



New South Wales

Roads Amendment (Toll Relief Scheme) Regulation 2018

under the

Roads Act 1993

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Roads Act 1993*.

MELINDA PAVEY, MP
Minister for Roads, Maritime and Freight

Explanatory note

The objects of this Regulation are:

- (a) to enable Roads and Maritime Services (including its delegates such as Service NSW) to require a toll service provider to provide certain information to assist RMS to determine an individual's entitlement to an exemption from motor vehicle tax and registration fees, and
- (b) to authorise the toll service provider to disclose information that it is required to provide to RMS.

This Regulation is made under the *Roads Act 1993*, including section 264 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Roads Amendment (Toll Relief Scheme) Regulation 2018*.

2 Commencement

This Regulation commences on 16 April 2018 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Roads Regulation 2008

Clause 89D

Insert after clause 89C:

89D Provision of information by toll service providers to RMS and its delegates

- (1) RMS may require a toll service provider to provide RMS with any of the following information for the purpose of assisting it to determine an individual's entitlement to a relevant motor vehicle tax or registration fee exemption:
 - (a) information evidencing toll payments during the 2017–2018 financial year or any subsequent financial year,
 - (b) account numbers for tolling accounts,
 - (c) electronic tag numbers associated with tolling accounts,
 - (d) vehicle number-plates associated with tolling accounts,
 - (e) participation in the M5 Cashback Scheme conducted by the NSW Government,
 - (f) information about the periods during which:
 - (i) toll payments were made, or
 - (ii) tolling accounts were active, or
 - (iii) electronic tags or vehicle number-plates were associated with particular tolling accounts, or
 - (iv) an individual was a registered participant of the M5 Cashback Scheme.
- (2) Each of the following is a *relevant motor vehicle tax or registration fee exemption*:
 - (a) an exemption from paying any motor vehicle tax in respect of the registration of a registrable light motor vehicle under clause 5 of the *Motor Vehicles Taxation Regulation 2016*,
 - (b) an exemption from paying any registration fee for a registrable light motor vehicle under clause 127A of the *Road Transport (Vehicle Registration) Regulation 2017*.
- (3) To avoid doubt, RMS may require a toll service provider to provide information of a kind referred to in subclause (1) for the purposes of a pilot program of the kind referred to in clause 127A of the *Road Transport (Vehicle Registration) Regulation 2017*.
- (4) A toll service provider is authorised to disclose to RMS any information that RMS requires from the provider under this clause.
- (5) In this clause:

financial year means the period of 12 months commencing on 1 July in any year.

registrable light motor vehicle has the same meaning as in clause 127A of the *Road Transport (Vehicle Registration) Regulation 2017*.

RMS includes:

 - (a) the Chief Executive Officer of Service NSW in the exercise of any customer service functions (within the meaning of the *Service NSW (One-stop Access to Government Services) Act 2013*) of RMS, and

- (b) any other person to whom RMS has delegated the function of obtaining information under the provisions referred to in subclause (2).

toll service provider means a person that provides accounts, products or related services to enable the payment of tolls for the use of tollways, bridges, tunnels or road-ferries by persons who are required to pay such tolls.

tolling account means an account provided by a toll service provider for the purpose of enabling the account holder to pay tolls.