

Australian Capital Territory

Road Transport (General) (Parking Permit Fees) Determination 2018 (No 1)

Disallowable instrument – DI2018-75

made under the

Road Transport (General) Act 1999, section 96 (Determination of fees, charges and other amounts)

EXPLANATORY STATEMENT

Section 96 of the *Road Transport (General) Act 1999* allows the Minister to determine fees, charges and other amounts payable under the ACT road transport legislation.

This determination sets the fees for various kinds of parking permits and determines the fees for transactions relating to refunds and the handling of dishonoured cheques and credit cards.

The previous instrument applied a 4% increase to the regulatory fees, rounded down to the nearest ten cents, and applied a 1.6% increase (the Wage Price Index) to the administration fees, rounded down to the nearest ten cents.

The schedules to the instrument detail the item for which a fee is payable and the associated fee. Column 1 of schedule 1 lists the item number. Column 2 of schedule 1 describes the service or other matter in relation to the fee payable. Column 3 of schedule 1 lists the fee payable on or before 31 July 2016. Column 4 of schedule 1 lists the fee payable for a permit issued on or after 1 August 2016 and on or before 30 June 2017. Column 5 of schedule 1 lists the fee payable for a permit issued on or after 1 July 2017.

The fees implemented on 1 July 2017 will continue without change on the commencement of the current instrument.

This determination is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.

Updates to the instrument

This instrument does not change parking permit fees. It does not seek to apply retrospectively. This instrument makes editorial changes only and has been updated to reflect the commencement of the *Road Transport (Road Rules) Regulation 2017*. The *Road Transport (Road Rules) Regulation 2017* consolidates the Australian Road Rules and ACT specific road rules from the *Road Transport (Safety and Traffic Management) Regulation 2000*.

The current instrument does not make any substantive changes to the previous instrument, the *Road Transport (General) Parking Permit Fees Determination 2016 (No 1)* (DI2016-164). The current instrument merely updates one legislative reference that was previously in the *Road Transport (Safety and Traffic Management) Regulation 2000* and is now found in the *Road Transport (Road Rules) Regulation 2017*.

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to s 36(1)(k) of the Legislation Act, which states that a RIS need not be prepared for an amendment of a fee consistent with announced government policy. Further, there is no fee increase for resident's permits at Havelock House, Allawah Flats and Bega Flats.

Human Rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.

Outline of Provisions

Clause 1 names the instrument the *Road Transport (General) (Parking Permit Fees) Determination 2018 (No 1)*.

Clause 2 states that the instrument commences on 30 April 2018. This coincides with the commencement of the new *Road Transport (Road Rules) Regulation 2017*.

Clause 3 determines the fees payable by reference to schedule 1 and schedule 2.

Clause 4 determines the responsible party for paying fees mentioned in schedule 1 and schedule 2. This clause also states that fees are payable to the road transport authority.

Clause 5 defines terms and phrases for this instrument.

Clause 6 provides that the *Road Transport (General) Parking Permit Fees Determination 2016 (No 1)* (DI2016-164) is revoked.