VEHICLE AND TRAFFIC AMENDMENT (HEAVY VEHICLE CHARGES) BILL 2005

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VEHICLE AND TRAFFIC AMENDMENT (HEAVY VEHICLE CHARGES) BILL 2005

(Brought in by the Minister for Infrastructure, Energy and Resources, the Honourable Bryan Alexander Green)

A BILL FOR

An Act to amend the Vehicle and Traffic Act 1999

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

   This Act may be cited as the Vehicle and Traffic Amendment (Heavy Vehicle Charges) Act 2005.

2. Commencement

   This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

   In this Act, the Vehicle and Traffic Act 1999* is referred to as the Principal Act.

*No. 70 of 1999
4. **Section 34 amended (Imposition of motor tax)**

Section 34 of the Principal Act is amended as follows:

(a) by omitting from subsection (2) “subsection (3)” and substituting “subsections (3) and (5)”;  

(b) by inserting the following subsections after subsection (4):

(5) For the financial year beginning on 1 July 2005 or a later financial year, the amount of the tax for a heavy vehicle is calculated by multiplying the amount prescribed by Schedule 1 by the annual adjustment factor (and, if the resultant amount is not an exact multiple of $1, the amount is to be rounded down to the nearest dollar if the remainder is 50 cents or less and rounded up to the nearest dollar if the remainder is more than 50 cents).

(6) The annual adjustment factor for a particular financial year is the figure determined by the Minister, by notice published in the Gazette, based on the formula that –

(a) is determined by the National Transport Commission, established under the National Transport Commission...
Act 2003 of the Commonwealth, in respect of that financial year; and

(b) reflects –

(i) changes in the expenditure of State and local governments on roads; and

(ii) expected changes in road use by heavy vehicles.

(7) The Minister is to publish the notice made under subsection (6) in the Gazette before the commencement of the financial year to which it relates.

(8) Sections 47(3), (4), (5), (6) and (7) of the Acts Interpretation Act 1931 apply to a notice made under subsection (6) as if it were regulations within the meaning of that Act.

(9) A notice made under subsection (6) is not –

(a) a statutory rule for the purposes of the Rules Publication Act 1953; or

(b) subordinate legislation for the purposes of the
s. 4  No.  Vehicle and Traffic Amendment (Heavy Vehicle Charges)  2005