



New South Wales

Transport Administration Amendment (CountryLink Pensioner Booking Fee Abolition) Bill 2009

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to abolish booking fees on the use of pensioner travel vouchers and passes on CountryLink rail services.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Transport Administration Act 1988 No 109

Schedule 1 [1] makes it clear that an order fixing charges for services of RailCorp cannot impose a CountryLink pensioner booking fee (that is, a fee, however described, charged for or in relation to a NSW/ACT pensioner booking a railway service provided by CountryLink using what would otherwise be a free travel pass, a concessional travel pass or a pensioner travel voucher).

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Schedule 1 [2] provides that RailCorp must not charge any pensioner booking fee for travel on a railway service provided by CountryLink. The new section provides that any order published by RailCorp is of no effect to the extent that it imposes a pensioner booking fee.

Introduced by Ms Gladys Berejiklian, MP

First print



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No. , 2009

A Bill for

An Act to amend the *Transport Administration Act 1988* to abolish booking fees on the use of pensioner travel vouchers and passes on CountryLink rail services.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Transport Administration Amendment (CountryLink Pensioner Booking Fee Abolition) Act 2009</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6

Schedule 1	Amendment of Transport Administration Act 1988 No 109	1
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[1]	Section 85 Orders fixing charges	3
	Insert “(not being a CountryLink pensioner booking fee prohibited by section 85A)” after “reasonable amount” in section 85 (4) (a).	4
		5
[2]	Section 85A	6
	Insert after section 85:	7
	85A No booking fees for pensioners	8
	(1) Despite the provisions of this Division or any other Act, or of any order under this Division, RailCorp must not charge any pensioner booking fee for travel on a railway service provided by CountryLink.	9
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	(2) An order under this Division must not impose any pensioner booking fee for travel on a railway service provided by CountryLink.	13
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	(3) To the extent that it does impose any pensioner booking fee for travel on a railway service provided by CountryLink, an order is of no effect.	16
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	(4) This section extends to any order in force immediately before the commencement of this section.	19
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	(5) In this section:	21
	CountryLink means the business unit formed by RailCorp to operate non-metropolitan long-distance railway services and other transport services.	22
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	NSW/ACT pensioner means any of the following persons whose ordinary place of residence is in New South Wales or the Australian Capital Territory:	25
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	(a) a person who receives a pension, benefit or allowance under Chapter 2 of the <i>Social Security Act 1991</i> of the Commonwealth, or a service pension under Part III of the <i>Veterans’ Entitlements Act 1986</i> of the Commonwealth, and who is the holder of a pensioner concession card issued by or on behalf of the Commonwealth Government,	28
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	(b) a person who receives a pension from the Commonwealth Department of Veterans’ Affairs as:	34
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	(i) the widow or widower of a member of the Australian Defence or Peacekeeping Forces, or	36
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Schedule 1 Amendment of Transport Administration Act 1988 No 109

(ii) the unmarried mother of a deceased unmarried member of either of those Forces, or 1
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(iii) the widowed mother of a deceased unmarried member of either of those Forces, 3
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and who is the holder of a Transport Concession Card issued by the Commonwealth Department of Veterans' Affairs. 5
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pensioner booking fee means a fee, however described, charged for or in relation to a NSW/ACT pensioner booking a railway service provided by CountryLink for travel, using: 8
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(a) what would otherwise be a free travel pass, or 11

(b) a concessional travel pass, or 12

(c) a pensioner travel voucher. 13

pensioner travel voucher means a voucher entitling any NSW/ACT pensioner to travel on any railway service or other transport service provided by CountryLink for free. 14
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