

NORTHERN TERRITORY OF AUSTRALIA

**MOTOR VEHICLES (FEES AND CHARGES) AMENDMENT
REGULATIONS 2010**

Subordinate Legislation No. 12 of 2010

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 12 of 2010*

Motor Vehicles (Fees and Charges) Amendment Regulations 2010

I, Thomas Ian Pauling, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Motor Vehicles Act*.

Dated 29 June 2010

T. I. PAULING
Administrator

By His Honour's Command

G. F. McCARTHY
Minister for Transport

* Notified in the *Northern Territory Government Gazette* on 30 June 2010.

1 Citation

These Regulations may be cited as the *Motor Vehicles (Fees and Charges) Amendment Regulations 2010*.

2 Commencement

These Regulations commence on 1 July 2010.

3 Regulations amended

These Regulations amend the *Motor Vehicles (Fees and Charges) Regulations*.

4 Amendment of Schedule 2

- (1) Schedule 2, clause 12(1), after "a financial year"

insert

(the **relevant year**)

- (2) Schedule 2, clause 12(4)

omit, substitute

- (4) The result is the raw annual adjustment factor (**RAAF**) expressed as a percentage.
- (5) If the annual report of the National Transport Commission for the financial year that ended 1 year before the start of the relevant year does not provide the information needed to calculate the value of **TFU** in clause 13A and the values of **HV** and **TTR** in clause 13B, the RAAF is the annual adjustment factor for the relevant year.
- (6) If subclause (5) does not apply, the following formula is to be applied:

$PRABC \times (1 + RAAF)$

where:

PRABC is the Revised Adjusted Base Cost derived in calculating the annual adjustment factor in the financial year that immediately preceded the relevant year.

- (7) The result is the Revised Adjusted Base Cost (**RABC**).

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- (8) Next, the following formula is to be applied:

$$\frac{(RABC - FR - RR)}{(FR + RR)} \times 100$$

where:

FR means the estimated total amount of the road user charge under the *Fuel Tax Act 2006* (Cth) as calculated in accordance with clause 13A.

RR means the estimated revenue raised in relation to heavy vehicles by registration charges in Australia as calculated in accordance with clause 13B.

- (9) Finally, the amount determined under subclause (8) is to be rounded up or down to one decimal place (rounding an amount of 0.05 upwards).
- (10) The result is the annual adjustment factor expressed as a percentage.
- (3) Schedule 2, after clause 13
- insert*

13A Calculation of estimated total amount of road user charge

- (1) The estimated total amount of the road user charge under the *Fuel Tax Act 2006* (Cth) is to be calculated in accordance with this clause.
- (2) First, the following formula is to be applied:

$$TFU \times RUC$$

where:

TFU is the total fuel use by heavy vehicles in litres determined by adding together the estimated annual fuel use shown in the relevant annual report of the NTC for each category of heavy vehicle.

RUC is the road user charge rate (expressed in dollars) for the previous year that applied under section 43-10 of the *Fuel Tax Act 2006* (Cth) or, if more than one rate applied in that year, the last rate that applied in that year.

previous year means the financial year that immediately preceded the relevant year.

relevant annual report of the NTC means the annual report of the National Transport Commission for the financial year that ended 1 year before the start of the relevant year.

relevant year means the financial year for which the annual adjustment factor is being calculated.

- (3) Second, the amount determined under subclause (2) is to be divided by 1 000 000.
- (4) Third, the amount determined under subclause (3) is to be rounded up or down to 2 decimal places (rounding an amount of 0.005 upwards).
- (5) The result is the estimated total amount of the road user charge.

13B Calculation of estimated revenue raised from registration charges

- (1) The estimated revenue raised in relation to heavy vehicles by registration charges in Australia is to be calculated in accordance with this clause.
- (2) First, the following formula is to be applied:

$HV + TRR$

where:

HV is the sum of the amounts shown in the relevant annual report of the NTC as the estimated vehicle registration revenue excluding trailers for each category of heavy vehicle.

TTR is the sum of the amounts shown in the relevant annual report of the NTC as the estimated trailer registration revenue for each relevant category of heavy vehicle.

relevant annual report of the NTC means the annual report of the National Transport Commission for the financial year that ended 1 year before the start of the financial year for which the annual adjustment factor is being calculated.

- (3) Second, the amount determined under subclause (2) is to be divided by 1 000 000.
- (4) Third, the amount determined under subclause (3) is to be rounded up or down to 2 decimal places (rounding an amount of 0.005 upwards).

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- (5) The result is the estimated revenue raised in relation to heavy vehicles by registration charges in Australia.
- (4) Schedule 2, after clause 14
- insert*
- 15 Transitional provision for calculation of annual adjustment factor for 2010 – 2011**
- Despite anything to the contrary in clause 12, for calculating the annual adjustment factor for the 2010 – 2011 financial year:
- (a) in clause 12(6), PRABC is 2015.15; and
- (b) in clauses 13A and 13B, a reference to the relevant annual report of the NTC is to be read as if it was a reference to the tables published by the National Transport Commission before 1 July 2010 in the *Commonwealth Government Gazette* for this Schedule.