



New South Wales

# Road Transport (Minimum Toll Expenditure Calculation) Amendment Order 2018

under the

Road Transport Act 2013

I, the Minister for Roads, Maritime and Freight, in pursuance of clause 127A of the *Road Transport (Vehicle Registration) Regulation 2017*, make the following Order.

Dated, this 19th day of June 2018.

MELINDA PAVEY, MP  
Minister for Roads, Maritime and Freight

## Explanatory note

The object of this Order is to modify the method for calculating the minimum expenditure in tolls required for an applicant to be eligible for an exemption from the registration fee for a registrable light motor vehicle as follows:

- (a) by allowing toll expenditure incurred using 2 e-tags for the same tolling account (rather than only one e-tag) in the 2017–2018 financial year to be taken into account to reach the required \$1,300,
- (b) by authorising the Authority to treat 2 or more e-tags (whether or not for the same tolling account) as one e-tag in certain circumstances.

This Order is made under clause 127A of the *Road Transport (Vehicle Registration) Regulation 2017*.

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### **1 Name of Order**

This Order is the *Road Transport (Minimum Toll Expenditure Calculation) Amendment Order 2018*.

### **2 Commencement**

This Order commences on the day on which it is published on the NSW legislation website.

## **Schedule 1      Amendment of Road Transport (Minimum Toll Expenditure Calculation) Order 2018**

### **[1]    Clause 4A**

Insert after clause 4:

#### **4A    Method for calculating for tolling accounts with more than one e-tag for 2017–2018 financial year**

- (1) Despite clause 5, this clause specifies the method to be used for the purposes of clause 127A of the Regulation in calculating the minimum expenditure amount in tolls for the 2017–2018 financial year in respect of a tolling account with more than one e-tag for the account.
- (2) The minimum expenditure amount in tolls is to be calculated as follows:
  - (a) only the amount of tolls paid in respect of e-tag matched vehicles for the account during the 2017–2018 financial year using the 2 e-tags that incurred the greatest amount of tolls can be counted,
  - (b) in addition to paragraph (a), the tolls paid in respect of any photograph matched vehicles for the tolling account during the 2017–2018 financial year can be counted.
- (3) However, any amount in tolls paid during that year by a registered participant in the M5 Cashback Scheme in connection with the use of any part of the M5 South-West Motorway to which the Scheme applies cannot be counted towards the minimum expenditure amount in tolls.

### **[2]    Clause 5A**

Insert after clause 5:

#### **5A    Two or more e-tags may be treated as one e-tag**

- (1) In calculating the minimum expenditure amount under clause 4A or 5, the Authority may treat 2 or more e-tags (whether or not for the same tolling account) as one e-tag if the Authority determines it is appropriate to do so in the circumstances.
- (2) Without limiting subclause (1), the Authority may determine it is appropriate to do so on the basis that one of the e-tags has been replaced by one or more of the other e-tags.