

Department of Land and Water Conservation (Maitland), Cnr Banks & Newcastle Road, East Maitland Department of Land and Water Conservation (Newcastle), 464 King Street, Newcastle Wyong Shire Council, 16 Hely Street, Wyong.

Submissions in writing will be accepted by the Manager Resource Assessment and Planning of the Newcastle Regional Office, 464 King Street, Newcastle until 4 p.m on 27/07/2001.

RICHARD AMERY M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Draft assessment of Crown land at Geoffrey Road Chittaway Point, being site for boat ramp 1.75 by 2.9 metres below the mean high water mark of Ourimbah Creek adjacent to Lot 58 DP 10332, Parish Tuggerah, County Northumberland.

Land Assessment Number 45.

File number MD0 H155.

ASSESSMENT OF CROWN LAND UNDER PART 3 OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATION 1995

A DRAFT assessment has been prepared for Crown land situated as described hereunder.

Inspection of this draft assessment during normal business hours may be made at the following listed locations.

Department of Land and Water Conservation (Maitland), Cnr Banks & Newcastle Road, East Maitland Department of Land and Water Conservation (Newcastle), 464 King Street, Newcastle Wyong Shire Council, 16 Hely Street, Wyong.

Submissions in writing will be accepted by the Manager Resource Assessment and Planning of the Newcastle Regional Office, 464 King Street, Newcastle until 4 p.m on 27/07/2001.

RICHARD AMERY M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Draft assessment of Crown land at Geoffrey Road Chittaway Point, being site for boat ramp 1.75 by 2.9 metres below the mean high water mark of Ourimbah Creek adjacent to Lot 58 DP 10332, Parish Tuggerah, County Northumberland.

Land Assessment Number 45.

File number MD0 H155.

ASSESSMENT OF CROWN LAND UNDER PART 3 OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATION 1995

A DRAFT assessment has been prepared for Crown land situated as described hereunder.

Inspection of this draft assessment during normal business hours may be made at the following listed locations.

Department of Land and Water Conservation (Maitland), Cnr Banks & Newcastle Road, East Maitland Department of Land and Water Conservation (Newcastle), 464 King Street, Newcastle Lake Macquarie City Council , 128 Main Road, Speers Point.

Submissions in writing will be accepted by the Manager Resource Assessment and Planning of the Newcastle Regional Office, 464 King Street, Newcastle until 4 p.m on 27/07/2001.

RICHARD AMERY M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Draft assessment of Crown land at Baker Street Dora Creek being 1.5 metre wide strip of land below the mean high water mark of Dora Creek fronting Lot 30 DP 16770, about 23 square metres, Parish Mandalong, County Northumberland.

Land Assessment Number 44.

File number MD00H214.

ERRATUM

IN the notice which appeared in the *Government Gazette* No. 86 of 18th May, 2001 under the heading of "Declaration of Land to be Crown Land" the notice is corrected by inserting "comprising part of land in C.T. Vol 4950 Fol 20 and part of land in C.T. Vol 5015 Fol 137" in lieu of "(no title reference held)". File No. MD 00 H 07.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

MOREE OFFICE
Department of Land and Water Conservation
Frome Street (PO Box 388), Moree, NSW 2400
Phone: (02) 6752 5055 Fax: (02) 6752 1707

APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Geoffrey Brian McCOSKER (new member)	Wallangra Recreation Reserve Trust	Dedication No. 560038 Public Purpose: Hall and War Memorial Notified: 2 December 1955 Locality: Wallangra File Reference: ME81R56

For a term commencing the date of this notice and expiring 18 July 2004.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Colin Bruce CAMERON (re-appointment) David Colin CAMERON (re-appointment) Irene Lynette SHEARER (re-appointment)	Rowena Tennis Club Reserve Trust	Reserve No. 97865 Public Purpose: Public Recreation Notified: 9 August 1985 Locality: Rowena File Reference: ME85R16

For a term commencing 25 June 2001 and expiring 24 June 2006.

SCHEDULE 3

COLUMN 1	COLUMN 2	COLUMN 3
Terrence Richard SMALLMON (new member)	Pallamallawa Recreation Reserve Trust	Reserve No. 91173 Public Purpose: Public Recreation Notified: 25 August 1978 Locality: Pallamallawa File Reference: ME82R19

For a term commencing the date of this notice and expiring 18 July 2004.

SCHEDULE 4

COLUMN 1	COLUMN 2	COLUMN 3
Francis John MAUNDER (re-appointment) Judith Myrle MAUNDER (re-appointment) Robert SHIELDS (re-appointment)	Baan Baa Recreation Reserve Trust	Reserve No. 93459 Public Purpose: Public Recreation Notified: 29 August 1980 Locality: Baan Baa File Reference: ME83R30

For a term commencing 25 June 2001 and expiring 24 June 2006.

NOWRA OFFICE
Department of Land and Water Conservation
64 North Street (PO Box 309), Nowra, NSW 2541
Phone: (02) 4423 0122 Fax: (02) 4423 3011

NOTIFICATION OF CLOSING OF ROAD

IN pursuance of the provisions of the Roads Act, 1993, the road hereunder specified is closed and the road ceases to be public road and the rights of passage and access that previously existed in relation to the road are extinguished.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Land District – Kiama; LGA – Shellharbour City

Lot 100, DP1029435 at Shellharbour, Parish Terragong and County Camden (being land under the Real Property Act, Computer Folio 100/1029435), NA00H158.

Note: On closing, the land remains vested in Shellharbour City Council as "Operational land" (FM - D).

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act, 1993, the road hereunder specified is closed and the road ceases to be a public road and the rights of passage and access that previously existed in relation to the road are hereby extinguished.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Land District – Bega; LGA – Bega Valley Shire Council

Lot 1, DP 1028557 at Bega, Parish Bega and County Auckland (not being Real Property Land). NA97H178.

Note: On closing, title for the land remains vested in Bega Valley Shire Council as "Operational Land" (485.5.110).

ORANGE OFFICE

Department of Land and Water Conservation
92 Kite Street (PO Box 2146), Orange, NSW 2800
Phone: (02) 6393 4300 Fax: (02) 6362 3896

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder specified is closed and the road ceases to be public road and the rights of passage and access that previously existed in relation to the road are extinguished.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Land District – Orange; Council – Blayney

Road closed: Lots 100 & 101, DP 1024065, Parish Beneree, County Bathurst being land not under the Real Property Act. File Reference: OE00H143.

Note: On closing the land remains vested in the Crown as Crown land.

NOTIFICATION OF PROPOSED CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, I propose to consider the closing of the roads hereunder described.

All persons interested are hereby called upon to set forth in writing and forward to the officer specified in the notice for the purpose, within one month from the date of publication of this notice, any objections or submissions which may appear to them to exist to this proposal.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Land District and Shire Forbes

David George MORRISON. Proposed closing of the Crown public road 20.115 metres wide through lot 64 in DP 750154, Parish of Dowling, County of Ashburnham. Objections/submissions should be forwarded to the Manager, Resource Access and Compliance, Department of Land and Water Conservation, PO Box 2146, Orange 2800. File reference: OE01H184.

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder specified is closed and the road ceases to be public road and the rights of passage and access that previously existed in relation to the road are extinguished.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Description

Land District – Lithgow; L.G.A. – Lithgow

Road closed: Lot 500, DP 1026524, Parish Hartley, County Cook, being land not under the Real Property Act. File Reference: OE 99H48.

Note: On closing the land remains vested in the Crown as Crown Land.

SYDNEY METROPOLITAN OFFICE
Department of Land and Water Conservation
2-10 Wentworth Street (PO Box 3935), Parramatta, NSW 2124
Phone: (02) 9895 7503 Fax: (02) 9895 6227

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act, 1993, the roads hereunder specified are closed and the roads cease to be public roads and the rights of passage and access that previously existed in relation to the roads are extinguished.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Descriptions

Land District – Metropolitan; L.G.A. – Fairfield

Lot 1, DP 47678 at Wakeley, Parish St Luke County Cumberland (not being land under the Real Property Act).

MN95H145/2.

Note: On closing, title for the land in lot 1 remains vested in the Crown.

Descriptions

Land District – Metropolitan; L.G.A. – Fairfield

Lot 1, DP 1027877 at Canley Heights, Parish St Luke (Sheet 4), County Cumberland, (being land in CT Vol 436 Folio 34).

MN00H146.

Note: On closing, title for the land in lot 1 remains vested in Fairfield City Council as operational land.

APPOINTMENT OF CORPORATION TO MANAGE A RESERVE TRUST

PURSUANT to Section 95 of the Crown Lands Act, 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Woollahra Municipal Council	Rushcutters Bay Maritime Reserve Trust	Sir David Martin Reserve (R100076) notified for the public purposes of Maritime Purposes and Public Recreation in the *Government Gazette* of 16 January 1987 File No.: MN88R51

For a term commencing from 1st July 2001.

Note: Mr Andrew James McAnespie, Administrator of Rushcutters Bay Maritime Reserve Trust has tendered his resignation with effect from 30 June, 2001.

APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to Section 93 of the Crown Lands Act, 1989, the person whose name is specified in Column 1 of the Schedule hereunder is appointed, for the term of Office specified in that Column, as a member of the trust Board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Duncan Geoffrey McDONALD	Blaxland Crossing Recreation and Rest Ground Trust	Dedication No. 500350 for the purpose of Public Recreation and Resting Place on 26 June 1931 and Reserve No. 81721 notified for the purpose of Public Recreation and Resting Place on 19 June 1959, Parish Bringelly, County Cumberland.

TERM OF OFFICE

For a period commencing from date of *Government Gazette* to 7 May 2003.

File No.: MN80R197/4.

NECROPOLIS ACT 1901

IN pursuance of the provisions of section 10A, Necropolis Act 1901, the lands specified in the Schedule hereunder are hereby divested from the trustees of the Independent Cemetery Trust, Necropolis and the Catholic Cemetery Trust, Necropolis.

File No.: MN00R55.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

Land District – Metropolitan; Council – Auburn; Parish – Liberty Plains; County – Cumberland

Independent Cemetery Trust, Necropolis — 1124 square metres being Lot 511 in Deposited Plan 1029770.

Catholic Cemetery Trust, Necropolis — 2331 square metres being Lots 508 and 510 in Deposited Plan 1029770.

NECROPOLIS ACT 1901

IN pursuance of the provisions of section 10, Necropolis Act 1901, the boundaries of the Independent and Catholic portions of the Necropolis are hereby adjusted by the addition of the lands described in the Schedule hereunder.

File No. MN00R55.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

Land District – Metropolitan; Council – Auburn; Parish – Liberty Plains; County – Cumberland

Independent Cemetery (Presbyterian Section), Necropolis — 1279 square metres being Lot 508 in Deposited Plan 1029770.

Catholic Cemetery, Necropolis — 1969.6 square metres being Lots 509 and 511 in Deposited Plan 1029770.

ERRATUM

IN the notification appearing in the *Government Gazette* of the 15th June, 2001, folio 3726 under the heading "Appointment of Administrator" in respect of the Six Foot Track Heritage Trust, in the last line of the notice reading "For a term on 31st August, 2001" after the word "term" insert the word "expiring". OE99R1.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

Water Conservation

WATER ACT 1912

Order under Section 113A

Embargo on any further applications for Sub Surface Water Licences, Deniliquin area

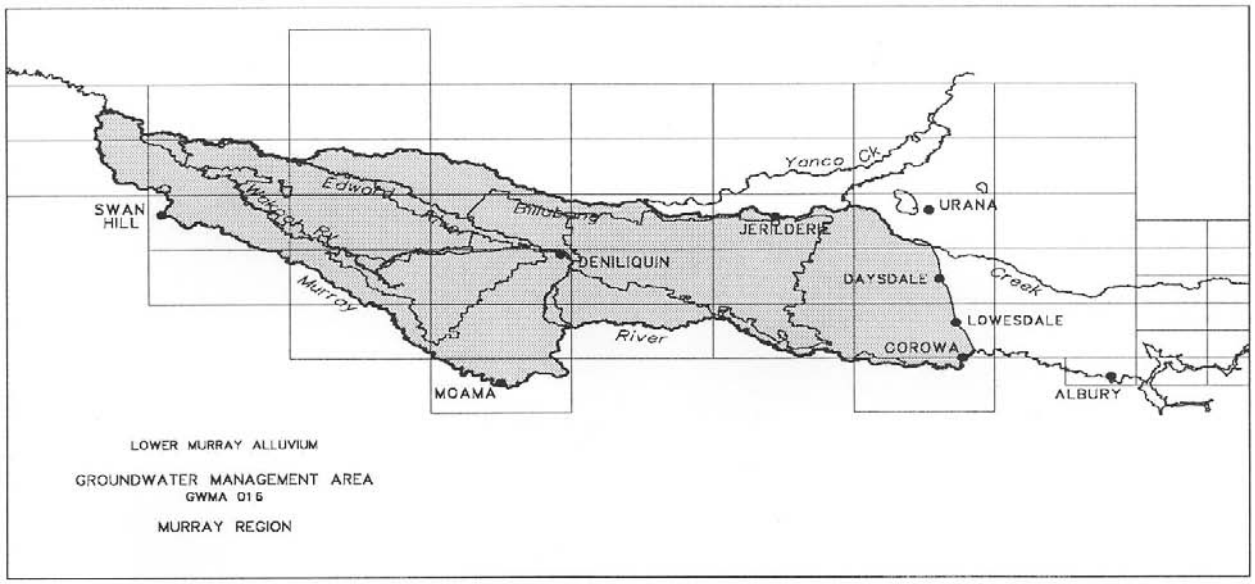
THE Water Administration Ministerial Corporation, being satisfied that Groundwater Management Area 016 (shown on attached map) is unlikely to have more water available than is sufficient to meet the requirements of the licensees of the bores situated within that area and such other possible requirements for water from the area as have been determined by the Ministerial Corporation, now declares that on and from the date of publication of this order in the *Government Gazette* 29 June 2001, no application for a licence for a bore to take water under Part 5 of the Water Act may be made, except as specified below, for the period up to the 18th of September 2002.

This order relates to all applications for licences other than applications for licences for:

- irrigation water supply bores for experimental, research and/or teaching purposes.
- private domestic water supply bores, town or village water supply bores, farming purpose water supply bores and recreation water supply bores (for the purpose of this paragraph "farming purposes" means the washing down of a dairy or piggery, the hosing down of poultry sheds and the washing of fruit or vegetables prior to transport to market etc. where the usage does not exceed 5 megalitres per annum.)
- bores for stock water supply purposes (not associated with feedlots or piggeries), (for the purpose of this paragraph "stock" means stock of a number not exceeding the number depastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing).
- bores (including spearpoints) of less than 12 metres depth for irrigation water supply in the Murray Land and Water Management Plan areas.
- bores (including spearpoints) of less than 12 metres depth for irrigation water supply constructed outside the Murray Land and Water Management Plan areas, where the bores are to be located in areas designated by the Department of Land and Water Conservation as areas where depth to watertable is less than 6 metres on the plan GWMA016SW2 held at the Department's Deniliquin and Albury offices.
- test and production bores (including spearpoints) for schemes specifically approved by the Department of Land and Water Conservation for de-watering purposes.

This order replaces the previous order published in *Government Gazette* 121, page 10473, on 15th September 2000, which is hereby repealed. This order allows an additional exemption for bores for de-watering purposes, where they are part of a scheme approved by the Department of Land and Water Conservation.

Signed for the Water Administration Ministerial Corporation
Dated 21st day of June 2001
David Harriss, Regional Director (by delegation).



WATER ACT 1912

APPLICATIONS under Part 2, within proclaimed (declared) local areas under section 5 (4) of the Act 1912.

Applications for licences under section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Macquarie River Valley

GOOREE PARK VINEYARDS PTY LIMITED for 3 pumps on the Cudgegong River, Lots 11 & 12 DP 880851, Parish of Galambine, County of Phillip and Parish of Biraganbil, County of Wellington for irrigation of 574.13 hectares (grape vines) (replacement licence – no increase in area or allocation) (in lieu of ad 28.2.00) (Reference: 80SL95720).

John Ross RYRIE for a dam and a pump on an unnamed watercourse, Lot 105, DP 876024, Parish of Borenore, County of Wellington for conservation and water supply for stock and domestic purposes (new licence) (Reference: 80SL95876).

James E CALLAN for a pump on the Gunningbar Creek, Lot 312 DP 720369, Parish of Warren, County of Oxley for water supply for stock and domestic purposes (new licence) (80SL95877).

An application for an amended authority for a joint water supply under section 20E(2) has been received from:

ROSEMOUNT ESTATES PTY LIMITED and OTHERS for a pump on the Cudgegong River, part of Wilbertree Road West of Lot 3, DP 235974, Parish of Gulgong, County of Phillip for water supply for stock and domestic purposes and irrigation of 179.82 hectares (grapes) (combining and replacing existing entitlement by way of permanent transfer – no increase in area or allocation) (80SA10582).

Written objections to the applications specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Department's Regional Office at Dubbo, within twenty-eight (28) days as prescribed by the Act.

Any inquiries regarding the above should be directed to the undersigned (telephone 68 842 560).

GA2: 311288

FRED HUNDY,
Water Access Manager
Macquarie

Department of Land and Water Conservation
PO Box 717
DUBBO NSW 2830.

WATER ACT 1912

APPLICATION for a licence under Part 2 of the Water Act 1912 being within a proclaimed (declared) local area under section 5 (4) of the Act.

An application for a licence under section 10 of Part 2 of the Water Act has been received as follows:

Lachlan River Valley

Michael John RYAN for a pump on the Lachlan River on Lot 1/570980, Parish of Bocobidgle, County of Ashburnham, for irrigation of 46.66 hectares (lucerne) (new licence-combining existing entitlement, with additional entitlement purchased by way of permanent transfer scheme.) (GA2:495894) (Reference: 70SL090725).

Clifford Joseph and Kay KEARNEY, for a pump on the Belubula River (Carcoar Dam), on Lot 1, DP 543490, Parish of Errol, County of Bathurst, water supply for domestic purposes. (GA2: 311225) (Reference: 70SL090584).

Written objections specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local area whose interests may be affected must be lodged with the Department within twenty-eight (28) days of the date of this publication as prescribed by the Act.

DAVID THOMAS,
A/Senior Natural Resource Officer
Central West Region

Department of Land and Water Conservation
PO Box 136
FORBES NSW 2871.

WATER ACT 1912

APPLICATION for a licence under section 10 of the Water Act 1912, as amended, has been received from:

Alan Frederick MATTHEWS and Sandra Jean MATTHEWS for two dams on unnamed watercourses and a pump on Cedar Creek and said unnamed watercourses part Portions 45, 43 and 46 being Lot 4, DP 633780 (proposed Lot 1), Parish Ralfe, County Macquarie for conservation of water and irrigation of 6 hectares (replacement application, split of existing licence, additional pump, no increase in authorised area or allocation) (Our Ref: 6127111 – GA2: 343259).

Any enquiries regarding the above should be directed to the undersigned (telephone 02 66402000). Written objections specifying the grounds thereof must be lodged within the 28 days of the date of this publication as prescribed by the Act.

G. LOLLBACK,
Resource Access Manager

Department of Land and Water Conservation
Locked Bag 10
GRAFTON NSW 2460.

WATER ACT 1912

AN application for a license under Part 5 of the Water Act 1912, as amended, has been received as follows:

Murrumbidgee Valley

Ian Ross VICKERY for a bore on Lot 213, DP 750972 Parish of Blowering, County of Buccleuch for a water supply for the irrigation of approximately 18 hectares (lucerne, fodder and pasture crops). (New licence). (Reference: 40BL188319).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 27 July 2001 as prescribed by the Act.

S.F. WEBB,
Resource Access Manager
Murrumbidgee Region

Department of Land and Water Conservation
PO Box 156
LEETON NSW 2705.

WATER ACT 1912

APPLICATIONS under Part 2 within a Proclaimed (declared) Local Area under Section 5(4) of the Water Act, 1912.

An application for a licence under Section 10 for works within a proclaimed (declared) local area as generally described hereunder has been received from:

Murrumbidgee Valley

Geoffrey Peter McFARLANE for a pump and existing dam on Graveyard Gully, lot 1 DP 831903, Parish of Toual, County of Murray for a water supply for stock and domestic purposes. New Licence. (Reference: 40SL70284).

Rule Robert HARRIS for a pump on the Murrumbidgee River, Travelling Stock and Camping Reserve No. 57418, Parish of Currawananna, County of Bourke for a water supply for stock and domestic purposes. (Replacement Licence – change in pump location from River Street, Currawarna.) (Reference: 40SL30446).

Any enquiries regarding the above should be directed to the undersigned (telephone 0269 530700).

Formal objections to the application specifying the grounds thereof, may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged with the Department's Regional Director at Leeton within the 28 days as fixed by the Act.

S.F. WEBB,
Resource Access Manager
Murrumbidgee Region

Department of Land and Water Conservation
PO Box 156
LEETON NSW 2705.

WATER ACT 1912

AN application under Part 2, being within a proclaimed (declared) local area under section 20 of the Water Act 1912 as amended.

An application for an authority for a joint water supply scheme for works within the proclaimed local areas as generally described hereunder has been received as follows:

Macintyre River Valley

Philip Andrew BORNHOLT and Jodie-Ann MURPHY for a diversion pipe and pump on the Macintyre River on Part Lot 18/750503, Parish of Tycawina and Part Lot 26/750476, Parish of Kunopia and two pumps on two unnamed watercourses on Lot 101/43327, Parish of Kunopia, all County of Benarba for irrigation of 324 hectares (cotton and mixed crops). The application replaces an existing authority on "Batavia" for a similar area; the new authority is necessitated due to additional pumping works. (Reference: 90SA11645).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Manager, Resource Access, Tamworth within twenty-eight (28) days as specified in the Act

GEOFF CAMERON,
Manager Resource Access

Department of Land and Water Conservation
PO Box 550
TAMWORTH NSW 2340.

WATER ACT 1912

APPLICATIONS under Part 2, being within a proclaimed (declared) local area under section 10 of the Water Act 1912, as amended.

Applications for licences within the proclaimed local areas as generally described hereunder have been received as follows:

Macintyre-Dumaresq River Valley

John Richard COVENTRY for five (5) pumps on the Dumaresq River on Lot 1/750093 and Lot 7/750093, Parish of Goonian, County of Arrawatta for irrigation of 162 hectares (fodder and grain) and horticulture. To replace an existing entitlement due to additional pumping works. Ref: 90SL100564. GA2493656.

Namoi River Valley

PAUL RAMSAY AGRIBUSINESS PTY LIMITED and OTHERS for a diversion channel and pump on the Mooki River on Lot 55/190974, Parish of Johnston, County of Pottinger for water supply for stock and domestic purposes and irrigation of 73.5 hectares (mixed fodder, cotton, grains). (Permanent transfer of 440 megalitres of volumetric entitlement within Mooki River). Ref: 90SA11644.

Phillip Wilder MORGAN and Fleur Irene MORGAN for a pump on the Mooki River on Lot 22/863714, Parish of Johnston, County of Pottinger for water supply for stock and domestic purposes and irrigation of 28 hectares (cotton, cereals, improved pasture). (Permanent transfer of 200 megalitres of Volumetric entitlement within Mooki River). Ref: 90SL100561.

Phillip Wilder MORGAN for a pump on the Mooki River on Lot 22/863714, Parish of Johnston, County of Pottinger for water supply for stock and domestic purposes and irrigation of 68.5 hectares (cotton, cereals improved pasture). (Permanent transfer of 643 megalitres of volumetric entitlement within Mooki River). Ref: 90SL100562.

Gwydir River Valley

Bernard Anthony Lionel BYRNES for a diversion channel and two pumps on Moomin Creek on Lot 3/750506, Parish of Uranbah, County of Benarba for water supply for stock and domestic purposes and irrigation of 162 hectares (cotton, cereals, fodder). To replace an existing entitlement due to additional pumping works – no increase in allocation. Ref: 90SL100559. GA2493657.

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Manager, Resource Access, Tamworth within 28 days as specified in the Act

GEOFF CAMERON,
Manager Resource Access

Department of Land and Water Conservation
PO Box 550
TAMWORTH NSW 2340

DEPARTMENT OF LAND AND WATER CONSERVATION

FISH RIVER WATER SUPPLY
2001-2002 WATER PRICING

Y01/1009

1. ISSUE

1.1 The Minister's approval is required to set the Fish River Water Supply's Water Price for 2001-2002.

2. BACKGROUND

2.1 The Director General of the Department of Land and Water Conservation is the Administrator of the Fish River Water Supply (FRWS) which supplies bulk water to four major consumers (Delta Electricity, Sydney Catchment Authority, Lithgow Council and Oberon Shire Council). The FRWS also supplies water directly to 200 minor consumers along the pipeline route.

2.2 All consumers are charged on the basis of an agreed minimum annual quantity of water at the applicable water price per kilolitre.

2.3 The water price for FRWS consumers is not subject to IPART determinations. However, the methodologies applied have been informally discussed with IPART.

2.4 Supply of bulk water is GST free to consumers

2.5 The FRWS is subject to an annual Statement of Financial Performance between the Treasurer and the Minister, this ensures that pricing issues are developed in a manner consistent with government policies for trading enterprises such as the FRWS.

2.6 The FRWS is subject to Bi-Annual credit ratings by Standard and Poors, its current rating is "A", Standard and Poors have maintained the "A" rating for the 2001-2002 and 2002- 2003 financial year, after reviewing forward projections for the FRWS, inclusive of pricing strategies.

2.7 Under current Treasury policies trading enterprises are required to implement pricing strategies to achieve a benchmark rate of return on capital of 7.7%, the current rate of return for the FRWS is 3.75%

3. CURRENT POSITION

3.1 It is proposed to increase the price of bulk water to consumers by 5% for the 2001-2002 financial year. This represents a discounted CPI adjustment of 2.5% (discounted in line with Treasury guidelines from an expected annual rate 5%) plus a real increase of 2.5% as part of pricing strategies to increase the rate of return on capital, in line with Treasury requirements.

3.2 The proposed 5% increase will improve the rate of return on capital to 5.29%, still well below the current Treasury benchmark. The benchmark will be achieved as part of future pricing strategies as agreed with Treasury.

3.3 The existing and proposed pricing is lower than comparative sized water Authorities across the State.

4. CONSULTATION/COMMUNICATION

4.1 The price increase has been discussed and recommended by the Board of the Fish River Water Supply at its meeting of 14 June 2001.

5. RECOMMENDATION

5.1 It is recommended that approval be given

(a) to increase 2001-2002 prices as follows:

	Existing Price 2000-2001	**New Price including 5% increase 2001-2002**
Major Consumers	36.28cents/kl	38.09cents/kl
Minor Consumers	47.05cents/kl	49.40cents/kl

(b) Price increases to be effective follows:

Effective from 1 July 2001

Director Corporate Finance

Director General

Minister

Approved and signed by the Minister on 22 June 2001.

Department of Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T01-0133)

No. 1771, JOHN MORTON BRADY, area of 4 units, for Group 1, dated 14 June, 2001. (Wagga Wagga Mining Division).

(C01-0242)

No. 1773, LITHGOW COAL COMPANY PTY LIMITED (ACN 073 632 952), area of 76 hectares, for Group 9, dated 19 June, 2001. (Orange Mining Division).

(T01-0136)

No. 1774, MOUNT ISA MINES LIMITED (ACN 009 661 447), area of 12 units, for Group 1, dated 22 June, 2001. (Cobar Mining Division).

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T00-0163)

No. 1700, now Exploration Licence No. 5867, GOLDEN CROSS OPERATIONS PTY LTD. (ACN 050 212 827), County of Georgiana, Map Sheet (8729), area of 16 units, for Group 1, dated 27 April, 2001, for a term until 26 April, 2003.

(T00-0174)

No. 1711, now Exploration Licence No. 5866, CURRABUBULA HOLDINGS PTY LTD (ACN 001 135 191), County of Buckland, Map Sheet (9035), area of 10 units, for Group 2, dated 12 June, 2001, for a term until 11 June, 2003.

(T01-0107)

No. 1749, now Exploration Licence No. 5865, GOLDEN CROSS OPERATIONS PTY LTD. (ACN 050 212 827), County of Beresford, Map Sheet (8725, 8726), area of 17 units, for Group 1, dated 12 June, 2001, for a term until 11 June, 2003. As a result of the grant of this title, Exploration Licence No. 5695 has ceased to have effect.

MINING LEASE APPLICATION

(C99-0390)

Singleton No. 166, now Mining Lease No. 1487 (Act 1992), COAL OPERATIONS AUSTRALIA LIMITED (ACN 062 894 464), Map Sheet (9033-2-N), area of 3454 hectares, to mine for coal, dated 13 June, 2001, for a term until 12 June, 2022. As a result of the grant of this title, Authorisation No. 168 has partly ceased to have effect.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following application has been withdrawn:

MINING LEASE APPLICATION

(T95-1135)

No. 54, UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), Parish of Puggoon, County of Bligh, (8833-3-N). Withdrawal took effect on 20 June, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications for renewal have been received:

(M81-5695)

Authorisation No. 307, HARTLEY VALLEY COAL COMPANY PTY LTD (ACN 000 185 697), area of 2430 hectares. Application for renewal received 19 June, 2001.

(T97-1198)

Exploration Licence No. 5325, LANCE EDWARD HOWLEY, area of 4 units. Application for renewal received 18 June, 2001.

(C97-0263)

Exploration Licence No. 5497, EXCEL EQUITIES PTY LTD (ACN 071 707 956), area of 4990 hectares. Application for renewal received 21 June, 2001.

(T98-1222)

Exploration Licence No. 5583, TRI ORIGIN AUSTRALIA NL (ACN 062 002 475), area of 71 units. Application for renewal received 19 June, 2001.

(T98-1135)

Exploration Licence No. 5595, SPARK MINING ASSOCIATES PTY LTD (ACN 001 891 167), area of 10 units. Application for renewal received 19 June, 2001.

(T99-0037)

Exploration Licence No. 5597, COMPASS RESOURCES NL (ACN 010 536 820), area of 10 units. Application for renewal received 21 June, 2001.

(C97-0140)

Exploration Licence No. 5599, HENRY WALKER GROUP LIMITED (ACN 007 710 483), area of 1204 hectares. Application for renewal received 20 June, 2001.

(T00-0576)

Mining Purposes Lease No. 103 (Act 1973), RICHARD MALLOUK, area of 2.81 hectares. Application for renewal received 18 June, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T90-0615)

Exploration Licence No. 4003, GEOSERVICES PTY LIMITED (ACN 003 679 043), County of Wellington, Map Sheet (8732), area of 10 units, for a further term until 7 August, 2002. Renewal effective on and from 18 June, 2001.

(C96-2028)

Exploration Licence No. 5337, NEWCASTLE COAL COMPANY PTY LTD (ACN 074 900 208), County of Northumberland, Map Sheet (9232), area of 2397 hectares, for a further term until 7 August, 2003. Renewal effective on and from 19 June, 2001.

(T97-0468)

Mining Lease No. 636 (Act 1973), UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), Parish of Gnupa, County of Auckland, Map Sheet (8824-2-S), area of 19.84 hectares, for a further term until 20 December, 2018. Renewal effective on and from 13 June, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

CANCELLATION OF AN AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following authority has been cancelled:

(T99-0083)

Exploration Licence No. 5677, GOLDEN CROSS OPERATIONS PTY LTD. (ACN 050 212 827), County of Flinders, Map Sheet (8134), area of 27 units. Cancellation took effect on 18 June, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

Department of Urban Affairs and Planning

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – DECLARATION

I, the Minister for Urban Affairs and Planning, in pursuance of section 76A(7)(b) of the Environmental Planning and Assessment Act 1979, having formed the opinion that development as set out in Schedule 1 to this Declaration within land as described in Schedule 2 to this Declaration is of State and regional environmental planning significance, declare such development to be State significant development.

Andrew Refshauge, MP
Minister for Urban Affairs and Planning

Sydney, 12 June 2001

Schedule 1

All development except alterations and additions to existing development which, in the opinion of the Minister in consultation with Council, are of a minor nature and do not to any significant extent, change the scale, size, design or environmental impact of the existing development.

Schedule 2

The property described as being Lot 2 DP 711948, 14-54 Dennistoun Avenue, Yennora, within the Holroyd Local Government Area.

———————————

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

REVOCATION OF NOTIFICATION PLACING LAND UNDER CARE, CONTROL AND MANAGEMENT OF THE COUNCIL OF BLUE MOUNTAINS

Pursuant to Section 11 of the Environmental Planning and Assessment Act, 1979, the notification made by the Department of Urban Affairs and Planning published in Government Gazette of 8 December, 1978 placing the land under the care, control and management of the Council of Blue Mountains is revoked as regards to the land described in the Schedule below

Dated at Sydney this 29th June, 2001.

D Patenall
Executive Director
Corporate & Business Management
Department of Urban Affairs & Planning

SCHEDULE

All those pieces or parcels of land situated in the Blue Mountains Local Government area, Parish of Nepean and County of Cook being the whole of land in Certificates of Title Folio Identifier 45/218217, 1/319691, 2/319691, A/311334, 1/589913, 64/571333, 68/751660 and Volume 3704 Folio 7 being Lot 3 DP 665564.

Canterbury Local Environmental Plan No 193

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S99/01777/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Canterbury Local Environmental Plan No 193

1 Name of plan

This plan is *Canterbury Local Environmental Plan No 193*.

2 Aims of plan

This plan aims to introduce specific controls and matters for consideration for the redevelopment of certain environmentally and visually sensitive land along the foreshores of the Cooks River.

3 Land to which plan applies

This plan applies to land situated in the City of Canterbury, known as Wills Oval, Earlwood, at 17 and 17A Wardell Road, Earlwood, and being Lots 1 and 2 in DP 546260, as shown edged heavy black on the map marked "Canterbury Local Environmental Plan No 193" deposited in the office of the Council of the City of Canterbury.

4 Amendment of Canterbury Planning Scheme Ordinance

Canterbury Planning Scheme Ordinance is amended by inserting after clause 62L the following matter:

62M Development of land known as Wills Oval, 17 and 17A Wardell Road, Earlwood

(1) This clause applies to land known as Wills Oval, No. 17 and 17A Wardell Road, Earlwood, as shown edged heavy black on the map marked "Canterbury Local Environmental Plan No. 193".

(2) Despite any other provisions in this Ordinance, the Council may grant consent to the development of land to which this clause applies only where:

(a) the existing sports playing area (or fields occupying a similar area in the same place) will be retained, and

(b) no buildings, other than ancillary sport associated structures such as scoreboards, sight screens and goal posts, will be located outside of the area shown by distinctive shading on the map referred to in subclause (1), and

(c) principal vehicular and pedestrian access will be obtained from Wardell Road, and

(d) the Lang Road entrance to the land will be used for pedestrian and emergency vehicular access only, and

(e) the floor level of any buildings will be at least 100 mm above the 1 in 100 year flood level, and

(f) the maximum height of any buildings will not exceed 6.5 metres above existing ground level, measured to the ceiling of the topmost floor, and

(g) any building is set back a minimum of 3 metres from Wardell Road and Lang Road.

(3) Before it grants consent referred to in subclause (2), the Council must be satisfied that the proposed development:

(a) retains the open character of the site, and

(b) maintains and enhances views to, from and across the site, and

(c) protects the environment of the Cooks River by preventing disturbance of acid sulphate soils, and

(d) protects the amenity of adjacent and nearby residential properties, and

(e) will not cause any excessive spillage of light into adjoining and nearby residential properties.

Grafton Local Environmental Plan 1988 (Amendment No 27)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G98/00248/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Grafton Local Environmental Plan 1988 (Amendment No 27)

1 Name of plan

This plan is *Grafton Local Environmental Plan 1988 (Amendment No 27)*.

2 Aims of plan

This plan aims:

(a) to rezone that part of the subject land that is zoned Rural 1 (a) to Living Area 2 (a) zone under the *Grafton Local Environmental Plan 1988* and to retain that part of the subject land that is zoned Rural (Flood Liable) 1 (d) in the same zone, and

(b) to allow, with consent, the land to be subdivided for residential purposes, subject to consideration of:

(i) potential soil contamination issues, and

(ii) public access to the Clarence River and riparian zone, and revegetation of the public access corridor to the River and riparian zone, and

(iii) the location of any sewage treatment works.

3 Land to which plan applies

This plan applies to land being Lot 12 DP 849490, Kirchner Street, Grafton, as shown by distinctive colouring and edged heavy black on the map marked "Grafton Local Environmental Plan 1988 (Amendment No 27)" deposited in the office of the Council of the City of Grafton.

4 Amendment of Grafton Local Environmental Plan 1988

Grafton Local Environmental Plan 1988 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order in the definition of ***the map***:

Grafton Local Environmental Plan 1988 (Amendment No 27)

[2] Clause 41

Insert after clause 40:

41 Land in Kirchner Street, Grafton—restrictions on development

(1) This clause applies to land being Lot 12 DP 849490, Kirchner Street, Grafton as shown by distinctive colouring and edged heavy black on the map marked "Grafton Local Environmental Plan 1988 (Amendment No 27)" deposited in the office of the Council.

(2) Consent must not be granted for development on land to which this clause applies unless the Council is satisfied that:

(a) the land does not contain chemical residues in soil exceeding the acceptable thresholds for residential habitation of that land, and

(b) a continuous corridor of land at least 50 metres wide has been identified for use for the general public to gain access across the subject land to the Clarence River, and

(c) arrangements are in place to revegetate that corridor of land with suitable endemic riparian vegetation, and

(d) any residential development will be located at least 400 metres from any sewage treatment works.

Hornsby Shire Local Environmental Plan 1994 (Amendment No 60)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S00/01331/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Hornsby Shire Local Environmental Plan 1994 (Amendment No 60)

1 Name of plan

This plan is *Hornsby Shire Local Environmental Plan 1994 (Amendment No 60)*.

2 Aims of plan

This plan aims to implement some of the recommendations of the *Epping Commercial Centre Masterplan* within Hornsby Shire by increasing the floor space ratio applicable to the development on land adjacent to Langston Place, Epping, provided that appropriate development standards are observed.

3 Land to which plan applies

This plan applies to land within the Hornsby local government area, fronting Langston Place, Epping, as shown edged heavy black on the diagram identified as "Diagram 14" appearing in Schedule 1.

4 Amendment of Hornsby Shire Local Environmental Plan 1994

Hornsby Shire Local Environmental Plan 1994 is amended in the manner set out in Schedule 1.

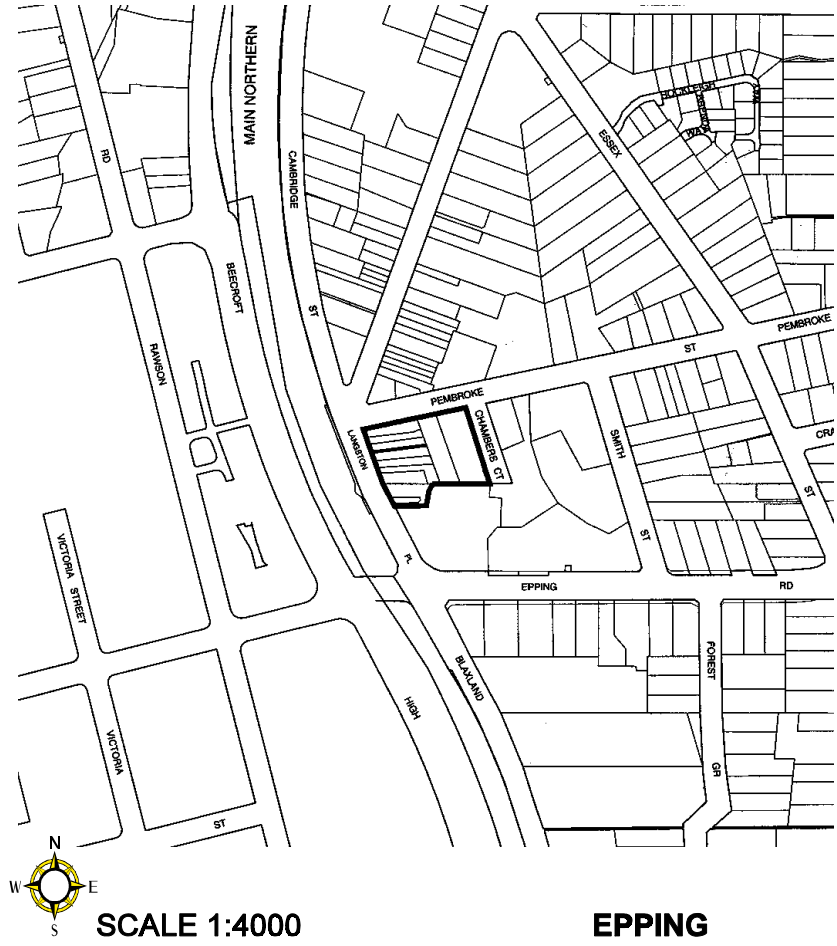
Schedule 1 Amendment

(Clause 4)

Schedule B

Insert before the matter relating to Diagram 16:

Diagram 14



The floorspace ratio in respect of the land shown edged heavy black on Diagram 14:

(a) may exceed 1:1, but must not exceed 1.5:1 where the site area is greater than 1,000m^2 and less than 2,000m^2, and

(b) may exceed 1:1, but must not exceed 2:1 where the site area is 2,000m^2 or more,

subject to the proposed development satisfying the following:

(c) the development must retain existing front facades to Langston Place, as nominated by the *Business Lands Development Control Plan* adopted by the Council on 18 December 2000, and

(d) the development must involve the provision of a rear access lane from Pembroke Street, and

(e) the development must comply with the development standards of the *Business Lands Development Control Plan*, including the principles of the *Epping Commercial Centre Masterplan* embodied in that Plan, adopted by the Council on 18 December 2000.

Leeton Local Environmental Plan No 40

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/00102/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 25 June 2001

Leeton Local Environmental Plan No 40

1 Name of plan

This plan is *Leeton Local Environmental Plan No 40*.

2 Aims of plan

This plan aims to allow, with the consent of Leeton Shire Council, the carrying out of development for the purposes of tourist facilities and commercial premises on the land to which this plan applies.

3 Land to which plan applies

This plan applies to Lot 14, Section 57, DP 758606, known as 12 Yanco Avenue, Leeton.

4 Amendment of Leeton Local Environmental Plan No 4

Leeton Local Environmental Plan No 4 is amended by inserting at the end of Schedule 6 the following matter:

Lot 14, Section 57, DP 758606, known as 12 Yanco Avenue, Leeton—tourist facilities and commercial premises.

Penrith Local Environmental Plan No 258—Consent for Dwelling Houses and Other Development

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P01/00126/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

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Penrith Local Environmental Plan No 258—Consent for Dwelling Houses and Other Development

1 Name of plan

This plan is *Penrith Local Environmental Plan No 258—Consent for Dwelling Houses and Other Development*.

2 Aims of plan

This plan aims to:

(a) require development consent for dwelling houses on residentially zoned land within the City of Penrith, and

(b) require development consent for dwelling houses on land within the Non-urban zone under the *Penrith Planning Scheme Ordinance* and on land within the Special Business zone under *Penrith Local Environmental Plan 1997 (Penrith City Centre)*, and

(c) require development consent for dwelling houses attached to and used in conjunction with shops on land within the Neighbourhood Business zone under the *Penrith Planning Scheme Ordinance*, and

(d) require development consent for the following:

(i) the erection of a building or structure ordinarily associated with a dwelling house,

(ii) a change of building use,

Note. At the commencement of this plan, a ***change of building use*** meant a change of use of a building from a use that the *Building Code of Australia* recognises as appropriate to one class of building to a use that the *Building Code of Australia* recognises as appropriate to a different class of building.

(iii) demolition of a building or structure,

(iv) carrying out structural alterations to a building, internal alterations to a building, or external building work in association with business premises, a bed and breakfast establishment, office premises, commercial premises or take away food shops,

(v) the subdivision of land,

to the extent to which such development does not already require development consent because of another environmental planning instrument in order to be carried out.

3 Land to which plan applies

This plan applies to all land within the City of Penrith.

4 Relationship to other environmental planning instruments

(1) In the event of an inconsistency between this plan and any other local environmental planning instrument or deemed environmental planning instrument, this plan shall prevail to the extent of the inconsistency, subject to section 36 (4) of the Act.

(2) This plan amends:

(a) *Penrith Planning Scheme Ordinance* in the manner set out in Schedule 1,

(b) *Penrith Local Environmental Plan 1997 (Penrith City Centre)* in the manner set out in Schedule 2, and

(c) *Penrith Local Environmental Plan 1998 (Urban Land)* in the manner set out in Schedule 3.

(3) This plan does not affect the application of:

(a) *State Environmental Planning Policy No 3—Castlereagh Liquid Waste Disposal Depot*,

(b) *State Environmental Planning Policy No 27—Prison Sites*,

(c) *Sydney Regional Environmental Plan No 9—Extractive Industry*,

(d) *Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme*,

(e) *Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)*,

(f) *Sydney Regional Environmental Plan No 30—St Marys*, or

(g) *Penrith Local Environmental Plan No 255—Exempt and Complying Development*,

to land to which this plan applies.

5 Definitions

(1) In this plan:

a building or structure ordinarily associated with a dwelling house means a garage, carport, pergola, swimming pool, and the like, and includes alterations and additions to an existing dwelling house.

change of building use has the same meaning as in the Act.

Note. At the commencement of this plan, a ***change of building use*** meant a change of use of a building from a use that the *Building Code of Australia* recognises as appropriate to one class of building to a use that the *Building Code of Australia* recognises as appropriate to a different class of building.

dwelling means a room or number of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as a separate domicile.

dwelling house means a dwelling which is the only dwelling erected on an allotment of land.

subdivision of land has the same meaning as in the Act.

the Act means the *Environmental Planning and Assessment Act 1979*.

(2) The list of contents and notes in this plan are not part of this plan.

6 Dwelling houses require development consent

(1) The erection of a dwelling house must not be carried out without development consent.

(2) This clause applies to residentially zoned land within the City of Penrith.

(3) This clause applies if the development:

(a) does not require development consent because of another environmental planning instrument, and

(b) is not prohibited by another environmental planning instrument.

7 Miscellaneous development that requires development consent

(1) The following development must not be carried out without development consent:

(a) erection of a building or structure ordinarily associated with a dwelling house, or

(b) development that results in a change of building use, or

(c) demolition of a building or structure, or

(d) structural, internal or external building work in association with business premises, a bed and breakfast establishment, office premises, commercial premises or take away food shops.

(2) This clause applies if the development:

(a) does not require development consent because of another environmental planning instrument, and

(b) is not prohibited by another environmental planning instrument, and

(c) is not identified in *Penrith Local Environmental Plan No 255—Exempt and Complying Development* as exempt development, and

(d) does not involve Crown building work as defined in section 116G of the Act.

8 Subdivisions require development consent

(1) A subdivision of land must not be carried out without development consent.

(2) This clause applies if the subdivision of land:

(a) does not require development consent because of another environmental planning instrument, and

(b) is not prohibited by another environmental planning instrument, and

(c) is not identified in *Penrith Local Environmental Plan No 255—Exempt and Complying Development* as exempt development, and

(d) does not involve Crown building work as defined in section 116G of the Act.

Schedule 1 Amendment of Penrith Planning Scheme Ordinance

(Clause 4 (2) (a))

[1] Clause 4 Interpretation

Omit the definition of ***Country dwelling***.

[2] Clause 26 Erection or use of buildings or works

Omit "country dwellings;" from Column III for Zone No 1 of the Table to the clause.

[3] Clause 26, Table

Omit "dwelling-houses other than country dwellings and rural dwellings;" from Column V for Zone No 1.

[4] Clause 26, Table

Omit "Dwelling-houses other than semi-detached and terrace buildings." from Column III for Zone No 2 (a).

[5] Clause 26, Table

Omit "Residential buildings." from Column III for Zone No 2 (b).

[6] Clause 26, Table

Omit "Dwelling-houses other than semi-detached or terrace buildings." from Column III for Zone No 2 (c).

[7] Clause 26, Table

Omit "; dwelling-houses attached to and used in conjunction with shops" from Column III for Zone No 3 (c).

[8] Clause 26, Table

Omit "Purposes" from Column IV for Zone No 3 (c).

Insert instead "Buildings or other structures ordinarily associated with dwelling houses; changes of building use (as defined in the *Environmental Planning and Assessment Act 1979*); dwelling-houses attached to and used in conjunction with shops; demolition of buildings or other structures; land uses and premises".

[9] Clause 26, Table

Insert "; structural or internal alterations to, or external building work in association with, commercial premises or refreshment rooms" after "roads" in Column IV for Zone No 3 (c).

[10] Clause 38 Development in residential zones

Omit the clause.

[11] Clause 46 Variation of area required for country dwelling

Omit the clause.

Schedule 2 Amendment of Penrith Local Environmental Plan 1997 (Penrith City Centre)

(Clause 4 (2) (b))

[1] Clause 9 Zone objectives and development control table

Omit from item (b) (i) **Without development consent** for Zone No 2 (f) in the Development Control Table:

- dwelling-houses

[2] Clause 9, table

Insert in alphabetical order in item (b) (ii) **Only with development consent** for Zone No 2 (f):

- buildings or other structures ordinarily associated with dwelling-houses
- demolition of buildings or other structures
- dwelling-houses

[3] Clause 20 Development of land within Zone No 3 (a)

Insert "where the new use does not involve structural or internal alterations or external building works" after the words "or take away food shops".

Schedule 3 Amendment of Penrith Local Environmental Plan 1998 (Urban Land)

(Clause 4 (2) (c))

[1] Clause 9 Zone objectives and development control table

Omit wherever occurring from item (b) (i) **Without development consent** for Zones Nos 2 (a1), 2 (a), 2 (b), 2 (c), 2 (d) and 2 (e) in the Development Control Table:

- dwelling houses

[2] Clause 9, table

Insert in alphabetical order in item (b) (ii) **Only with development consent** for Zones Nos 2 (a1), 2 (a), 2 (b), 2 (c), 2 (d) and 2 (e):

- buildings or other structures ordinarily associated with dwelling houses
- changes of building use (as defined in the Act)
- demolition of buildings or other structures
- dwelling houses
- internal structural work in bed and breakfast establishments

[3] Clause 9, table

Insert in alphabetical order in item (b) (ii) **Only with development consent** for Zones Nos 2 (r) and 2 (r1):

- buildings or other structures ordinarily associated with dwelling houses
- changes of building use (as defined in the Act)
- demolition of buildings or other structures
- structural or internal alterations to bed and breakfast establishments

[4] Clause 9, table

Insert in alphabetical order in item (b) (ii) **Only with development consent** for Zone No 3 (f):

- changes of building use (as defined in the Act)
- demolition of buildings or other structures
- external building work associated with an existing land use carried out with consent
- structural or internal alterations to a building or other structure erected with consent or building approval

Pittwater Local Environmental Plan 1993 (Amendment No 56)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/00487/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Pittwater Local Environmental Plan 1993 (Amendment No 56)

1 Name of plan

This plan is *Pittwater Local Environmental Plan 1993 (Amendment No 56)*.

2 Aims of plan

(1) This plan aims to reclassify the Council owned public land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.

(2) This plan incidentally makes more extensive provisions in *Pittwater Local Environmental Plan 1993* for the classification or reclassification of public land as operational land as a consequence of major changes to the statutory scheme in section 30 (Reclassification of community land as operational) of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to certain land within the local government area of Pittwater, being Lot 267, DP 27013, 205 Powderworks Road, Elanora Heights, as shown edged heavy black on the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 56)" deposited in the office of Pittwater Council.

4 Amendment of Pittwater Local Environmental Plan 1993

Pittwater Local Environmental Plan 1993 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 54

Omit the clause. Insert instead:

54 Classification and reclassification of public land as operational land

(1) The public land described in Schedule 13 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.

(2) The amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993* do not apply to the land described in Part 1 of Schedule 13.

(3) Land described in Part 2 of Schedule 13:

(a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and

(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as operational land.

(4) Land described in Columns 1 and 2 of Part 3 of Schedule 13, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except those (if any) specified opposite the land in Column 3 of Part 3 of Schedule 13.

(5) In this clause, ***the relevant amending plan***, in relation to land described in Part 3 of Schedule 13, means the local environmental plan cited at the end of the description of the land.

(6) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 13, the Governor approved of subclause (4) applying to the land.

[2] Schedule 13 Classification and reclassification of public land as operational land

Insert after the heading to the Schedule:

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

[3] Schedule 13, Parts 2 and 3

Insert at the end of the Schedule the following Parts:

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests not changed

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Column 1 Locality	Column 2 Description	Column 3 Trusts etc not discharged
Elanora Heights		
205 Powderworks Road	Lot 267, DP 27013, as shown edged heavy black on the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 56)"—*Pittwater Local Environmental Plan 1993 (Amendment No 56)*	Nil.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 183)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (W00/00131/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 183)

1 Name of plan

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 183)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from the Residential "A1" Zone to the Business "F" (Village) Zone under *City of Shoalhaven Local Environmental Plan 1985* so as to allow the carrying out of development for the purposes of a village green and associated commercial uses.

3 Land to which plan applies

This plan applies to land situated in the City of Shoalhaven, being Lot 2, DP 875432, Wason Street, Milton, as shown edged heavy black on the map marked "City of Shoalhaven Local Environmental Plan 1985 (Amendment No 183)" deposited in the office of the Council of the City of Shoalhaven.

4 Amendment of City of Shoalhaven Local Environmental Plan 1985

City of Shoalhaven Local Environmental Plan 1985 is amended by inserting in appropriate order in the definition of ***the map*** in clause 6 (1) the following words:

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 183)

Sutherland Shire Local Environmental Plan 2000 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/00054/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sutherland Shire Local Environmental Plan 2000 (Amendment No 4)

1 Name of plan

This plan is *Sutherland Shire Local Environmental Plan 2000 (Amendment No 4)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone 2 (a1) Residential to Zone 6 (a) Public Recreation under *Sutherland Shire Local Environmental Plan 2000*.

3 Land to which plan applies

This plan applies to Lots 1–5, DP 208312, and known respectively as Nos 1150, 1152, 1154, 1156 and 1158 Old Princes Highway, Engadine, as shown edged heavy black on the map marked "Map 10: 1150–1158 Old Princes Highway" deposited in the office of Sutherland Shire Council.

4 Amendment of Sutherland Shire Local Environmental Plan 2000

Sutherland Shire Local Environmental Plan 2000 is amended by inserting in Schedule 7 in numerical order of maps the following map:

Map 10: 1150-1158 Old Princes Highway

Location ENGADINE

6 (a) Public Recreation

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

GREATER TAREE LOCAL ENVIRONMENTAL PLAN 1996 (Amendment No. 45)

I, the Minister for Urban Affairs and Planning, in pursuance of Section 70 of the Environmental Planning and Assessment Act 1979, make the local environmental plan set out hereunder. (G96/00380/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning.

Sydney, 25 June 2001.

Name of plan

1 . This plan is named Greater Taree Local Environmental Plan 1995 (Amendment No. 45)

Aims, objectives etc.

2. This plan aims to enable part of the land to be developed for rural residential and compatible agricultural activities and to protect environmentally sensitive areas by rezoning part of the land to Rural Residential and part of the land to Environmental Protection Habitat under Greater Taree Local Environmental Plan 1995.

Land to which plan applies

3. This plan applies to land fronting Bungay Road, Wingham, as shown edged heavy black on the map marked "Greater Taree Local Environmental Plan 1995 (Amendment No. 45)" held in the office of the Greater Taree City Council.

Relationship to other environmental planning instruments

4. This plan amends Greater Taree Local Environmental Plan 1995 in the manner set out in clause 5.

Amendment of Greater Taree Local Environmental Plan 1995

5. Greater Taree Local Environmental Plan 1995 is amended by inserting, in appropriate order, at the end of the definition of "the map" in clause 4(1) the following words:

Greater Taree Local Environmental Plan 1995 (Amendment No. 45)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 1991 (AMENDMENT No. 38)

I, the Minister for Urban Affairs and Planning, in pursuance of section 70 of the Environmental Planning and Assessment Act 1979, make the local environmental plan set out hereunder. (P99/00550/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning.

Sydney, 25 June 2001

Citation

1. This plan may be cited as Wollondilly Local Environmental Plan 1991 (Amendment No. 38).

Aims, objectives etc.

2. This plan aims:

(a) to permit with the consent of Wollondilly Shire Council the erection of dwellings on land within Zones Nos l(al), (la2), l(a3), l(b), l(cl)(i), 1(c2), 5(cl), 5(c2) and 7(d) where the subject allotment was part of a subdivision approved by the Council; and

(b) to permit the erection of a dwelling - house on land within Zone No. 7(c), where a dwelling - house could have been lawfully & physically erected, prior to 20 September 1996.

Land to which plan applies

3. This plan applies to all land within Zones Nos. l(al), 1(a2), l(a3), l(b), l(cl)(i), 1(c2), 5(cl), 5(c2), 7(c) and 7(d) under Wollondilly Local Environmental Plan 1991.

Relationship to other environmental planning instruments

4. This plan amends Wollondilly Local Environmental Plan 1991 in the manner set out in clause 5.

Amendment of Wollondilly Local Environmental Plan 1991

5. Wollondilly Local Environmental Plan 1991 is amended:

(a) by omitting from the heading to clause 13 the matter "and 5 (c2)" and by inserting instead the matter ", 5 (c2) and 7 (d)";

(b) by omitting from Clause 13 (1) the matter "or 5 (c2)" and by inserting instead the matter ",5(c2) or 7(d)";

(c) by omitting from clause 13 (3) the matter "(8)" and by inserting the matter "(9)";

(d) by inserting after clause 13 (8) the following subclause:

(9) Notwithstanding any other provision of this plan Council may consent to the erection of a dwelling - house on an allotment created under this plan

(e) by inserting in clause 13B (1) (a) after the matter "7" the matter "(c)";

(f) by inserting after clause 13B (2) the following subclause:

(2A) Notwithstanding subclause (2) a dwelling - house may, with the consent of the council, be erected on any allotment of land within Zone No. 7(c) which was an existing lot in a current plan (within the meaning of the *Conveyancing Act* 1919) at 20 September 1996, and on which, in the opinion of the council, a dwelling house could have been erected.

Wyong Local Environmental Plan 1991 (Amendment No 131)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N99/00002/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 25 June 2001 2001

Wyong Local Environmental Plan 1991 (Amendment No 131)

1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 131)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to Zone No 2 (b) (the Multiple Dwelling Residential Zone) under *Wyong Local Environmental Plan 1991*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Wyong, being land at Johns Road, Wadalba, as shown edged heavy black and lettered "2 (b)" on the map marked "Wyong Local Environmental Plan 1991 (Amendment No 131)" deposited in the office of Wyong Council.

This plan does not apply to land shown edged heavy black, hatched and marked "Deferred matter" on that map, being land that is deferred matter within the meaning of section 68 (5) and (6) of the *Environmental Planning and Assessment Act 1979*.

4 Amendment of Wyong Local Environmental Plan 1991

Wyong Local Environmental Plan 1991 is amended by inserting in appropriate order in the definition of ***the map*** in clause 7 (1) the following words:

Wyong Local Environmental Plan 1991 (Amendment No 131)

Roads and Traffic Authority

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999 – ORDER

(LS) MARIE BASHIR, Governor.

I, Professor Marie Bashir, AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of the Road Transport (Safety and Traffic Management) Act 1999 do, by this my Order, approve of the following type of speed measuring device described hereunder as being designed to measure the speed at which a vehicle is travelling and which device will be used in conjunction with, or will form part of, an approved digital camera recording device.

Type of device:

The speed measuring device, ***Redflex Smartcam SDCM*** **(also known as *Redflex SDCM SMD).***

Signed and sealed at Sydney, this 27th day of June, 2001.

By Her Excellency's Command,

CARL SCULLY, M.P.,
Minister for Roads

EXPLANATORY NOTE

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999. ORDER

Section 44 of the Road Transport (Safety and Traffic Management) Act 1999 provides that any type of 'approved speed measuring device' (designed to measure the speed at which a vehicle is travelling) requires an order approved by the Governor and published in the New South Wales Government Gazette. The Attorney General must concur to any recommendation seeking such an approval (section 44(2) of the Act).

The attached Order describes the speed measuring device, *Redflex Smartcam SDCM* (also known as *Redflex SDCM SMD*) as a type of speed measuring device that will be used in conjunction with, or form part of, an approved digital camera recording device.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999 – ORDER

(LS) MARIE BASHIR, Governor.

I, Professor Marie Bashir, AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of the Road Transport (Safety and Traffic Management) Act 1999 do, by this my Order, approve of the following type of speed measuring device described hereunder as being designed to measure the speed at which a vehicle is travelling and which device will be used in conjunction with, or will form part of, an approved digital camera recording device.

Type of device:

The speed measuring device, ***Traffipax SMD*** **(also referred to as *Traffipax Speed Camera TPH V HUB*)**

Signed and sealed at Sydney, this 27th day of June, 2001.

By Her Excellency's Command,

CARL SCULLY, M.P.,
Minister for Roads

EXPLANATORY NOTE

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999. ORDER

Section 44 of the Road Transport (Safety and Traffic Management) Act 1999 provides that any type of 'approved speed measuring device' (designed to measure the speed at which a vehicle is travelling) requires an order approved by the Governor and published in the New South Wales Government Gazette. The Attorney General must concur to any recommendation seeking such an approval (section 44(2) of the Act).

The attached Order describes the speed measuring device, *Traffipax SMD* (also referred to as *Traffipax Speed Camera TPH V HUB*) as a type of speed measuring device that will be used in conjunction with, or form part of, an approved digital camera recording device.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999 – ORDER

(LS) MARIE BASHIR, Governor.

I, Professor Marie Bashir, AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of the Road Transport (Safety and Traffic Management) Act 1999 do, by this my Order, approve of the following type of digital camera recording device described hereunder as being designed for use with an approved speed measuring device and which is capable of recording images in the form of digitalised, electronic or computer-generated images.

Type of device:

***Traffipax TPH V HUB* (also known as *Traffipax Speed Camera Type TPH V HUB*)**

Signed and sealed at Sydney, this 27th day of June, 2001.

By Her Excellency's Command,

CARL SCULLY, M.P.,
Minister for Roads

EXPLANATORY NOTE

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999. ORDER

Section 45 of the Road Transport (Safety and Traffic Management) Act 1999 provides that any type of 'approved camera recording device' (designed for use with an approved measuring device for the purpose of taking photographs of vehicles being driven in excess of the speed limits) which is capable of taking photographs in the form of digitised, electronic, or computer-generated images requires an order approved by the Governor and published in the New South Wales Government Gazette.

The attached Order describes the *Traffipax TPH V HUB* (also known as *Traffipax Speed Camera Type TPH V HUB*) as a type of approved digital camera recording device.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999 – ORDER

(LS) MARIE BASHIR, Governor.

I, Professor Marie Bashir, AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of the Road Transport (Safety and Traffic Management) Act 1999 do, by this my Order, approve of the following type of digital camera recording device described hereunder as being designed for use with an approved speed measuring device and which is capable of recording images in the form of digitalised, electronic or computer-generated images.

Type of device:

***Redflex Smartcam SDCM* (also known as *SmartCam Speed*)**

Signed and sealed at Sydney, this 27th day of June, 2001.

By Her Excellency's Command,

CARL SCULLY, M.P.,
Minister for Roads

EXPLANATORY NOTE

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999. ORDER

Section 45 of the Road Transport (Safety and Traffic Management) Act 1999 provides that any type of 'approved camera recording device' (designed for use with an approved measuring device for the purpose of taking photographs of vehicles being driven in excess of the speed limits) which is capable of taking photographs in the form of digitised, electronic, or computer-generated images requires an order approved by the Governor and published in the New South Wales Government Gazette.

The attached Order describes the *Redflex Smartcam SDCM* (also known as *SmartCam Speed*) as a type of approved digital camera recording device.

ROAD TRANSPORT (DRIVER LICENSING) ACT 1998

Notice Fixing Fees

I, PAUL JOHN FORWARD, Chief Executive of the Roads and Traffic Authority, pursuant to section 10 of the Road Transport (Driver Licensing) Act 1998 and clause 60 of the Road Transport (Driver Licensing) Regulation 1999, FIX the fees set out in the Schedule to this Notice in respect of the services appearing adjacent to them.

This Notice takes effect on 1 July 2001.

PAUL FORWARD
Chief Executive
Roads and Traffic Authority

NOTE: This Notice replaces the Notice published in NSW Government Gazette No. 81 of 30 June 2000 at 5890

SCHEDULE

		$
1.	Sound Advice	9
2.	CBA Assessors Course	801
3.	Motorcycle Riding Instructor Training Course	513
4.	Learner Replacement Logbook.....	11

ROAD TRANSPORT (VEHICLE REGISTRATION) ACT 1997

Notice Fixing Fees

I, PAUL JOHN FORWARD, Chief Executive of the Roads and Traffic Authority, pursuant to section 8(1)(k) of the Road Transport (Vehicle Registration) Act 1997 and clause 79 of the Road Transport (Vehicle Registration) Regulation 1998, FIX the fees set out in Column 2 of the Schedule to this Notice in respect of the services shown opposite to them in Column 1 of that Schedule.

This Notice takes effect on 1 July 2001.

PAUL FORWARD
Chief Executive
Roads and Traffic Authority

NOTE: This Notice replaces the Notice published in NSW Government Gazette No. 81 of 30 June 2000 at pages 5887 to 5889

SCHEDULE

	COLUMN 1	COLUMN 2 - $
1.	Duplicate certificate of registration	15
2.	Duplicate identification label for trader's plate	15
3.	Duplicate registration label	15
4.	Issue of 1 number-plate or 2 number-plates with the same number (not being a number-plate issued in respect of a motor cycle)	21
5.	Issue of 1 number-plate issued in respect of a motor cycle	20
6.	Issue of a bicycle rack number-plate or issue of a bicycle rack number-plate in substitution for a surrendered bicycle rack number plate	28
7.	Issue of 1 number-plate or 2 number-plates in pressed steel with the same number (not being a number that comprises 1 to 6 numerals only) in substitution for 1 surrendered number-plate or 2 surrendered number-plates with the same number	29
8.	Issue of 1 number-plate or 2 number-plates in specially styled pressed aluminium, with the same number (not being a number that comprises 1 to 6 numerals only) in substitution for 1 surrendered number-plate or 2 surrendered number-plates with the same number	42

COLUMN 1		COLUMN 2 - $
9.	Issue of 1 number-plate or 2 number-plates with the same number (being a number that comprises 1 to 6 numerals only) in substitution for 1 surrendered number-plate or 2 surrendered number-plates with the same number.....	29
10.	Issue of 1 number-plate or 2 number-plates with the same number specially coated with vitreous enamel (being a number that comprises 1 to 6 numerals only) in substitution for 1 surrendered number-plate or 2 surrendered number-plates with the same number	118
11.	Interchange of number-plates between vehicles	21
12.	Number-plates held in reserve - for each period of 12 months or part of 12 months in excess of 21 day	21
13.	Book of inspection reports for issue at authorised inspection station:	
	(a) book containing 25 reports	20
	(b) book containing 100 reports	71
14.	Copy of rules for authorised inspection station	48
15.	Certificate from records pursuant to Clause 15(6)	20
16.	Information from records (other than a certificate pursuant to Clause 15(7))...	15
17.	Custom made Number-Plates:	
	i) Annual fee.....	361
	ii) Quarterly fee..	89
	iii) Deposit (paid on original application only and deducted from initial fee).....	30
	iv) Transfer of right to display plates	136
18.	Transfer of Numeral only plates - Vehicle Plates:	
	i) Category 1, 1 digit plate	6851
	ii) Category 2, 2 digit plate	2740
	iii) Category 3, 3 digit plate	1370
	iv) Category 4, 4 digit plate	685
	v) Category 5, 5 digit plate	273
	vi) Category 6, 6 digit plate	135
19	Motorcycle Plates	
	i) Category 1, 1 digit plate	1370
	ii) Category 2, 2 digit plate	273
	iii) Category 3, 3 digit plate	135
	iv) Category 4, 4 digit plate	100
	v) Category 5, 5 digit plate	67
	vi) Category 6, 6 digit plate	33
20.	Issue of Personalised Plates	161
21.	Issue of Premium Plates	58

COLUMN 1		COLUMN 2 - $
22.	Issue of Personalised Premium Plates	178
23.	Packing & Posting - Plates	17
24.	Packing & Posting - Inspection Report Books	15
25.	Fee for Cancellation of Registration	19
26	Permit to use unregistered vehicle	15
27.	Issue of Centenary of Federation Plates	50
28.	Remade Plates - Centenary of Federation	60
29.	Issue of Personalised Centenary of Federation Plates	158
30.	Issue of Limited Edition Centenary of Federation Plates	500
31.	Remade Plates - Limited Edition Centenary of Federation Plates	75

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition and Dedication as Public Road of Land at Chullora in the Strathfield Municipal Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993 and further dedicates the land as Public Road under Section 10 of the Roads Act 1993.

D J Lorschy
Manager Statutory Processes
Roads and Traffic Authority
of New South Wales

_____

SCHEDULE

All that piece or parcel of land situated in the Strathfield Municipal Council area, Parish of Bankstown, County of Cumberland, shown as Lot 38 Deposited Plan 221900, being part of the land remaining in Certificate of Title Volume 4713 Folio 72.

The land is said to be in the possession of the State Rail Authority of New South Wales.

(RTA Papers 1M2074; RO 2/409.11053)

Sydney Water

SEWER MAINS

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF FAIRFIELD, AT FAIRFIELD WEST: CONTRACT NUMBER 971819S8, PROJECT NUMBER 3001607. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING CURREY PLACE AND SULLIVAN STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

CLAUDIO FILIPPI,
Developer Activity Officer
Liverpool Commercial Centre

29 June 2001.

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, AT CARNES HILL: CONTRACT NUMBER 971957S5, PROJECT NUMBER 3001936. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING PROPERTIES IN WINGATE AVENUE, PROUT LANE AND GOULD LANE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

PETER ALLEN,
Developer Activity Officer
Liverpool Commercial Centre

29 June 2001.

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

FAIRFIELD CITY COUNCIL, AT ABBOTSBURY: CONTRACT NUMBER 973675S2, PROJECT NUMBER 3002185. LINES 1 AND 2 AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING THORPE PLACE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MITKO BALALOVSKI,
Developer Activity Officer
Urban Development
Liverpool Regional Office

29 June 2001.

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF WOLLONGONG, AT HELENSBURGH: CONTRACT NUMBER 970469S2, PROJECT NUMBER 3001946. LINE 1 AND SIDELINE 1 AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING LAURINA AVENUE AND PARKES STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARGARET McTAINSH,
Developer Activity Officer
Illawarra

29 June 2001.

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF BLUE MOUNTAINS, AT WARRIMOO: CONTRACT NUMBER 973531SB, PROJECT NUMBER 3001913. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING GREAT WESTERN HIGHWAY AND BADEN PLACE.

CITY OF PENRITH, AT EMU PLAINS: CONTRACT NUMBER 483385F2, PROJECT NUMBER 3002242. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING RIVER ROAD AND WARRING AVENUE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

ROBERT ROACH,
Developer Activity Officer
Blacktown Commercial Centre

29 June 2001.

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF BLACKTOWN, AT KINGS LANGLEY: CONTRACT NUMBER 968384S1, PROJECT NUMBER 3001625. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING HODGES AND FLINT STREETS.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: CONTRACT NUMBER 968898S2, PROJECT NUMBER 3001689. LINES 1 TO 3, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING CARMELO COURT AND ROSEBERY ROAD.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: CONTRACT NUMBER 968359S8, PROJECT NUMBER 3001600. LINES 1 TO 7, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING RIALTO PLACE AND ROSEBERY ROAD.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: CONTRACT NUMBER 968251S9, PROJECT NUMBER 3001481. LINES 1 TO 12, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING EMILY CLARKE DRIVE, ROSEVILLE CLOSE, CONNAUGHT CIRCUIT, BRANDON GROVE AND FUTURE ROADS.

SHIRE OF BAULKHAM HILLS, AT BELLA VISTA: CONTRACT NUMBER 968434S2, PROJECT NUMBER 3001851. LINES 1 AND 2 AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING BELLA VISTA DRIVE, WESTWOOD WAY, COACH HOUSE PLACE AND STOCK FARM AVENUE.

SHIRE OF BAULKHAM HILLS, AT CASTLE HILL: CONTRACT NUMBER 950365S5, PROJECT NUMBER 361464. PROPERTY CONNECTION SEWER 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING CHURCH STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer
Blacktown Commercial Centre

29 June 2001.

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF CAMDEN, AT MT ANNAN: CONTRACT NUMBER 964694S8, PROJECT NUMBER 3001491. PROPERTY CONNECTION SEWER LINES 1 TO 6, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SERVING EUCALYPTUS CIRCUIT, POMADERRIS CIRCUIT, LISSANTHE STREET AND BOTTLEBRUSH STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

KEVIN ADAMS,
Developer Activity Officer
Liverpool Commercial Centre

29 June 2001.

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CONCORD COUNCIL, AT RHODES: CONTRACT NUMBER 959378S2, PROJECT NUMBER 3001787. LINE 1 AND ITS APPURTENANT JUNCTIONS SIDELINES AND INLETS SERVING ALFRED STREET AND CONCORD ROAD.

HURSTVILLE COUNCIL, AT HURSTVILLE: CONTRACT NUMBER 966306S7, PROJECT NUMBER 3001425. LINE 1 AND ITS APPURTENANT JUNCTIONS SIDELINES AND INLETS SERVING HUDSON , CROSS AND WRIGHT STREETS.

LEICHHARDT COUNCIL, AT GLEBE: CONTRACT NUMBER 966509S0, PROJECT NUMBER 3001524. SIDELINES 1 AND 2 AND LINE 1 AND THEIR APPURTENANT JUNCTIONS SIDELINES AND INLETS SERVING HEREFORD STREET, SAINT JAMES AVENUE, WALSH AVENUE AND WIGRAM LANE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

GERRY DACOCO,
Developer Activity Officer
Rockdale

29 June 2001.

SYDNEY WATER

Sewer mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

MUNICIPALITY OF WARRINGAH, AT BALGOWLAH: CONTRACT NUMBER 972633S8, PROJECT NUMBER 3002037. SIDELINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING BIRRIMA STREET.

MUNICIPALITY OF PITTWATER, AT NEWPORT: CONTRACT NUMBER 970027S0, PROJECT NUMBER 3001612. LINES 1 AND 2 AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING MYOLA ROAD.

MUNICIPALITY OF RYDE, AT RYDE: CONTRACT NUMBER 959958S8, PROJECT NUMBER 3001920. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING SHEPHERD STREET.

MUNICIPALITY OF HUNTERS HILL, AT HUNTERS HILL: CONTRACT NUMBER 954431S6, PROJECT NUMBER 352986. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING BLAXLAND STREET.

MUNICIPALITY OF ASHFIELD, AT ASHFIELD: CONTRACT NUMBER 972542S2, PROJECT NUMBER 3001686. LINES 1 AND 2 AND VENT LINE 1 AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING LIVERPOOL ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARTHA AMADOR,
Developer Activity Officer
Chatswood

29 June 2001.

WATER MAINS

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY OF SHELLHARBOUR, AT BLACKBUTT: CONTRACT NUMBER 964421W1, PROJECT NUMBER 1000423. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES IN ROAD No. 1, ROAD No. 2, ROAD No. 3 AND ROAD No. 4.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARGARET McTAINSH,
Developer Activity Officer
Illawarra

29 June 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY OF FAIRFIELD, AT FAIRFIELD WEST: CONTRACT NUMBER 971819W0, PROJECT NUMBER 1000702. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES IN CURREY PLACE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

CLAUDIO FILIPPI,
Developer Activity Officer
Liverpool Commercial Centre

29 June 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: CONTRACT NUMBER 967071W3, PROJECT NUMBER 1000362. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT MARCUS AVENUE AND QUEEN STREET.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: CONTRACT NUMBER 967071W3, PROJECT NUMBER 7000040. RECYCLED WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT MARCUS AVENUE AND QUEEN STREET.

SHIRE OF BAULKHAM HILLS, AT BAULKHAM HILLS: CONTRACT NUMBER 963964W7, PROJECT NUMBER 1000175. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT COTTELL PLACE AND TEMPORARY ROAD.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: CONTRACT NUMBER 968898W6, PROJECT NUMBER 100734. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT ROSEBERRY ROAD, FUTURE ROAD AND CARMELLO COURT.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: CONTRACT NUMBER 968898W6, PROJECT NUMBER 7000114. RECYCLED WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT ROSEBERRY ROAD, FUTURE ROAD AND CARMELLO COURT.

SHIRE OF BAULKHAM HILLS, AT WEST PENNANT HILLS: CONTRACT NUMBER 968763W4, PROJECT NUMBER 1000420. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT GLENHOPE ROAD.

BLACKTOWN CITY, AT PARKLEA: CONTRACT NUMBER 958188W2, PROJECT NUMBER 7000098. RECYCLED WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT AMBERLEA STREET.

BLACKTOWN CITY, AT PARKLEA: CONTRACT NUMBER 958188W2, PROJECT NUMBER 1000653. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT AMBERLEA STREET.

BAULKHAM HILLS SHIRE, AT KELLYVILLE: CONTRACT NUMBER 961724W1, PROJECT NUMBER 161493 WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT MEREDITH AVENUE, ALLISON PLACE, KRISTY COURT, SENTINEL AVENUE AND YORK ROAD.

BAULKHAM HILLS SHIRE, AT KELLYVILLE: CONTRACT NUMBER 961724W1, PROJECT NUMBER 161494. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT MEREDITH AVENUE, ALLISON PLACE, KRISTY COURT, SENTINEL AVENUE AND YORK ROAD.

HOLROYD CITY, AT GREYSTANES: CONTRACT NUMBER 968591WA, PROJECT NUMBER 1000817. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT CLUNIES ROSS STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer
Blacktown Commercial Centre

29 June 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CONCORD COUNCIL, AT RHODES: CONTRACT NUMBER 959378W6, PROJECT NUMBER 1000779. WATER MAINS ARE NOW LAID AND SHOWN ON SAID PLAN AND CAPABLE OF SERVING THE PROPERTIES IN ALFRED STREET AND CONCORD ROAD.

HURSTVILLE COUNCIL, AT HURSTVILLE: CONTRACT NUMBER 437272F9, PROJECT NUMBER 1000765. WATER MAINS ARE NOW LAID AND SHOWN ON SAID PLAN AND CAPABLE OF SERVING THE PROPERTIES IN RAILWAY PARADE AND DURHAM STREET.

HURSTVILLE COUNCIL, AT MORTDALE: CONTRACT NUMBER 973115W7, PROJECT NUMBER 1000911. WATER MAINS ARE NOW LAID AND SHOWN ON SAID PLAN AND CAPABLE OF SERVING THE PROPERTIES IN BEATTY STREET.

STRATHFIELD COUNCIL, AT HOMEBUSH WEST: CONTRACT NUMBER 971155SB, PROJECT NUMBER 380974. WATER MAINS ARE NOW LAID AND SHOWN ON SAID PLAN AND CAPABLE OF SERVING THE PROPERTIES IN HORNSEY ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

GERRY DACOCO,
Developer Activity Officer
Rockdale

29 June 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY OF CAMDEN, AT MT ANNAN: CONTRACT NUMBER 964694W0, PROJECT NUMBER 1000634. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES IN EUCALYPTUS CIRCUIT, LISSANTHE STREET, POMADERRIS CIRCUIT AND BOTTLEBRUSH STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

KEVIN ADAMS,
Developer Activity Officer
Liverpool Commercial Centre

29 June 2001.

Other Notices

ABORIGINAL LAND RIGHTS ACT 1983

Exemption of Aboriginal Land from the Payment of Rates

I, the Honourable ANDREW JOHN REFSHAUGE, M.P., Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the Casino Boolangle Local Aboriginal Land Council, be exempt from payment of rates under the Local Government Act 1993.

ANDREW REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

SCHEDULE

LGA –*Copmanhurst Shire Council*

Being

Lot 118, DP 46878 at Wyan
Lot 92, DP 755616 at Wyan

ABORIGINAL LAND RIGHTS ACT 1983

Notification of Constitution of an Area as a Local Aboriginal Land Council Area

PURSUANT to the power vested in me by section 5 (1) of the Aboriginal Land Rights Act 1983, I hereby constitute the area described in the text below as the Wellington Local Aboriginal Land Council Area.

The Hon. ANDREW REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

Wellington Local Aboriginal Land Council Area

Commencing at the confluence of the Macquarie and Cudgegong Rivers at Lake Burrendong: and bounded thence by the latter river upwards to the generally southern boundary of the parish of Rouse, County of Wellington; by that boundary, the generally north-eastern and the generally northern boundaries of that parish generally easterly, generally north-westerly and generally westerly, part of the generally eastern, the generally northern and part of the generally western boundaries of the Parish of Wondaby, County of Bligh, generally northerly, generally westerly and generally southerly, the generally north-eastern and part of the generally western boundaries of the Parish of Bodangora, County of Lincoln generally north-westerly and generally southerly and the generally north-eastern, the generally northern and the generally western boundaries of the Parish of Micketymulga generally north-westerly, generally westerly and generally southerly to the Macquarie River, aforesaid; by that river downwards to the generally eastern boundary of the Parish of Terrabella, County of Gordon; by that boundary generally southerly and the generally southern boundary of that parish generally westerly, part of the generally eastern and the generally southern boundaries of the Parish of the Springs generally southerly and generally westerly, part of the generally eastern, the generally southern and part of the generally western boundaries of the Parish of Roche generally southerly, generally westerly and generally northerly, the generally southern boundary of the Parish of Caloma generally westerly, part of the generally western boundary of the County of Gordon generally southerly, the generally northern, the south-eastern and part of the eastern boundaries of the Parish of Strathborn generally easterly, south-westerly and southerly and the generally northern boundary of the Parish of Wagstaff generally easterly to Little River; by that river upwards to the generally western boundary of the Parish of Dilga; by part of that boundary generally southerly and part of the generally northern boundary of the County of Ashburnham generally north-easterly to Bell River; by that river downwards and Nubrigyn, Boduldura and Store Creeks upwards to the generally southern boundary of the Parish of Boduldura, County of Wellington; by that boundary generally easterly and part of the generally western and the generally northern boundaries of the Parish of Curragurra generally northerly and generally easterly to Macquarie River, aforesaid, and by that river downwards to the point of commencement.

CHARITABLE TRUSTS ACT 1993

Order Under Section 12

Proposed Cy-pres Scheme Relating to the Michael Stanislaus Veech Trust Fund Known as the Sister M Brian Catherine Veech Prize

BY Trust Deed dated 2 May 1963, Mr Michael Stanislaus Veech established a Trust in the amount of 200 pounds. The Public Trustee was appointed as the Trustee of the Trust, and is empowered:

1) to invest the Trust Funds (cl.1);

2) to apply the income of the Trust Fund firstly to pay all the costs and expenses of or incidental to the management of the Trust Fund (cl.1(a)); and

3) to pay the net income annually to the Reverend Mother Rectress for the time being of St Vincent's Hospital, Darlinghurst to be used by her as a prize for the Nurse at St Vincent's Hospital who in her opinion shows the most proficiency in the operating theatre in surgical technique for that year ('the prize') (cl.1(b)).

The Trust Deed does not confer upon the Trustee any additional powers, nor does it provide for the terms of the Trust Deed to be amended or for the Trust's dissolution.

The Trust currently comprises only $400.00. Due to the small amount of income earned by the Trust Fund, the amount last paid for the prize, in December 1999, totalled $8.00. The Public Trustee has now requested that the total amount comprising the Trust Fund be paid to the Reverend Mother Rectress of St Vincent's Hospital to be used for payment of the prize for this year.

I have formed the view that, pursuant to section 9 (1) of the Charitable Trusts Act 1993, the original purposes of the Trust, wholly or in part, have since they were laid down ceased to provide a suitable and effective method of using

the trust property, having regard to the spirit of the trust, and have approved a recommendation that the Attorney General establish a cy-pres scheme pursuant to section 12 (1) (a) of the Charitable Trusts Act 1993.

Therefore, pursuant to section 12 of the Charitable Trusts Act 1993, I hereby order that all of the money comprising the Trust Fund in respect of the Trust established by Michael Stanislaus Veech by Deed dated 2 May 1963 be paid to the Reverend Mother Rectress for the time being of St Vincent's Hospital, Darlinghurst, to be used by her as a prize for the Nurse at St Vincent's Hospital who in her opinion shows the most proficiency in the operating theatre in surgical technique for 2001.

Date of Order: 31st May 2001.

M. G. SEXTON, SC
Solicitor General
Under delegation from the Attorney General

CHARITABLE TRUSTS ACT 1993

Notice Under Section 15 Proposed Cy-pres Scheme Relating to the Beadle Botanical Research Trust Fund

BY Agreement dated 1 June 1996 between Professor Noel CW Beadle and the Department of Botany at the University of New England ("UNE"), a trust was established ("the Beadle Trust"). Pursuant to this Agreement, Professor Beadle gave the sum of $50,0000 to the Department of Botany for the purpose of applying the interest earned on this sum towards the maintenance of his house and surrounding gardens at 225 Markham Street, Armidale ("the property") as a "resource for conducting botanical teaching and research". The gardens contained many rare botanic specimens.

In October 1998, Professor Beadle died and in his Will he bequeathed the property to his niece, Ms Jann Beadle. The property has subsequently been sold. As a consequence, the Beadle Trust has ceased to provide a suitable and effective method of using the trust property because the UNE has no effective and secure means of ensuring that it has sufficient access to the property to permit it to maintain the house and gardens for the purpose originally intended.

The Solicitor General, under delegation from the Attorney General in and for the State of New South Wales, has formed the view that the gift to the Department of Botany, UNE is a gift for charitable purposes and has approved a recommendation that the Attorney General establish a cy-pres scheme pursuant to section 12(1)(a) of the Charitable Trusts Act 1993 to give effect to the establishment of an annual scholarship in accordance with the following criteria:

Persons Eligible: Australian citizens or permanent residents who are enrolled as internal full time candidates for the degree of Doctor of Philosophy or a research Master's Degree in the discipline of Botany in the Faculty of The Sciences at UNE.

The successful candidate will be whoever the Faculty of the Sciences Award Committee at UNE determines has the best academic record. The scholarship may be taken in conjunction with a merit-based scholarship such as an Australian Postgraduate Award.

Benefits: An award, or awards, the annual value of which shall be determined by the Faculty of The Sciences Award Committee and which shall be an amount not exceeding 75% of the annual interest on the sum endowed to a maximum of $2500. The award may be granted as either stipend supplement or as operating funds to facilitate the research program or a combination of both.

Tenure: Subject to satisfactory progress, the scholarship may be awarded to the same person annually for up to three years for a candidate for the degree of Doctor of Philosophy or up to two years for a candidate for a Master's degree, however the person must apply for the scholarship at the beginning of each year and must have the best academic record of all the applicants for that year.

Take note that within one month after the publication of this notice any person may make representations or suggestions to the Attorney General in respect of the proposed scheme.

A copy of the proposed scheme may be inspected, by appointment, during business hours at Level 9, Goodsell Building, 8-12 Chifley Square, Sydney. Please telephone Helen Taranto on (02) 9228 8088 for an appointment.

LAURIE GLANFIELD,
Director General
Attorney General's Department

DISTRICT COURT ACT 1973

Direction

BY virtue of section 16 of the District Court Act 1973, I make this direction under Part 51A rule 1(2) of the District Court Rules 1973, specifying the following venues to be a prescribed place for the purpose of section 63A of the District Court Act 1973, for the periods indicated:

Venue	Period (Week Commencing)
Dubbo	27 August 2001 (in lieu of 3 September 2001).
Maitland	3 September 2001.
Port Macquarie	13 August 2001.

Dated this 21st day of June 2001.

H. L. COOPER,
Judge.

ELECTRICITY SUPPLY ACT 1995

Notice of the Making of an Order by the Minister for Energy under the Electricity Supply Act 1995

NOTICE is hereby given of the making of an order by the Minister for Energy under section 85 of the Electricity Supply Act 1995 directing the transfer of all assets, staff, rights and liabilities of Advance Energy and Great Southern Energy to Country Energy to take effect on the beginning of the day on 1 July 2001.

KIM YEADON, M.P.,
Minister for Energy

ELECTRICITY SUPPLY ACT 1995

ORDER

I, KIM YEADON, Minister for Energy, make the following Order under Clause 26 of Schedule 6 of the Electricity Supply Act 1995.

KIM YEADON, M.P.,
Minister for Energy

Citation

1. This Order may be cited as the Electricity Supply (First Termination of Transitional Retail Customer Status) Order 2001.

Purpose of the Order

2. The purpose of this Order is to declare that an electricity customer who, at the date of this Order, consumes more than 40 Megawatt hours (MWh) of electricity annually and is a transitional retail customer under the Electricity Supply Act 1995, ceases to be a transitional retail customer. The effect of a customer being subject to this Order is that the customer may elect to purchase their electricity supply from a licensed retail supplier of their choice.

Definitions and Interpretation

3. In this Order:

(a) expressions used which are defined in the Electricity Supply Act 1995 have the meanings set out in that Act, subject to any qualifications included in this Order;

(b) references to clauses or subclauses are references to clauses or subclauses in this Order;

(c) headings are used for convenience only and do not affect the interpretation of this Order;

(d) the following expressions have the following meanings:

"Actual Consumption of Electricity" means the consumption of electricity supplied to Premises from a distribution system owned or operated by the holder of an electricity distributor's licence, as recorded by a metering installation for those Premises and determined by the Distribution Network Service Provider;

"Consumption Period" means:

(1) for New Connections to Premises:

(a) the period of 12 consecutive months commencing on the day of connection; or

(b) any period of up to 12 consecutive months commencing on or after the day of connection at the request of the person, or another person acting on behalf of the person, referred to in clause 4 (1).

(2) for all other connections to Premises:

(a) the period of 12 months commencing on 1 April 2000; or

(b) any period of up to 12 consecutive months commencing on any day after 1 April 2000 at the request of the person, or another person acting on behalf of the person, referred to in clause 4 (1).

"Estimated Consumption of Electricity" means the consumption of electricity estimated to have taken place at Premises by the Distribution Network Service Provider in circumstances where the Distribution Network Service Provider considers the consumption of electricity has not been accurately recorded;

"Distribution Network Service Provider" (DNSP) means the DNSP in whose distribution district the Premises referred to in clause 4(1) are located;

"Meter" means a device measuring the consumption of electricity supplied from the wholesale market by a Retail Supplier to an end-use customer or to a licence-exempt reseller at premises in real time and which is physically located on, adjacent to or in close proximity to the point at which those premises are connected to the distribution system or transmission system servicing those premises;

"New Connection" means a connection to Premises that were first supplied from a distribution system after 1 April 2000.

"person" means an individual, a corporation, a body corporate or a body politic;

"Potential Consumption" means the consumption of electricity which could potentially take place at Premises as estimated by the DNSP and having regard to circumstances considered appropriate by the DNSP including (without limitation):

(i) the consumption capacity of the Premises and the extent to which that capacity is likely to be utilised in the future;

(ii) any recent or proposed change in ownership or use of the Premises; and

(iii) any recent or proposed increase in the consumption capacity of the Premises;

"Premises" means either:

(i) single premises connected to a distribution system or transmission system through a Meter for which one person is responsible for payment for electricity supplied to those premises; or

(ii) two or more premises which in the opinion of the DNSP are connected to a distribution system or transmission system through a common Meter (or through a number of Meters located in the one building or through a number of Meters located on the one parcel of land or on adjoining parcels of land), for which one person is responsible for payment for electricity supplied to those premises, and

(A) for which one person was responsible for payment for electricity supplied to those premises on 1 April 2000; or

(B) which have been developed since 1 April 2000 in accordance with a development consent required under the Environmental Planning and Assessment Act 1979;

both definitions (i) and (ii) being subject to the condition:

(iii) In making its determination whether one person is responsible for payment of electricity supplied to Premises, a DNSP is entitled to assume, except to the extent that a Retail Supplier informs the DNSP otherwise or the DNSP is otherwise aware:

(A) that one person is responsible for payment of electricity that is supplied to single premises from the wholesale market by one Retail Supplier; and

(B) that one person is responsible for payment of electricity that is supplied from the wholesale market by one Retail Supplier to two or more premises through a common meter; and

(C) that in all other cases, different persons are responsible for payment of electricity.

Determination of Transitional Retail Customer Status

4. (1) A person who owns, occupies or controls Premises at which the consumption of electricity, as determined by the DNSP in accordance with this Order, exceeds 40 Megawatt hours in a Consumption Period and who is the person responsible for payment for electricity supplied to those Premises ceases to be a transitional retail customer in respect of the consumption at those Premises, subject to clause 4 (2).

(2) The consumption of electricity referred to in clause 4 (1) may be:

(i) Actual Consumption of Electricity; or

(ii) Estimated Consumption of Electricity; or

(iii) Potential Consumption of Electricity only with respect to a Consumption Period of the type described in paragraph (1)(a), (1) (b) or (2) (b) in the definition of Consumption Period in Clause 3; or

(iv) A combination of (i), (ii) and (iii) above.

Notice to Customer

5. (1) When the DNSP determines that a person ceases to be a transitional retail customer in accordance with clause 4, the DNSP must ensure that the person is notified in writing that the person is eligible to choose their retail supplier.

(2) In cases where the DNSP determines that a person ceases to be a transitional retail customer in accordance with clause 4 by reference to a Consumption Period as referred to in paragraph (1) (b) or paragraph (2) (b) in the definition of Consumption Period in Clause 3, the notice referred to in subclause 5 (1) must be issued no later than seven working days after the request by the person, or another person acting on behalf of the person.

(3) In all other cases than those referred to in subclause 5(2) the notice referred to in subclause 5(1) must be issued no later than the date on which the person's next electricity bill is issued.

(4) The notice referred to in subclause 5(1) must include a list of retail suppliers licensed in New South Wales under the Electricity Supply Act 1995.

Day On Which This Order Takes Effect

6. For each person falling within the terms of clause 4, this Order takes effect on the date of notice given under clause 5 occurring on or after 1 July 2001.

GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Amend a Suburb Name and Amend Suburb Boundaries Within Lake Macquarie City

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to amend the suburb name Estelville to *Cameron Park* and to amend the boundaries of that suburb and amend suburb boundaries in seventeen other places throughout the City, as indicated on map GNB3506/A. The map may be viewed at Lake Macquarie City Council Administration Centre, the Libraries at Belmont, Cardiff, Charlestown, Edgeworth, Morisset, Speers Point, Swansea, Toronto, Wangi and Windale, and the office of the Geographical Names Board, Land and Property Information NSW, Panorama Avenue, Bathurst.

Any person objecting to this proposal may within one (1) month of the date of this notice, give to the Secretary of the Board notice in writing of the objection, setting out the grounds of the objection.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143, BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned Name:	Muswellbrook Lioness Park
Designation:	Reserve
L.G.A.:	Muswellbrook Shire Council
Parish:	Rowan
County:	Durham
Latitude:	32° 15' 14"
Longitude:	150° 53' 22"
L.P.I. Map:	Muswellbrook
1:100,000 Map:	Muswellbrook 9033
Reference:	GNB: 4797

Assigned Name: Red Creek
Designation: Creek
L.G.A.: Shire of Baulkham Hills
Parish: Nelson
County: Cumberland
Latitude: 33° 41' 01"
Longitude: 151° 01' 34"
L.P.I. Map: Hornsby
1:100,000 Map: Sydney 9130
Reference: GNB: 4801

Assigned Name: George Alder Reserve
Designation: Reserve
L.G.A.: Blacktown City Council
Parish: Gidley
County: Cumberland
Latitude: 33° 43' 46"
Longitude: 150° 53' 30"
L.P.I. Map: Riverstone
1:100,000 Map: Penrith 9030
Reference: GNB 4802

Assigned Name: Trevenar Reserve
Designation: Reserve
L.G.A.: Shoalhaven City Council
Parish: Farnham
County: St Vincent
Latitude: 35° 09' 47"
Longitude: 150° 35' 20"
L.P.I. Map: Sussex Inlet
1:100,000 Map: Jervis Bay 9027
Reference: GNB 4803

Assigned Name: Taylor Reserve
Designation: Reserve
L.G.A.: Bankstown City Council
Parish: Bankstown
County: Cumberland
Latitude: 33° 57' 31"
Longitude: 150° 59' 14"
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 4809

Assigned Name: Sunset Beach
Designation: Beach
L.G.A.: Port Stephens Council
Parish: Tomaree
County: Gloucester
Latitude: 32° 42' 27"
Longitude: 152° 03' 43"
L.P.I. Map: Port Stephens
1:100,000 Map: Port Stephens 9332
Reference: GNB 4800

Assigned Name: Centennial Park
Designation: Reserve
L.G.A.: Port Stephens Council
Parish: Sutton
County: Gloucester
Latitude: 32° 44' 14"
Longitude: 151° 59' 46"
L.P.I. Map: Karuah
1:100,000 Map: Newcastle 9232
Reference: GNB: 4806

Assigned Name: Bill Wakeham Reserve
Designation: Reserve
L.G.A.: Sutherland Shire Council
Parish: Holsworthy
County: Cumberland
Latitude: 33° 59' 41"
Longitude: 151° 03' 50"
L.P.I. Map: Botany Bay
1:100,000 Map: Sydney 9130
Reference: GNB 4808

Assigned Name: John McKinn Park
Designation: Reserve
L.G.A.: Sutherland Shire Council
Parish: Sutherland
County: Cumberland
Latitude: 34° 02' 44"
Longitude: 151° 09' 30"
L.P.I. Map: Port Hacking
1:100,000 Map: Port Hacking 9129
Reference: GNB 4804

Assigned Name: Terrum-bine Reserve
Designation: Reserve
Previous Name: Atholbrose Glen
L.G.A.: Ku-ring-gai Council
Parish: Gordon
County: Cumberland
Latitude: 33° 45' 29"
Longitude: 151° 09' 40"
L.P.I. Map: Parramatta River
1:100,000 Map: Sydney 9130
Reference: GNB 3557

WARWICK WATKINS
Chairman

Geographical Names Board
PO Box 143, Bathurst NSW 2795

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

(L.S.) M BASHIR, Governor,

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 397 of the Local Government Act 1993, do hereby amend proclamations in force constituting or varying the constitution of Lower Clarence County Council as constituted under the said Act by varying the County Council's functions so that such functions are as described in the Schedule to this proclamation.

Signed and sealed at Sydney, this 12th day of June 2001.

By Her Excellency's Command,

HARRY WOODS,
Minister for Local Government

GOD SAVE THE QUEEN!

———

SCHEDULE

Description of the functions of the Lower Clarence County Council

1. Except as provided in clause 2, the functions of the Lower Clarence County Council are to provide, protect, maintain, control and manage:

   (a) a bulk and reticulated water supply and bulk and reticulated water supply works, services and facilities within the local government areas of Companhurst and Maclean and;

   (b) a bulk water supply and bulk water supply works, services and facilities within the local government areas of Pristine Waters and Grafton, and;

   (c) a reticulated water supply and reticulated water supply works, services and facilities within those parts of the area of Pristine Waters that are provided with a reticulated water supply by the Lower Clarence County Council at the date of this proclamation, and;

   (d) within the City of Coffs Harbour using water sourced outside that City –

   a bulk water supply, and bulk water supply works, services and facilities situated in the local government area of Coffs Harbour, between the common boundary of that City with the local government area of Pristine Waters in the Parish of Bagawa and the inlet of Karangi Dam.

2. Nothing prevents the Lower Clarence County Council from providing for the reticulation of water by agreement with Grafton City Council, Pristine Waters Council or Copmanhurst Shire Council to any land within the areas of those Councils that is beyond the water reticulation systems of those Councils as at the date of that agreement.

NATIONAL PARKS AND WILDLIFE ACT 1974

Bald Rock and Boonoo Boonoo National Parks

Plan of Management

IN pursuance of section 76 of the National Parks and Wildlife Act 1974, it is hereby notified that amendments to the Plan of Management for Bald Rock and Boonoo Boonoo National Parks have been prepared.

The amendments will be on public display from 29 June until 17 August 2001.

Copies of the amendments may be inspected during office hours at:

NPWS Northern Tablelands Office, 87 Faulkner Street ARMIDALE

NPWS Head Office Library Level 7, 43 Bridge Street HURSTVILLE

NPWS Glen Innes Area Office, 68 Church Street GLEN INNES

NPWS Information Centre 102 George Street THE ROCKS

Tenterfield Gateway Information Centre 157 Rouse Street TENTERFIELD

Copies of the amendments may be obtained, free of charge, from the above NPWS offices. The amendments are also available on the NPWS web site at www.npws.nsw.gov.au.

Written representations in connection with the amendments should be forwarded by close of business on 17 August 2001 to:

Bald Rock and Boonoo Boonoo Amendment
NSW National Parks & Wildlife Service
Northern Tablelands Region
PO Box 402
ARMIDALE NSW 2350

Following the exhibition period the amendments to the plan of management, together with all representations received, will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister for the Environment.

KEVIN SHANAHAN,
Manager, Conservation Management Unit

PIPELINES ACT 1967

Licence No. 15 – Variation No. 1

Instrument of Grant of Variation of Licence Area

I Professor MARIE BASHIR, AC, Governor of the State of NSW, acting with the advice of the Executive Council in exercise of the powers conferred on me by section 19 of the Act do hereby grant the application for variation of the Licence Area specified in Licence No. 15:

(i) by including therein the lands described in the First Schedule ; and

(ii) by excluding therefrom, the lands described in the Second Schedule.

FIRST SCHEDULE

All those pieces or parcels of land described in the instrument annexed to Deposited Plan DP 499100 to DP 499107 and marked ⊕ on that plan lodged at the Land and Property Information NSW, Sydney Office.

SECOND SCHEDULE

All those pieces or parcels of land described in the instrument annexed to Deposited Plan DP 499100 to DP 499107 and marked ∅ on that plan lodged at the Land and Property Information NSW, Sydney Office.

Signed at Sydney, this 12th day of June 2001

PROFESSOR MARIE BASHIR,
Governor

By Her Excellency's Command

KIM YEADON, M.P.,
Minister for Energy

PIPELINES ACT 1967

Notification of Vesting of Easements for Pipeline

Gorodok Pty Ltd
Pipeline Licence No. 15
Moomba to Botany Ethane Pipeline

I Professor MARIE BASHIR, AC, Governor of the State of NSW, acting with the advice of the Executive Council in exercise of the powers conferred on me by Section 21 and 61 of the Pipelines Act 1967, hereby declare that: -

a) the easements over the lands marked ⊕ on Deposited Plan DP 499100 to DP 499107 lodged at the Land and Property Information NSW, Sydney Office are vested in Gorodok Pty Ltd, ACN 057 156 751, being Variations No. 1 to Licence No. 15.

b) the Restrictions as to User specified in the schedule have effect in respect of those lands

Signed at Sydney, this 12th day of June 2001

Professor MARIE BASHIR,
Governor

By Her Excellency's Command

KIM YEADON, M.P.,
Minister for Energy

SCHEDULE

Restrictions as to User

Without affecting the generality of any requirement imposed by the Act or this Regulation, the owner or occupier of land over which there is an easement for pipeline must not within the easement, except with the prior consent in writing of the person in whom the easement is vested:

1 Excavate (including blasting), drill or dig.

2 Erect, place or permit to be erected or placed any building, structure (including fence posts), plant, apparatus or equipment, earthworks, utility services or other improvements whether permanent or temporary on, over or under the land.

3 Alter or disturb existing levels, contours or gradients.

4 Plant or cultivate any tree within 3 metres of the pipeline or any apparatus or works.

5 Place on or use any part of the land for the transport, carriage or support of any heavy object, vehicle or implement, which could in any way cause or be likely to cause damage to the pipeline.

6 Undertake any other activity that represents a danger to the pipeline or is a danger to the operation of the pipeline or its apparatus or works including signs, vent pipes and cathodic protection systems including anode beds and electrolysis test points.

PIPELINES ACT 1967

Notification of Extinguishments Under Section 21A

Gorodok Pty Ltd
Pipeline Licence No. 15
Moomba to Botany Ethane Pipeline

IT is hereby notified that, pursuant to section 21A of the Pipelines Act 1967, the easements over lands excluded from the Licence Area consequent to the grant of Variations 1, as specified in the Schedule, are extinguished and such restrictions as to user as may have applied, cease to have effect.

Signed at Sydney, this 12th day of June, 2001

KIM YEADON, M.P.,
Minister for Energy

SCHEDULE

All those pieces or parcels of land described in the instrument annexed to Deposited Plan DP 499100 to DP 499107 and marked ∅ on that plan lodged at the Land and Property Information NSW, Sydney Office.

PROPERTY STOCK AND BUSINESS AGENTS (GENERAL) REGULATION 1993

THE Director-General of the Department of Fair Trading has approved the following forms of notice for the purposes of the Property Stock and Business Agents (General) Regulation 1993. These notices replace those approved on 23 August 1999 for the purposes of Clause 16 of the Regulation.

The following form of notice is approved by the Director-General of the Department of Fair Trading for use to 30 September 2001 for the purposes of clause 16 (1) of the Regulation:

If you dispute part or all of the amount specified in this statement, and if you have been unable to resolve the dispute, you may apply to the Fair Trading Tribunal for a determination of the matter. Legal action to recover the amount specified in this statement cannot be commenced until 28 days after it has been served on you.

or

If you dispute part or all of the amount specified in this statement/itemised account, and if you have been unable to resolve the dispute, you may apply to the Fair Trading Tribunal for a determination of the matter. Legal action to recover the amount specified in this statement/itemised account* cannot be commenced until 28 days after it has been served on you.*

* Delete whichever is not applicable

The following form of notice is approved by the Director-General of the Department of Fair Trading for use from 1 October 2001 for the purposes of clause 16 (1) of the Regulation

If you dispute part or all of the amount specified in this statement/itemised account, and if you have been unable to resolve the dispute, you may apply to the Fair Trading Tribunal for a determination of the matter. Legal action to recover the amount specified in this statement/itemised account* cannot be commenced until 28 days after it has been served on you.*

* Delete whichever is not applicable

The following form of notice is approved by the Director-General of the Department of Fair Trading to be used for the purposes of clause 16 (2) of the Regulation

If you dispute part or all of the amount specified by the agent in an itemised account or statement of claim arising from this agreement, and if you have been unable to resolve the dispute, you may apply to the Fair Trading Tribunal for a determination of the matter. By law legal action to recover the amount specified in the itemised account or statement of claim cannot be commenced until 28 days after it has been served on you.

The following form of notice is approved by the Director-General of the Department of Fair Trading for use to 30 September 2001, for the purposes of clause 9 (2) of Schedule 1 to the Regulation

Section 42A of the Property, Stock and Business Agents Act 1941 provides that application to review an itemised account may be made to the Director-General of the Department of Fair Trading within 28 days of the itemised account being served on you.

or

If you dispute part or all of the amount specified by the agent in this itemised account, and if you have been unable to resolve the dispute, you may apply to the Fair Trading Tribunal for a determination of the matter. By law legal action to recover the amount specified in the itemised account cannot be commenced until 28 days after it has been served on you.

The following form of notice is approved by the Director-General of the Department of Fair Trading for use from 1 October 2001 for the purposes of clause 9 (2) to Schedule 1 of the Regulation

If you dispute part or all of the amount specified by the agent in this itemised account, and if you have been unable to resolve the dispute, you may apply to the Fair Trading Tribunal for a determination of the matter. By law legal action to recover the amount specified in the itemised account cannot be commenced until 28 days after it has been served on you.

DAVID O'CONNOR,
Director-General

21st June 2001

RAILWAY CONSTRUCTION (EAST HILLS TO CAMPBELLTOWN) ACT 1983

Notification of Closure of Road

WHEREAS the State Rail Authority of New South Wales as Constructing Authority is desirous of closing part of a public road referred to in the Schedule hereto for the purpose of constructing a line of railway between East Hills and Campbelltown; and whereas the said road, in my opinion, will not deny reasonable access to land by virtue of this closure; Now, therefore, I, the Governor, with the advice of the Executive Council, in pursuance of the Railway Construction (East Hills to Campbelltown) Act 1983, do hereby direct that the said work shall be carried out by the State Rail Authority of New South Wales as Constructing Authority and I do declare, by this Notification to be published in the *Government Gazette*, that the road referred to in the Schedule hereto is hereby closed for the purpose hereinbefore referred to.

SCHEDULE

All that stratum of land situated at EAST HILLS, in the City of Bankstown, Parish of Bankstown, County of Cumberland and State of New South Wales, being that part of MacLaurin Avenue shown as Lot 2 in Deposited Plan 1021695, having an area of 242.5 square metres.

Signed at Sydney, this 16th day of May 2001.

PROFESSOR MARIE BASHIR, AC,
Governor of the State of New South Wales

CARL SCULLY,
Minister for Transport

SRA Reference: 10448

SPORTING INJURIES INSURANCE ACT 1978

Sporting Injuries Committee

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this Order the BLACKTOWN WORKERS SMALL BOATS CLUB to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activities of Fishing**.**

Dated: Sydney, 20 June 2001

JOHN GARBUTT,
Acting Chairperson.

SPORTING INJURIES INSURANCE ACT 1978

Sporting Injuries Committee

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this Order the BONDI ICEBERGS CLUB to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activities of Winter Swimming.

Dated: Sydney, 20 June 2001

JOHN GARBUTT,
Acting Chairperson.

SPORTING INJURIES INSURANCE ACT 1978

Sporting Injuries Committee

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this Order the KRONSAK LEK MUAY THAI 2008 to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activities of Muay Thai kick-boxing.

Dated: Sydney, 20 June 2001

JOHN GARBUTT,
Acting Chairperson.

SPORTING INJURIES INSURANCE ACT, 1978

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act, 1978, I declare be this order the MACQUARIE UNIVERSITY SPORTS ASSOCIATION to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activities of Soccer, Sailing, Men's Hockey, Judo, Waterpolo, Squash, Macquanauts, Waterskiing, Basketball, Rowing, Baseball and Softball, Netball, Touch football, Boardsailing, Kokkai and Aikido, Australian Football, Tennis, Fencing, Cycling, Triathlon and Athletics.

KATE McKENZIE,
Chairperson

Sporting Injuries Committee
Sydney, 16 May 2001

STATE RECORDS ACT 1998

NOTICE is hereby given, pursuant to section 13 (5) of the State Records Act 1998, that I have issued the following records management standard for use in the New South Wales public sector: NSW RECORDKEEPING METADATA STANDARD.

Copies of the standard may also be downloaded from State Records' Web site at http://www.records.nsw.gov.au Copies of the Standard may also be consulted at the Sydney Records Centre, No. 2 Globe Street, The Rocks, Sydney, during business hours.

DAVID ROBERTS,
Director

SUBORDINATE LEGISLATION ACT 1989

IN accordance with section 5 of the Subordinate Legislation Act 1989, notice is given of a proposed Regulation, to be known as the Funeral Funds Regulation 2001. The proposed Regulation will be made under the Funeral Funds Act 1979.

The primary objective of the proposed Funeral Funds Regulation 2001 is to ensure that funeral contribution funds and pre-arranged funeral funds are administered in an appropriate and accountable manner, so that consumers can be confident a fund will meet its future obligations. The proposed Regulation prescribes such things as the documents which must be submitted with an application for registration of a fund; matters which must be dealt with in a fund's rules; records which must be kept by funeral funds; and the matters which must be included in reports to the Department.

A Regulatory Impact Statement has been prepared which assesses the proposed Regulation and some alternatives to it. The draft Regulation and the Regulatory Impact Statement are available for public comment. Copies are available by telephoning the Department of Fair Trading on (02) 9338 8920 or from the Department's website at www.fairtrading.nsw.gov.au.

Comments or submissions on the proposed Regulation are invited and will be accepted up to 30 July 2001. Comments or submissions should be addressed to:

Funeral Fund Regulation Review,
Policy Division,
Department of Fair Trading,
PO Box Q168,
QVB Post Shop,
SYDNEY NSW 1230,

or fax to: (02) 9338 8965

or e-mail to: lporter@fairtrading.nsw.gov.au

SURVEYORS ACT 1929

Registration of Surveyors

PURSUANT to the provisions of section 8 of the Surveyors Act 1929, the undermentioned persons have been Registered as Surveyors in New South Wales from the dates shown.

Name	Address	Effective Date
CORK, Malcolm John.	7/18 Robert Street, Telopea, NSW 2117.	23 April 2001.
EKERT, Anthony John.	10 Church Street, Balmain, NSW 2041.	4 May 2001.
KELL, Justin Michael	PO Box 1040, Goulburn, NSW 2580.	3 May 2001.
MARCHANT, Scott Raymond	1 Moonah Parade, Port Macquarie, NSW 2444.	2 July 2001.

W.A. WATKINS, President.

G. K. A. LEATHERLAND, Registrar.

SURVEYORS ACT 1929

Removal of Name from the Register of Surveyors

PURSUANT to the provisions of section 9 of the Surveyors Act 1929, the undermentioned Surveyors have been removed from the Register of Surveyors for the reasons shown.

Name	Date of Removal	Reason	Original Registration Date
MORAHAN, Paul James.	11 May 2001.	at own request.	25 September 1981.
MORGAN, Vincent John.	3 April 2001.	at own request.	27 September 1968.
WEBBER, John Tebbutt.	10 May 2001.	at own request.	30 October 1954.

W. A. WATKINS, President.

G. K. A. LEATHERLAND, Registrar.

SURVEYORS (GENERAL) REGULATION 1999

Granting of Emeritus Status

PURSUANT to the provisions of Clause 32 (1) of the Surveyors (General) Regulation 1999,the undermentioned Surveyors have been granted Emeritus Status in recognition of their long service and contribution to the surveying profession in New South Wales, effective 25 May 2001.

Name	Date of Original Registration		Removed from Register
MORGAN, Vincent John.	27 September 1968.	250	3 April 2001.
WEBBER, John Tebbutt.	30 October 1954.	251	10 May 2001.

W. A. WATKINS, President.

G. K. A. LEATHERLAND, Registrar.

SYDNEY WATER CATCHMENT MANAGEMENT ACT 1998

Determination Under Section 45 (3)

Special Areas Land Review

I, the Honourable ROBERT JOHN DEBUS, M.P, Minister for the Environment, having undertaken a review of all the land referred to in clause 5(1) of Schedule 6 to the Sydney Water Catchment Management Act 1998 that is owned by or vested in the Sydney Catchment Authority (the Authority) hereby make the following determination:

DETERMINATION

1. The objectives of the Authority would be more effectively attained if the land within the Warragamba, Katoomba, Blackheath, Woodford, O'Hares Creek and part of the Shoalhaven special areas, as shown coloured brown and described as "Land Suitable for Transfer" on maps held by the Authority (the Special Areas Lands), were vested in the Minister administering the National Parks and Wildlife Act 1974.

2. The Authority will transfer the Special Area Lands under section 45(1)(a) of the Sydney Water Catchment Management Act 1998 as soon as practicable after the date of this Determination.

3. The Special Area Lands, with the exception of Woodford and O'Hares Creek, should simultaneously, with the transfer of ownership and the management from the Authority to the National Parks and Wildlife Service, be declared as National Park or Nature Reserve.

4. Further consideration of the transfer of the Woronora and Metropolitan Special Areas Lands is deferred.

Creation Of Operational Envelopes

5. The Authority is not required by this Determination to transfer lands within the Special Areas Lands that are required by the Authority or Sydney Water Corporation (Sydney Water) for the purpose of creating an operating envelope of sufficient size that would reasonably permit the Authority and Sydney Water to meet their respective statutory functions without impediment. The operating envelope will define the boundary between the lands owned by the Authority, Sydney Water and the National Parks and Wildlife Service.

6. The operating envelope of the Authority and Sydney Water will be defined prior to the transfer of ownership by the Authority of the Special Areas Lands to the National Parks and Wildlife Service and their dedication under the National Parks and Wildlife Act 1974.

Costs

7. The costs associated with identifying the operating envelope to permit the transfer of ownership by the Authority of the Special Areas Lands to the National Parks and Wildlife Service shall be borne equally by the Authority and the National Parks and Wildlife Service.

Honourable R. J. DEBUS, M.P.,
Minister for the Environment

THIS DETERMINATION made at Sydney, this 26th day of June 2001.

SCALE OF ALLOWANCES PAID TO WITNESSES

I, BOB DEBUS, Attorney General, have approved of the scale published in the Government Gazette of allowances to witnesses attending (1) criminal trials at the Supreme Court, Central Criminal Court and the District Court in its Criminal and Special Jurisdiction, and (2) Local Courts and Coroner's Courts, being repealed, and of fresh scales of allowances as shown in the attached Schedule being substituted therefore - the new rates to take effect from 1 July, 2001.

BOB DEBUS,
Attorney General

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SCHEDULE

Scale of Allowances to:

(a) All Crown witnesses and witnesses for the defence (i) where such witnesses have been bound by recognisance or subpoenaed by the Crown to give evidence, or (ii) where legal aid has been granted, attending criminal trials at the Supreme Court and District Court of New South Wales:

(b) Witnesses requested or subpoenaed by the Police to attend at Local Courts, Licensing or Coroner's Courts in New South Wales; and

in respect of: (1) fees, loss of income, salary or wages: (2) sustenance: and (3) of conveyance.

FEES, LOSS OF INCOME, SALARY OR WAGES

(a) Ordinary witnesses (being witnesses not specified hereunder):

Upon furnishing a certificate of loss of income, salary or wages, ordinary witnesses shall be entitled as follows:

	$
(i) up to 4 hours loss of working time on that day, not exceeding	36.90 per day
(ii) more than 4 hours loss of working time on that day, not exceeding	73.90 per day

(b) Experts summoned to give expert evidence:

(i) In respect of the period of absence from home, hospital, place of employment or other place in travelling to and from Court, and attendance thereat:

1. Fee for the first two hours or part thereof 79.40 per day

2. Fee thereafter for each additional half-hour or part thereof up to a maximum of $159.50 per day 15.20 per half hour

(ii) IN ADDITION, where evidence is expert evidence, a fee of 10.40 per case

SUSTENANCE ALLOWANCE

All Witnesses:

(a) For every meal partaken whilst in attendance at or travelling to and from Court where no allowance is payable under (b) below. *

(b) Where the witness resides at such a distance from the Court that he/she cannot travel to and from the Court on the same day

(i) for each day of 24 hours **

(ii) for any additional part of a day (based on the hourly rate applicable under (b)(i) **

(iii) where the witness is absent from his/her residence overnight but for a period less than 24 hours he/she may be paid as for a full day.

Children aged 5 years and over to be paid meal allowance or sustenance allowance as in the case of adult witnesses. No meal allowance or sustenance to be paid to children under the age of 5 years.

COST OF CONVEYANCE

All Witnesses:

To be paid actual cost of fares paid by them in travelling by rail, omnibus, ship or other available means of public conveyance to and from the Court at which they are required to attend.

Witnesses are not to be reimbursed the cost of travel by plane unless prior approval has been given to travel by this method.

If unable to travel by any of the abovementioned means of public conveyance, to receive for every kilometre travelled by own vehicle, the rate of ***

Kilometreage to be paid in respect of one journey to and from the Court. Where a witness travels otherwise when transit by public conveyance is available such witness is to be paid only an amount equal to the cost of travelling by means of the available transport. Notwithstanding the foregoing, medical practitioners required to attend Court on successive days to give evidence shall be paid appropriate kilometreage in respect of each day of travel.

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* This rate to vary as prescribed for Lunch in accordance with Clause 12(ii)(k)(3), Table 1 (Item No.1), Part B-Monetary Rates to the Crown Employees (Public Service Conditions of Employment 1997) Award. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

** These rates to vary in accordance with the rate prescribed in Clause12 (ii)(l)(2), Table 1 (Item No.2), Part B-Monetary Rates to the Crown Employees (Public Service Conditions of Employment 1997) Award. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

*** This rate to vary in accordance with the Casual rate for private motor vehicles with engine capacity over 2700 cc as shown in Clause 12 (vi)(d), Table 1 (Item no.7) Part B-Monetary Rates to Crown Employees Conditions of Employment 1997) Award. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

THREATENED SPECIES CONSERVATION ACT 1995

Notice of recommendation for identification of critical habitat for Mitchell's Rainforest Snail *(Thersites mitchellae*) in Stotts Island Nature Reserve.

THE National Parks and Wildlife Service hereby gives notice that a recommendation has been prepared for the identification of Stotts Island Nature Reserve as critical habitat for the endangered Mitchell's Rainforest Snail (*Thersites mitchellae*). Public submissions are invited from 2 July 2001until 20 August 2001. Exhibition details will be published on 29 June 2001 in the *Sydney Morning Herald* and *Tweed Daily Examiner*.

GARY DAVEY,
Manager, Conservation Programs and Planning Division, Northern Directorate

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THREATENED SPECIES CONSERVATION ACT 1995

Notice of approval of the Mitchell's Rainforest Snail (*Thersites mitchellae*) Recovery Plan, the Bellinger River Emydura (*Emydura macquarii* Bellinger River) Recovery Plan and the Yellow-spotted Bell Frog *(Litoria castanea)* and Peppered Tree Frog (*Litoria piperata*) Recovery Plan

THE National Parks and Wildlife Service (NPWS) hereby gives notice of the approval of Recovery Plans for Mitchell's Rainforest Snail *Thersites mitchellae*, the Bellinger River Emydura *Emydura macquarii* (Bellinger River) and the

Yellow-spotted Bell Frog *Litoria castanea* and Peppered Tree Frog *Litoria piperata*. Public notices will be published on 29 June 2001 in the *Sydney Morning Herald* (for all three plans) and *Tweed Daily News* (Mitchell's Rainforest Snail) and on 4 July 2001 in the *Bellingen Shire Courier Sun* (Bellinger River Emydura).

GARY DAVEY,
Manager, Conservation Programs and Planning Division, Northern Directorate

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THREATENED SPECIES CONSERVATION ACT 1995

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GARY DAVEY,
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GARY DAVEY,
Manager, Conservation Programs and Planning Division, Northern Directorate

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WATER SUPPLY AUTHORITIES ACT 1987

As Defined In Section 310 (1) (g)

SCHEDULE 1

Upper Parramatta River Catchment Trust
River Management Service Charges

THE Upper Parramatta River Catchment Trust, in pursuance of section 315 of the Water Management Act 2000, and in accordance with the Water Supply Authorities (Upper Parramatta River Catchment Trust) Regulation 2000, do hereby make the following determination in respect of the Trust's charging year commencing 1 July 2001.

A. It proposes to raise an amount of $2,284,000 by way of river management service charges levied on land within its area of operations.

B. It classifies land for the purposes of levying service charges according to the same factors on which current classifications of each parcel of land are made by, and appear in records of, the Sydney Water Corporation.

C. It levies river management service charges on the basis of a flat rate for all land of a particular classification except that, in respect of industrial and commercial land larger than 1.000 hectare in area, the river management service charges relate to the area of the land.

D. It levies service charges at rates set out in the following schedule:

1. Industrial and Commercial Land; being all parcels of land with an industrial, commercial or residential/ commercial mixed development superior property type classification in records held by Sydney Water:

   The amount in respect of any such land shall be $71.20 provided that in respect of any land:

   (a) used as the site of two or more strata units, the amount shall be $35.60 in respect of each strata unit;

   (b) between 1.000 hectares and 10.000 hectares in area, the amount shall be $357.20;

   (c) between 10.001 hectares and 50.000 hectares in area, the amount shall be $2,142.90;

   (d) between 50.001 hectares and 100.000 hectares in area, the amount shall be $4,920.70;

   (e) over 100.000 hectares in area, the amount shall be $7,142.30.

2. Residential Land; being all parcels of land with the residential superior property type classification in records held by the Sydney Water Corporation:

   The amount in respect of any such land shall be $28.70 provided that in respect of any land used as the site of two or more strata units or flats, the amount shall be $14.30 in respect of each strata unit or flat.

3. Vacant Land; being all parcels of land with a vacant land or occupied land superior property type classification in records held by Sydney Water:

   The amount in respect of any such land shall be $14.30.

PLEASE NOTE that river management service charges will not apply to any land described in Schedule 4 to the Water Management Act 2000.

Dated at Parramatta on this 4th day of May 2001.

The Seal of the Upper Parramatta	)	
River Catchment Trust was affixed	)	G. WHITEHOUSE
on the above date pursuant	)	Member
to a resolution of the Trust in the	)	
presence of 2 Members whose	)	A. TENNIE
signatures are opposite hereto.	)	Member

INDEPENDENT PRICING AND REGULATORY TRIBUNAL OF NEW SOUTH WALES

CITYRAIL AND STA BUSES AND FERRIES

PUBLIC TRANSPORT FARES

from 1 July 2001

Determinations 1 and 2, 2001 **26 June 2001**

The Tribunal members for this review are:

Dr Thomas G Parry, Chairman
Mr James Cox, Full Time Member
Ms Cristina Cifuentes, Part Time Member

Inquiries regarding this review should be directed to:

Nicholas Hague ((02) 9290 8494
Nigel Rajaratnam ((02) 9290 8461

Independent Pricing and Regulatory Tribunal of New South Wales
Level 2, 44 Market Street, Sydney NSW 2000
(02 9290 8400 Fax 02 9290 2061
www.ipart.nsw.gov.au
All correspondence to: PO Box Q290, QVB Post Office NSW 1230

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DETERMINATION NO 1, 2001

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EXECUTIVE SUMMARY

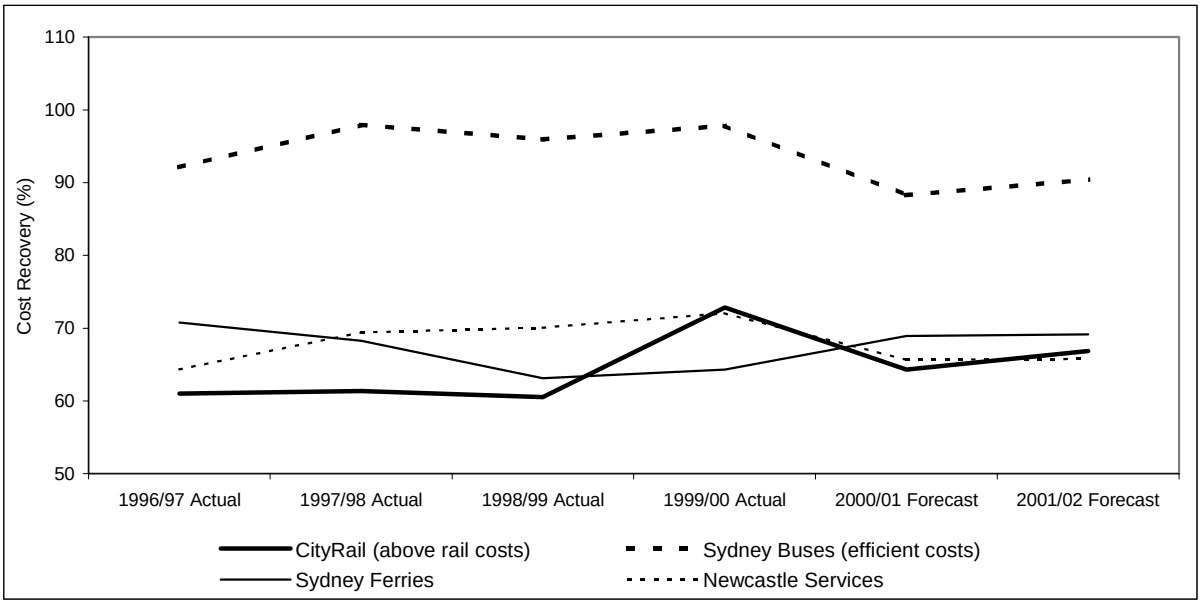
The Tribunal has determined that passenger fares for State Transit Authority (STA) will increase by a weighted average of 4.8 per cent for Sydney Buses, 5.0 per cent for Sydney Ferries and 3.7 per cent for Newcastle Services in 2001/02. CityRail fares will increase by a weighted average of 3.3 per cent in 2001/02, which is consistent with State Rail Authority's (SRA's) submission to the Tribunal. In determining passenger fare increases for all services, the Tribunal has considered, amongst other matters, cost increases, the cost recovery position and service quality outcomes of each of the business units.

The Tribunal notes that the Minister for Transport has stated that any fare increase granted by the Tribunal for Sydney Ferries will not come into effect until he is satisfied that Sydney Ferries' performance improves.

The figure below shows the recovery of operating costs through fares. In general, cost recovery does not seem to have improved greatly in recent years. It indicates that Sydney Buses is closest to recovering its operating costs. CityRail's cost recovery improved up to 1999/00, however recent cost increases have seen cost recovery fall to 64 per cent in 2000/01. Cost recovery is expected to increase to 67 per cent in 2001/02.

Sydney Buses' cost recovery has fallen sharply in 2000/01, however it is expected to increase to 90 per cent in 2001/02. Sydney Ferries' cost recovery has stabilised following cost increases over recent years. Its cost recovery is expected to remain at 69 per cent in 2001/02. Newcastle Services' cost recovery, having fallen in 2000/01, is expected to remain at 66 per cent in 2001/02.[1]

Operating cost recovery, 1996/97 – 2001/02



[1] Cost recovery figures are measured as farebox revenue over the operating cost base. For each of the operators, the cost base is taken to include depreciation and interest. For CityRail, the figure excludes access fees. For Sydney Buses, the cost base excludes previously identified efficiency savings. Efficiency studies have not been conducted for CityRail, Sydney Ferries or Newcastle Services.

The new CityRail fares will increase SRA's farebox revenue by 3.0` per cent or $13.4m in 2001/02. The new fares for Sydney Buses, Sydney Ferries and Newcastle Services will increase STA's farebox revenue by $9.7m.

Increases to main fare categories for each transport operator resulting from this determination are as follows:

For CityRail

Cash Fares

- *adult single* fares will increase by up to 8.3 per cent (up to 20 cents)
- *return* fares will be set at twice the corresponding single fare
- *half* fares will be set at half the corresponding adult fare
- *adult off peak (return)* fares will be set at 1.19 times the equivalent adult single fare
- *child off peak* fares will increase by 10 cents.

Periodical fares

- *rail weekly* fares will increase by up to 4.5 per cent (an increase of up to $2.00)
- *weekly TravelPass* fares will increase by between $1.00 and $2.00, the equivalent of between 10 and 20 cents per trip for a ticket used 10 times
- *28-day and upwards periodical rail* fares (Flexipass) will increase by an amount corresponding to the increase in weekly tickets for that distance band.

For Sydney Buses

- *adult single journey bus* fares will increase by between 10 cents and 20 cents per journey
- *adultTravelTen* bus fares will increase by between 60 cents and $2.00, equivalent to between 6 and 20 cents per journey
- *adult weekly TravelPasses* will increase by between $1.00 and $2.00, equivalent to between 10 and 20 cents per journey for a ticket used 10 times
- *half* fares will be set at half the corresponding adult fare, rounded down to the nearest 10 cents.

For Sydney Ferries

- *adult inner zone single ferry* fares will increase by 20 cents per journey
- *Rydalmere and Manly adult single ferry* fares will increase by 30 cents per journey
- *the Parramatta adult single ferry* fare will increase by 20 cents per journey
- *Manly JetCat/SuperCat adult single* fares will increase by 30 cents per journey and by $2.70 for a FerryTen ticket
- *adult FerryTen* tickets on other services will increase by between $1.00 and $1.70, an average of 10 to 17 cents per journey for a ticket used 10 times
- *half* fares will be set at half the corresponding adult fare, rounded down to the nearest 10 cents.

For Newcastle Buses and Ferries

- *adult one-hour single* time based fares will increase by 10 cents
- *adult four-hour and daily single* fares will increase by 20 cents and 40 cents respectively
- *adult TimeTen* fares will rise by $1.60
- *adult orange, yellow and pink Newcastle TravelPasses* will increase by $2.00
- *adult single Stockton ferry* fares will increase by 10 cents
- *half* fares will be set at half the corresponding adult fare, rounded down to the nearest 10 cents.

1 INTRODUCTION

The Independent Pricing and Regulatory Tribunal of New South Wales (the Tribunal) regulates the prices that State Rail Authority (SRA) can charge for its CityRail train services, and State Transit Authority (STA) can charge for monopoly aspects of its Sydney Buses, Sydney Ferries and Newcastle bus and ferry services.

As part of the review process, the Tribunal received separate submissions from SRA and STA. In its submission, SRA sought a price increase of 3.3 per cent in 2001/02, and included a draft customer charter. SRA recognised that its recent on time running performance had generally fallen short of its 92 per cent target.

STA sought fare increases from 1 July 2001 of 9.5 per cent for Sydney Buses, 11.2 per cent for Sydney Ferries and 9.3 per cent for Newcastle Services. It stated that the increases were required taking into account the funding framework within which it operates, the services it provides, the relationship between farebox revenue and efficient costs, and the characteristics of the market it serves. For Sydney Buses, a four year price path was proposed to recover efficient costs and provide for the long term replacement of assets. Over this period, nominal fares would increase by over 24 per cent.

The Tribunal received submissions from other stakeholders, and heard presentations from stakeholders at its public hearing (see attachment 1). It also conducted its own analysis in line with section 15 of the *Independent Pricing and Regulatory Tribunal Act 1992* (the Act). The Tribunal then made its determination, taking all the information and analysis into account.

Under this determination:

- **CityRail fares are to increase by a weighted average of 3.3 per cent**
- **Sydney Buses fares are to increase by a weighted average of 4.8 per cent**
- **Sydney Ferries fares are to increase by a weighted average of 5.0 per cent**
- **Newcastle Services fares are to increase by a weighted average of 3.7 per cent.**

The fare increases take into account recent cost increases each agency has experienced and consideration of service quality outcomes.

The Tribunal notes that the Minister for Transport has stated that any fare increase granted by the Tribunal for Sydney Ferries will not come into effect until he is satisfied that service standards for the ferries improve.

The full determinations for SRA and STA, which list maximum prices for every fare, are attached. The rest of this report discusses the main issues considered by the Tribunal, including cost recovery, service standards, maximum prices and requirements under section 15 of the Act.

2 COST RECOVERY

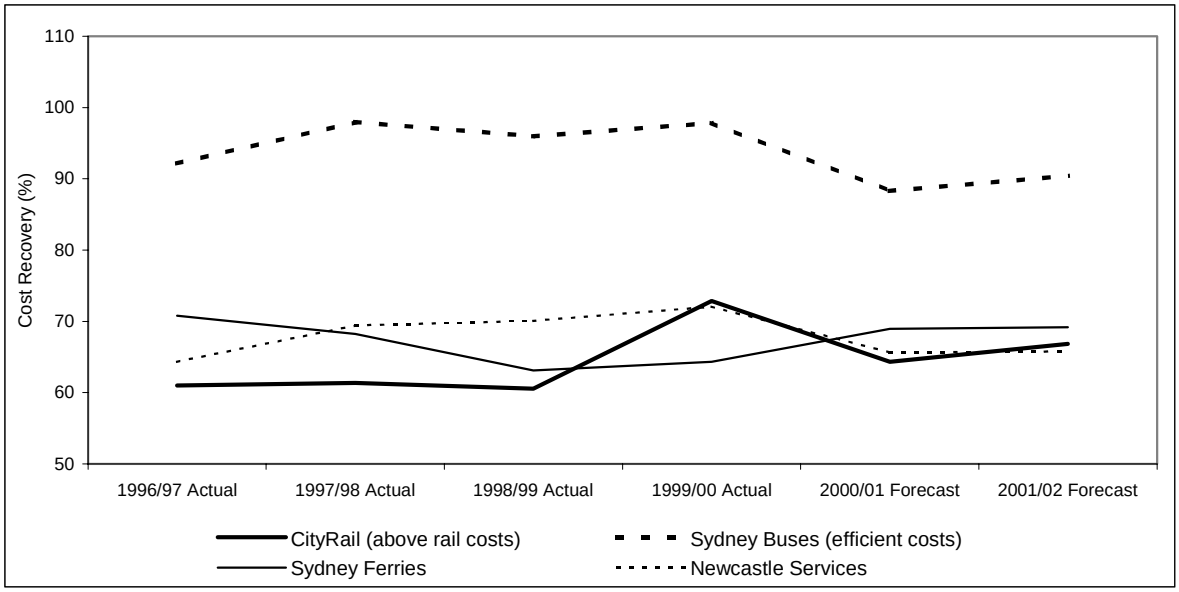
The cost recovery level of each public transport service providers is one of the key issues the Tribunal examined in making this determination. All four service providers experienced cost increases between 1999/00 and 2000/01 which has limited the improvements in cost recovery levels.[2] To reflect these cost increases, and enable the agencies to maintain or improve their cost recovery levels in 2001/02, the Tribunal has determined the following:

- for CityRail, average fares will increase by 3.3 per cent, allowing it to increase its cost recovery of above rail costs from 64 per cent in 2000/01 to 67 per cent in 2001/02
- for Sydney Buses, average fares will increase by 4.8 per cent. This will enable Sydney Buses to recover 90 per cent of its efficient costs in 2001/02, compared with 88 per cent in 2000/01
- for Sydney Ferries, average fares will increase by 5.0 per cent, enabling it to maintain its cost recovery at 69 per cent
- for Newcastle Services, average fares will increase by 3.7 per cent, enabling it to maintain its cost recovery at 66 per cent.

2.1 Current levels of cost recovery

The following figure shows the cost recovery levels of each of the public transport providers since 1996/97. The cost base for each operator is taken to include depreciation and interest costs. For CityRail it excludes access fees.[3] For Sydney Buses the cost base excludes a number of previously identified efficiency savings. Efficiency studies for CityRail, Sydney Ferries and Newcastle Services have not been conducted.

Figure 2.1 Operating cost recovery, 1996/97 – 2001/02



2 STA and SRA argue that the cost increases are largely associated with service improvements.

3 Since 1996/97, the Rail Access Corporation has charged CityRail an annual access fee for control and maintenance of below rail infrastructure.

Cost recovery for CityRail and Sydney Buses has displayed a similar trend, with cost recovery having risen up to 1999/00, being forecast to fall in 2000/01, and then slightly improve going forward. By contrast Sydney Ferries' cost recovery has declined to 1998/99, and is forecast to improve in 2000/01, with this cost recovery level being maintained in 2001/02. In general, cost recovery does not seem to have improved greatly in recent years.

2.2 CityRail

In 2000/01, the Tribunal allowed CityRail fares to be adjusted by the net impact of the Goods and Services Tax (9.2 per cent), however, due to the rounding of individual fares, the average fare increase was 8.0 per cent. At the time of the last determination, it was projected that recovery of CityRail above rail costs would improve to 72 per cent for 2000/01. Costs increasing faster than previously expected have meant that cost recovery for that period is now forecast to be only 64 per cent.

In 2001/02, the Tribunal has determined that average fares charged by CityRail should increase by 3.3 per cent, in line with SRA's submission. Above rail cost recovery is projected to be 67 per cent in 2001/02.

Table 2.1 shows the level of cost recovery of above rail costs since 1996/97 for each of CityRail's operating segments. Cost recovery has fluctuated over the period. The cost recovery figures for each segment are only approximate, owing to the difficulty of allocating costs and revenues appropriately.

Table 2.1 Recovery of CityRail's above rail costs 1996/97 – 2001/02

Operating	Cost recovery of above rail costs(%)					
Segment	**1996/97**	**1997/98**	**1998/99**	**1999/00**	**2000/01**	**2001/02**
CityMet	Actual	Actual	Actual	Actual	Forecast	Forecast
North	75	72	71	85	76	79
West	75	70	70	83	74	77
South	62	61	60	72	64	66
Illawarra	87	83	78	97	85	89
Total CityMet	**72**	**70**	**68**	**82**	**72**	**75**
Outer Suburban	34	37	38	45	39	41
Regional	51	26	25	32	26	28
Total CityRail	**62**	**61**	**61**	**73**	**64**	**67**

Notes:
1. Revenues include revenue from the farebox, concession, other rail entities and other non government sources.
2. Total above rail costs include the total costs of CityRail shown in Table A2.1 in Attachment 2, less CityRail's annual access fee.

2.2.1 Increases in CityRail's costs since 1996/97

In previous determinations the Tribunal has been critical of the quality of SRA's financial information, querying the quantum of CityRail's overall costs and casting doubt on how accurately SRA has isolated the costs of CityRail services within its total costs.

In order to gain a consistent set of financial information for CityRail, the Tribunal in its last determination stated that it would work with SRA to develop ring fenced regulatory accounts for CityRail services. This process has now taken place and SRA has been able to present to the Tribunal ring fenced accounts for CityRail services. External auditors appointed by SRA have reviewed CityRail's ring fenced accounts, and found the accounts to be accurate.

Further work will be undertaken by the Tribunal in conjunction with SRA to improve the quality of information provided. This will ensure a higher degree of accuracy and consistency in the financial information used in future determinations.

The Tribunal notes that a contributing factor to CityRail's declining cost recovery performance in 2000/01 has been an increase in staff numbers and associated labour costs. SRA has informed the Tribunal that this in part reflects SRA's decision to target higher service levels for customers. Due to this, additional staff, including those hired during the Olympics period, have been appointed by SRA.

As presented in attachment 2, labour costs are forecast to increase significantly in 2000/01. Labour costs are expected to increase by around $98.2m to $636.4m, a nominal increase of 18.2 per cent (or a real increase of 12.4 per cent based on SRA's figures). At last year's determination, SRA had forecast labour costs of $559.8m in 2000/01. Notwithstanding SRA's approach to targeting higher service levels for customers, this degree of change within the last 12 months is significant and is an area with which the Tribunal has some concern with. The Tribunal notes that SRA forecasts that labour costs will fall to $610.0m in 2001/02.

The Tribunal also notes that 'other operating expenses' have increased over recent years, and that forecast figures presented during this determination have increased over those presented previously.

Other operating expenses (defined as major periodic maintenance plus other operating in Table A2.1) have increased from $271.7m in 1996/97 to a forecast figure of $302.3m in 2000/01, a nominal increase of 11.3 per cent (or a real increase of 1.6 per cent based on SRA figures). During last year's determination, SRA had forecast other operating expenses to fall from $297.9m in 1999/00 to $264.4m in 2000/01. The changed forecast from $264.4m to $302.3m is significant. SRA have indicated that the increase in expenditure was Olympic related. Nonetheless, SRA still forecast other operating expenses to rise to $314.6m in 2001/02. SRA argue that this increase is associated with increased major periodic maintenance on rollingstock to improve services.

The Tribunal will consider further SRA's control of costs, particularly labour costs and other operating expenses, in future determinations. In the case of labour costs, the Tribunal would expect to see evidence presented that the additional expenditure will produce a measurable improvement in service standards for customers.

2.3 Sydney Buses

The Tribunal has increased maximum fares in 2001/02 to allow Sydney Buses to improve its recovery of estimated efficient costs and to reflect ongoing service improvements through the purchase of new buses. The Tribunal has calculated cost recovery by updating and deducting the efficiency gains identified in 1997 from the cost base (which includes

depreciation and interest).[4] The 4.8 per cent fare rise will increase Sydney Buses' fare revenue by $7.8m.

STA had requested a medium term price path for Sydney Buses that would recover efficient costs and provide for asset replacement. STA submits that it is committed to implementing the Sydney Buses' reforms identified in the 1997/98 efficiency review, and achieving the identified savings. However, STA notes that $6.4m of the identified savings of $20m will not be achieved due to Government support for the maintenance of current employment conditions and entitlements. At the end of November 2000, the total value of reforms implemented was $7.7m. STA states that it is confident that strategies will be implemented by 30 June 2001 to secure an overall $13.6m in achievable savings.[5]

STA estimates that the efficient fare (average) in 2000/01 is $1.90. If the $6.4m of previously targeted savings was achieved, then STA's efficient fare would reduce to $1.86. STA's actual average fare in 2000/01 is $1.50. STA argues that these savings do not represent inefficiencies and notes that the conditions and entitlements represented by the $6.4m are becoming industry standard throughout Australia.

Figure 2.2 shows that cost recovery will decline significantly between 1999/00 and 2000/01, as cost increases have outweighed increases in revenues. While cost recovery is then forecast to improve in 2001/02, it will still be well below 1999/00 levels.

Sydney Buses' declining cost recovery result in 2000/01 is largely due to increased costs. Figure A3.1 and Table A3.1 in attachment 3 indicate that labour costs[6], and particularly labour oncosts, increased significantly between 1999/00 and 2000/01. Total labour costs increased from $179.2m to $207.9m, or 16 per cent. In addition, operations and maintenance expenditure increased by 17 per cent to $40.6m, and depreciation by 26 per cent to $27.8m.

STA argues that the increased costs are largely associated with improved service levels, such as the introduction of new routes and CCTC surveillance equipment. STA also attributes the increase in labour oncosts to fluctuations in actuarial analysis of superannuation liabilities. STA argues that this change distorts the movement in Sydney Buses' controllable costs. In relation to depreciation, STA has indicated that the increase is due to acquisition of the North & Western and Riverside buslines and the high levels of capital expenditure over recent years. Further, the depreciation figures include amortisation of route rights acquired through these busline purchases.

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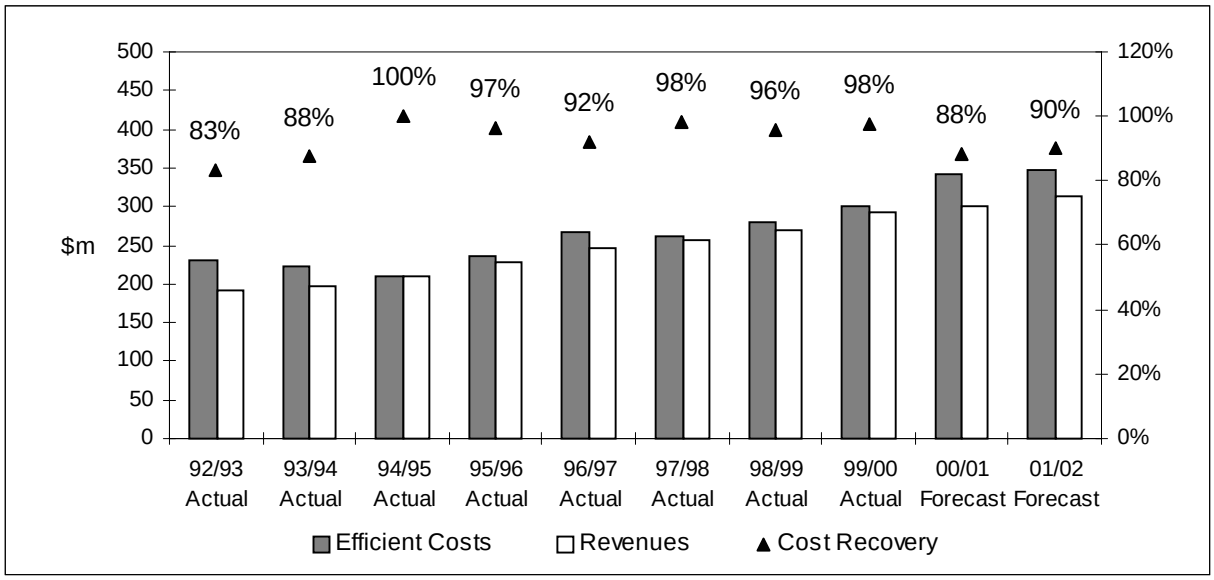
4 The Tribunal had previously engaged consultants Sinclair Knight Mertz, in association with Coopers and Lybrand, to determine the efficient operating cost level for Sydney Buses. The consultants advised that Sydney Buses could save $20.4m per annum over 3 years.

5 State Transit Authority submission, February 2001, pp 13-14.

6 Labour costs is defined as direct salary and wage costs plus labour oncosts.

Figure 2.2 Sydney Buses' recovery of efficient costs



The movement in dollars mask changes in underlying physical measures. For example, bus kilometres travelled by Sydney Buses has increased by 17.8 per cent from 1996/97 to 2000/01 compared with an 11.4 per cent increase in full time equivalent staff.[7] STA believes that this reduction in staff per km is one indication of improved efficiency in Sydney Buses and this supports its case for an efficient fare claim. While bus kilometres has increased significantly, there has not been a corresponding increase in boardings (patronage). Over the same period boardings have only increased by 8.5 per cent, indicating that staff per passenger has increased from 1996/97 to 2000/01. STA notes that it takes time to attract new patrons and the increased bus kilometres impact on boardings is yet to occur.

The Tribunal supports the establishment of an efficient costs base which could be considered in making fare determinations. The Tribunal also acknowledges STA's efficiency gains in controllable costs (ie excluding effects of changes in actuarial assessments of superannuation liabilities), particularly when compared with the increase in bus kilometres travelled. However, for recent years it is difficult to ascertain clearly the trend in costs and patronage levels given the one off effects of the Olympics, the introduction of new cross regional services and busline purchases.

In addition, the Tribunal would like its fare determinations to be able to consider an effective performance assessment regime for public buses as implemented by the Department of Transport.

Clarification of these matters will assist the Tribunal in future determinations.

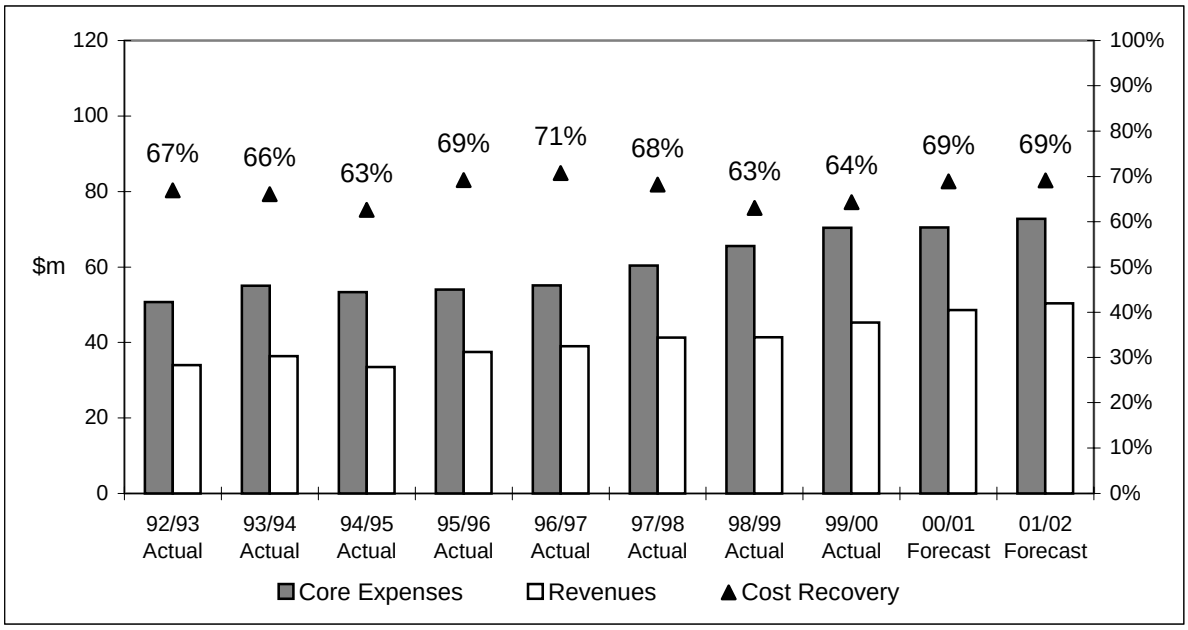
2.4 Sydney Ferries

In its last determination the Tribunal granted Sydney Ferries a fare increase above the net impact of the Goods and Services Tax and CPI to enhance cost recovery. For 2001/02, the Tribunal has determined an average fare increase of 5.0 per cent for Sydney Ferries. This will maintain Sydney Ferries' cost recovery level at 69 per cent as indicated in Figure 2.3.

7 Letter from State Transit Authority, 14 June 2001.

In previous determinations, the Tribunal has indicated that future fare increases for Sydney Ferries would be dependent on STA establishing and achieving efficient cost targets. The Tribunal is aware that STA has engaged consultants to review Sydney Ferries' cost efficiency, and that this review is close to completion. The Tribunal will be in a position to consider this review in next year's determination.

Figure 2.3 Sydney Ferries' cost recovery



In the above figure, 'core expenses' reflects Sydney Ferries' total operating expenses, including depreciation and interest. Expenses have not been adjusted for possible efficiency savings as has been done for Sydney Buses.

Similar to Sydney Buses, labour costs constitute a significant proportion of Sydney Ferries' recurrent operating expenses (see Table A3.2 and Figure A3.2 in Attachment 3). STA are forecasting Sydney Ferries' labour costs (defined as direct salary and wage costs plus labour oncosts) to increase by 15.8 per cent to $36.0m in 2000/01. This includes costs associated with staff transferred from the Balmain Shipyard to Sydney Ferries. This transfer was not forecast in last year's determination and in part explains why 2000/01 labour costs were previously forecast at $30.5m.

Again, the Tribunal is concerned that figures have changed so significantly in the space of 12 months. In addition, similar to the case of Sydney Buses, much of this change is explained by fluctuations in actuarial analysis of the agency's superannuation liability. STA forecast total labour costs to increase by 2.2 per cent in 2001/02. The Tribunal will consider closely any changes in Sydney Ferries costs over the next year, and is expecting STA to submit the Sydney Ferries efficiency study as part of the next determination.

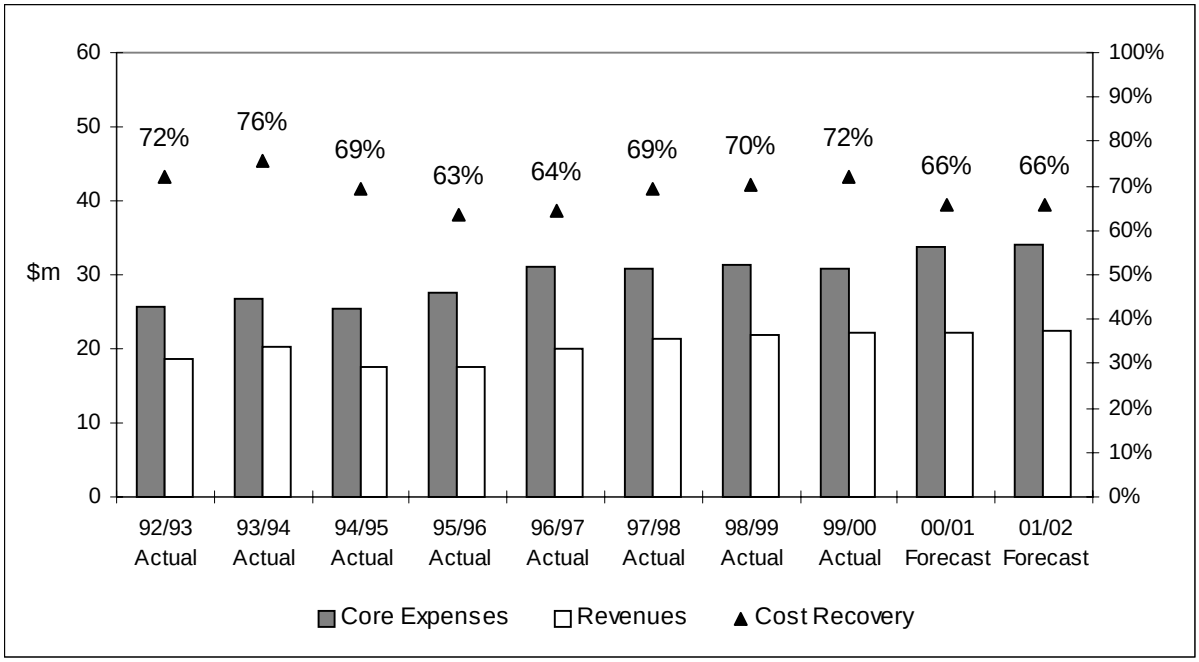
The Tribunal projects that the 5.0 per cent rise in average fares will increase Sydney Ferries' passenger revenue by $1.7m, with cost recovery remaining at 69 per cent in 2001/02. Sydney Ferries' cost recovery has improved since 1998/99. However, Sydney Ferries will still depend on a Government contribution to support services.

2.5 Newcastle Services

In its last determination the Tribunal granted Newcastle Services a fare increase consistent with the net impact of the Goods and Services Tax and CPI. For 2001/02, the Tribunal has determined an average fare increase of 3.7 per cent for Newcastle Services. The Tribunal projects that this increase will maintain Newcastle Services' cost recovery level at 66 per cent as indicated in Figure 2.4. The 3.7 per cent increase in average fares will increase Newcastle Services' fare revenue by $0.18m.

In the figure, 'core expenses' reflects Newcastle Services total operating expenses, including depreciation and interest. STA states that efficiency improvements identified in the review of Sydney Buses have also been implemented in Newcastle bus operations. Despite these efficiency savings, overall core expenses for Newcastle Services have increased over recent years. Comments on labour costs made in regard to Sydney Buses and Sydney Ferries are equally applicable to Newcastle Services. Further, in recent years while costs have often increased, declining patronage has meant that despite fare increases revenue has remained static, thereby limiting enhanced cost recovery.

Figure 2.4 Newcastle Services' cost recovery



3 SOCIAL IMPACTS AND ENVIRONMENTAL ISSUES

Two issues that the Tribunal is required to consider under section 15 of the *Independent Pricing and Regulatory Tribunal Act 1992* are the social impacts of its determination and environmental issues. These issues are discussed in this chapter.

3.1 Assessing social impacts

The Government sets social policy and makes available targeted concessions to particular groups within the community. The Tribunal sets fares that apply uniformally to all users. However, the Tribunal is concerned with large increases in fares that may impact adversely on particular transport users.

Stakeholders have presented the Tribunal with conflicting views on the ability of public transport users to pay for fare increases. For example, NSW Treasury has previously argued that rail passengers are from high income groups and that higher rail fares will not significantly affect this group. On the other hand, Western Sydney Regional Organisation of Councils has argued that rail passengers in Western Sydney have lower incomes than other rail passengers and would therefore be more severely affected by fare increases.[8]

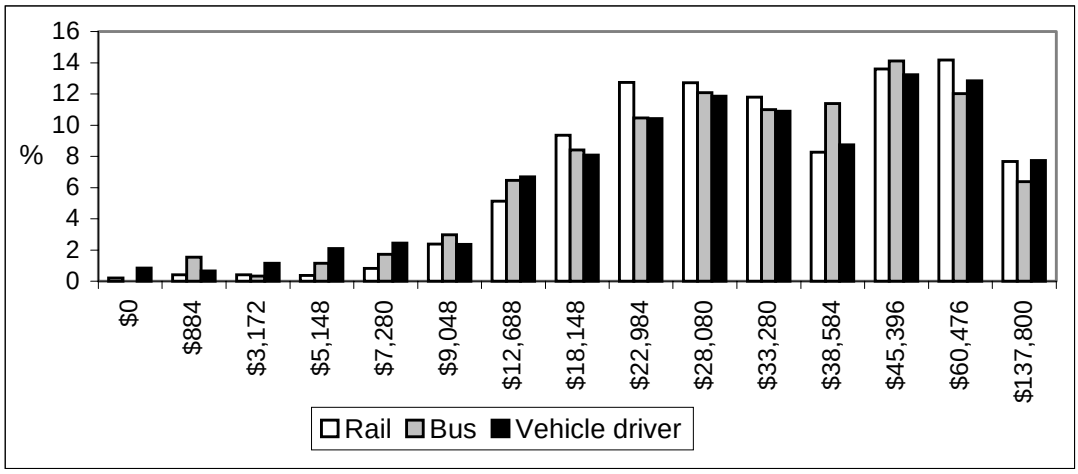
Given the diverging views, the Tribunal has sought out the available information on the likely impact of its determinations. However, the available data is of limited assistance in this regard.[9] The following figure contrasts the proportion of private vehicle users in particular income groups and compares it with the proportion of full fare paying passengers[10] of CityRail and STA buses in particular income groups.

8 NSW Treasury submission, May 1999, p 29, and Western Sydney Regional Organisation of Councils submission, October 1995, p 15.

9 The data is sourced from the Household Travel Surveys (HTS) conducted by the Transport Data Centre (within the Department of Transport) between 1997 to 1999. The HTS surveys the travel patterns of residents in the Greater Metropolitan Region. The HTS is a personal interview survey carried out each day over a full calendar year and collects information on all travel undertaken for a nominated 24 hour period by all members of each selected household.

10 Given that social policy is the responsibility of Government, the Tribunal has assumed for this purpose that the Government's fare concessions are targeted appropriately.

Figure 3.1 Income profile of fulltime and part-time workers

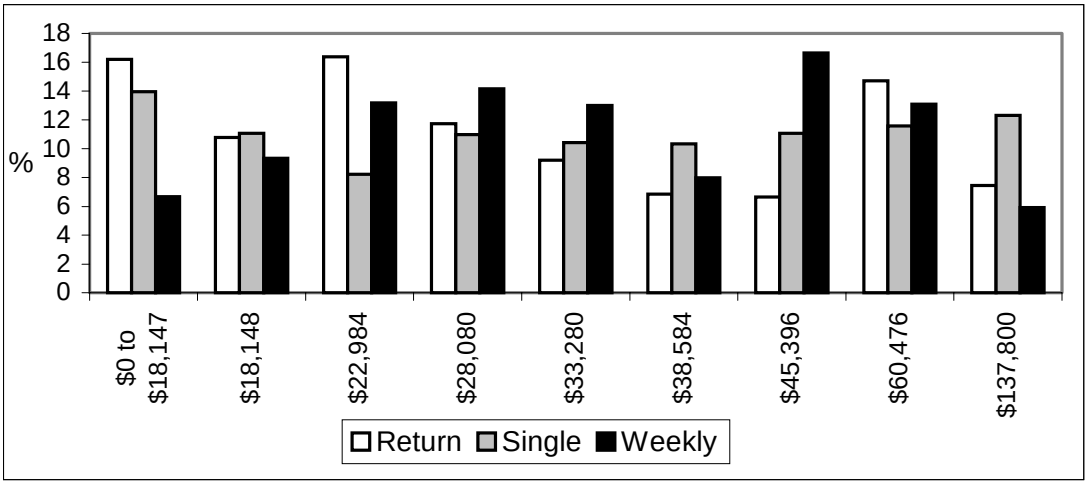


Note: The income profile of ferry users has not been presented due to the small sample sizes, which may significantly misrepresent the actual income profile. The sample above focuses on fulltime and part-time workers only and takes account of both work and non-work related trips made. Income groups are based on the income ranges from the survey.

From the figure it can be seen that a greater proportion of private vehicle users are at the lower income scale. For example, 24.3 per cent of vehicle drivers have incomes of $12,688 or below, compared to 19.0 per cent for rail and 22.6 per cent for government bus services. While there are variations in the income profiles of users of each of the transport modes, there is no discernible variance that would indicate that public transport users should be treated differently on the basis of income.

The Tribunal has also considered the income profile of rail users for different ticket types, as presented in Figure 3.2. For train commuters, there is a some divergence in income levels for weekly ticket users compared to single and return ticket users. Weekly ticket purchasers have relatively high representation in the middle-income groups compared to single and return ticket users. However, the figure does not indicate that fare increases for particular ticket types should be varied based on the income profile of users.

Figure 3.2 Income profile of users of different rail tickets

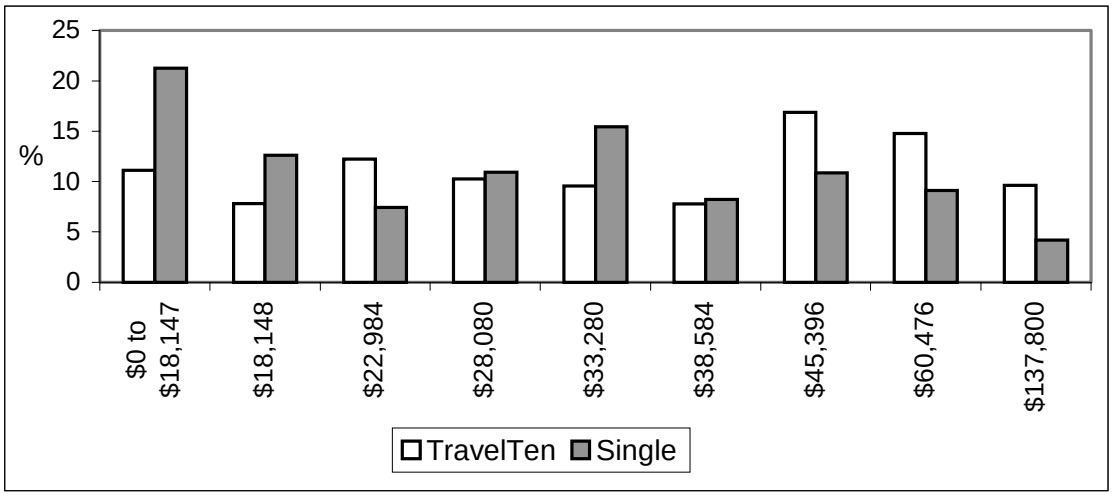


Note: The figure only includes fulltime and part-time workers who pay the full fare. The lowest income groups have been consolidated due to the small sample sizes. The survey does not distinguish between peak and offpeak tickets, therefore, the single and return tickets include both peak and offpeak travel.

Stakeholders stated that train fares/tickets do not properly account for part-time and casual workers. There are time restrictions on multiride (eg weekly) and return train tickets. This contrasts with the absence of time restrictions on multiride bus tickets (TravelTens). Limitations in SRA's ticketing procedures restrict the effective policing of such tickets if introduced at this time by CityRail. However, the Tribunal will continue to raise this as an issue with SRA.

The income profile of different STA bus ticket type users is presented in Figure 3.3. Compared to the single tickets, users of the TravelTen tickets are more heavily represented in the higher income groups. Users of the single tickets are more heavily represented in the lower income groups.

Figure 3.3 Income profile of users of different STA bus tickets



Note: The figure only includes fulltime and part-time workers who pay the full fare. The lowest income groups have been consolidated due to the small sample sizes.

STA has indicated that it is considering introducing other ticket types such as a TravelSix ticket to cater for the growing number of part-time/casual workers. The Tribunal supports this proposal. A TravelSix type ticket will benefit lower income travellers who will still be able to purchase discounted multiride tickets but not have the high upfront cost of the TravelTen tickets.

As indicated above, the limited data available to the Tribunal does not suggest improved outcomes are achievable by varying the proposed moderate fare increases. The Tribunal considers that the moderate fare increases proposed in this determination will have minimal social impact.

The use of public transport fare subsidies to offset shortcomings in road pricing and the deleterious environmental effects of private vehicle use is considered under section 3.2.

3.2 Environmental issues

As part of this determination, the Tribunal has undertaken additional research on the costs and benefits of public transport. Environmental issues are closely related to these issues.

In 1996, the Tribunal first considered these issues during its major transport review, discussing the environmental benefits of public transport. It also indicated that further research on the environmental and social benefits of public transport be undertaken. As part of the major review, the Tribunal commissioned the Institute of Transport Studies to estimate the extent to which existing users of private or public transport respond to changes in public transport fares by altering their travel patterns. The main finding of this study was that price plays a relatively minor role in determining the choice of a particular mode of transport.

Since the Tribunal's major review, stakeholders have increasingly commented on the costs and benefits of public transport. The Tribunal has noted the concerns of a number of stakeholders who have argued that higher fares will discourage travellers from using public transport, with a resultant increase in car use and environmental damage. Similarly, it has been argued that lower fares are justified as a means of attracting additional passengers.

Further, stakeholders have argued that fares should be set based on the full costs and benefits of transport by alternative modes such as train, bus and private cars.[11] This would include financial measures of the environmental and social costs and benefits of each mode. The stakeholders believe that this approach will more adequately take into account the subsidies to private car use through, for example, the construction of roads.

From the above, it is apparent that stakeholders raise two broad issues:

- that demand for public transport will be influenced by fare levels
- that alternate transport modes should be valued with reference to the full social costs and benefits associated with the varying modes of travel.

During this determination, the Tribunal has undertaken some additional research in considering these issues. The Tribunal has considered recent results from the Household Travel Surveys in assessing why particular transport modes are selected. These surveys indicate that there are a large range of factors, aside from the price, that determine a person's choice of transport mode. For example, 97.5 per cent of car users surveyed stated that one of the reasons for choosing private transport was due to the inaccessibility of buses or trains. Further, only 20.2 per cent of public transport users indicated that one of the reasons for choosing public transport was because it was cheaper.[12]

This tends to indicate that lower public transport fares are not likely to attract car travellers away from their cars, and marginally higher fares should not create a major shift away from public transport use. What is more likely to support increased public transport usage are service quality aspects such as frequency and timeliness, accessibility, cleanliness and safety. The importance of these issues was also raised in public submissions during this determination, as discussed in the following chapter.

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11 Council of Social Service in New South Wales, submission to IPART, p 1. University of NSW Transport Program, submission to IPART, pp 3-6. See also the submission by Mr Philip Howell, p 2. Mr Howell has argued that the Tribunal should set fares to equalise the level of Government subsidy to travel by trains and private cars.

12 The survey questions allowed a person to choose more than one answer. This means that a person's choice of transport mode may be influenced by more than one factor.

As part of this determination, the Tribunal also commissioned an independent study by the Centre for International Economics (CIE) on subsidies and the social costs and benefits of public transport.[13] The study indicated that changes in public transport fare levels are unlikely to have a major impact on patronage levels, and that a range of factors are considered by the traveller when determining travel mode. The study states:[14]

> The effectiveness of public transport subsidies in controlling transport externalities depends partly on the influence they have on fares, and, through these, on the relative price of travel by these modes compared with car. The influence is only partial because subsidies can also be used to change the quality of service at a given fare – through expenditure that change journey speed, frequency, reliability, comfort and safety. The EPA and NCOSS have emphasised that these factors play a significant role in inhibiting public transport patronage. Mees (2000, p 86) also points out that '… public transport is already cheaper than owning and operating a car. It is flexibility, convenience and door to door travel times that count most'.
>
> The available evidence on the ability of public transport subsidies to influence travel behaviour through reducing the relative cost of travel suggests they have a limited effect.

Although changes in fares levels are likely to have only a limited effect on public transport usage, the Tribunal is mindful that higher fares can have social impacts, as discussed above.

The CIE study considered the issue of appropriate pricing of alternate transport modes. It notes that the external costs of car use include congestion, noise and air pollution, and accidents. However, it is possible to take a broader view, and come up with correspondingly larger estimates of external costs of road use.

Notwithstanding the substantial difficulties in estimating externalities, the CIE study indicates that in considering appropriate pricing for alternate transport modes, the best way to deal with a distortion is to use an instrument that bears most directly on the incentive that needs to be changed. In the case of private transport use, congestion tends to dominate other traditional external costs. As such, road user charges would be a first best approach to correcting excessive use of private transport.[15] The study then notes that:[16]

> Despite the theoretical evidence pointing to the efficiency gains to be had through road pricing, and the relative ineffectiveness of public transport subsidies in dealing with externalities the main real world experience of road pricing is of its continual non implementation…
>
> In the absence of efficient road pricing, subsidisation of public transport is a second best means of bringing external road usage costs to account in transport pricing and investment decisions.
>
> The international attempts to *model* the likely impacts of road use charging have in a number of instances included public transport subsidies as a complementary or alternative instrument for modifying road use to more efficient levels. These studies point to significant potential gains where road user charges are part of a larger policy

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13 Centre for International Economics, *Subsidies and the social costs and benefits of public transport*, March 2001. Available from the Tribunal's website, www.ipart.nsw.gov.au.

14 Op cit, pp 38 and 43.

15 Anecdotal evidence reported in the Daily Telegraph (13 June 2001, p 3) supports the case that car users are responsive to changes in toll charges and petrol prices.

16 Op cit, pp 40 and 51.

> package… Public transport subsidies on their own seem capable of delivering only a fraction of the benefits of these more direct methods, particularly when the social costs (efficiency losses) of tax funding of subsidies is taken into account.

The CIE study supports stakeholder comments that ideally, pricing of alternate transport modes should reflect the social costs and benefits of each of those modes. The study also indicates that for whatever reasons, whether they be political or technical, appropriate road pricing policies have rarely been implemented.

The Tribunal notes that the CIE study also indicates that public transport subsidies are largely ineffective in addressing the mispricing of alternate transport modes. That is, providing lower and/or subsidised fares will have little impact on increasing public transport patronage or on correcting externalities. This is not to say that public transport should not be subsidised. There are a range of reasons why governments may choose to subsidise public transport, for example, to provide concessions to those requiring assistance, to ensure the public has reasonable access to public transport, or to provide capital funding.

The above supports the Tribunal's approach to fare setting, whereby a balance between farebox revenue and government funding is pursued. As fare levels have a minimal impact on patronage, and hence externalities, providing lower fares through the Tribunal determination process would be an inappropriate way of addressing the externalities of private transport use. Further, given the low elasticity of patronage to shifts in public transport fares, the Tribunal does not believe that this fare determination will have a significantly adverse environmental impact.

4 SERVICE STANDARDS

Service standards are one of a range of factors the Tribunal is required to consider under section 15 of its Act when setting prices.[17] In recent years service levels have been a focus of the Tribunal's determinations of transport fares, particularly for CityRail. The recent incidents involving Sydney Ferries, and the level of services provided on particular routes, have increased attention on the standard of service provided by STA.

Stakeholders have expressed various views on the link between fares and service levels. The Council of Social Services in NSW (NCOSS) argues that the link between service levels and fares is weak, and fares should be set by comparing the full social costs and benefits of all modes of transport. However, in the absence of fare setting based on a social benefit cost analysis, NCOSS states that service standards and performance should be linked to fares.[18]

Action for Public Transport (APT) argues that there are benefits of linking fares to service performance to ensure that customers are being provided with the service that they purchased. However, APT notes that there are problems in linking fares to service quality performance. For example, in relation to CityRail, poor performance does not occur everyday and on every line. As such, not all passengers of CityRail services will be affected by a particular service issue. Further, depriving CityRail of funds (by providing lower fares) may exacerbate any service quality problems.[19]

The Tribunal has reviewed the service quality performance of each agency and concluded that service quality for both agencies has generally improved over the last year. The agencies also appear committed to improving service standards, however, deficiencies remain. The Tribunal has considered the service quality outcomes in this fare determination.

4.1 Introducing a passenger charter

In its 1999 determination, the Tribunal recommended that SRA introduce a customer charter for its CityRail services. The Tribunal also expected that the Department of Transport would introduce a Performance Assessment Regime (PAR) for STA and private bus operators which included the publication of customer service indicators.

SRA has recently introduced a customer charter following consultation with customers. Although stakeholders are supportive of the release of a charter, they believe the consultation process was generally poor and the document requires further improvements. The Department of Transport has already prepared a draft PAR and has sought comment on this document. The Department has not indicated when this regime will be implemented.

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17 See attachment 2 for a review of matters considered under section 15 of the IPART Act in setting CityRail fares for 2001/02. See attachment 3 for a review of matters considered under section 15 of the IPART Act in setting State Transit Authority fares for 2001/02.

18 NCOSS submission, April 2001, p 1.

19 Action for Public Transport submission, April 2001, p 3.

4.1.1 CityRail's progress

SRA's submission to the Tribunal included a draft customer charter. In making the draft charter, SRA held initial consultations with stakeholders (eg Action for Public Transport, Commuter Council) and conducted meetings with representative focus groups. SRA states in its submission that it also intends to subject the proposed charter to extensive public review and discussion.

Following further public consultation and review, SRA tabled an amended customer charter (its *CityRail Customer Service Commitment*), at the Tribunal's public hearing on Friday 20 April 2001.

The *CityRail Customer Service Commitment* covers a range of issues, including:

- the areas of operation for CityRail services
- the types of services and tickets CityRail will provide to passengers
- customer information contacts and avenues for feedback
- performance and service standard targets
- passenger obligations and requirements.

The customer service commitment proposes two performance indicators: on-time running and reliability (ie proportion of services operated). These indicators are published by SRA on its website.

Stakeholders are generally not satisfied with CityRail's customer service commitment and believe that it does not draw enough on the existing charters in Victoria and overseas. The customer service commitment does not include a range of measurable performance indicators, making it difficult to effectively monitor CityRail's performance from a customer perspective.[20] Stakeholders believe that measurable targets should include: on-time running, skipped stops, cancellations, accessibility, perception of safety, crime rate, comfort, perception of customer service and overall service quality and response time to feedback. They also call for performance statistics such as on-time running to be collected by line, for stations other than Central, and during peak and off-peak periods.

Western Sydney Community Forum (WSCF) and NCOSS also support the need for independent passenger surveys and an independent monitoring authority. WSCF believes that customer surveys should be undertaken quarterly and be made publicly available.[21]

A number of stakeholders' submissions believe that the charter should include a customer refund clause to penalise SRA for poor services. APT, however, notes that refunding passengers for poor service will result in significant administrative costs for CityRail and be open to abuse.[22]

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20 NSW Council of Social Services submission, April 2001, p 1 and Western Sydney Regional Organisation of Councils submission, April 2001, p 1.

21 Western Sydney Community Forum and NSW Council of Social Services have made supplementary submissions commenting on CityRail's amended customer charter. The comments are similar to those made in their initial submissions, requesting the inclusion of additional performance information into the charter.

22 Action for Public Transport submission, April 2001, p 4.

The Tribunal has received a significant number of submissions from individuals. Three factors dominate their views on assessing service quality: on-time running, overcrowding and cleanliness. Related to on-time running are issues such as missed stops, cancellations and service frequency.

The Tribunal has considered customer charters and performance reporting by tram and train operators and transport authorities in Victoria and the UK.[23] The Victorian and UK customer charters and/or operator performance reporting (eg via websites) generally include far more detailed performance indicators, compared to those included in CityRail's customer service commitment. SRA argues that it has not included detailed performance indicators in the customer service commitment because this will be one of the key tasks of the proposed Rail Regulator, whose role will be to monitor and audit SRA's performance against standards set by the Minister for Transport.[24] The Rail Regulator will determine a range of indicators and report to the NSW Parliament on SRA's compliance against the performance standards. SRA argues therefore that the customer service commitment should not represent a separate document to monitor CityRail's performance.

The Tribunal has assessed the *CityRail Customer Service Commitment* with reference to stakeholder submissions and charters/performance reporting in other jurisdictions. While the customer service commitment does not address all the concerns raised in submissions, the Tribunal supports the release of the current customer service commitment. The Tribunal views the service commitment as an evolving document that will be developed further once the exact role of the Rail Regulator is clear and the concerns of stakeholders and other customers are addressed. The Victorian and UK customer charters and performance reporting activities provide useful examples of further information that may be provided within the customer service commitment.

4.1.2 State Transit's progress

The Department of Transport has been working towards a Performance Assessment Regime (PAR) to apply to both STA and private bus operators. This would include the publishing of performance indicators. The regime would provide the Tribunal and public with more detailed information on which to judge STA's service standards.

In the Department of Transport's September 1998 discussion paper, it was envisaged that the PAR would be implemented from July 1999. Feedback on the discussion paper contributed to the Department's decision to significantly revise its approach to the PAR. A second discussion paper was released in October 2000, and submissions received in December 2000.[25]

The Tribunal supports the publication of detailed service standards on a regular basis for public scrutiny. Such a publication should clearly outline the meaning of each statistic and the sampling methodology used to collect the information.

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23 In both these cases, the public transport services are operated by private sector operators.

24 The formation of the Rail Regulator was proposed in an amendment bill on 6 December 2000. The Rail Regulator has the function of recommending to the Minister appropriate rail performance standards and when setting the rail performance standards the Minister is required to have regard to the standards recommended by the Rail Regulator.

25 The discussion paper and submissions can be viewed in the 'what's new' section of the Department of Transport website, www.transport.nsw.gov.au.

4.2 CityRail's service standards in 2000/01

The SRA operates CityRail services subject to a range of quality and reliability standards codified in its community service obligation (CSO) funding contract with the NSW Government. The contract specifies minimum and target performance levels. The Tribunal receives some of this information annually as part of the fare determination process.

In the future CityRail's performance will be monitored and audited by the Rail Regulator against a set of standards established by the Minister for Transport.

While the key performance standards that will be monitored have not yet been established, they will broadly include:[26]

- rail passenger service reliability (including train cancellations and skipping of stops at train stations)
- on-time running of passenger trains
- rail passenger comfort (including the cleanliness of trains and overcrowding)
- any other matter prescribed by the regulations with respect to the performance of railway passenger services.

For this determination, the Tribunal considered a number of indicators of performance, based on information submitted by SRA and submissions from stakeholders.

4.2.1 Customer satisfaction

SRA has not published results of customer satisfaction surveys over the past year. Nevertheless, SRA states that CityRail's services have improved. SRA's submission highlights a number of areas where improvements to service levels have been made:[27]

- introduction of a program to reduce the size of gaps between platforms and trains. At stations where such action has taken place, there has been a reduction of around 80 per cent in the number of passengers injured as a result of this hazard
- introduction of a pager system to communicate train delays to train guards and staff, allowing them to better inform the public
- upgrades of key stations including Central, Town Hall, Wynyard, Bondi Junction, Parramatta and Penrith
- a 'station sparkle' (ie improved lighting) program covering 33 stations
- enhancement of ticket vending machines at major CityRail stations through the introduction of touch screen technology.

Despite these improvements there has been a large number of submissions from individual commuters expressing their concern at CityRail's poor services. Many of these submissions come from passengers on the Illawarra line (including Cronulla) and also on the longer distance trains (eg from Gosford).

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26 Transport Administration Amendment (Rail Management) Bill 2000, Schedule 4: Amendment of Transport Administration Act 1988 and other Acts relating to Rail Regulator. See Part 2B, Division 3.

27 State Rail Authority submission, February 2001, p 19.

The submissions indicate that customers were extremely happy with CityRail's performance over the Olympic period. However, customers have noted that service performance has deteriorated significantly since the Olympics. Overall, customers continue to be dissatisfied with current service levels.

The key areas of concern are similar to those raised last year and include:

- late running, missing stops and overcrowding
- air conditioning temperature variable, not set at the appropriate temperature
- ticket machines not working
- long ticket queues and train tickets not available at newsagents
- cleanliness on trains
- personal safety (although this issue does not appear to be as much of a concern as last year)
- helpfulness of staff.

On the whole, individual submissions indicate a level of dissatisfaction with service quality, particularly given that service quality was of a much higher standard during the Olympics. While SRA has made changes, submissions suggest that these changes are yet to be reflected in improved customer satisfaction generally.

4.2.2 On-time running

SRA indicates in its submission that CityRail achieved an average on-time running performance for peak periods of 86.2 per cent in 1999/2000, significantly below the target of 92 per cent. Using performance information from SRA's website, the Tribunal has estimated that performance for 2000/01 up to the end of May was 91.0 per cent.

On-time running performance receives considerable attention, and the NSW Government has moved to improve what it perceives to be problems with the system. The Government has allocated more maintenance funding and additional funds for capital works. Key features of the investment package include:[28]

- $90m in additional funding for track maintenance for 2000/01
- $30m to accelerate the completion of two extra tracks to relieve congestion on the East Hills line for 2000/01, with completion to Kingsgrove by September 2001
- $25m to expedite the construction of an extra track to Quakers Hill to improve services on the Richmond line by 2002
- $114m over four years to accelerate the maintenance and refurbishment of CityRail trains
- $14m to increase regular training for drivers and guards for 2000/01.

[28] State Rail Authority submission, February 2001, pp 17-18. Full details of SRA's expenditure can be found in the NSW Budget Papers, 2001/02.

SRA also notes that timetabling is a factor in on-time running. During the Olympics, a simple single-purpose timetable was introduced and an unprecedented level of reliability was achieved. CityRail has examined lessons from the Olympics and is considering possible changes to the timetable with a view to delivering a more reliable service.[29]

Overall, on-time running in the morning peak has improved since the last determination. For 2000/01 to date, on-time running in the morning peak has averaged 93.0 per cent for the metropolitan services and 94.1 per cent for the intercity services. This compares with 89.3 per cent for the metropolitan services and 93.4 for the intercity services during 1999/00.

Historically, on-time running in the evening peak period has been considerably below that during the morning peak, due to the difficulty of 'catching-up' time throughout the day once a service is late. While the level of on-time running in the evening peak remains poor, there has been some improvement recently. For 2000/01 to date, on-time running in the evening peak has averaged 84.5 per cent for metropolitan services and 87.7 per cent for the intercity services. This compares with 79.4 per cent for the metropolitan services and 86.4 per cent for the intercity services during 1999/00.

While the 2000/01 data incorporates the Olympic period where on-time running was very good, overall there does appear to have been an improvement after the 'Olympics effect' is removed.

The Tribunal considers that on-time running is an important indicator of service standards. However, it should not be the sole focus when service standards are considered. It is sensible to have a range of indicators with which to assess performance. An organisation forced to focus on a single indicator may have perverse operational incentives forced upon it. This was also pointed out by SRA in its presentation to stakeholders on 20 March 2001. With a sole focus on on-time running performance, services may be cancelled and stops skipped in an effort to have trains arrive on-time. In addition, the Tribunal considers that any focus on on-time running performance should not jeopardise the safe operation of the rail system.

The Tribunal notes that overall, on-time running has improved over the last year. It will continue to consider on-time running performance, but will also consider other performance indicators such as reliability (ie proportion of scheduled services run) and missed stops.

[29] State Rail Authority submission, February 2001, p 18.

4.3 State Transit's service standards in 2000/01

STA's performance statistics show that service standards have been maintained on average across each of its businesses, although there has been a slight decline for Newcastle services.

Table 4.1 STA service standards

	1996/97	1997/98	1998/99	1999/00	2000/01[1]
Sydney Buses					
On-time running	97.5%	97.2%	97.1%	97.4%	98.0%
Trips cancelled	0.28%	0.37%	0.52%	0.44%	0.40%
Customer satisfaction	73%	72%	na	na	70%
Sydney Ferries					
On-time running	99.5%	98.6%	98.4%	99.5%	99.0%
Trips cancelled	na	na	na	na	na
Customer satisfaction	70%	71%	na	86%	84%
Newcastle					
On-time running	98.8%	99.2%	97.9%	95.1%	95.0%
Trips cancelled	90	60	73	291	200
Customer satisfaction	84.1%	na	na	na	na

Note:
1. Figures for 2000/01 are projections by STA.

The Tribunal recognises that the operational statistics quoted above are aggregates and can mask problems in particular areas or for particular timeframes. For example, they do not highlight the service problems Sydney Ferries experienced during the early months of this year. Further, some of the statistics presented are not relevant from a customer perspective: on-time running is measured at the point where the bus leaves the depot to begin its route. It therefore may not reflect whether the bus arrives on-time at a particular point along the route.

On-time running for buses will be affected by general traffic flows, which STA cannot control. It may therefore be inappropriate to measure on-time running on a similar basis to CityRail. However, it may be reasonable to measure on-time running at the beginning of each route, ie do timetabled services actually begin their run on-time. The Tribunal also notes that on-time running for buses is measured by the Victorian authorities.[30]

As well as collecting the above information, STA has undertaken a number of passenger surveys covering Sydney Buses and Sydney Ferries. These included route based surveys, service quality index surveys, satisfaction and willingness to pay surveys, and special purpose surveys. The Tribunal has considered this information as presented in STA's submission.

30 Victoria's *Track Record* publication publishes on time performance for Metro buses. On-time performance is measured at the end of the journey. On-time is defined as not more than two minutes early or five minutes late at their destination.

4.3.1 Sydney Buses

The main performance statistics provided by STA include on-time running, trips cancelled and overall customer satisfaction. [31]

STA believes that recent survey results are favourable and point to a general level of satisfaction with STA's bus services. Three hundred Sydney Buses users were asked to rate different aspects of Sydney Buses service quality. Sydney Buses' passengers rate bus services 7 out of 10 in meeting their expectations. Passengers also gave Sydney Buses a rating of 6.8 out of 10 for improvement in service quality compared to the previous two years (a scale of 0 – 10 was used, with a rating of 0 defined as very poor, a rating of 6 defined as no change, and a rating of 10 defined as excellent).[32]

There have been a significant number of submissions from individuals raising concerns about service quality. In last year's determination the key issues of concern were on-time running, skipped stops when buses were full and overcrowding, particularly on the Northern beaches services running along Military Road. These issues still remain a concern to customers.

Key service improvements proposed by STA in following years include:

- continuation of the bus replacement program
- undertaking a network review following customer consultation (letterbox drops) to determine the optimal routing
- establishing a relatively senior management position within the STA to deal on a day to day basis with the management of bus priority lanes with the RTA and police[33]
- trialling a bus that does not accept cash fares to examine the extent of improvement in on-time running.[34]

The Tribunal accepts that STA appears committed to improving services. Further improvements are likely to arise through the development and implementation of the PAR being developed by the Department of Transport. Under the PAR it is likely that STA will be required to collect information (and report on a quarterly basis) on vehicle accessibility, heating and ventilation of buses, information and signage systems, vehicle emission performance and complaint handling mechanisms. The Department of Transport will be required to assess STA's (and that of other private operators) performance against a set of benchmarks. It is likely that penalties for operators that breach their contract requirements will be introduced.

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31 For its service contract with the Department of Transport, STA currently collects information on a range of service quality issues including: bus reliability, customer complaints mechanisms, bus maintenance and cleanliness levels, proximity to bus routes and hours of operation on different days of the week. Mr Lyall Kennedy, STA, transcript of the public hearing, 20 April 2001, pp 83-84.

32 State Transit Authority submission, 2 March 2001, Appendix D.

33 Mr Lyall Kennedy, State Transit Authority, transcript of the public hearing, 20 April 2001, p 85.

34 Mr Lyall Kennedy, State Transit Authority, transcript of the public hearing, 20 April 2001, p 85.

4.3.2 Sydney Ferries

The Tribunal has received a significant number of submissions concerned with the service standards of Sydney Ferries. The main issue is with the Manly JetCat service, particularly during March of this year, when a number of services were cancelled. Submissions also have raised concerns in regard to the refurbishment of the Manly ferry (eg seats uncomfortable, view obscured due to height of windows) and the appropriateness of the new SuperCats for the Manly service.

STA has conducted a series of surveys of Sydney Ferries' services and the ferry wharves. Only some of the wharves are owned by STA and the condition of the other wharves are often outside their control. The surveys indicate that generally:

- Sydney Ferries had a higher level of overall customer satisfaction compared to Sydney Buses (before the recent problems with the Manly ferries)
- customer satisfaction across the different ferry types was high, with a rating ranging from 8.2 and 8.7 out of 10 (this excludes the JetCat service)
- overall satisfaction with wharves was lower, with an overall rating of 7.9 out of 10.

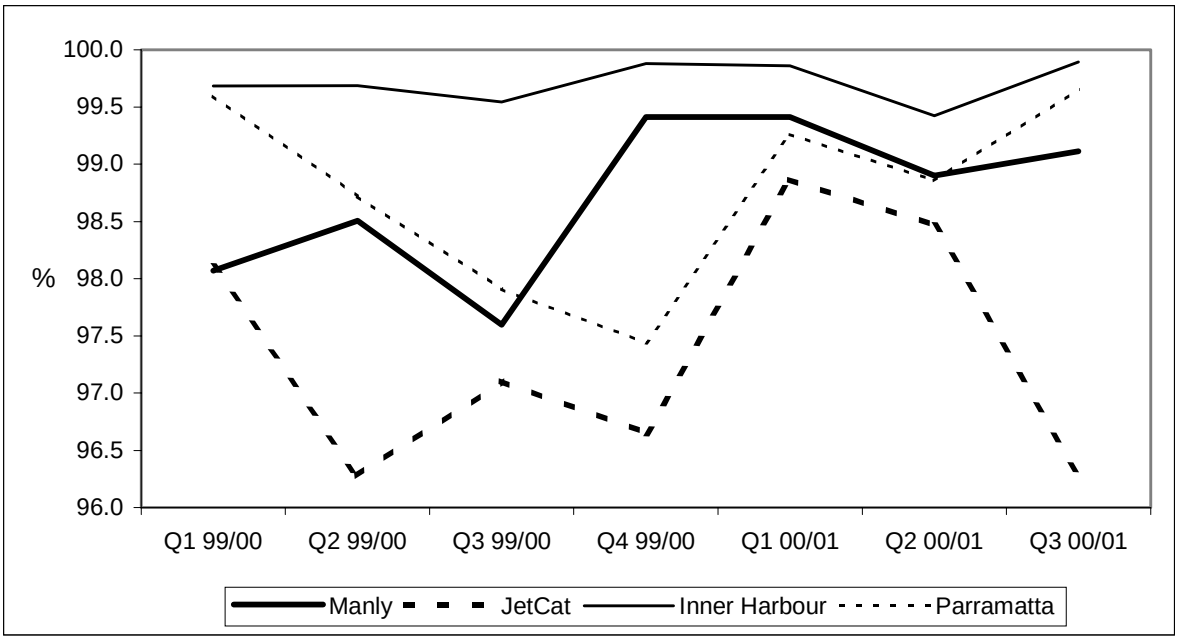

Figure 4.1 Service reliability (% of scheduled trips completed)

On the whole Sydney Ferries' have a high level of reliability (ie there are a small number of services cancelled). The reliability on the Manly ferry has improved considerably during 2000/01 compared to 1999/00. The reliability of Parramatta services declined throughout 1999/00 but has improved over the past year. Reliability on the Inner Harbour services is high and has not changed significantly in 2000/01. The reliability of the JetCat service to Manly has varied considerably. The performance during the third quarter in 2000/01 has been particularly poor.

There have been a significant number of submissions concerned with the service standards of Sydney Ferries. The main complaints regarding the Manly services concerned cancelled, unreliable and slow running services. However, there also were complaints about:

- refurbishment of the Manly ferries and the new SuperCats (eg slower service than the JetCat, reduced indoor seating compared to the JetCat)
- poor contingency planning in the event that the JetCat breaks down (eg buses, other ferries)
- no refund policy if JetCat passengers (who pay a higher fare) are required to be shifted to the Manly ferry if the JetCat service is cancelled / delayed[35]
- no clear protocol for wharf staff to be informed of delays and then to relay these on to passengers waiting, allowing them to plan for these delays
- staff utilisation
- no response to email complaints.

The Tribunal noted in its last determination that STA was working to fix the problems on the Manly route, and had commissioned the construction of new high-speed ferries (the SuperCats) to replace the JetCats. It was expected that two of the ferries would be in place before the Olympics and a third probably at the time of the Olympics. However, the introduction of the SuperCats has been delayed from the timing initially expected, and the public has some concerns in regard to their suitability for the Manly service.

After considering the data submitted by STA and the submission received from passengers, Tribunal concludes that Sydney Ferries' overall performance during the past year has improved slightly on all services except the JetCat service to Manly.

4.3.3 Newcastle Services

Newcastle Services' bus and ferry services do not face the same level of traffic as Sydney Buses and Sydney Ferries, which makes it easier for them to run on-time. The operating environment of Newcastle Services is also less complex. The Tribunal has not received submissions from individuals or organisations commenting on STA bus and ferry services in Newcastle.

The Tribunal notes that after a significant rise in cancelled services in 1999 / 2000, this figure is expected to fall in 2000 / 01, but remains at a historically high level

While there have not been any complaints in regard to services in Newcastle, the Tribunal notes that on-time running performance has been particularly poor in 1999 / 00 and 2000 / 01. Given that Newcastle does not face the same level of traffic problems it is particularly concerning that on-time running could deteriorate so significantly over the past three years. STA argues that the main reason for the deterioration is due to the construction of a bus interchange in Newcastle's CBD. As the majority of bus routes have been affected by the interchange reconstruction the on-time running statistics have been significantly affected.

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[35] STA has noted that its policy is to reimburse JetCat passengers who are 'downgraded' to the Manly Ferry when the JetCat service is cancelled. The reimbursement is equivalent to the difference between the single / return JetCat and Manly Ferry tickets. However, they can only do so at the cashier before they board the ferry.

5 MAXIMUM FARES FOR 2001/02

Weighted average fares in 2001/02 will rise by 3.3 per cent for CityRail, 4.8 per cent for Sydney Buses, 5.0 per cent for Sydney Ferries and 3.7 per cent for Newcastle Services. The increase granted to CityRail is consistent with its submission. In determining increases for STA, the Tribunal has considered cost increases experienced by the organisation.

5.1 CityRail fares

The Tribunal has continued to use CityRail's master fare schedule to set maximum CityRail fares. In the last determination fares moved out of line with the master fare schedule due to the restrictions imposed by the ACCC's price exploitation guidelines.[36] A key component of SRA's submission is adjusting fares to be more consistent with the master fare schedule. In particular, this has meant a proposal to increase fares in the 25 – 65 km bands (although no fare increases by more than 20 cents).

Since its submission, SRA has indicated to the Tribunal that it would not proceed with the proposed increase in fares for the 65 km distance band. A 20 cent increase had been proposed, which would have taken the single fare to $6.60. As SRA have pointed out, this would have made a peak period return trip more expensive than the new DayTripper ticket. Such an outcome was considered undesirable.

In its 1997/98 determination, the Tribunal supported CityRail's use of a master fare scale based on the fares for single journeys. Single journey fares have a flagfall component and a distance-related component. All other fares are multiples of the single journey fares. Future fare increases are then applied to this master fare schedule to obtain a calculated fare. The actual fare charged is this value rounded to the nearest 20 cents. Future fare increases are tied back to the calculated and not the rounded values.

In previous determinations, fares for 25 – 65 km bands have been held slightly below the level calculated by the master fare schedule. It was considered that the scale of increase required in one year to reach the master fare was too high. The Tribunal's current determination goes some way to removing the fare anomalies for these distance bands, with increases marginally higher than the average increase in fares.

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36 Australian Consumer and Competition Commission, *Price Exploitation and the New Tax System*, March 2000.

5.1.1 CityRail's single journey tickets

CityRail's new single journey fares are shown in Table 5.1. Return fares are twice the single fare ticket prices shown in Table 5.1. Half fares are half of the corresponding single ticket price.

Table 5.1 Increases in CityRail single journey fares

Distance up to (km)	2000/01 fare ($)	2001/02 fare ($)	Change ($)
5	2.20	2.20	0.00
10	2.40	2.60	0.20
15	2.80	2.80	0.00
20	3.20	3.40	0.20
25	3.40	3.60	0.20
30	3.80	4.00	0.20
35	4.00	4.20	0.20
45	4.80	5.00	0.20
55	5.60	5.80	0.20
65	6.40	6.40	0.00
75	7.60	7.80	0.20
85	8.40	8.60	0.20
95	9.40	9.60	0.20
105	9.80	10.00	0.20
115	11.00	11.20	0.20
125	12.40	12.40	0.00
135	12.60	12.60	0.00
155	14.60	14.60	0.00
175	16.60	16.60	0.00
195	19.80	19.80	0.00
215	21.00	21.00	0.00
235	24.00	24.00	0.00
255	25.00	25.00	0.00
305	27.00	27.00	0.00
305+	29.00	29.00	0.00

5.1.2 CityRail off peak fares

Off-peak fares are sold as return fares only, available from 9:00 am weekdays and all day on weekends. In line with SRA's recommendation, the Tribunal has set off-peak return fares at 1.19 times the single journey fare. Table 5.2 compares the current and proposed fares, indicating the increase for each distance band.

Table 5.2 Increases in CityRail off peak return fares

Distance up to (km)	2000/01 fare ($)	2001/02 fare ($)	Change ($)
5	2.60	2.60	0.00
10	2.80	3.00	0.20
15	3.20	3.40	0.20
20	3.80	4.00	0.20
25	4.00	4.20	0.20
30	4.40	4.80	0.40
35	4.60	5.00	0.40
45	5.60	6.00	0.40
55	6.60	7.00	0.40
65	7.40	7.60	0.20
75	8.80	9.20	0.40
85	9.80	10.20	0.40
95	11.00	11.40	0.40
105	11.40	11.80	0.40
115	12.80	13.40	0.60
125	14.60	14.80	0.20
135	14.80	15.00	0.20
155	17.00	17.40	0.40
175	19.40	19.80	0.40
195	23.00	24.00	1.00
215	25.00	25.00	0.00
235	28.00	29.00	1.00
255	29.00	30.00	1.00
305	32.00	32.00	0.00
305+	34.00	35.00	1.00

The off-peak child fares are shown in Table 5.3. These tickets are available for three very broad fare zones, similar to those used for pensioner concession tickets. However, unlike the pensioner fare, the ticket is valid for one return journey only.

Table 5.3 Increases in CityRail off-peak child fares

Zone	Coverage	2000/01 fare ($)	2001/02 fare ($)	Change ($)
1	Sydney metropolitan and Newcastle metropolitan	2.20	2.30	0.10
2	Outer metropolitan	3.30	3.40	0.10
3	All CityRail network	5.50	5.60	0.10

5.1.3 CityRail periodicals

Historically, CityRail has not sold weekly tickets for journeys greater than 195 km. SRA state that this was driven by a pragmatic approach to the distribution of pre-printed tickets. However, since May 2000, it has been possible for some devices to sell such tickets. SRA have calculated the proposed fares at 3.9 times the single fare, rounded down to the nearest dollar.

The Tribunal supports the introduction of weekly tickets for distances greater than 195 km, and considers SRA's calculation based on a multiplier of 3.9 times to be reasonable. Table 5.4 compares the 2000/01 and 2001/02 CityRail weekly fares.

Table 5.4 Increase in CityRail weekly fares

Distance up to (km)	2000/01 fare ($)	2001/02 fare ($)	Change ($)
5	16.40	17.00	0.60
10	19.80	20.00	0.20
15	22.00	23.00	1.00
20	26.00	26.00	0.00
25	27.00	28.00	1.00
30	29.00	30.00	1.00
35	31.00	31.00	0.00
45	35.00	35.00	0.00
55	38.00	38.00	0.00
65	41.00	42.00	1.00
75	44.00	45.00	1.00
85	47.00	48.00	1.00
95	49.00	50.00	1.00
105	51.00	52.00	1.00
115	53.00	54.00	1.00
125	56.00	57.00	1.00
135	62.00	62.00	0.00
155	67.00	67.00	0.00
175	69.00	71.00	2.00
195	79.00	79.00	0.00
215	na	81.00	na
235	na	93.00	na
255	na	97.00	na
305	na	105.00	na
315+	na	113.00	na

Flexipass tickets, for travel over periods greater than 28 days, are calculated using a formula set out in the CityRail Pricing Schedule attached to this report.

5.2 State Transit Authority fares

In the last determination the Tribunal was required to round down STA's fares to the nearest 10 cents or 1 dollar, in order to allow appropriate coin increments to be made while still complying with the ACCC's price exploitation guidelines.[37] This has resulted in altering the structure of fares. STA has proposed the introduction of a master fare schedule to realign fares and to ensure that future rounding does not significantly alter the fare structure.[38]

The Tribunal's current determination goes some way to removing the fare anomalies and realigning fares with STA's master fare schedule. STA has indicated it will review the fare structure further as a medium term objective.[39] In particular, STA believes that TravelTen and TravelPass tickets offer significant discounts relative to cash single fares and there is a need to reduce the level of discount.

However, STA is concerned that any reduction in discounts at this stage will encourage a further shift toward the cash single tickets, exacerbating the current trend. STA is trying to discourage the use of the cash single fare because it slows boarding on bus services, resulting in slower operating speeds and higher operating costs. More cash on board the buses also poses a greater security risk for drivers.[40]

STA has indicated that it will consider ways to encourage a shift away from the cash single tickets, prior to proposing lower discount levels for the multiride and travelpass tickets. Action for Public Transport has suggested the introduction of a 'no-cash' bus.[41] STA has indicated that it will trial such a bus on certain routes to evaluate the success. STA has also indicated that it will consider a ticket with less than 10 rides (eg a TravelSix ticket) to cater for the growing number of part-time / casual workers.[42]

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37 Australian Consumer and Competition Commission, *Price Exploitation and the New Tax System, March 2000*.

38 State Transit Authority, submission 2 March 2001, p 19.

39 State Transit Authority, submission 2 March 2001, p 22.

40 Other benefits of moving away from the cash fares include: more efficient utilisation of the fleet as operating speed increases and more efficient administrative functions regarding cash handling, banking and reconciliation of bus operators cash deposits with electronic value of sales recorded. State Transit Authority, submission 2 March 2001, p 22.

41 Action for Public Transport, submission April 2001, p 8.

42 This product would also benefit those lower income patrons who cannot afford the up-front cost of the TravelTen tickets.

5.2.1 Sydney Buses

The fares for Sydney Buses' single ride bus tickets are presented in Table 5.5.

Table 5.5 Increases in Sydney Buses' single fares

Bus single section	2000/01 fare ($)	2001/02 fare ($)	Change ($)
1-2 Section	1.40	1.50	0.10
3-5 Section	2.50	2.60	0.10
6-9 Section	3.10	3.30	0.20
10-15 Section	3.70	3.80	0.10
16+ Section	4.40	4.60	0.20

Prices for Sydney Buses' TravelTen tickets are presented in Table 5.6. The Tribunal and STA have previously agreed that the discount on TravelTen tickets should be between 15 and 20 per cent (or the ticket should be priced between 8.0 and 8.5 times the price of a single fare). As Table 5.6 shows, the level of discount provided for shorter distance journeys provide a higher level of discount. This issue will be considered in the medium term.

Table 5.6 Increases in Sydney Buses' TravelTen fares

Bus TravelTen	2000/01 fare ($)	2001/02 fare ($)	Change ($)	Discount (%)	
				2000/01	2001/02
Blue: 1-2 Section	10.40	11.00	0.60	25.7	26.7
Brown: 3-5 Section	17.60	18.40	0.80	29.6	29.2
Red: 6-9 Section	22.00	23.00	1.00	29.0	30.3
Green: 10-15 Section	29.50	31.00	1.50	20.3	20.5
Orange: 16+ Section	37.00	39.00	2.00	15.9	15.2

The Tribunal has increased Sydney Buses' BusTripper[43] ticket to $9.50, its School Term Pass[44] to $37.00, and its Sports Special[45] to $4.30 or $2.10 for a half fare.

[43] The BusTripper is an all-day (unlimited) bus ticket for the Sydney area, ideal for people who make numerous bus trips over one day. Utilisation is low, with 1 in every 1,700 journeys being undertaken using a BusTripper. STA sell an average of 76 BusTripper tickets per day.

[44] The School student transport scheme provides free travel to and from school for eligible students. The main eligibility criteria for free travel is that students live over 2km (in radial distance) from their school. The School Term Pass provides one term's bus transport to students who are ineligible for free travel due mainly to their proximity (less than 2km) to the school they attend. The school term is generally ten weeks in duration and hence the pass provides travel for up to 100 bus journeys.

[45] The Sports Special is a return bus ticket available for travel from Central Station (or occasionally Circular Quay or Wynyard) when sporting and other events (eg concerts) are held in the Moore Park area or Randwick Racecourse.

5.2.2 Sydney Ferries

Sydney Ferries' single journey fares for 2001/02 are presented in Table 5.7.

Table 5.7 Increases in Sydney Ferries' single journey ferry fares

	2000/01 fare ($)	2001/02 fare ($)	Change ($)
Inner Zone 1	4.00	4.20	0.20
Inner Zone 2	4.20	4.40	0.20
Manly & Rydalmere	5.00	5.30	0.30
Manly JetCat	6.30	6.60	0.30
Parramatta	6.10	6.30	0.20

Table 5.8 shows Sydney Ferries' FerryTen fares, and illustrates that FerryTen tickets still offer significant discounts.

Table 5.8 Increases in Sydney Ferries' FerryTen fares

	2000/01 fare ($)	2001/02 fare ($)	Change ($)	Discount from single	
				Current (%)	New (%)
Inner Zone 1	25.30	26.30	1.00	36.8	37.4
Inner Zone 2	27.50	28.80	1.30	34.5	34.5
Manly & Rydalmere	37.40	38.80	1.40	25.2	26.8
Manly JetCat	52.00	54.70	2.70	17.5	17.1
Parramatta	42.90	44.60	1.70	29.7	29.2

5.2.3 Newcastle Services

A time-based fare structure was successfully introduced for Newcastle bus services in January 1997. Newcastle bus and ferry fares for 2001/02 are presented in Table 5.9.

Table 5.9 Increases in Newcastle Services' bus and ferry fares

	2000/01 fare ($)	2001/02 fare ($)	Change ($)
Bus services			
1 Hour	2.40	2.50	0.10
4 Hour	4.60	4.80	0.20
Daily	7.00	7.40	0.40
TimeTen (1 Hour)	19.00	20.60	1.60
Stockton Ferry services			
Single	1.70	1.80	0.10
Daily	7.00	7.40	0.40

5.3 Integrated CityRail and STA fares

5.3.1 TravelPass tickets

TravelPasses provide unlimited travel over the period of issue (week, quarter or year) throughout the zones of issue and apply to CityRail and STA bus and ferry services. They provide regular users of public transport with very flexible and relatively cheap travel options. Table 5.10 shows the new maximum TravelPass fares.

Table 5.10 Increases in TravelPass fares

	2000/01 fare ($)	2001/02 fares ($)	Change ($)
TravelPass – Bus and Ferry			
Blue	25.00	26.00	1.00
Orange	31.00	33.00	2.00
Two-zone	25.00	26.00	1.00
Pittwater	44.00	46.00	2.00
TravelPass – Bus, Ferry and Rail			
Red	28.00	29.00	1.00
Green	36.00	37.00	1.00
Yellow	39.00	41.00	2.00
Pink	42.00	44.00	2.00
Brown	48.00	50.00	2.00
Purple	56.00	58.00	2.00

STA uses total value of travel (TVT) studies to measure the average value of travel consumed by TravelPass customers and the subsequent average discounts. TVT studies have also been used to improve the accuracy of revenue sharing for TravelPasses between STA and SRA. By valuing TravelPass travel at the next-best single mode ticket price, the TVT studies show that most customers are gaining good value from TravelPass products.

Table 5.11 illustrates the average TVT for TravelPass usage and resulting discount levels. However, the Tribunal is aware that TVT represents an average discount and that some customers can receive discounts above or below the average.

Table 5.11 Analysis of average TravelPass usage and discounts

TravelPass	2001/02 fare ($)	Average TVT ($)	Effective Ave discount (%)	Price to achieve a 20% discount ($)
Bus & Ferry				
Blue	26.00	47.86	45.66	38.28
Orange	33.00	54.30	39.23	43.44
2 Zone	26.00	42.81	39.27	34.25
Pittwater	46.00	64.04	29.17	51.23
Bus, Ferry & Train				
Red	29.00	45.20	35.83	36.16
Green	37.00	53.66	31.05	42.93
Yellow	41.00	58.51	29.92	46.81
Pink	44.00	60.60	27.40	48.48
Brown	50.00	71.54	30.11	57.23
Purple	58.00	83.14	30.24	66.51

Source: STA fares model provided to IPART. Estimated discount based on purchasing single fare tickets.

5.3.2 Other integrated tickets

The CityHopper ticket currently provides a day's unlimited train and bus travel within the CBD zone bounded by North Sydney, Kings Cross and Redfern. STA has indicated that it no longer wishes to participate in this ticket due to its low sales. SRA has proposed to price the ticket at $2.00 as an add-on[46], and if purchased in the CityHopper area at $6.40 in the peak and $4.60 in the off-peak. Child fares will be calculated at half the adult fare. The Tribunal considers SRA's proposal to be reasonable.

In its last determination the Tribunal had also set maximum fares for the DayRover[47] and the DayPass[48] tickets. In an effort to rationalise the range of excursion tickets available and provide more useful ticket options to passengers, STA consolidated the previous DayRover and DayPass tickets into a DayTripper ticket. This ticket allows for travel on rail, bus and ferry services in the Sydney metropolitan area at a cost of $13. At the time of implementing this ticket, STA also removed the BusTripper ticket from sale. This decision to remove the BusTripper ticket has since been reversed.

Given the short period of time the DayTripper ticket has been in place STA has submitted, and the Tribunal has accepted, that its fare should be maintained at $13 for 2001/02.

The Moore Park Link ticket provides combined rail and bus travel from Central station to the Moore Park site. The majority of these ticket holders travel directly to the Moore Park site for sporting and other special events. The price of a Moore Park Link ticket is calculated as the combined price of the rail ticket to Central and the sports special bus ticket ($4.30

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46 The price of the CityHopper ticket, when purchased outside the CBD zone (ie CityHopper area), is the price of the appropriate return ticket, peak or off-peak, from the originating station to the City plus an add-on component.

47 A DayRover ticket can be used for all day on peak and off-peak services. The ticket can be used on bus, rail and ferry services within the area covered by the Purple TravelPass. Concessions are not offered on the DayRover. However, it is available at an off-peak discount.

48 The DayPass is a one-day, unlimited bus and ferry ticket. It is equivalent to a Bus Tripper with the addition of unlimited regular ferry use.

adult and $2.10 concession). The ticket provides the convenience of purchasing a single ticket for the combined journey.

SRA provides a single ticket to Olympic Park. The cost of the ticket is the combined price of the rail fare either to Lidcombe or Strathfield stations, whichever is shortest, plus an add-on component from these stations to Olympic Park.[49] The ticket may be used on both rail and STA bus services from Lidcombe/Strathfield to Olympic Park. The add-on is $1.50 ($0.70 concession) for single, $3.00 ($1.40 concession) for return and $11.00 ($5.50 concession) for weekly fares.

SRA also has a Bondi Link ticket which offers a combined rail and STA bus service to Bondi Beach. The ticket is offered as a single or return ticket. The fare is the appropriate rail ticket to Bondi Junction plus an add-on component for the bus service to Bondi Beach. The price of the add-on is the price of a 1-2 section bus ticket which is $1.50 ($0.70 concession) for a single journey and $3.00 ($1.40 concession) for a return journey.[50]

The pensioner concession fare of $1.10 provides unlimited travel within the CityMet area on the day of purchase. Since 1988, this fare has increase only once, with the introduction of the goods and services tax. Some submissions have called for an increase in this ticket. The price of these concession tickets and the reimbursements made by Government to STA and SRA are matters of social policy for the Government to determine, not the Tribunal. As such, the pensioner concession fare is not affected by this determination.

5.4 Examples of new fares

The following tables provide examples of typical fares under the Tribunal's determination.

Table 5.12 Examples of CityRail 2001/02 fares

Station	Single fare to city		Weekly fare to city		TravelPass		
	2000/01	2001/02	2000/01	2001/02	2000/01	2001/02	
Redfern	2.20	2.20	16.40	17.00	28.00	29.00	Red
Edgecliff	2.20	2.20	16.40	17.00	28.00	29.00	Red
Strathfield	2.80	2.80	22.00	23.00	36.00	37.00	Green
Hurstville	3.20	3.40	26.00	26.00	39.00	41.00	Yellow
Parramatta	3.80	4.00	29.00	30.00	39.00	41.00	Yellow
Hornsby	3.80	4.00	29.00	30.00	42.00	44.00	Pink
Blacktown	4.80	5.00	35.00	35.00	48.00	50.00	Brown
Campbelltown	5.60	5.80	38.00	38.00	48.00	50.00	Brown
Gosford	7.60	7.80	44.00	45.00			
Wollongong	9.40	9.60	49.00	50.00			
Katoomba	11.00	11.20	53.00	54.00			
Newcastle	16.60	16.60	69.00	71.00			

[49] Patrons in the stations between Lidcombe and Strathfield are only charged the add-on price for their journeys to Olympic Park.

[50] The add-on for both the Olympic Park and the Bondi Link tickets is based on the price of a 1-2 section STA bus fare, rounded down to the nearest 20 cent multiple.

Table 5.13 Examples of 2001/02 rail, bus and ferry fares to the City

	Rail		Bus		Ferry		
	Single	Weekly	Single	TravelTen	Single	TravelTen	
Redfern	2.20	17.00	1.50[1]	11.00[1]	4.20	26.30	Inner zone 1
Bondi Jn	2.60	20.00	2.60	18.40	4.40	28.80	Inner zone 2
Strathfield	2.80	23.00	3.30	23.00	5.30	38.80	Manly/Rydalmere
20 km	3.40	26.00	3.80	31.00	6.60	54.70	Manly JetCat
40 km	5.00	35.00	4.60	39.00	6.30	44.60	Parramatta

1. Assumes travel to Town Hall.

ATTACHMENT 1 THE PRICE DETERMINATION PROCESS

As required by section 11(1) of the *Independent Pricing and Regulatory Tribunal Act 1992*, the Tribunal has investigated proposals by SRA and STA for maximum prices to be charged from 1 July 2001 for declared passenger transport monopoly services.[51]

SRA operates two businesses, CityRail and Countrylink. The Tribunal is required to set fares for CityRail only as Countrylink operates in a competitive environment, competing with coach and air service operators for passengers. For CityRail the declared services are railway passenger services supplied under the name 'CityRail' by SRA, excluding services supplied in accordance with the ticket known as the 'SydneyPass'.

STA operates three business units, Sydney Buses, Sydney Ferries and Newcastle Services. The Tribunal sets fares for all these business units except for fares for services supplied under the 'Sydney Pass' tickets, or by 'Airport Express', 'Sydney Explorer', 'Bondi and Bay Explorer' and similar bus services. These services operate in competitive markets. Those wishing to buy this type of travel can choose between STA and competing privately operated services.

On 20 December 2000, the Tribunal wrote to SRA and STA asking them to make public submissions by 23 February 2001, ahead of a public hearing in April 2001. The Tribunal invited submissions from other stakeholders by advertising the review on its webpage, the Sydney Morning Herald, Daily Telegraph, Illawarra Mercury and the Newcastle Herald. Submissions were to reach the Tribunal by 23 March 2001.

SRA and STA made written submissions on 2 March 2001. To allow interested stakeholders sufficient time to respond, the Tribunal extended the time for submissions from the public to 6 April. This change was advertised on the Tribunal's webpage on 2 March 2001. The date for the public hearing was set for 20 April 2001.

The Tribunal organised for presentations to be made by STA and SRA on 20 March 2001. This allowed the agencies to present the key points of their submissions to stakeholders. Stakeholders also had the opportunity to clarify issues with the agencies before making their own submissions.

The public hearing was held on 20 April 2001 at the Tribunal's offices, Level 2, 44 Market Street Sydney. A copy of the agenda and transcript from the public hearing along with copies of all submissions can be obtained from the Tribunal's webpage. The Tribunal received a total of 159 submissions from 138 individuals and the following organisations:

- Action for Public Transport
- Australian Rail Tram and Bus Industry Union
- Blue Mountains Commuter and Transport Users Association
- Bus and Coach Association (NSW)
- Cambelltown Campus Students' Association
- Commuter Council

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[51] Independent Pricing and Regulatory Tribunal (Passenger Transport Services) Order 1998, made on 24 February 1998 and published in Gazette no. 38 dated 27 February 1998, p 1015.

- NSW Department of Transport
- Ettinger House Inc
- Leichhardt Municipal Council
- National Union of Students
- NSW Council of Social Service (x 2)
- Public Service Association of NSW
- State Rail Authority
- State Transit Authority
- University of New England Students' Association
- University of NSW
- University of Wollongong
- Western Sydney Community Forum (x 2)
- Western Sydney Regional Organisation of Councils.

Paper copies all these submissions may be viewed during business hours (8:30am – 5:00pm, Monday to Friday) at the Tribunal's offices.

ATTACHMENT 2 SECTION 15 OF THE IPART ACT – CITYRAIL

Section 15 of the IPART Act 1992 requires the Tribunal to have regard to 12 criteria when determining maximum prices, and to indicate the extent of this regard in its report. This appendix explains how the Tribunal has considered these criteria (italicised below) in making its determination on CityRail fares. In some instances, references are made to other sections within this report.

Costs and efficiency

* *the cost of providing the services concerned [s15(1)(a)]*
* *the need for greater efficiency in the supply of services so as to reduce costs for the benefit of consumers and taxpayers [s15(1)(e)]*
* *the impact on pricing policies of any arrangements that the government agency concerned has entered into for the exercise of its functions by some other person or body [s15(1)(h)]*
* *the need to promote competition in the supply of the services concerned [s15(1)(i)]*

Figure A2.1 provides a breakdown of CityRail's costs since 1997/98. Table A2.1 summarises SRA's current estimates of the full costs and revenues of CityRail services since 1996/97. Before payment of the Government's subsidy and concession reimbursements, CityRail's revenue covers only half of its recurrent expenditure (defined as above rail recurrent operating expenditure plus access fees).

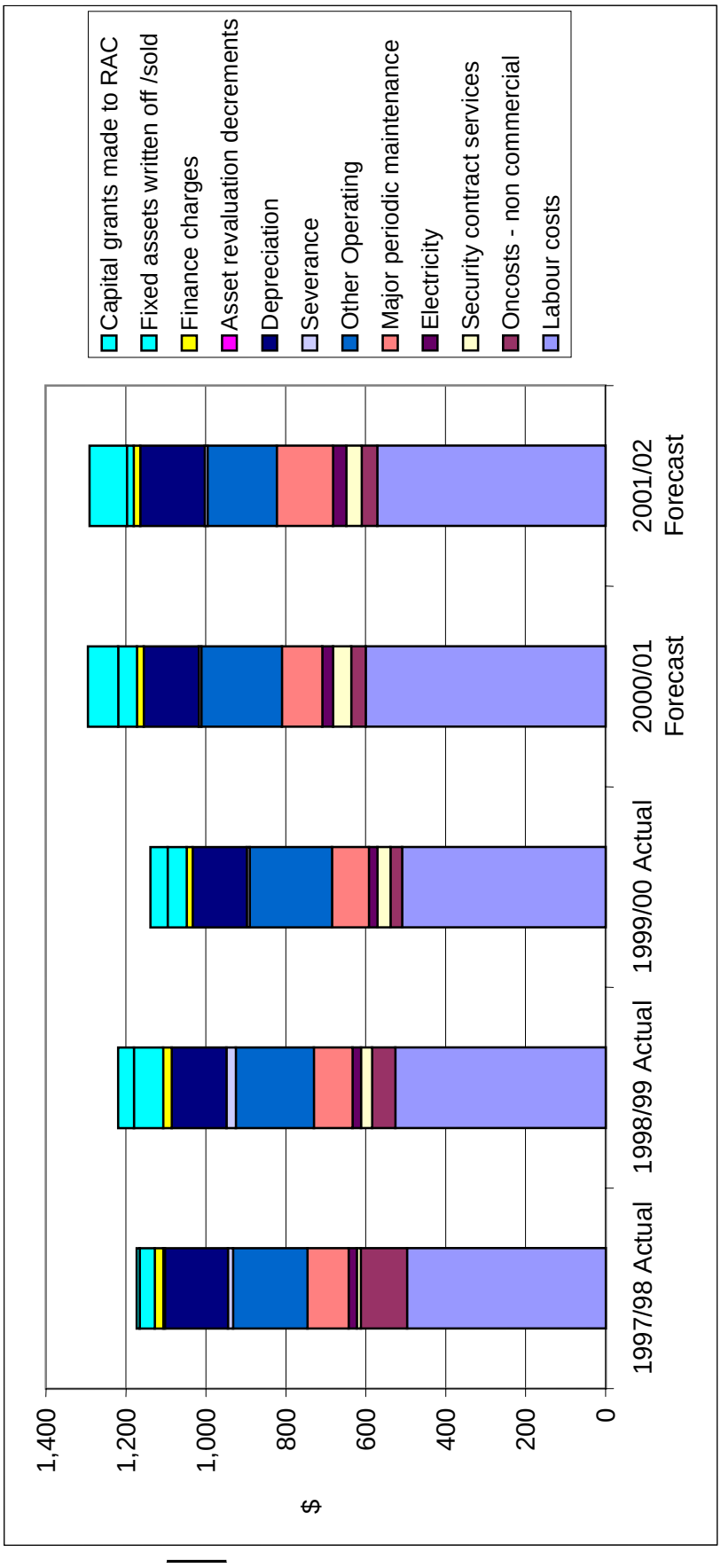
The cost of CityRail services are forecast to increase significantly from 1999/00 to 2000/01, particularly labour costs. CityRail has attributed this in part to an increasing focus on customer service, necessitating an increase in the number of front line staff. Costs are then forecast to decline slightly in 2001/02, however they will remain well above historic levels.

In explaining increased labour costs, SRA provided the following detail to the Tribunal:[52]

- the need for additional front line staff to cover additional safety training, rollingstock maintenance and cleaning and additional staff on stations to improve public safety and on time train performance ($28.9m)
- an examination of the levels of front line staff by the Co-ordinator-General of Rail found that an increase in in staffing levels was required to improve public confidence in the rail system. This was particularly necessary in view of the Olympic transport requirements. As a result of these decisions, original forecasts of reductions in staffing levels totalling $32m were not achievable
- award increases resulting from standard inflation movements ($10m)
- a need to utilise overtime payments to meet short term resource requirements principally as a result of the Olympic effort ($17m). The main focus of this requirement was in the provision of train crews to improve the level of reliability of the rail system in keeping with the drive to provide improved customer service.

[52] Correspondence from SRA, 21 June 2001.

Figure A2.1 CityRail expenditure ($m of the day)



Note: the order of the data labels as listed in the legend read down each column in that same order. Excludes access fees.

Table A2.1 CityRail income and expenditure statement ($m of the day)

	96/97 Actual	97/98 Actual	98/99 Actual	99/00 Actual	00/01 Forecast	01/02 Forecast
Operating revenue						
Farebox revenue	348.5	370.3	391.1	453.4	488.3	481.4
Revenue from other rail organisations	137.3	121.8	102.3	81.7	82.8	82.6
Other income	60.6	44.3	48.0	72.0	53.7	61.9
Non operating revenue						
Finance revenue	-	7.8	8.3	6.8	5.1	6.1
Asset sale proceeds	-	2.0	4.4	21.2	0.2	0.2
Total Revenue before Govt Subsidy	546.4	546.2	554.1	635.1	630.1	632.2
Concession revenue from Govt	111.0	133.5	143.3	152.6	166.8	168.0
Revenue before general Subsidy	657.4	679.7	697.4	787.7	796.9	800.2
Operating expenses						
Labour costs (incl oncosts)	560.1	613.1	584.0	538.2	636.4	610.0
Security contract services	-	9.5	28.0	32.6	44.9	38.2
Electricity	32.8	21.0	21.1	21.7	27.8	33.2
Major periodic maintenance of assets	59.0	103.2	97.0	92.3	100.8	140.4
Other operating	212.7	185.2	194.8	205.6	201.5	174.2
Transfer charge/allocation to Clink[1]	(57.5)	(65.0)	(66.7)	(57.5)	(56.3)	(58.0)
Above rail recurrent operating	807.1	867.0	858.2	832.9	955.1	938.0
Access fees[2]	345.0	320.6	303.5	322.0	333.1	375.7
Recurrent operating	1,152.1	1,187.6	1,161.7	1,154.9	1,288.2	1,313.7
Non-recurrent operating expenses						
Severance	2.2	13.5	24.1	7.4	6.3	7.0
Non-cash						
Depreciation	176.3	157.7	137.0	135.8	138.3	160.0
Asset revaluation decrements	-	3.6	-	-	-	-
Non operating expenses						
Finance charges	22.9	21.9	21.2	14.5	16.1	16.3
Fixed assets written off /sold	51.3	36.8	72.9	47.9	47.4	17.8
Capital grants made to RAC	-	7.3	38.7	42.4	75.4	92.9
Total costs CityRail	1,404.8	1,428.4	1,455.5	1,402.9	1,571.7	1,607.7
Surplus/(shortfall) before Govt funding	(747.4)	(748.6)	(758.2)	(615.3)	(774.8)	(807.5)
Government Subsidy	731.8	724.7	739.5	706.0	841.0	830.2
Surplus/(shortfall) after Govt funding	(15.6)	(23.9)	(18.6)	90.7	66.2	22.7

Source: State Rail Authority financial information return.

Note:

1. CityRail business units charge Countrylink for rollingstock maintenance, fuel and use of CityRail stations. The transfer charge includes a proportion of CityRail's corporate and labour-related costs.
2. Since 1996/97, the Rail Access Corporation has charged CityRail an annual fee for control and maintenance of below rail infrastructure. An additional access fee of $40m will be paid to the Rail Infrastructure Corporation in 2001/02 for additional track maintenance to improve system reliability.

Under section 15(h) of the IPART Act the Tribunal is required to take account of the impact of the fare determination on any arrangements that CityRail has entered into with another party in regards to the exercise of its functions. The Tribunal has noted SRA's arrangement in regard to the Airport Link.

CityRail is subject to competition from private cars, taxis and other forms of public transport. The Tribunal believes that improving CityRail's service standards is the best way to maintain CityRail's ability to compete with these other forms of transport.

Financial viability

* *the appropriate rate of return on public sector assets, including appropriate payment of dividends to the Government for the benefit of the people of NSW [s15(1)(c)]*
* *the impact on pricing policies of borrowing, capital and dividend requirements of the government agency concerned and, in particular, the impact of any need to renew or increase relevant assets [s15(1)(g)]*

In 2000/01 farebox revenue will contribute $488.3m of the $1,571.7m cost of CityRail services. Similarly, in 2001/02 farebox revenue will contribute $481.4m of the $1,532.8 total costs of CityRail. SRA makes large operating losses each year and does not make a return on its assets, nor pay a financial dividend to Government. Indicating it places at least this value on CityRail services, the Government continues to fund this operating loss and make large capital investments inCityRail services. The level of maximum fares has little or no impact on the SRA's ability to renew or increase its assets.

Consumer protection

* *the protection of consumers from abuses of monopoly power in terms of price, pricing policies and standard of services [s15(1)(b)]*
* *the effect on general price inflation over the medium term [s15(1)(d)]*
* *the social impacts of the determinations and recommendations [s15(1)(k)]*
* *standards of quality, reliability and safety of the services concerned [s15(1)(l)]*

The maximum fares in this determination will have a negligible impact on the general level of inflation.

The Tribunal sets maximum prices to restrict CityRail from using its monopoly power to charge prices above what the Tribunal considers is a reasonable, maximum contribution by passengers to the cost of CityRail services.

In its last determination, the Tribunal cited expenditures consistent with those in Table A2.2 to illustrate the extent of service improvements since 1996 or planned for 1999/00 and beyond. The Government has recently announced additional initiatives which will further improve CityRail's services, as included in the table below.

CityRail service standards during 2000/01 are considered in detail in chapter 4.

Table A2.2 CityRail expenditure on service improvements since 1996

	Cost ($m)	Comments
Cumberland line	60.0	Construction cost, opened in 1996/97. The Cumberland line provides a direct link from Campbelltown and Liverpool to Parramatta with trains every half hour.
Security guards	27.8	This is a recurrent expense and represents the expenditure in 2000/01. It includes security guards patrol all trains after 7.00pm and some services from 2.00pm on weekdays and Contract security guards on stations where a safety risk has been identified..
Security program*	106.5	Security program for trains, car parks and stations implemented from 1 July 1998, and includes video surveillance cameras, high intensity lighting, new improved help points and 24 hour monitoring from a local area control room. The program is to be completed during 2001/02.
Station upgrades – Easy Access*	87.6	Implementation of Easy Access program, eg. initiatives including provision of lifts, tactile tiles and other aids, to a number of stations. This is an ongoing program – 46 stations have been completed to date.
Other station upgrades*	135.8	Includes major station ugrading, gap reduction, reconstruction of platforms and other upgrading works. This is an ongoing program.
Tangara cars	12.2	Purchase of 5 Tangara cars offering a higher level of passenger comfort.
Passenger information network installation*	21.3	New wayfinding signage at key points and improvement to customer information systems including plasma screens and an upgrade to digital voice announcement.
Fleet refurbishment*	56.6	General refurbishment to maintain current safety standards.
East Hills amplification*	52.0	Construction of additional track to relieve congestion – to be completed by August 2001.
Kiama electrification*	36.0	Extension of electrified network from Dapto to Kiama CityRail network – to be completed in 2001/02.

Source: Information supplied by State Rail Authority, 2001.
State Rail Authority of NSW, submission to IPART, 2000, p 25.
State Rail Authority of NSW, *Annual Report 1997/98*, October 1998, p 20 and p 60.
State Rail Authority of NSW, *Annual Report 1996/97*, October 1997, p 89.

Note:

* Covers expenditure from 1997/98 to 2000/01.

The Tribunal has considered the social impacts of the determination, using data from the Household Travel Survey. The survey results provide a further picture of public transport users, although it does not provide a conclusive answer of the capacity of users to pay higher fares. The Tribunal is also cautious of drawing too many detailed conclusions from the survey results due to the small sample sizes and the difficulties associated with income

based surveys.[53] However, on the whole the Tribunal does not believe that the fare increases in this determination will have a significant social impact. Further discussion is provided in chapter 3 on the issue of social impacts.

Environmental issues

* *the need to maintain ecologically sustainable development by appropriate pricing policies that take account of all the feasible options available to protect the environment [s15(1)(f)]*
* *considerations of demand management and least cost planning [s15(1)(j)]*

In past determinations the Tribunal has noted the concerns of a number of stakeholders who have argued that higher fares will discourage travellers from using public transport, with a resultant increase in car use and environmental damage. A number of stakeholders have argued that fares should be set based on the full costs and benefits of transport by alternative modes such as train, bus and private cars**.** This would include financial measures of the environmental and social costs and benefits of each mode. The stakeholders believe that this approach will more adequately take into account the subsidies to private car use through, for example, the construction of roads.

During the course of this determination, the Tribunal has conducted additional research into these issues. These are discussed in chapter 3 of the determination.

Other issues

The Tribunal is required under Section 16 of the *Independent Pricing and Regulatory Tribunal Act, 1992* to report on the likely annual cost to the Government if fares were not increased to the maximum permitted, and the SRA were compensated from the Consolidated Fund for the revenue foregone. This determination will increase CityRail farebox revenue by $13.4 million in 2001 / 02.

[53] For example, personal income does not necessarily reflect a person's capacity to pay higher fares - a low income person may live in a high income household. Household income, on the other hand, does not necessarily reflect capacity to pay due to the effect of household size - a two person household has a different capacity to pay higher fares than a four person household, despite the same level of income.

ATTACHMENT 3 SECTION 15 OF THE IPART ACT – STA

Section 15 of the IPART Act 1992 requires the Tribunal to have regard to 12 criteria when determining maximum prices, and to indicate the extent of this regard in its report. This appendix explains how the Tribunal has considered these criteria (italicised below) in making its determination on State Transit fares. In some instances, references are made to other sections within this report.

Costs and efficiency

* *the cost of providing the services concerned [s15(1)(a)]*
* *the need for greater efficiency in the supply of services so as to reduce costs for the benefit of consumers and taxpayers [s15(1)(e)]*
* *the impact on pricing policies of any arrangements that the government agency concerned has entered into for the exercise of its functions by some other person or body [s15(1)(h)]*
* *the need to promote competition in the supply of the services concerned [s15(1)(i)]*

Sydney Buses' costs

Sydney Buses' costs have increased significantly over the past few years resulting in lower levels of cost recovery. STA projects that Sydney Buses' costs will continue to increase in 2001/02 in line with increased service provision. The movement in Sydney Buses' costs is shown in Figure A3.1 and Table A3.1.

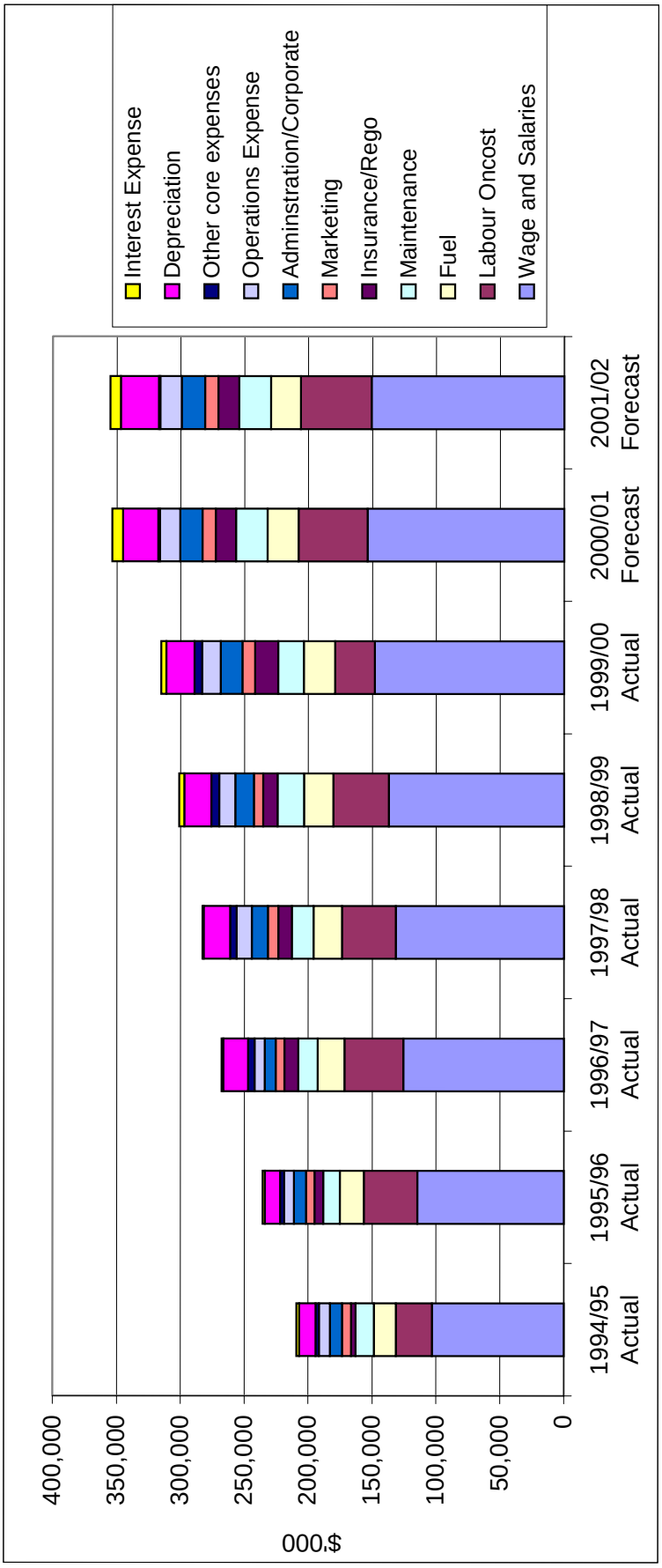
As indicated, Sydney Buses' total expenses in 2000/01 are expected to increase by 12 per cent compared to 1999/00. This follows an increase in total expenses of 11 per cent from 1998/99 to 1999/00.

The increase in total expenses between 1999/00 and 2000/01 partly reflects:

- a 16 per cent increase in labour costs, driven by wage increases of approximately 3 per cent and associated increases in labour oncosts[54]. Labour costs constitute approximately 60 per cent of Sydney Buses' costs before financing expenses
- a 17 per cent increase in operations and maintenance expenses. This reflects an increase in cross regional services and the purchase of the North and Western Buslines and the Riverside buslines
- a significant increase in non cash expenses. Depreciation has increased by 26 per cent, due to the acquisition of the North and Western and Riverside Buslines and an increase in the fleet size. Although only a small component of total costs, interest expense has risen by 107 per cent due to higher levels of debt carried by STA.

[54] As noted in section 2.3, the annual fluctuations in labour oncosts may be partially a result of actuarial reassessment of superannuation liabilities rather than underlying changes to Sydney Buses' business.

Figure A3.1 Sydney Buses' expenses ($000 of the day)



Note: the order of the data labels as listed in the legend read down each column in that same order.

STA argues that much of this increase in total expenses reflects inflationary pressures (as measured by STA's cost index[55]) as well as improved service provision, such as the introduction of cross-regional routes.[56] STA also notes that while it has experienced increases in wages, these increases have been in line with increases across the public service.

STA projects that Sydney Buses will achieve $13.6m in efficiency savings in 2001/02.[57] However, the remaining $6.4m of savings recommended by Sinclair Knight Mertz / Coopers and Lybrand will not be achieved as a result of Government support for the maintenance of current employment conditions and entitlements.

Table A3.1 Sydney Buses' past and projected expenses ($m of the day)

	1999/00 Actual	2000/01 Forecast	Increase %	2001/02 Forecast	Increase %
EXPENSES					
Labour costs	179.2	207.9	16.0	206.0	-0.9
Fuel	24.5	24.1	-1.6	23.3	-3.3
Marketing & administration	22.3	23.4	4.9	24.4	4.2
Operations & maintenance	34.7	40.6	17.1	41.6	2.6
Other operating expenses	28.6	21.5	-24.9	21.7	1.1
Recurring operating expenditure	**289.4**	**317.5**	**9.7**	**317.1**	**-0.1**
Depreciation	22.0	27.8	26.4	29.8	7.3
Cost before financing expenses	**311.3**	**345.3**	**10.9**	**346.9**	**0.5**
Interest	4.0	8.3	107.6	8.2	-0.5
TOTAL EXPENSES	**315.3**	**353.5**	**12.1**	**355.1**	**0.5**

Source: STA financial information return.
Notes:
1. 2001/02 data is in 2000/01 dollars.
2. All other figures are in dollars of the day.
3. Totals may not add up due to rounding.

Sydney Ferries' costs

Sydney Ferries' costs have increased significantly over the past few years, and STA projects that Sydney Ferries' costs will continue to increase in 2001/02. This is indicated in figure A3.2.

Further, as indicated in Table A3.2, Sydney Ferries' total expenses in 2000/01 are expected to increase by 0.2 per cent compared to 1999/00. This slight increase comprises a number of more substantial movements in costs. These costs include:

- 15.8 per cent increase in labour costs, driven by increases in wage rates of approximately 3 per cent and the consequent increase in labour oncosts[58], as well as

55 STA's cost index has increased by 26.1 per cent between 1996/97 and 2000/01, 4.6 per cent between 1999/00 and 2000/01.

56 STA notes that one of the indicators of improved services is increased bus kilometres travelled, which has risen by 17.8 per cent from 1996/97 to 2000/01.

57 State Transit Authority, submission 2 March 2001, p 14.

58 The annual fluctuations in labour oncosts may be partially a result of actuarial reassessment of superannuation liabilities rather than underlying changes to Sydney Ferries' business.

the transfer of staff from the Balmain shipyard resulting from a corporate restructure This has been the major contributor to increasing costs for Sydney Ferries, as labour costs make up almost half of Sydney Ferries' total costs.

- 42 per cent decline in fuel costs, as a result of a Government rebate. Fuel is the second largest contributor to Sydney Ferries' total costs, thus this cost reduction has acted to reduce the overall increase in costs
- 10.9 per cent increase in interest expense. While interest constitutes only a small percentage of Sydney Ferries' total costs, this has risen substantially in recent years. Depreciation is also forecast to increase, by 4.8 per cent between 1999/00 and 2000/01, and by a further 17.9 per cent between 2000/01 and 2001/02.

STA argues that much of this increase in total expenses reflects inflationary pressures (as measured by STA's cost index).[59]

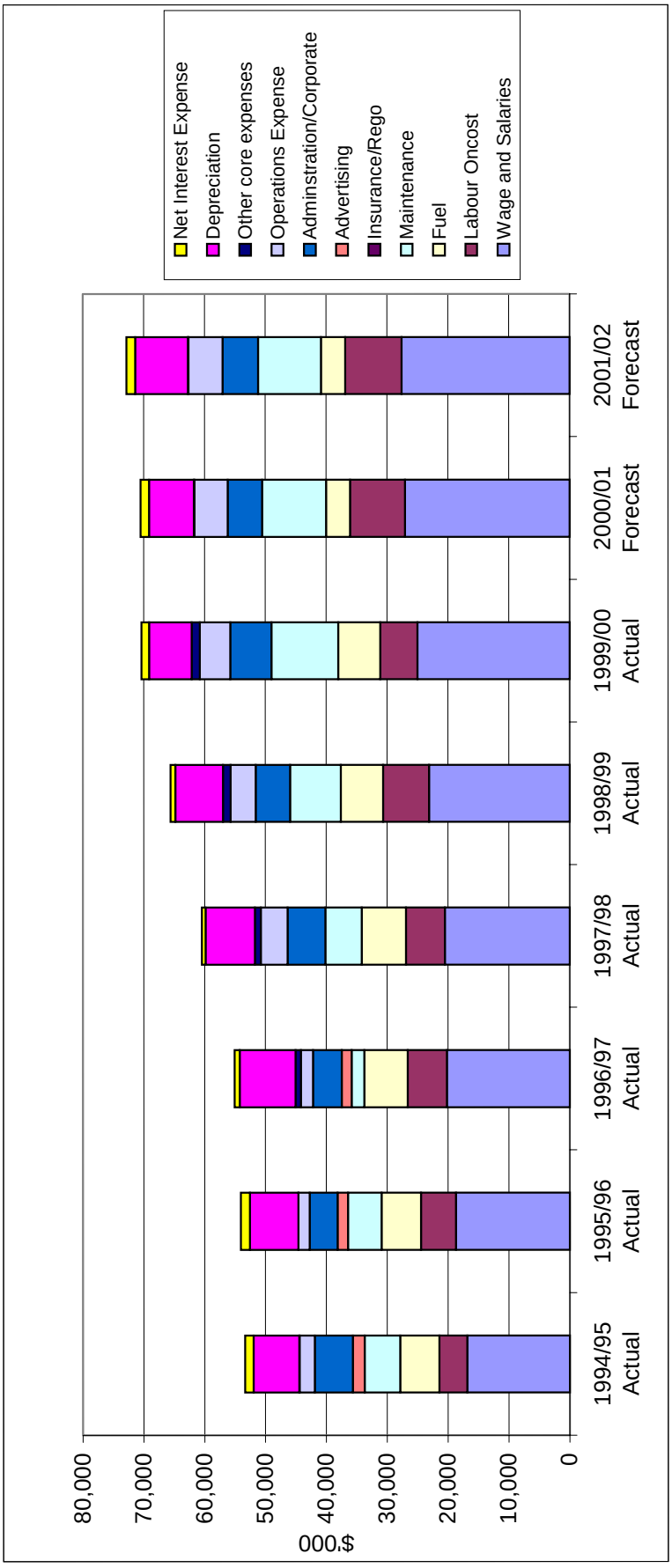
Table A3.2 Sydney Ferries' past and projected expenses ($m of the day)

	1999/00 Actual	2000/01 Forecast	Increase %	2001/02 Forecast	Increase %
EXPENSES					
Labour costs	31.1	36.0	15.8	36.8	2.2
Fuel	6.9	4.0	-42.3	4.0	1.0
Marketing & administration	6.7	5.7	-16.1	5.8	2.9
Operations & maintenance	16.0	16.0	-0.3	15.9	-0.2
Other operating expenses	1.3	0.1	-94.3	0.1	0.0
Recurring operating expenses	**62.1**	**61.7**	**-0.6**	**62.7**	**1.6**
Depreciation	7.0	7.4	4.8	8.7	17.9
Costs before financing expenses	**69.1**	**69.1**	**0.0**	**71.4**	**3.3**
Interest	1.3	1.4	10.9	1.4	0.6
TOTAL EXPENSES	**70.4**	**70.5**	**0.2**	**72.8**	**3.3**

Source: STA financial information return.
Notes:
1. 2001/02 data is in 2000/01 dollars.
2. All other figures are in dollars of the day.
3. Totals may not add up due to rounding.

[59] STA's cost index has increased by 26.1 per cent between 1996/97 and 2000/01, 4.6 per cent between 1999/00 and 2000/01.

Figure A3.2 Sydney Ferries' expenses ($000 of the day)



Note: the order of the data labels as listed in the legend read down each column in that same order.

Newcastle Services' costs

The STA projects that Newcastle Services' costs will increase significantly from 1999/00 to 2000/01. This, coupled with falling patronage has resulted in a decline in cost recovery levels. The cost breakdown of Newcastle Buses' is shown in Figure A3.3.

Further, as indicated in Table A3.3, Newcastle Services' recurrent operating expenses in 2000/01 are expected to increase by 13.4 per cent compared to 1999/00. This increase reflects the following:

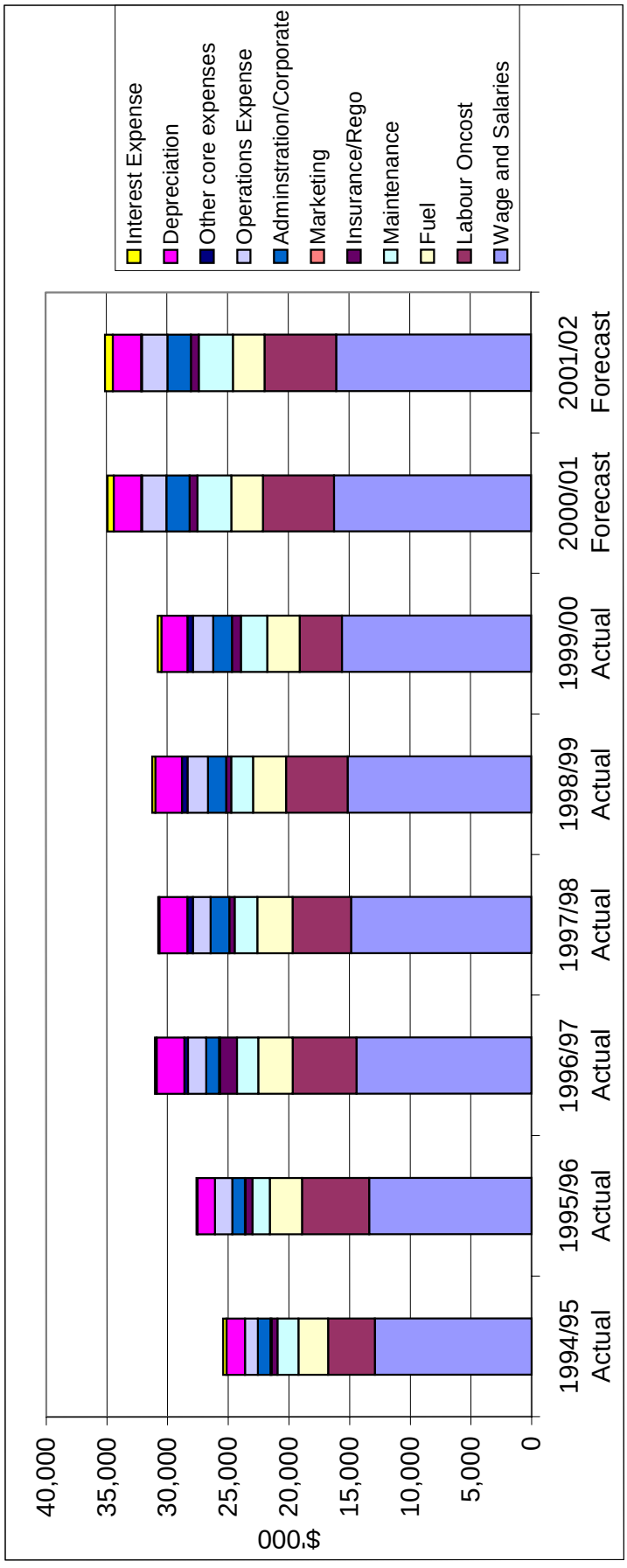
- a 15.7 per cent increase in labour costs. This is driven by an increase in wage rates, increasing both wages expense and labour oncosts
- a 26.9 per cent increase in operations and maintenance expense. This is partly offset by a decline in other operating expenses
- a 22.7 per cent increase in marketing and administration expense. STA attributes this to a change in the methodology for allocating expenses within STA.

Table A3.3 Newcastle Services' past and projected expenses ($m of the day)

	1999/00 Actual	2000/01 Forecast	Increase %	2001/02 Forecast	Increase %
EXPENSES					
Labour Costs	19.1	22.1	15.7	22.0	-0.5
Fuel	2.7	2.6	-2.6	2.6	0.0
Marketing & administration	1.5	1.9	22.7	1.9	2.0
Operations & maintenance	3.8	4.8	26.9	4.9	1.6
Other operating expenses	1.2	0.7	-41.6	0.7	0.0
Recurrent operating expenses	**28.3**	**32.1**	**13.4**	**32.1**	**0.0**
Depreciation	2.1	2.3	5.1	2.3	2.9
Cost before financing expenses	**30.5**	**34.4**	**12.9**	**34.5**	**0.2**
Interest	0.3	0.5	75.8	0.7	24.0
TOTAL EXPENSES	**30.8**	**34.9**	**13.5**	**35.1**	**0.5**

Source: STA financial information return.
Note:
1. 2001/02 data is in 2000/01 dollars.
2. All other figures are in dollars of the day.
3. Totals may not add up due to rounding.

Figure A3.3 Newcastle Services' expenses ($'000 of the day)



Note: the order of the data labels as listed in the legend read down each column in that same order.

Financial viability

* *the appropriate rate of return on public sector assets, including appropriate payment of dividends to the Government for the benefit of the people of NSW [S15(1)(c)]*
* *the impact on pricing policies of borrowing, capital and dividend requirements of the government agency concerned and, in particular, the impact of any need to renew or increase relevant assets [S15(1)(g)]*

Sydney Buses

In 2000/01 farebox revenue contributed $188.5m of the $353.5m costs of Sydney Buses' services. The Government will provide 41.9 per cent of Sydney Buses' revenue in 2000/01, up from 41.4 per cent in 1998/99 and 41.0 per cent in 1999/00. Despite the contribution from Government, Sydney Buses' is expected to make an operating loss of $4.8m in 2000/01 compared to a profit of $15.5m in 1999/00, as indicated in Table A3.4.

Table A3.4 Sydney Buses' income and expenditure statement ($m of the day)

	1998/99 Actual	Proportion %	1999/00 Actual	Proportion %	2000/01 Forecast	Proportion %
REVENUE						
Passenger revenue	169.1	56.2	187.2	56.6	188.5	54.1
Revenue from Government						
- Concession contract	99.4	33.0	105.9	32.0	113.2	32.5
- Pricing CSO	25.2	8.4	29.5	8.9	32.9	9.4
Total	124.6	41.4	135.4	41.0	146.1	41.9
Other Revenue	7.0	2.3	8.1	2.4	14.1	4.0
TOTAL REVENUE	300.7	100.0	330.7	100.0	348.7	100.0
EXPENSES						
Total operating expenses	276.0	91.7	289.4	91.8	317.5	89.8
Depreciation	21.1	7.0	22.0	7.0	27.8	7.9
Interest	3.8	1.3	4.0	1.3	8.3	2.3
TOTAL EXPENSES	300.9	100.0	315.3	100.0	353.5	100.0
Profit before tax and abnormals	-0.2		15.5		-4.8	

Source: STA financial information return.
Note:
1. All figures are in dollars of the day.
2. Totals may not add up due to rounding.

Sydney Ferries

In 2000/01 farebox revenue contributed $40.2m of the $70.5m costs of Sydney Ferries' services. Sydney Ferries makes operating losses each year and does not make a return on its assets, nor pay a financial dividend to the Government.

The Government will contribute 43.0 per cent of Sydney Ferries' revenues in 2000/01, up from 39.5 per cent in 1999/00. Despite this contribution, Sydney Ferries' is expected to make an operating loss of $7.6m in 2000/01 compared to a loss of $8.2m in 1999/00, as indicated in Table A3.5.

Table A3.5 Sydney Ferries' income and expenditure statement ($m of the day)

	1998/99 Actual	Proportion %	1999/00 Actual	Proportion %	2000/01 Forecast	Proportion %
REVENUE						
Passenger revenue	33.3	57.6	37.4	60.1	40.2	63.9
Revenue from Government						
- Concession contract	8.1	14.0	7.9	12.7	8.4	13.3
- Service contract revenue	12.0	20.8	15.3	24.6	15.8	25.2
- Pricing CSO	4.3	7.4	1.3	2.1	2.8	4.5
Total	24.3	42.1	24.6	39.5	27.1	43.0
Other revenue	0.1	0.3	0.3	0.4	-4.3	-6.9
TOTAL REVENUE	**57.8**	**100.0**	**62.2**	**100.0**	**62.9**	**100.0**
EXPENSES						
Total operating expenses	57.0	86.9	62.1	88.2	61.7	87.6
Depreciation	7.8	11.9	7.0	10.0	7.4	10.5
Interest	0.8	1.2	1.3	1.8	1.4	2.0
TOTAL EXPENSES	**65.6**	**100.0**	**70.4**	**100.0**	**70.5**	**100.0**
Profit before tax and abnormals	-7.8		-8.2		-7.6	

Source: STA financial information return.
Note:
1. All figures are in dollars of the day.
2. Totals may not add up due to rounding.

Newcastle Services

In 2000/01 farebox revenue contributed $6.3m of the $34.9m costs of Newcastle Services. Newcastle Services makes operating losses each year and does not make a return on its assets, nor pay a financial dividend to the Government.

The Government contributed 74.9 per cent of Newcastle Services' revenues in 2000/01, up from 72.5 per cent in 1998/99 and 73.6 per cent in 1999/00. Newcastle Services' is expected to make an operating loss of $7.8m in 2000/01 compared to a loss of $4.1m in 1999/00.

Table A3.6 Newcastle Services' income and expenditure statement ($m of the day)

	1998/99 Actual	Proportion %	1999/00 Actual	Proportion %	2000/01 Forecast	Proportion %
REVENUE						
Passenger revenue	6.5	25.1	6.6	24.6	6.3	23.3
Revenue from Government						
Concession contract	15.3	58.9	15.6	58.5	15.9	58.5
Service contract revenue	2.3	8.7	3.0	11.1	3.5	12.8
Pricing CSO	1.3	4.9	1.1	4.0	1.0	3.6
Total	18.9	72.5	19.6	73.6	20.3	74.9
Other Revenue	0.6	2.4	0.5	1.8	0.5	1.8
TOTAL REVENUE	**26.1**	**100.0**	**26.7**	**100.0**	**27.1**	**100.0**
EXPENSES						
Total operating expenses	28.8	92.2	28.3	92.0	32.1	92.0
Depreciation	2.2	7.0	2.1	7.0	2.3	6.5
Interest	0.3	0.8	0.3	1.0	0.5	1.5
TOTAL EXPENSES	**31.2**	**100.0**	**30.8**	**100.0**	**34.9**	**100.0**
Profit before tax and abnormal	-5.2		-4.1		-7.8	

Source: STA financial information return.
Note:
1. All figures are in dollars of the day.
2. Totals may not add up due to rounding.

Consumer protection

* *the protection of consumers from abuses of monopoly power in terms of price, pricing policies and standard of services [s15(1)(b)]*
* *the effect on general price inflation over the medium term [s15(1)(d)]*
* *the social impacts of the determinations and recommendations [s15(1)(k)]*
* *standards of quality, reliability and safety of the services concerned [s15(1)(l)]*

The Tribunal sets maximum prices to restrict STA from using its monopoly power to charge prices above what the Tribunal considers is a reasonable, maximum contribution by passengers to the cost of STA's bus and ferry services. STA's service standards during 2000/01 are considered in detail in chapter 4.

In its submission STA notes that key service improvements over the past two years include:

- improved accessibility of information through the introduction of an Integrated Transport Information Service
- acquisition of additional compressed natural gas and diesel buses with ultra low floor access and air conditioning

- acquisition of 2 new SuperCat ferries and the refurbishment of the Manly Ferry 'Collaroy'
- introducing Closed Circuit Television camera on all buses and on wharves to improve passenger safety
- introduction of new automatic ticketing and fare collection systems at Circular Quay at a total cost of $7m
- introduction of cross regional routes
- improved cleaning of buses (buses are cleaned daily before work, those that are working in the middle of the day and are working high frequency areas are cleaned again).

The maximum fares in this determination will have a negligible impact on the general level of inflation.

As discussed in chapter 3 and attachment 2 above the Tribunal believes that there is unlikely to be a significant social impact resulting from this determination.

Environmental issues

* *the need to maintain ecologically sustainable development by appropriate pricing policies that take account of all the feasible options available to protect the environment [s15(1)(f)]*
* *considerations of demand management and least cost planning [s15(1)(j)]*

As part of this determination, the Tribunal has conducted additional research on environmental and social costs and benefits of public transport issues. These are discussed in detail in chapter 3 of this determination. As noted in chapter 3, changes in fare levels generally have a minimal impact on patronage. The decision to use public transport is influenced by a range of factors, apart from price, including service quality, accessibility, frequency and timeliness.

Given the discussion in chapter 3, the Tribunal is satisfied that its fare determination will not cause a significant shift away from bus and ferry travel.

Other issues

The Tribunal is required under Section 16 of the *Independent Pricing and Regulatory Tribunal Act, 1992* to report on the likely annual cost to the Government if fares were not increased to the maximum permitted, and the STA were compensated from the Consolidated Fund for the revenue foregone. This determination will increase the STA's farebox revenue by $9.7 million in 2001/02.

INDEPENDENT PRICING AND REGULATORY TRIBUNAL
OF NEW SOUTH WALES

DETERMINATION UNDER SECTION 11 (1) OF THE INDEPENDENT PRICING AND REGULATORY TRIBUNAL ACT, 1992

Reference No.: 00 / 280

Determination: No 1, 2001

Government Agency: State Rail Authority

Government monopoly services: Railway passenger services (within the meaning of the *Passenger Transport Act, 1990*) supplied under the name "CityRail" by the State Rail Authority, excluding services supplied in accordance with the ticket known as the "SydneyPass".

The Government monopoly services were declared by the Independent Pricing and Regulatory Tribunal (Passenger Transport Services) Order 1998, made on 24 February 1998 and published in Gazette No. 38 dated 27 February 1998 at page 1015.

The following are the maximum prices (to commence from 1 July 2001) determined by the Tribunal for the Government monopoly services set out above.

1. All standard CityRail passenger rail services

The price of any type of rail ticket for a given distance band must not exceed the price, for that distance band, of that type of ticket as set out in the attached Pricing Schedule which forms part of this Determination.

2. CityHopper tickets

The price of a CityHopper ticket, when purchased outside the CityHopper area, must not exceed the price of the appropriate standard return ticket (peak or off-peak) to the City plus an additional sum of $2.00 for unlimited rail travel in the City area. If purchased within the CityHopper area the fare will be $6.40 in the peak and $4.60 in the offpeak.

3. DayTripper tickets

The price of a DayTripper ticket must not exceed $13.

4. Moore Park Link tickets

The price of a Moore Park Link ticket must not exceed the combined price of the rail ticket to Central (as outlined in Table 1) and the sports special bus ticket ($4.30).

5. Flexipass tickets

The price of a Flexipass ticket for a given distance band must not exceed the fare calculated by multiplying the weekly ticket price for the same distance band by the appropriate multiplier. The multiplier for calculating the appropriate Flexipass fare must be determined by the following formula (the value calculated then being rounded off to the nearest whole dollar).

$$P_N = R * (3.66 + K * x - L * y)$$

where:

P_N = Fare price (before rounding off)
R = Weekly ticket price for the relevant distance band
N = Number of days of validity (from 28 to 366)
x = N - 28
y = N - 90; for N > 90
0; for N ≤ 90
K = 0.12
L = 0.011

6. Olympic Park tickets

The price of a ticket to Olympic Park Station must not exceed the price of the appropriate rail ticket for the distance from the station of origin to Strathfield or Lidcombe (whichever is shortest) plus an additional sum of $1.50 for an adult single journey ($0.70 concession), $3.00 for an adult return journey ($1.40 concession) or $11.00 for an adult weekly ticket ($5.50 concession).

7. Bondi Link ticket

The price of a ticket to Bondi must not exceed the price of the appropriate rail ticket for the distance from the station of origin to Bondi Junction plus an additional sum of $1.50 for an adult single journey ($0.70 concession) or $3.00 for an adult return journey ($1.40 return).

8. New or additional charges

All other prices or charges for railway passenger services provided by CityRail not specifically referred to in this Determination must remain at 2000/01 levels. The State Rail Authority must not levy any new or additional charges for the Government monopoly services supplied under the name "CityRail", other than in accordance with this Determination or with the approval of the Tribunal pursuant to any future Determination.

Thomas G Parry
Chairman
26 June 2001

CITYRAIL PRICING SCHEDULE

This Pricing Schedule forms part of Determination No. 1 of 2001 made by the Tribunal under section 11(1) of the *Independent Pricing and Regulatory Tribunal Act, 1992.*

Maximum prices for CityRail railway passenger services from 1 July 2001

Distance Km	Single $	Half Single $	Return $	Half Return $	Weekly $	Off-peak $
5.00	2.20	1.10	4.40	2.20	17.00	2.60
10.00	2.60	1.30	5.20	2.60	20.00	3.00
15.00	2.80	1.40	5.60	2.80	23.00	3.40
20.00	3.40	1.70	6.80	3.40	26.00	4.00
25.00	3.60	1.80	7.20	3.60	28.00	4.20
30.00	4.00	2.00	8.00	4.00	30.00	4.80
35.00	4.20	2.10	8.40	4.20	31.00	5.00
45.00	5.00	2.50	10.00	5.00	35.00	6.00
55.00	5.80	2.90	11.60	5.80	38.00	7.00
65.00	6.40	3.20	12.80	6.40	42.00	7.60
75.00	7.80	3.90	15.60	7.80	45.00	9.20
85.00	8.60	4.30	17.20	8.60	48.00	10.20
95.00	9.60	4.80	19.20	9.60	50.00	11.40
105.00	10.00	5.00	20.00	10.00	52.00	11.80
115.00	11.20	5.60	22.40	11.20	54.00	13.40
125.00	12.40	6.20	24.80	12.40	57.00	14.80
135.00	12.60	6.30	25.20	12.60	62.00	15.00
155.00	14.60	7.30	29.20	14.60	67.00	17.40
175.00	16.60	8.30	33.20	16.60	71.00	19.80
195.00	19.80	9.90	39.60	19.80	79.00	24.00
215.00	21.00	10.50	42.00	21.00	81.00	25.00
235.00	24.00	12.00	48.00	24.00	93.00	29.00
255.00	25.00	12.50	50.00	25.00	97.00	30.00
305.00	27.00	13.50	54.00	27.00	105.00	32.00
305+	29.00	14.50	58.00	29.00	113.00	35.00

Travelpass	$
Red	29.00
Green	37.00
Yellow	41.00
Pink	44.00
Brown	50.00
Purple	58.00

Child Off-Peak	$
Sydney Suburban	2.30
Newcastle Suburban	2.30
Outer Metropolitan	3.40
CityRail	5.60

Notes:
1. Quarterly TravelPass = 11 x weekly fare.
2. Yearly TravelPass = 40 x weekly fare.
3. Children over 4 years and under 16 years are eligible for the Child Off-Peak fare.
4. Eligibility for half fare tickets is as specified by the State Rail Authority from time to time. Details are available from the State Rail Authority and at http://www.cityrail.nsw.gov.au/tickets/specialfares.htm.
5. Off-peak tickets are available after 9am on weekdays and all day on weekends and public holidays.
6. Boundaries of the Child Off-Peak zones are as specified by the State Rail Authority from time to time.

INDEPENDENT PRICING AND REGULATORY TRIBUNAL
OF NEW SOUTH WALES

DETERMINATION UNDER SECTION 11 (1) OF THE INDEPENDENT PRICING AND REGULATORY TRIBUNAL ACT, 1992

Reference No.: 00/279

Determination: No 2, 2001

Government agency: State Transit Authority

Government monopoly services: Regular passenger services (within the meaning of the *Passenger Transport Act, 1990*) supplied by the State Transit Authority, excluding the following:

a) services supplied in relation to the ticket known as the "SydneyPass",

b) the bus service known as the "Airport Express",

c) the bus service known as the "Sydney Explorer", the bus service known as the "Bondi & Bay Explorer" and any other similar bus services operating in any other areas,

d) ferry cruises operated by STA.

The Government monopoly services were declared by the Independent Pricing and Regulatory Tribunal (Passenger Transport Services) Order 1998, made on 24 February 1998 and published in Gazette No. 38 dated 27 February 1998 at page 1015.

The following are the maximum prices (to commence from 1 July 2001) determined by the Tribunal for the Government monopoly services set out above

1. All standard State Transit Authority Sydney Buses services

The price of any State Transit Authority Sydney Buses ticket must not exceed the price set out for that type of ticket in Table 1 of the attached Price Schedule which forms part of this Determination.

2. Sports special return bus tickets

The price of a sports special return bus ticket must not exceed $4.30 for an adult ticket and $2.10 for a concession.

3. Moore Park Link tickets

The price of a Moore Park Link ticket must not exceed the combined price of the rail ticket to Central (as outlined in Table 1 in the CityRail determination) and the sports special bus ticket.

4. School term pass

The price of a school term pass must not exceed $37.00 per school term.

5. All State Transit Authority ferry services

The price of any type of State Transit Authority ferry ticket must not exceed the price set out for that type of ticket in Table 2 of the attached Price Schedule which forms part of this Determination.

6. Newcastle bus services

The price of any State Transit Authority Newcastle bus ticket must not exceed the price set out for that type of ticket in Table 3 of the attached Price Schedule which forms part of this Determination.

7. New or additional charges

All other prices or charges for scheduled passenger transport services provided by the State Transit Authority must remain at 2000/01 levels. The State Transit Authority must not levy any new or additional charges for the Government monopoly services supplied by the State Transit Authority other than in accordance with this Determination, or with the approval of the Tribunal pursuant to any future Determination.

Thomas G Parry
Chairman
26 June 2001

STATE TRANSIT AUTHORITY PRICING SCHEDULE

This Pricing Schedule forms part of Determination No. 2 of 2001 made by the Tribunal under section 11(1) of the *Independent Pricing and Regulatory Tribunal Act, 1992.*

Table 1 Maximum prices for STA Sydney Buses services from 1 July 2001

SYDNEY BUSES FARES	Adult ($)	Concession ($)
Single ride fares		
1-2 Sections	1.50	0.70
3-5 Sections	2.60	1.30
6-9 Sections	3.30	1.60
10-15 Sections	3.80	1.90
16+ Sections	4.60	2.30
TravelTen		
Blue: 1-2 Sections	11.00	5.50
Brown: 3-5 Sections	18.40	9.20
Red: 6-9 Sections	23.00	11.50
Green: 10-15 Sections	31.00	15.50
Orange: 16+ Sections	39.00	19.50
TravelPass – Bus and Ferry		
Blue	26.00	13.00
Orange	33.00	16.50
2 Zone	26.00	13.00
Pittwater	46.00	23.00
TravelPass[1,2] **Bus, Ferry and Rail**		
Red	29.00	14.50
Green	37.00	18.50
Yellow	41.00	20.50
Pink	44.00	22.00
Brown	50.00	25.00
Purple	58.00	29.00
BusTripper	9.50	4.70
DayTripper (Bus/ferry/rail daily)	13.00	6.50

Notes:
1. Quarterly TravelPass = 11 x weekly fare.
2. Yearly TravelPass = 40 x weekly fare.
3. Half fare concessions have been rounded down to the nearest 10 cents, according to STA policy.

Table 2 Maximum prices for STA ferry services from 1 July 2001

FERRY FARES	Adult ($)	Concession ($)
Single		
Inner Harbour Zone 1	4.20	2.10
Inner Harbour Zone 2	4.40	2.20
Manly / Rydalmere	5.30	2.60
Manly JetCat	6.60	na
Parramatta	6.30	3.10
Stockton	1.80	0.90
Stockton ferry (daily ticket)	7.40	3.70
FerryTen		
Inner Harbour Zone 1	26.30	13.10
Inner Harbour Zone 2	28.80	14.40
Manly / Rydalmere	38.80	19.40
Manly JetCat	54.70	na
Parramatta	44.60	22.30

Notes:
1. Half fare concessions have been rounded down to the nearest 10 cents, according to STA policy.

Table 3 Maximum prices for STA Newcastle bus services from 1 July 2001

NEWCASTLE FARES	Adult ($)	Concession ($)
Time		
1 Hour	2.50	1.20
4 Hours	4.80	2.40
TimeTen 1 Hour	20.60	10.30
All day	7.40	3.70
TravelPass[1,2]		
Orange	33.00	16.50
Yellow	41.00	20.50
Pink	44.00	22.00

Notes:
1. Quarterly TravelPass = 11 x weekly fare.
2. Yearly TravelPass = 40 x weekly fare.
3. Half fare concessions have been rounded down to the nearest 10 cents, according to STA policy.

TENDERS

Department of Public Works and Services

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

TENDERS for the undermentioned Period Contracts, Supplies and Services, required for the use of the Public Service, will be received by the Department of Public Works and Services, Level 3, McKell Building, 2-24 Rawson Place, Sydney,
NSW 2000, up to 9:30 am on the dates shown below.

3 July 2001

S01/00028 (48) CLEANING – FOR LAND AND PROPERTY INFORMATION NSW – DITM. CATEGORY A. INSPECTION DATE AND TIME: 19 JUNE 2001 AT 10:00 AM SHARP. AREA: 19,089.75 SQUARE METERS. DOCUMENTS: $55.00 PER SET

4 July 2001

0104/352 LUBRICATING OILS AND GREASES. DOCUMENTS: $110.00 PER SET

12 July 2001

S0122818 RANGER AND SECURITY SERVICES FOR SYDNEY HARBOUR FORESHORE AUTHORITY. DOCUMENTS: $165.00 PER SET

011/7186 REMOVAL/RELOCATION OF VARIOUS ITEMS FROM CAMDEN HIGH SCHOOL. DOCUMENTS: $110.00 PER SET

25 July 2001

015/7171 INMATE ESCORT TRANSPORT SMALL. DOCUMENTS: $110.00 PER SET

S01/00263 (532) CLEANING KOGARAH COURT HOUSE FOR A PERIOD OF UP TO 3 YEARS. CATEGORY D. INSPECTION DATE & TIME: 13/07/2001 @ 11:00 AM SHARP. AREA: 990 SQ. METERS. DOCUMENTS: $27.50 PER SET

31 July 2001

002/7038 CENTRE MANAGEMENT AND PROVISION OF CHILD CARE SERVICES, MALABAR. DOCUMENTS: $110.00 PER SET

TENDER DOCUMENT FEE

Tender documents for inspection and purchase, and application forms for Expression of Interest are available at the address above. Where charges apply for tender documents, they are not refundable, cheques and credit cards (Bankcard, Mastercard and Visa) only are acceptable, payable to Department of Public Works and Services. NO CASH payments will be accepted. Documents can be Express Posted on request at an extra cost. Non attendance of mandatory site meetings will render tenders informal.

Further information is available on the Internet – http://www.dpws.nsw.gov.au/tenders

CHAIRMAN,
State Contracts Control Board

DEPARTMENT OF HOUSING

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Maintenance of Lawns / Gardens and Common Area Cleaning.

Note: **CLOSING 10.00 AM TUESDAY JULY 17, 2001.**

Tender Fee: $55.00 (GST Included) per tender, **cheque only** to be made out to Department of Housing.

Phone: 9821 6336

Tender documents are available from South Western Sydney Regional Office, Level 8, 23-31 Moore Street Liverpool. The tender box is located on the ground floor.

Government Printing Service

TENDERS FOR PRINTING

TENDERS will be received up to 9.30 am on the date specified for the undermentioned printing. Envelopes containing tenders must be addressed to: Government Printer Unit 5 Block V 391 Park Road REGENTS PARK NSW 2143, and have legibly endorsed upon the face thereof the items and description of the printing for which the tender is submitted. Special envelopes are available for this purpose.

ERRATUM

Tender No. 19318 in the *Government Gazette* of 22 June 2001 did not state a closing date, it will close on 2 July 2001. This erratum corrects that error.

Advertised for 2 week closing 16th July, 2001

Tender No. 19572

Tenders are invited on behalf of the Aging and Disability Department for the typesetting, film/CTP, printing and binding of the Seniors Card Regional Directories.

Tender documents will be available from the 2nd July, 2001 in the main foyer of the Government Printing Service. The job consists of 96pp plus cover for 723,000 copies. There are 5 regions with various quantities for each region out of the 723,000 copies. The winning tenderers will be notified by the 18th July and will be required for a meeting on the 20th July in the Sydney Offices of Ageing and Disabilities Department.

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COUNCIL NOTICES

BLUE MOUNTAINS CITY COUNCIL

Roads Act 1993

Notice of Dedication of Land as Public Road

NOTICE is hereby given by the Council of the City of Blue Mountains that in pursuance of section 10 of the Roads Act 1993 the land as described in the Schedule below is hereby dedicated as public road. Dated at Katoomba, 22nd June, 2001. M. WILLIS, General Manager, Blue Mountains City Council, PO Box 189, Katoomba, NSW 2780.

SCHEDULE

Lot 13 in Deposited Plan 839262 at Wentworth Falls. Lot 2 in Deposited Plan 835458 at Megalong Valley. Lot 8 in Deposited Plan at Faulconbridge. [0560]

BREWARRINA SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Brewarrina Shire Council declares, with the approval of His Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated 22nd June, 2001. P. FELSCH, General Manager, Brewarrina Shire Council, c.o. Lovett & Green, Solicitors, PO Box 3, Warren, NSW 2824.

SCHEDULE

Lot 1 in Deposited Plan 1018481. [0561]

GUNNEDAH SHIRE COUNCIL

Local Government Act

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Lands

THE Gunnedah Shire Council declares, with the approval of His Excellency the Governor, that the parcel of land described in the Schedule below is acquired pursuant to the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for landfill purposes. Dated at Gunnedah, 13th November, 2000. M. KERSHAW, General Manager, Gunnedah Shire Council, c.o. Walker Beer & Associates, 227 Conadilly Street, Gunnedah, NSW 2380.

SCHEDULE

Land District and Local Government area Gunnedah. Land situate at Curlewis, Parish of Curlewis, County of Pottinger, 6.051 hectares being Lot 265, DP 1013332. [0562]

KEMPSEY SHIRE COUNCIL

Roads Act 1993, Section 162

Roads (General) Regulation 2000

Naming of Public Road – Sportmans Way

NOTICE is hereby given that Kempsey Shire Council, in pursuance of section 162 of the Roads Act 1993 and Part 2, Division 2 of the Roads (General) Regulation 2000, has named the following road:

Location	Name
Section of road running west off Philip Drive (formerly Phillip Drive), South West Rocks.	Sportmans Way.

Authorised by resolution of the Council on 12th June, 2001, Minute No. 2001.474. A. V. BURGESS, General Manager, Kempsey Shire Council, Civic Centre, Elbow Street, West Kempsey, NSW 2440. [0563]

MAITLAND CITY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Maitland City Council declares with the approval of His Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Maitland, 25th June, 2001. D. EVANS, General Manager, Maitland City Council, PO Box 220, Maitland, NSW 2320.

SCHEDULE

0.835 hectares being land in Book 3629, Folio 737 and Lot 1, DP 724251 (Certificate of Title Volume 867, Folio 169) within Lot 139, DP 755237, Bull Street, Maitland. [0567]

ORANGE CITY COUNCIL

Local Government Act 1993, Section 50 (4)

Vesting of Public Garden – McKay Park

NOTICE is hereby given in pursuance of section 50 (4) of the Local Government Act 1993, that the public reserve Lot 19, DP 222818, known as McKay Park, Orange, is vested in Orange City Council. Dated 4th June, 2001. A. DWYER, General Manager, Orange City Council, PO Box 35, Orange, NSW 2800. [0564]

RANDWICK CITY COUNCIL

Roads Act 1993, Section 16

Dedication of Land as Public Road

PURSUANT to section 16 of the Roads Act 1993, the Council of the City of Randwick gives notice of its intention to dedicate the land described in the Schedule hereunder as a public road. G. MESSITER, General Manager, Randwick City Council, 30 Frances Street, Randwick, NSW 2031.

SCHEDULE

The subject land is shown as 'RESERVE' being land adjoining the southern boundaries of Lots 15-25 inclusive in Deposited Plan 4521 and being the residue of land in Certificate of Title Volume 494, Folio 158 situated in the Local Government area of Randwick City Council, Parish of Alexandria and County of Cumberland, being more fully described as: All that piece or parcel of land commencing at the south-western corner of Lot 15 in Deposited Plan 4521 and bounded thence on the north by the southern boundaries of Lots 15-25 inclusive in Deposited Plan 4521 being a line bearing 90 degrees 17 minutes for a distance of 115.98 metres and bounded thence on the east by the prolongation of the eastern boundary of Lot 25 in Deposited Plan 4521 being a line bearing 180 degrees 34 minutes for a distance of 3.36 metres and bounded thence on the south by a fenced line bearing 270 degrees 04 minutes for a distance of 115.98 metres and bounded thence on the west by the prolongation of the western boundary of the aforementioned Lot 15 in Deposited Plan 4521 being a line bearing 0 degrees 34 minutes for a distance 3.81 metres to the point of commencement being the said several dimensions all a little more or less and containing by admeasurement 415 square metres approximately. [0565]

SOUTH SYDNEY COUNCIL

Roads Act 1993, Part 4, Division 1

Proposed Closure and Sale – Wade Place, Surry Hills

PUBLIC Notice is hereby given that South Sydney Council has received a request for the closure and subsequent sale to an adjoining land owner of Wade Place, Surry Hills, situated between Little Albion Street and Ann Street, Surry Hills. Full particulars of the proposal are shown on Plan S6-280/259 which is available at Council's Administrative Offices, 280 Elizabeth Street, Surry Hills. Any objections to the abovementioned proposal may be lodged with Council in writing within thirty (30) days of the date hereof. J. W. BOURKE, General Manager, South Sydney Council, 280 Elizabeth Street, Surry Hills, NSW 2010. (Council Papers 2024280). [0566]

WOLLONGONG CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

PURSUANT to section 10 of the Roads Act 1993 Wollongong City Council hereby dedicates the following Council land as public road. R. J. OXLEY, General Manager, Wollongong City Council, Locked Bag 8821, South Coast Mail Centre, NSW 2521. (Reference: S1067/1).

SCHEDULE

All the piece and parcel of land situated in the City of Wollongong, Parish of Woonona, County of Camden and State of New South Wales, being that part of Lot 64, 65, 66, 67, 68, 69, 70, 71, 72 and 73 in Deposited Plan 236706 described herein and Commencing on the western side of Robert Street at a point being the north-eastern corner of Lot 33 in Deposited Plan 236706, hence bounded on the south by the northern boundary of Lots 24 to 33 in Deposited Plan 236706 having a westerly bearing for a distance of 115.4 metres, then in a northerly direction for a distance of 20.0 metres, then in a easterly direction for a distance of 15.5 metres, then in a south-easterly direction for the distance of 8.48 metres, then in an easterly direction for a distance of 90.38 metres, then in a north-easterly direction for a distance of 4.95 metres at which point it meets the western side of Roberts Street and then in a southerly direction for a distance 17.50 metres to the point of commencement and having an area of 1733 square metres or thereabouts. [0568]

ESTATE NOTICES

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of NOEL ST JOHN SHEATHER, late of 6 Alton Street, Merrylands, in the State of New South Wales, retired carpenter, who died on 4th April, 2001, must send particulars of his claim to the executor, Lloyd Henry Sheather, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 15th June, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0569]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of DOROTHY MAY HANDLEY, late of Grand United Nursing Home, Toongabbie, in the State of New South Wales, widow, who died on 1st October, 2000, must send particulars of his claim to the executrix, Valda May Wyborn, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 15th June, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0570]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of VAN YEN LAM, late of Newtown, in the State of New South Wales, who died on 15th August, 1999, must send particulars of his claim to the executors, Hien Uoi Lam and Hien Hue Lam, c.o. M. Duncan & Associates, PO Box 70, Strawberry Hills, NSW 2012, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 5th June, 2001. M. DUNCAN & ASSOCIATES, Lawyers, 39/61-89 Buckingham Street (PO Box 70, Strawberry Hills, NSW 2012), Surry Hills, NSW 2010, tel.: (02) 9699 9877. [0571]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of AVIS ALICE PETTIT, late of Glenfield, in the State of New South Wales, who died on 28th March, 2001, must send particulars of his claim to the executor, John Francis Pettit, c.o. Kencalo & Ritchie, Solicitors, 96 Moore Street, Liverpool, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 21st June, 2001. KENCALO & RITCHIE, Solicitors, 96 Moore Street, Liverpool, NSW 2170 (DX 5003, Liverpool), tel.: (02) 9602 8333. [0572]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of BARRY FRANCIS WORKMAN, late of 73 Consett Street, Dulwich Hill, in the State of New South Wales, leather worker, who died on 12th December, 2000, must send particulars of his claim to the executrix, Judith Anne Workman, c.o. Doherty Partners, Solicitors, 227 George Street, Liverpool, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 1st June, 2001. DOHERTY PARTNERS, Solicitors, 227 George Street, Liverpool, NSW 2170 (DX 5034, Liverpool), tel.: (02) 9601 7300. [0573]

COMPANY NOTICES

NOTICE of final extraordinary general meeting.-KEN HOUSE SMASH REPAIRS PTY LIMITED (In voluntary liquidation), ACN 000 205 756.-Notice is hereby given that the final extraordinary general meeting of the abovenamed company will be duly convened and held at the offices of Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale on 11th July, 2001 where the final accounts for the winding up of the company will be presented. Dated 13th June, 2001. K. J. PIKE, Liquidator, c.o. Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale, NSW 2350, tel.: (02) 6774 8400. [0574]

NOTICE of voluntary winding up.-WINKO DEVELOPMENTS PTY LIMITED (In liquidation), ACN 000 790 803.-At a general meeting of the abovementioned company duly convened and held at 1 Lorne Avenue, Killara on 21st June, 2001 the following resolutions were passed: (1) Special resolution: "That the company be wound up voluntarily" (2) "that Stephen B. Humphrys, who has consented to act, be appointed liquidator of the company". S. S. L. NG, Director, c.o. White Iliffe, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0575]

NOTICE of voluntary liquidation.-ARTINSKI PTY LIMITED (In liquidation), ACN 066 160 496.-Notice is hereby given in accordance with section 509 (2) of the Corporations Law, that the final meeting of the members of Artinski Pty Limited will be held at Level 11, 155 Castlereagh Street, Sydney on Monday, 30th July, 2001 at 10.00 a.m. for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the manner in which the assets of the company have been disposed of in the course of the winding up. Dated at Sydney, 27th June, 2001. R. D. ELLINSON, Liquidator, c.o. Selingers, Chartered Accountants, Level 11, 155 Castlereagh Street, Sydney, NSW 2000, tel.: (02) 9283 2444. [0579]

NOTICE of voluntary liquidation.-HANSIM PTY LIMITED (In liquidation), ACN 001 042 744.-Notice is hereby given in accordance with section 491 (2) of the Corporations Law that at an extraordinary general meeting of the members of Hansim Pty Limited held on 28th June, 2001 the following special resolution was duly passed: "That the company be wound up as a members' voluntary liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidator so desire" and Roger Duncan Ellinson, Chartered Accountant, c.o. Selingers, Level 11, 155 Castlereagh Street, Sydney be appointed liquidator for the purpose of such winding up. Dated at Sydney, 28th June, 2001. R. D. ELLINSON, Liquidator, c.o. Selingers, Chartered Accountants, Level 11, 155 Castlereagh Street, Sydney, NSW 2000, tel.: (02) 9283 2444. [0576]

NOTICE of appointment of provisional liquidator.-NERINGLA INVESTMENTS PTY LIMITED (Provisional liquidator appointed), ACN 001 112 027.-On 22nd June, 2001 the Supreme Court in proceedings number 3037 of 2000 appointed Gavin Thomas provisional liquidator of the abovenamed company. GAVIN THOMAS & PARTNERS, Level 9, 31 Market Street, Sydney, NSW 2000. [0577]

NOTICE of voluntary liquidation.-ACN 000 139 499 PTY LIMITED, ACN 000 139 499.-Notice is hereby given that at an extraordinary general meeting of the members of the above company duly convened and held on 27th June, 2001 a special resolution was passed that the company be placed into voluntary liquidation and that F. J. MacDonald be appointed liquidator. Dated 27th June, 2001. F. J. MacDONALD, Liquidator, c.o. K. B. RAYMOND & CO., 37 Erskine Street, Sydney, NSW 2000, tel.: (02) 9299 6521. [0578]

NOTICE of members' voluntary liquidation.-THE UNIVERSITY OF NEW SOUTH WALES CLUB LIMITED, ACN 000 808 613.-Notice is hereby given that at a general meeting of members on Wednesday, 20th June, 2001 the following special resolution was passed: "That the Club hereby go into voluntary liquidation and that John Ernest Cross a certified public accountant and registered auditor of 148 Mortimer Street, Mudgee be appointed as the liquidator of the Club". Dated 26th June, 2001. R. L. Forster, Secretary. Please address all corespondence and enquiries to the liquidator: JOHN CROSS, PO Box 32, Ramsgate, NSW 2217, tel.: (02) 9385 4970 or mobile: 0418 273 681. [0580]

Government Gazette

OF THE STATE OF

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PUBLIC SECTOR NOTICES

SENIOR EXECUTIVE SERVICE APPOINTMENT UNDER SECTION 13

HIS Excellency the Governor and the Executive Council in pursuance of the provisions of section 13 of the Public Sector Management Act 1988, has approved that the following officers be appointed to the senior executive service positions shown, effective from the dates shown within the brackets:

Olympic Co-Ordination Authority

Beverley BOWYER, Director, Government Co-ordination [1 July 2001].

SENIOR EXECUTIVE SERVICE REVOCATION OF UNATTACHMENT

HIS Excellency the Governor with the advice of the Executive Council, pursuant to section 42Q (2) (b) of the Public Sector Management Act 1988, has revoked the declaration that Kevin ALKER be an unattached officer in the Public Service, effective on and from 25 May 2001.

RESIGNATION

THE Department Head of the respective Departments listed below has accepted the following resignations from the Public Service, pursuant to the Public Sector Management Act 1988 and the last day of service being indicated within brackets:

Environment Protection Authority

Glenda Norma COX [14 June 2001].

New South Wales Attorney General's Department

Shirley ISSA, Clerical Officer, Grade 1/2 [8 January 2001].
Carey WOOD, Clerk, Grade 5/6 [21 February 2001].
Mark WATSON, Clerk, Grade 3/4 [17 August 2000].
Karen SHOEBRIDGE, Clerk, Grade 1/2 [26 January 2001].
Anne BELL, Clerical Officer, Grade 1/2 [28 December 2000].
David EVANIAN-THOMAS, Clerk, Grade 9/10 [12 January 2001].
Eleanor SKIMIN, Clerk, Grade 5/6 [2 January 2001].
Isabel PIRES, Clerical Officer, Grade 1/2 [13 December 2000].

Office of the Board of Studies

Rachel PRIOR, Copyright Officer, Clerk, Grade 5 [13 June 2001].
Sharalea FINCH, Clerical Officer, Grade 1/2 [29 June 2001].

RETIREMENT

THE following retirement from the Public Service is hereby notified, pursuant to section 36 of the Public Sector Management Act 1988, under which the retirement was effected and/or the last day of service being indicated within brackets:

New South Wales Attorney General's Department

Robert STUART, Clerk, Grade 9/10 [16 March 2001].

BOB CARR,
Premier.

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