

South Australia

# **Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008**

under the *Motor Vehicles Act 1959*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

**Note—**

- 1. These regulations make provision for nationally consistent registration fees for heavy vehicles.
- 2. Administration fees and surcharges on registration fees are prescribed by Schedule 5 of the *Motor Vehicles Regulations 1996*.

## 2—Commencement

These regulations will come into operation on the day on which the *Motor Vehicles (National Transport Commission) Amendment Act 2007* comes into operation.

## 3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

*Act* means the *Motor Vehicles Act 1959*;

*articulated bus* means a bus consisting of more than 1 rigid section with passenger access between the sections and the sections connected to one another so as to allow rotary movement between the sections;

*ATM (aggregate trailer mass)*, of a trailer, means the maximum mass, specified by the manufacturer, for the loaded trailer, and includes any mass imposed on the vehicle towing the trailer when they are on a horizontal surface;

*axle* means 1 or more shafts positioned in a line across a vehicle, on which 1 or more wheels intended to support the vehicle turn;

*axle group* means a single axle group, tandem axle group, twinsteer axle group, tri-axle group or quad-axle group;

*B-double combination* means a combination consisting of a prime mover towing 2 semi-trailers;

*B-double lead trailer* means a semi-trailer that is nominated for use as the lead trailer in a B-double combination;

*B-triple combination* means a combination consisting of a prime mover towing 3 semi-trailers;

*B-triple lead trailer* means a semi-trailer that is nominated for use as the lead trailer in a B-triple combination;

*B-triple middle trailer* means a semi-trailer that is nominated for use as the second trailer in a B-triple combination;

*Bureau of Infrastructure, Transport and Regional Economics* means the Bureau of Infrastructure, Transport and Regional Economics of the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government;

*bus* means a motor vehicle, built mainly to carry people, that seats more than 9 adults (including the driver);

*bus (type 1)* means a rigid bus that has 2 axles and an MRC not exceeding 12 tonnes;

*bus (type 2)* means—

- (a) a rigid bus that has 2 axles and an MRC exceeding 12 tonnes; or
- (b) a rigid bus that has 3 or 4 axles;

*compliance plate* means a plate authorised to be placed on a motor vehicle, or taken to have been placed on a motor vehicle, under the *Motor Vehicle Standards Act 1989* of the Commonwealth;

*converter dolly* means a trailer with a fifth wheel coupling designed to support a semi-trailer for hauling purposes;

**dog trailer** means a trailer with—

- (a) 1 axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and
- (b) 1 axle group or single axle at the rear;

**drawbar** means a part of a trailer (other than a semi-trailer) that connects the trailer body to a coupling for towing purposes;

**driver** means the person driving or in control of a motor vehicle;

**fifth wheel coupling** means a device, other than the upper rotating element and the kingpin (which are parts of a semi-trailer), used with a prime mover, semi-trailer or a converter dolly to permit quick coupling and uncoupling and to provide for articulation;

**GTMR (gross trailer mass rating)**, of a trailer, means the mass transmitted to the ground by the axles of the trailer when—

- (a) coupled to a towing vehicle; and
- (b) carrying its maximum load approximately uniformly distributed over the trailer's load bearing area;

**lead trailer**, in a combination, means the trailer that is, or is to be, attached to the prime mover;

**load carrying vehicle** means a motor vehicle designed and constructed to haul or carry goods and wares in addition to any fuel, water, lubricants, tools and any other equipment or accessories necessary for normal operation of the vehicle;

**loaded mass**, in relation to a motor vehicle, means the sum of the mass of the vehicle and the mass of the load on the vehicle that is imposed on the surface on which the vehicle is standing or running;

**long combination truck** means a truck nominated to haul 2 or more trailers;

**low loader** means a gooseneck semi-trailer with a loading deck no more than 1 metre above the ground;

**low loader dolly** means a mass-distributing device that—

- (a) is usually coupled between a prime mover and low loader; and
- (b) consists of a gooseneck rigid frame; and
- (c) does not directly carry any load on itself; and
- (d) is equipped with 1 or more axles, a kingpin and a fifth wheel coupling;

**medium combination truck** means a truck, other than a short combination truck, nominated to haul 1 trailer;

**MRC (mass rating for charging)**, in relation to a motor vehicle, means—

- (a) the maximum mass of the vehicle, including any load, recorded on the compliance plate as the GVM, GTMR or ATM of the vehicle; or
- (b) in relation to a vehicle for which there is no compliance plate—its operating mass;

**multi-combination prime mover** means a prime mover nominated to haul 2 or more trailers;

**nominated** means nominated by the person applying for registration;

**operating mass**, in relation to a motor vehicle, means the maximum mass of the vehicle, including any load, as determined by the Registrar having regard to the design and construction of the vehicle or of any of its components;

**pig trailer** means a trailer with 1 axle group or single axle near the middle of its load-carrying surface, and connected to the towing vehicle by a drawbar;

**pole type trailer** means a trailer that—

- (a) is attached to a towing vehicle by means of a pole or an attachment fitted to a pole; and
- (b) is ordinarily used for transporting loads, such as logs, pipes, structural members or other long objects, that are generally capable of supporting themselves like beams between supports;

**prime mover** means a motor vehicle designed to haul a semi-trailer;

**quad-axle group** means a group of 4 axles, in which the horizontal distance between the centre-lines of the outermost axles is more than 3.2 metres but not more than 4.9 metres;

**semi-trailer** means a trailer (including a pole type trailer) that has—

- (a) 1 axle group or single axle towards the rear; and
- (b) a means of attachment to a prime mover or a converter dolly that results in some of the load being imposed on the prime mover, or the converter dolly, as the case may be;

**short combination prime mover** means a prime mover nominated to haul 1 semi-trailer;

**short combination truck** means a truck nominated to haul 1 trailer where, according to the nomination—

- (a) the combination has 6 axles or fewer; and
- (b) the maximum total mass that is legally allowable for the combination is 42.5 tonnes or less;

**single axle** means an axle not forming part of an axle group;

**single axle group** means a group of 2 or more axles, in which the horizontal distance between the centre-lines of the outermost axles is less than 1 metre;

**special purpose vehicle** means—

- (a) a motor vehicle (other than a caravan, mobile home, mobile library, mobile workshop, mobile laboratory or mobile billboard) where the primary purpose for which it was built, or permanently modified, was not the carriage of goods or passengers; or

- (b) any of the following motor vehicles:
- (i) a forklift;
  - (ii) a straddle carrier;
  - (iii) a mobile cherry picker;
  - (iv) a mobile crane;

***special purpose vehicle (type O)*** means special purpose vehicle (other than a special purpose vehicle (type P))—

- (a) built, or permanently modified, primarily for use on roads; and
- (b) that has at least 1 axle or axle group loaded in excess of the axle load limits specified in Table 1.

**Examples—**

Examples of this kind of vehicle are mobile cranes, fire engines, truck mounted concrete pumps and boring plants. These kinds of vehicles may also fall within the definition of ***special purpose vehicle (type T)*** if they have no axle or axle group loaded in excess of the axle load limits specified in Table 1.

**Table 1—Axle load limits**

Column 1 Item No	Column 2 Type of axle or axle group	Column 3 Axle load limit (tonnes)
1	<u>Single axles</u>	
	(a) 2 tyres	6.0
	(b) 2 wide profile tyres—	
	(i) 375 mm to 450 mm	6.7
	(ii) over 450 mm	7.0
	(c) 4 or more tyres—	
	(i) on pig trailers	8.5
	(ii) on other vehicles	9.0
2	<u>Twinsteer axle groups</u>	
	(a) non-load sharing suspensions	10.0
	(b) load sharing suspensions	11.0
3	<u>Tandem axle groups</u>	
	(a) 4 tyres	11.0
	(b) 4 wide profile tyres—	
	(i) 375 mm to 450 mm	13.3
	(ii) over 450 mm	14.0
	(c) 6 tyres	13.0
	(d) 8 or more tyres—	

Column 1 Item No	Column 2 Type of axle or axle group	Column 3 Axle load limit (tonnes)
	(i) on pig trailers	15.0
	(ii) on other vehicles	16.5
4	<u>Tri-axle groups</u>	
	(a) 6, 8 or 10 tyres	15.0
	(b) 6 wide profile tyres (375 mm or over)—	
	(i) on pig trailers	18.0
	(ii) on other vehicles	20.0
	(c) 12 or more tyres—	
	(i) on pig trailers	18.0
	(ii) on other vehicles	20.0

**special purpose vehicle (type P)** means a special purpose vehicle built, or permanently modified, primarily for—

- (a) off-road use; or
- (b) use on a road-related area; or
- (c) use on an area of road that is under construction or repair;

**Examples—**

Examples of this kind of vehicle are agricultural tractors, self-propelled agricultural harvesters, bulldozers, backhoes, graders and front-end loaders.

**special purpose vehicle (type T)** means a special purpose vehicle (other than a special purpose vehicle (type P))—

- (a) built, or permanently modified, primarily for use on roads; and
- (b) that has no axle or axle group loaded in excess of the axle load limits specified in Table 1;

**Examples—**

Examples of this kind of vehicle are mobile cranes, fire engines, truck mounted concrete pumps and boring plants. These kinds of vehicles may also fall within the definition of **special purpose vehicle (type O)** if they have at least 1 axle or axle group loaded in excess of the axle load limits specified in Table 1.

**tandem axle group** means a group of at least 2 axles, in which the horizontal distance between the centre-lines of the outermost axles is at least 1 metre but not more than 2 metres;

**tri-axle group** means a group of at least 3 axles, in which the horizontal distance between the centre-lines of the outermost axles is more than 2 metres but not more than 3.2 metres;

**truck** means a rigid motor vehicle that is principally constructed as a load carrying vehicle;

**truck (type 1)** means a truck that has—

- (a) 2 axles and an MRC not exceeding 12 tonnes; or
- (b) 3 axles and an MRC not exceeding 16.5 tonnes; or
- (c) 4 or more axles and an MRC not exceeding 20 tonnes;

**truck (type 2)** means a truck that has—

- (a) 2 axles and an MRC exceeding 12 tonnes; or
- (b) 3 axles and an MRC exceeding 16.5 tonnes; or
- (c) 4 or more axles and an MRC exceeding 20 tonnes;

**twinsteer axle group** means a group of 2 axles—

- (a) with single tyres; and
- (b) fitted to a motor vehicle; and
- (c) connected to the same steering mechanism; and
- (d) the horizontal distance between the centre-lines of which is at least 1 metre but not more than 2 metres.

(2) For the purposes of the definition of **special purpose vehicle** in subregulation (1)—

- (a) **goods** does not include fuel, water, lubricants, tools and any other equipment or accessories necessary for normal operation of the vehicle;

**Example—**

In the case of a crane, **goods** would not include any chains on the crane necessary to operate the crane.

- (b) **passengers** does not include the driver, a trainee driver or any person necessary for normal operation of the vehicle.

#### 4—Close-spaced axles

(1) For the purposes of these regulations (other than the definitions of **single axle group**, **tandem axle group**, **twinsteer axle group**, **tri-axle group** and **quad-axle group**)—

- (a) 2 axles less than 1 metre apart are to be regarded as 1 axle; and
- (b) 3 axles not more than 2 metres apart are to be regarded as 2 axles; and
- (c) 4 axles not more than 3.2 metres apart are to be regarded as 3 axles.

(2) In subregulation (1)(a), a reference to a distance is a reference to the horizontal distance between the centre-lines of the 2 axles.

(3) In subregulation (1) (other than paragraph (a)), a reference to a distance is a reference to the horizontal distance between the centre-lines of the outermost axles.

#### 5—Determination of number of trailers

(1) For the purposes of these regulations, in determining the number of trailers that a prime mover or truck is nominated to haul—

- (a) a converter dolly and a semi-trailer when used together are to be regarded as 1 trailer; and

- (b) a low loader dolly and a low loader when used together are to be regarded as 1 trailer.
- (2) Nothing in subregulation (1) affects the requirement in Part 2 that a separate registration fee be paid for each converter dolly or low loader dolly and for each semi-trailer.

**6—Meaning of configuration and current configuration**

- (1) For the purposes of the Act, *configuration* in relation to a heavy vehicle, means a description of a heavy vehicle in regulation 8 for which separate provision is made in that regulation for the amount of the registration fee.
- (2) For the purposes of the definition of *current configuration* in section 43A(16) of the Act, *trailers* means the following trailers:
  - (a) pig trailers;
  - (b) dog trailers;
  - (c) semi-trailers;
  - (d) B-double lead trailers;
  - (e) B-triple lead trailers;
  - (f) B-triple middle trailers;
  - (g) converter dollies;
  - (h) low loader dollies.

**Part 2—Registration fees**

**7—Registration fees for periods commencing before 2008/2009 financial year**

The registration fee payable for registration under section 24 of the Act, for a period of 12 months commencing before 1 July 2008, of a motor vehicle with an MRC of more than 4.5 tonnes is an amount equal to the annual registration charge determined in accordance with the *Road Transport Charges (Australian Capital Territory) Act 1993* of the Commonwealth for registration of the vehicle in the Australian Capital Territory.

**8—Registration fees for 2008/2009 financial year**

The registration fee payable for registration under section 24 of the Act, for the financial year commencing on 1 July 2008, of a motor vehicle with an MRC of more than 4.5 tonnes is the relevant amount set out in Table 2.

**Table 2—Registration fees for 2008/2009 financial year**

<b>Division 1—Load carrying vehicles</b>				
<b>Vehicle type</b>	<b>2 axles</b>	<b>3 axles</b>	<b>4 axles</b>	<b>5 or more axles</b>
<b>Trucks</b>				
Truck (type 1)	\$380	\$652	\$652	\$652
Truck (type 2)	\$652	\$859	\$859	\$859



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Short combination truck	\$652	\$859	\$1 593	\$1 593
Medium combination truck	\$5 161	\$5 161	\$5 574	\$5 574
Long combination truck	\$7 120	\$7 120	\$7 120	\$7 120
<b>Prime Movers</b>				
Short combination prime mover	\$1 000	\$3 930	\$4 322	\$4 322
Multi-combination prime mover	\$7 050	\$7 050	\$7 755	\$7 755

**Division 2—Trailers**

Trailer type	Fee per axle			
	Single axle	Tandem axle group	Tri-axle group	Quad-axle group and above
Pig trailer	\$380	\$380	\$380	\$380
Dog trailer	\$380	\$380	\$380	\$380
Semi-trailer	\$380	\$380	\$380	\$380
B-double lead trailer, B-triple lead trailer or B-triple middle trailer	\$380	\$380	\$380	\$380
Converter dolly or low loader dolly	\$380	\$380	\$380	\$380

**Division 3—Buses**

Bus type	2 axles	3 axles	4 or more axles
Bus (type 1)	\$380		
Bus (type 2)	\$380	\$2 087	\$2 087
Articulated bus		\$380	\$380

**Division 4—Special purpose vehicles**

Special purpose vehicle (type P)	No charge		
Special purpose vehicle (type T)	\$248		
Special purpose vehicle (type O)	Calculated using the formula:	310 + (310 x number of axles over 2)	

**9—Registration fees for 2009/2010 financial year**

The registration fee payable for registration under section 24 of the Act, for the financial year commencing on 1 July 2009, of a motor vehicle with an MRC of more than 4.5 tonnes, is to be calculated by—

- (a) multiplying the relevant base fee for the vehicle set out in Table 3 by the annual adjustment factor percentage for that year (as determined in accordance with Schedule 1); and
- (b) adding the product of that multiplication to, or, if the percentage was negative, subtracting the product of that multiplication from, the base fee; and
- (c) rounding the result up or down to the nearest whole dollar amount (rounding an amount of 50 cents upwards).

**Table 3—Base fee for 2009/2010 financial year**

<b>Division 1—Load carrying vehicles</b>				
<b>Vehicle type</b>	<b>2 axles</b>	<b>3 axles</b>	<b>4 axles</b>	<b>5 or more axles</b>
<b>Trucks</b>				
Truck (type 1)	\$380	\$652	\$652	\$652
Truck (type 2)	\$652	\$859	\$859	\$859
Short combination truck	\$652	\$859	\$1 593	\$1 593
Medium combination truck	\$5 828	\$5 828	\$6 295	\$6 295
Long combination truck	\$8 036	\$8 036	\$8 036	\$8 036
<b>Prime Movers</b>				
Short combination prime mover	\$1 000	\$3 930	\$4 322	\$4 322
Multi-combination prime mover	\$7 050	\$7 050	\$7 755	\$7 755
<b>Division 2—Trailers</b>				
<b>Trailer type</b>	<b>Fee per axle</b>			
	<b>Single axle</b>	<b>Tandem axle group</b>	<b>Tri-axle group</b>	<b>Quad-axle group and above</b>
Pig trailer	\$380	\$380	\$380	\$380
Dog trailer	\$380	\$380	\$380	\$380
Semi-trailer	\$380	\$380	\$405	\$405
B-double lead trailer, B-triple lead trailer or B-triple middle trailer	\$380	\$1 140	\$1 190	\$1 190
Converter dolly or low loader dolly	\$380	\$380	\$380	\$380
<b>Division 3—Buses</b>				
<b>Bus type</b>	<b>2 axles</b>	<b>3 axles</b>	<b>4 or more axles</b>	
Bus (type 1)	\$380			
Bus (type 2)	\$380	\$2 087	\$2 087	
Articulated bus		\$380	\$380	
<b>Division 4—Special purpose vehicles</b>				
Special purpose vehicle (type P)	No charge			
Special purpose vehicle (type T)	\$248			
Special purpose vehicle (type O)	Calculated using the formula:	310 + (310 x number of axles over 2)		

**10—Registration fees for 2010/2011 financial year**

- (1) The registration fee payable for registration under section 24 of the Act, for the financial year commencing on 1 July 2010, of a motor vehicle with an MRC of more than 4.5 tonnes (other than a semi-trailer, B-double lead trailer or B-triple lead or middle trailer), is to be calculated by—
  - (a) multiplying the registration fee that was payable for the registration of the vehicle for the financial year commencing on 1 July 2009 (the *previous annual registration fee*) by the annual adjustment factor percentage for the financial year commencing on 1 July 2010 (as determined in accordance with Schedule 1); and
  - (b) adding the product of that multiplication to, or, if the percentage was negative, subtracting the product of that multiplication from, the previous annual registration fee; and
  - (c) rounding the result up or down to the nearest whole dollar amount (rounding an amount of 50 cents upwards).
- (2) The registration fee payable for registration under section 24 of the Act, for the financial year commencing on 1 July 2010, of a semi-trailer, B-double lead trailer or B-triple lead or middle trailer with an MRC of more than 4.5 tonnes is to be calculated by—
  - (a) adding the relevant amount set out in Table 4 to the registration fee that was payable for registration of the vehicle for the financial year commencing on 1 July 2009 (the *previous annual registration fee*); and
  - (b) multiplying the result by the annual adjustment factor percentage for the financial year commencing on 1 July 2010 (as determined in accordance with Schedule 1); and
  - (c) adding the product of that multiplication to, or, if the percentage was negative, subtracting the product of that multiplication from, the amount determined under paragraph (a); and
  - (d) rounding the result up or down to the nearest whole dollar amount (rounding an amount of 50 cents upwards).

**Table 4—Registration fee increments to apply for 2010/2011 financial year**

Trailer type	Fee per axle			
	Single axle	Tandem axle group	Tri-axle group	Quad-axle group and above
Semi-trailer			\$25	\$25
B-double lead trailer, B-triple lead trailer or B-triple middle trailer		\$760	\$810	\$810

- (3) In this regulation, a reference to a *previous annual registration fee* for registration of a motor vehicle is a reference to the registration fee payable for registration of the vehicle under section 24 of the Act had the vehicle been registered for the entire relevant financial year, and regardless of whether or not the fee was paid.

## 11—Registration fees for subsequent financial years

- (1) The registration fee payable for registration under section 24 of the Act, for the financial year commencing on 1 July 2011 or any subsequent financial year (the *relevant financial year*), of a motor vehicle with an MRC of more than 4.5 tonnes, is to be calculated by—
  - (a) multiplying the registration fee that was payable for registration of the vehicle for the period of 12 months commencing at the beginning of the financial year immediately preceding the relevant financial year (the *previous annual registration fee*) by the annual adjustment factor percentage for the relevant financial year (as determined in accordance with Schedule 1); and
  - (b) adding the product of that multiplication to, or, if the percentage was negative, subtracting the product of that multiplication from, the previous annual registration fee; and
  - (c) rounding the result up or down to the nearest whole dollar amount (rounding an amount of 50 cents upwards).
- (2) In this regulation, a reference to a *previous annual registration fee* for registration of a motor vehicle is a reference to the registration fee payable for registration of the vehicle under section 24 of the Act had the vehicle been registered for the entire relevant financial year, and regardless of whether or not the fee was paid.

## 12—Vehicles in 2 or more categories

If a motor vehicle falls within 2 or more categories of vehicle with an MRC of more than 4.5 tonnes, the registration fee payable for registration of the vehicle is the higher or highest of the registration fees that could apply in relation to the vehicle.

## Schedule 1—Determination of annual adjustment factor

### 1—Annual adjustment factor

- (1) The annual adjustment factor for a financial year is to be calculated in accordance with this clause.
- (2) First, the following formula is to be applied:

$$\left[ (0.454 \times RA) + (0.362 \times UA) + (0.119 \times RL) + (0.064 \times UL) \right] - 1.0$$

where—

**RA** means the Rural Arterial Road Expenditure adjustment factor that applies for that year (see clause 2)

**RL** means the Rural Local Road Expenditure adjustment factor that applies for that year (see clause 2)

**UA** means the Urban Arterial Road Expenditure adjustment factor that applies for that year (see clause 2)

**UL** means the Urban Local Road Expenditure adjustment factor that applies for that year (see clause 2).

- (3) Second, the amount determined in accordance with subclause (2) is to be rounded up or down to 1 decimal place (rounding an amount of 0.05 upwards).

**Example—**

An amount of 3.55 would be rounded up to 3.6.

- (4) The result is the annual adjustment factor expressed as a percentage.

## **2—Adjustment factors**

- (1) The 4 adjustment factors referred to in clause 1 (RA, RL, UA, UL) for a particular financial year are to be calculated in accordance with this clause.
- (2) First, the expenditure for each adjustment factor for the Years 1 to 6 is to be multiplied by the following fraction to derive an amount of adjusted expenditure for each of those years for each of those factors:

$$\frac{\text{Index number for Year 7}}{\text{Index number for relevant Year of expenditure}}$$

where—

**expenditure**, for a financial year, means the amount specified in the most recent annual report of the NTC as being—

- (a) in the case of RA—the estimated amount of expenditure on rural arterial roads for that year; and
- (b) in the case of UA—the estimated amount of expenditure on urban arterial roads for that year; and
- (c) in the case of RL—the estimated amount of expenditure on rural local roads for that year; and
- (d) in the case of UL—the estimated amount of expenditure on urban local roads for that year;

**index number**, for a particular financial year, means the road construction and maintenance price index number for 30 June of that year published by the Bureau of Infrastructure, Transport and Regional Economics;

**Example—**

In August 2007 the Bureau of Infrastructure, Transport and Regional Economics published its index figure. As at 30 June 2007 the index number was 150.5. Thus the index number for the financial year that commenced on 1 July 2006 is 150.5.

**most recent annual report of the NTC** means the last annual report of the NTC that was tabled in each House of the Commonwealth Parliament before the start of the financial year for which the annual adjustment factor is being determined;

**NTC** means the National Transport Commission;

**Year 1** means the financial year immediately before Year 2;

**Year 2** means the financial year immediately before Year 3;

**Year 3** means the financial year immediately before Year 4;

**Year 4** means the financial year immediately before Year 5;

**Year 5** means the financial year immediately before Year 6;

**Year 6** means the financial year immediately before Year 7;

**Year 7** means the financial year immediately before Year 8;

**Year 8** means the latest financial year for which the amount of estimated expenditure on the relevant type of road mentioned in the definition of *expenditure* is specified in the most recent annual report of the NTC.

**Examples of the determination of Year 8—**

Suppose that, on 1 March 2010, the most recent annual report of the NTC to have been tabled is the annual report for 2008/2009, and that report contains estimated expenditure figures for arterial roads up to and including the 2008/2009 financial year and estimated expenditure figures for local roads up to and including the 2006/2007 financial year. For the purpose of calculating RA and UA for the 2010/2011 financial year, Year 8 is the 2008/2009 financial year. For the purpose of calculating RL and UL for the 2010/2011 financial year, Year 8 is the 2006/2007 financial year.

**Example of the calculation of the amount of adjusted expenditure for a year—**

Suppose that the Estimated Urban Arterial Road Expenditure for Year 4 is \$2 010 000 000; that the index number for Year 4 is 129.7; and that the index number for Year 7 is 154.26. The adjusted expenditure for UA for Year 4 is \$2 390 613 720 (that is (154.26/129.7) x \$2 010 000 000).

- (3) Second, for each adjustment factor, the amount of adjusted expenditure for each of Years 1 to 6 is to be added together, and the expenditure for Year 7 is to be added to the total to derive the Combined Adjusted Expenditure for Years 1 to 7.
- (4) Third, the expenditure for each adjustment factor for Years 2 to 7 is to be multiplied by the following fraction to derive an amount of adjusted expenditure for each of those years for each of those factors:

$$\frac{\text{Index number for Year 8}}{\text{Index number for relevant Year of expenditure}}$$

- (5) Fourth, for each adjustment factor, the amount of adjusted expenditure for each of Years 2 to 7 is to be added together, and the expenditure for Year 8 is to be added to the total to derive the Combined Adjusted Expenditure for Years 2 to 8.
- (6) Fifth, for each adjustment factor, the following formula is to be applied:

$$\left[ \left( \frac{\text{Combined Adjusted Expenditure for Years 2 to 8}}{\text{Combined Adjusted Expenditure for Years 1 to 7}} \right) - 1 \right] \times 100$$

where—

**Combined Adjusted Expenditure for Years 2 to 8**—see subclause (5)

**Combined Adjusted Expenditure for Years 1 to 7**—see subclause (3).

- (7) Lastly, the amount determined in accordance with subclause (6) is to be rounded up or down to 4 decimal places (rounding an amount of 0.00005 upwards).

**Example—**

An amount of 2.35065 would be rounded up to 2.3507.

- (8) The result is the amount that is to be used for that adjustment factor in the formula set out in clause 1(2).

### 3—Transitional provision relating to calculation of the annual adjustment factor for 2009/2010 financial year

- (1) Despite anything to the contrary in clause 2, for the purposes of calculating the annual adjustment factor for the financial year commencing on 1 July 2009, RA and UA are to be calculated by applying the following formula:

$$\left[ \left( \frac{\text{Combined Expenditure}}{\text{Base Combined Expenditure}} \right) - 1 \right] \times 100$$

where—

*amount of adjusted expenditure* is the amount derived using the method set out in clause 2(2)

*Base Combined Expenditure* is—

- (a) in the case of RA—\$22 877 279 156;
- (b) in the case of UA—\$22 628 161 494

*Combined Expenditure* is the sum of the amounts of adjusted expenditure for the 2001/2002 financial year (Year 1), 2002/2003 financial year (Year 2), 2003/2004 financial year (Year 3), 2004/2005 financial year (Year 4), 2005/2006 financial year (Year 5) and 2006/2007 financial year (Year 6), and the amount of expenditure for the 2007/2008 financial year (Year 7), based on the expenditure amounts set out in the annual report of the NTC for the 2007/2008 financial year, adjusted in the case of Years 1 to 6 using the index number for the 2007/2008 financial year as the numerator in the adjustment fraction.

- (2) Unless the contrary intention appears, all terms defined in clause 2 that are used in this clause have the same respective meanings as they have in clause 2.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

### Made by the Governor's Deputy

with the advice and consent of the Executive Council  
on 5 June 2008

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