

HOUSE OF REPRESENTATIVES

(As read a first time)

ROADS GRANTS BILL 1981

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1980-81

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Presented and read a first time, 14 May 1981

(Minister for Transport)

A BILL

FOR

An Act to grant financial assistance to the States and to the Northern Territory in relation to roads

5 BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

PART I—PRELIMINARY

Short title

1. This Act may be cited as the *Roads Grants Act* 1981.

Commencement

10 2. This Act shall come into operation on the day on which it receives the Royal Assent.

Interpretation

15 3. (1) In this Act, unless the contrary intention appears—
“arterial road” means a road or proposed road that is for the time being declared by the Minister to be an arterial road for the purposes of this Act, or a part of such a road or proposed road;

“construction”, in relation to a road, includes—

- (a) the reconstruction or realignment of the road;
- (b) the bringing of the road to a higher standard;
- (c) investigation and associated engineering studies in connection with—
 - (i) the construction, reconstruction or realignment of the road;
 - (ii) the bringing of the road to a higher standard; or
 - (iii) the planning of alternative routes for the road;
- (d) the acquisition of land for the purpose of—
 - (i) constructing, reconstructing or realigning the road; or
 - (ii) bringing the road to a higher standard; and
- (e) the doing of any other thing in relation to a matter specified in paragraph (a) or (b) approved by the Minister for the purposes of this definition,

but does not include the maintenance of the road;

“developmental road” means a road or proposed road in respect of which a declaration under sub-section 5 (3) is in force;

“government authority” means a municipal, shire or other local authority, and includes an authority of a State, being an incorporated body, that is responsible for the construction and maintenance of local roads in an area of the State;

“local road” means a road, or a part of a road, that is not a national road or an arterial road;

“maintenance”, in relation to a road, includes the repair of the road;

“national highway” means a road or proposed road in respect of which a declaration under sub-section 5 (1) or (2) is in force;

“national road” means a national highway or a developmental road, or a part of a national highway or developmental road;

“road” includes—

- (a) a road sign;
- (b) traffic control equipment;
- (c) street lighting equipment;
- (d) a vehicular ferry;
- (e) a bridge or tunnel, including a bridge or tunnel for the use of pedestrians;
- (f) a path for the use of persons riding bicycles;
- (g) a ramp provided to facilitate the launching of boats; and
- (h) vehicular access from a road to a ramp referred to in paragraph (g),

associated with a road;

“State” includes the Northern Territory.

5 (2) A reference in this Act to an amount expended by a State in respect of a project included in a program of projects in respect of which there is in force an approval by the Minister under section 7 is a reference to an amount expended in connection with the carrying out of the works constituting the project in accordance with any standards applicable to those works by virtue of a notification in force under section 6.

10 (3) An amount paid by a State to a government authority for a particular purpose shall, for the purposes of this Act, be deemed to have been expended by the State for that purpose, and an amount set aside by a State for payment to a government authority for a particular purpose shall, for the purposes of this Act, be deemed to have been set aside by the State for expenditure for that purpose.

15 (4) For the purposes of this Act, where an amount is expended by a State or a government authority by way of the payment of wages and an amount of tax is paid by the State or the authority (whether by way of a payment of moneys, the crediting of an account or otherwise) on those wages, being a tax imposed by a law of the State upon employers on wages paid by them, the amount of tax shall be deemed to be an additional amount of those wages.

20 (5) In sub-section (4), "wages" includes payments in the nature of wages.

(6) Subject to sub-section (4), for the purposes of this Act, moneys paid or credited by a State to a trust account or other account in the Treasury of the State shall not be taken, by reason only of their having been so paid or credited, to have been expended by the State.

PART II—NATIONAL ROADS

25 Interpretation

4. In this Part, unless the contrary intention appears—
"project" means a project by way of—

- (a) the construction of a national road; or
- (b) the maintenance of a national road;

30 "relevant year" means the year commencing on 1 July 1981 or either of the 2 next succeeding years.

Declaration of national highways and developmental roads

35 5. (1) The Minister may declare a road in a State that constitutes, or a proposed road in a State that would, if constructed, constitute, a part of the road that, in the opinion of the Minister, is or will be the principal road linking—

- (a) 2 or more State capital cities;
- (b) a State capital city and Canberra;
- (c) Brisbane and Cairns; or
- 40 (d) Hobart and Burnie,

to be a national highway for the purposes of this Act.

(2) The Minister may declare a road in a State that constitutes, or a proposed road in a State that would, if constructed, constitute, a road that should, in the opinion of the Minister, be treated, by reason of its national importance, as a national highway for the purposes of this Act to be, for those purposes, a national highway.

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(3) Where the Minister is of the opinion—

(a) that a road or a proposed road in a State is of use or would, if constructed, be of use—

(i) in the development of particular industries or particular energy resources (including industries or energy resources in remote areas of Australia);

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(ii) in facilitating or developing trade or commerce with other countries or among the States; or

(iii) in facilitating, to a significant extent, travel for tourist purposes; and

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(b) that, for that reason, the road is, or the proposed road would, if constructed, be, of national importance,

the Minister may declare the road or the proposed road to be a developmental road for the purposes of this Act.

(4) The Minister may revoke or vary a declaration made under this section.

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Standards for national roads

6. (1) For the purpose of ensuring that this Act is conducive to the construction and maintenance of national roads that are of an adequate standard, the Minister may, from time to time—

(a) request a State to furnish such information as the Minister specifies relating to the use or likely use of national roads, including the effect on the likely use of national roads of works that the State is carrying out or proposes to carry out by way of the construction or maintenance of other roads in the State;

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(b) after consultation with a State, notify to the State works, or classes of works, by way of the construction or maintenance of the national roads in the State that the Minister considers necessary to be carried out;

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(c) notify to a State the order in which the Minister considers that works in connection with national roads in the State should be carried out; and

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(d) notify to a State standards, applicable either generally or otherwise as specified in the notification, that the Minister considers necessary to be observed in connection with the construction or maintenance of national roads.

(2) The Minister may revoke or vary a notification given to a State under sub-section (1).

4

Approval of programs

7. (1) The Minister may request a State to submit a program of projects proposed to be undertaken by the State during a relevant year in accordance with any notification or notifications in force under section 6 and may, in the request, specify—

- (a) the form in accordance with which, and the date before which, the program of projects is to be furnished to him for the purposes of this section;
- (b) the particulars of projects to be specified in the program; and
- (c) classes of projects in respect of which particulars of the projects are to be approved by him before the projects are included in the program.

(2) Where a State, in accordance with a request made to it under sub-section (1), submits to the Minister a program of projects proposed to be undertaken by the State during a relevant year, the Minister may—

- (a) approve the program; or
- (b) modify the program to the extent he thinks desirable and approve the program as so modified.

(3) A reference in sub-section (2) to the modification of a program includes references to the omission of a project from a program and the addition of a project to a program.

(4) The Minister shall not approve, under sub-section (2), a program of projects submitted to him by a State unless he is satisfied that the program complies with the requirements set out in any notification given to the State under paragraph 6 (1) (b), (c) or (d) that are applicable in relation to it.

(5) A State may propose to the Minister—

- (a) a variation of;
- (b) a revocation of; or
- (c) a revocation of, and the substitution of a new program for,

a program of projects approved by the Minister under sub-section (2) but the variation, revocation or revocation and substitution does not take effect for the purposes of this Part until it has been approved by the Minister.

(6) The Minister may, after consultation with the appropriate Minister of a State, vary a program of projects approved by him under sub-section (2) by omitting a project or a part of a project from the program and, if he does so, he shall notify the appropriate Minister of the State accordingly.

(7) Where a variation or substitution is approved under sub-section (5) or a variation is made under sub-section (6), the program as varied or the substituted program shall be deemed to be a program of projects approved by the Minister under sub-section (2).

(8) Where the Minister approves a program of projects for a relevant year—

- (a) if the program includes a project that is a stage of a larger project and the Minister has approved the carrying out of the larger project partly in that year and partly in a succeeding relevant year—the Minister shall be deemed to have approved the inclusion of the stage of the project to be carried out in the succeeding year in the program of projects to be carried out in that succeeding year; and 5
- (b) if the program includes a project that is to be carried out in that year but the project is not completed in that year—the Minister shall, unless the year is the year commencing on 1 July 1983, be deemed to have approved the inclusion of the uncompleted part of the project in the program of projects for the next following year. 10

Grants for national roads

8. Subject to this Act, there is payable to each State, in respect of each year specified in Schedule 1, by way of financial assistance, for expenditure on the construction and maintenance of national roads in the State in that year, the amount that is applicable to the State in respect of that year in accordance with that Schedule. 15

Condition of grant of financial assistance for national roads

9. The grant of financial assistance to a State in respect of a year under section 8 is subject to the condition that the State will, during that year, expend the moneys paid to it on the carrying out of projects included in a program of projects in respect of which there is in force an approval by the Minister under section 7 in relation to the State in respect of that year. 20

PART III—ARTERIAL ROADS

Grants for arterial roads 25

10. Subject to this Act, there is payable to each State, in respect of the year commencing on 1 July 1981, by way of financial assistance, for expenditure on the construction of arterial roads in the State in that year, the amount that is applicable to the State in accordance with Schedule 2.

Condition of grant of financial assistance for arterial roads 30

11. The grant of financial assistance to a State under section 10 is subject to the condition that the State will, during the year commencing on 1 July 1981, expend the moneys paid to it on the carrying out of projects by way of the construction of arterial roads in the State.

PART IV—LOCAL ROADS 35

Interpretation

12. In this Part, unless the contrary intention appears, “allocation for local roads”, in relation to a State, means an allocation of moneys for—

- (a) expenditure by the State on road works; or

- (b) payment by the State to a government authority in the State for expenditure by the authority on road works,

being road works that consist of the construction or maintenance of local roads for which the State or authority is responsible.

5 Principles relating to allocations for local roads

13. (1) The Minister may enter into consultations with the appropriate Minister of a State for the purpose of formulating principles, in respect of the year commencing on 1 July 1981, relating to the making of allocations for local roads in respect of the State, in so far as such allocations relate to moneys payable under this Part, and may enter into an agreement with the appropriate Minister of the State setting out the principles so formulated.

(2) If—

- (a) the appropriate Minister of a State fails to enter into consultations referred to in sub-section (1) or notifies the Minister that he does not intend to enter into such consultations; or
- (b) at any time, the Minister forms the opinion that he will not be able to reach an agreement with the appropriate Minister of a State setting out the principles referred to in that sub-section,

the Minister may make a determination setting out the principles to be applied in respect of the State and, if he makes such a determination, he shall notify the appropriate Minister of the State accordingly.

(3) Where an agreement is entered into under sub-section (1) or a determination is made under sub-section (2), the Minister shall publish in the *Gazette* a notice of the entering into of the agreement or of the making of the determination, as the case may be, and of the terms of the agreement or of the determination, as the case may be.

(4) Where an agreement is in force under sub-section (1), the parties to the agreement may, at any time, vary or revoke the agreement.

(5) Where a determination by the Minister is in force under sub-section (2), the Minister may vary or revoke the determination and, if he does so, shall notify the appropriate Minister of the State concerned accordingly.

(6) Where an agreement in force under sub-section (1) or a determination in force under sub-section (2) is varied—

- (a) the agreement as so varied shall be deemed to be the agreement as in force under sub-section (1); or
- (b) the determination as so varied shall be deemed to be the determination as in force under sub-section (2),

as the case may be.

(7) Where an agreement in force under sub-section (1) or a determination in force under sub-section (2) is varied or revoked, the Minister shall publish in the *Gazette* a notice of the variation or of the revocation, as the case may be, and, in the case of a variation, the particulars of the variation.

Approval of programs of allocations for local roads where no principles formulated

14. (1) Where, in relation to a State, an agreement or a determination under section 13 setting out principles, in respect of the year commencing on 1 July 1981, relating to the making of allocations for local roads in respect of the State is not in force, the Minister may notify the State of the date before which a program of allocations for local roads in respect of that year, being allocations for a purpose specified in the notification, is to be submitted to him for approval. 5

(2) The Minister, after consultation with the appropriate Minister of a State, may approve a program of allocations for local roads in relation to the State in respect of the year commencing on 1 July 1981. 10

(3) A State may propose to the Minister—

(a) a variation of;

(b) a revocation of; or 15

(c) a revocation of, and the substitution of a new program for,

a program of allocations for local roads approved by the Minister under sub-section (2) but the variation, revocation or revocation and substitution does not take effect for the purposes of this Part until it has been approved by the Minister. 20

(4) Where a variation or substitution is approved under sub-section (3), the program as varied or the substituted program shall be deemed to be a program of allocations for local roads approved by the Minister under sub-section (2).

Grants for local roads 25

15. Subject to this Act, there is payable to each State, in respect of the year commencing on 1 July 1981, by way of financial assistance, for expenditure on the construction and maintenance of local roads in the State in that year, the amount that is applicable to the State in accordance with Schedule 3.

Condition of grant of financial assistance for local roads 30

16. The grant of financial assistance to a State under section 15 is subject to the condition that the State will, during the year commencing on 1 July 1981, expend the moneys paid to it on the carrying out of road works consisting of the construction or maintenance of local roads in the State—

(a) where there is in force, in relation to the State, an agreement entered into, or a determination made, under section 13—in accordance with the allocations for local roads made in respect of that year in accordance with the principles set out in that agreement or determination; or 35

(b) in any other case—in accordance with the program of allocations for local roads approved by the Minister under sub-section 14 (2) in relation to the State in respect of that year. 40

PART V—GENERAL

Variations of amounts specified in Schedules by reason of inability to expend arterial or local roads grant

5 17. (1) Where a State satisfies the Minister that the amount specified in Schedule 2 or 3 in relation to the State is greater than the amount that the State has been, or will be, able to expend, in accordance with this Act, in the year commencing on 1 July 1981 for the purpose in respect of which the amount so specified would, but for this section, be payable to the State, the Minister may direct that the amount so specified in that Schedule shall be deemed to be
10 reduced by such amount as is specified by the Minister in the direction.

(2) Where the Minister gives a direction under sub-section (1) with respect to an amount specified in Schedule 2 or 3 in relation to a State, the Minister may, subject to sub-section (3), direct that another amount specified in a Schedule, or other amounts specified in the Schedules, in relation to the State
15 shall be deemed to be increased by such amount or amounts, as the case requires, as the Minister considers necessary in consequence of that direction.

(3) A direction shall not be given under sub-section (2) in relation to a State if, as a result of the direction—

- 20 (a) the sum of the amounts available for payment to the State under this Act would be greater than the sum of the amounts set out in relation to the State in the Schedules; or
(b) the State would become liable to repay an amount to the Commonwealth.

25 (4) Where there is in force, in relation to a State, a program of allocations for local roads that has been approved by the Minister under sub-section 14 (2), the Minister shall not direct that the amount specified in relation to the State in Schedule 3 be increased or reduced unless the State has, under sub-section 14 (3), proposed that, in the event of the Minister so directing, the program be varied, or the program be revoked and a new program substituted,
30 to take account of the fact that an increased amount or a reduced amount, as the case requires, will, as a result of the direction, be specified in Schedule 3 in relation to the State as the amount payable to the State.

35 (5) Where a direction is given under sub-section (1) or (2), this Act has effect as if the amount or amounts referred to in the direction, being an amount or amounts specified in a Schedule or Schedules, had been reduced or increased, as the case may be, in accordance with the direction.

Variations of amounts specified in Schedules by reason of relative priorities

40 18. (1) Where a State satisfies the Minister that, by reason of a necessity, in the year commencing on 1 July 1981, to give road works of one kind priority over road works of another kind or of other kinds, the amount specified in relation to the State in Schedule 2 or 3 should be reduced by a particular amount and the amount specified in another Schedule, or the amounts specified in other Schedules, in relation to the State in respect of that year, should be

increased by a particular amount or particular amounts, as the case requires, the Minister may direct that those respective amounts so specified shall be deemed to be so reduced or increased.

(2) A direction shall not be given under sub-section (1) in relation to amounts specified in the Schedules in relation to a State in respect of the year commencing on 1 July 1981 if, as a result of the direction— 5

- (a) the sum of the amounts available for payment to the State under this Act in respect of that year would be greater or less than the sum of the amounts set out in the Schedules in relation to the State in respect of that year; or 10
- (b) the State would become liable to repay an amount to the Commonwealth.

(3) Where there is in force, in relation to a State, a program of allocations for local roads that has been approved by the Minister under sub-section 14 (2), the Minister shall not direct that the amount specified in relation to the State in Schedule 3 be increased or reduced unless the State has, under sub-section 14 (3), proposed that, in the event of the Minister so directing, the program be varied, or the program be revoked and a new program substituted, to take account of the fact that an increased amount or a reduced amount, as the case requires, will, as a result of the direction, be specified in Schedule 3 in relation to the State as the amount payable to the State. 15 20

(4) Where a direction is given under sub-section (1), this Act has effect as if the amounts referred to in the direction, being amounts specified in the Schedules, had been respectively reduced or increased in accordance with the direction. 25

Moneys expended after year in which they are paid to State

19. (1) Where moneys that are paid to a State under section 8 in a year—

- (a) are set aside by the State in that year for expenditure in accordance with this Act; and
- (b) are expended by the State during the period of 6 months immediately following the expiration of that year, or within such further period as the Minister for Finance approves, 30

those moneys shall, for the purposes of section 9, be deemed to have been expended by the State during that year.

(2) Where moneys that are paid to a State under section 10 or 15 in the year commencing on 1 July 1981— 35

- (a) are set aside by the State in that year for expenditure in accordance with this Act; and
- (b) are expended by the State during the period of 6 months immediately following the expiration of that year, or within such further period as the Minister for Finance approves, 40

those moneys shall, for the purposes of section 11 or 16, as the case may be, be deemed to have been expended by the State during that year.

Moneys deemed to have been expended on national roads projects

5 **20. (1)** Subject to sub-section (2), a State may, for the purposes of this Act, treat moneys expended by the State, in a year that is a relevant year within the meaning of Part II, for the purpose of meeting administrative costs incurred directly in connection with the construction or maintenance of national roads in the State, not being administrative costs incurred in respect of particular works involved in the carrying out of any project that is included in a program of projects approved by the Minister under section 7 in relation to the State in respect of that year, as having been expended in that year by the State on such a project.

10 **(2)** Moneys treated as having been expended on a project in a year by virtue of sub-section (1)—

- 15 (a) shall not include any moneys treated, by virtue of that sub-section, as having been expended on any other project; and
- (b) shall not exceed, in the aggregate, 4% of the moneys otherwise expended on that project in that year.

Minister may require State to furnish information

20 **21. (1)** In addition to the conditions specified in any other provision of this Act, a grant of financial assistance to a State in accordance with this Act is subject to the condition that the appropriate Minister of the State will comply with any requirement of the Minister made on him in accordance with sub-section (2).

25 **(2)** The Minister may, by notice in writing, require the appropriate Minister of a State to furnish to him, within the time specified in the notice, such information in relation to matters relevant to the operation of this Act as is specified in the notice.

Statements of expenditure, &c., to be furnished

30 **22. (1)** In addition to the conditions specified in any other provision of this Act, payment of an amount to a State under this Act in respect of a year is subject to the following conditions:

(a) that the State will furnish to the Minister for Finance—

- 35 (i) as soon as practicable after 30 June in that year, a statement, in accordance with a form approved by the Minister for Finance, as to the expenditure by the State during that year out of that amount and as to any sum set aside during that year out of that amount for expenditure by the State but not expended during that year;
- 40 (ii) as soon as practicable after the expiration of the period of 6 months immediately following the expiration of that year or after the expiration of the further period (if any) approved by the Minister for Finance under paragraph 19 (1) (b) or (2) (b), a statement, in accordance with a form approved by the Minister for Finance, as to the expenditure by the State

during that period out of any sum set aside but not expended as mentioned in sub-paragraph (i); and

(iii) if the Minister for Finance so directs, a certificate by the Auditor-General of the State certifying that, in his opinion, such of the contents of a statement referred to in sub-paragraph (i) or (ii) as the Minister for Finance specifies are correct; and 5

(b) that, if the Minister informs the Treasurer of the State that he is satisfied that the State has failed, with respect to that amount, to fulfil the condition specified in paragraph (a), the State will repay that amount, or such part of that amount as the Minister specifies, to the Commonwealth. 10

(2) An amount paid to a State under section 8 that is shown in a statement mentioned in sub-paragraph (1) (a) (ii) as having been expended during the period of 6 months or the further period referred to in that sub-paragraph shall not be shown to have been expended in any succeeding statement furnished by the State under sub-section (1). 15

Condition relating to expenditure of moneys granted under this Act

23. In addition to the conditions specified in any other provision of this Act, a grant of financial assistance to a State in accordance with this Act is subject to the condition that, if any amount or amounts paid to the State by way of financial assistance under this Act in respect of a year has not or have not been wholly expended or otherwise dealt with, in accordance with this Act, the State will, on demand by the Minister for Finance, pay to the Commonwealth an amount specified by the Minister for Finance, being an amount not greater than so much of the sum of the amount or amounts so paid to the State as has not been so expended or otherwise dealt with. 20 25

Additional conditions with respect to Part II projects

24. (1) In addition to the conditions specified in any other provision of this Act, a grant of financial assistance to a State under section 8 is subject to the following conditions: 30

(a) that, where moneys paid to the State in accordance with the grant are required by virtue of this Act to be expended on the carrying out of an approved project by way of the construction of a national road, the State, if it has not invited tenders for particular works involved in the project before the date of commencement of this Act, will invite, and deal with, tenders for those works in accordance with procedures approved by the Minister; 35

(b) that the State will, if requested by the Minister to do so, enter into an arrangement with the Minister for the setting up of a committee of persons representing both the Minister and the appropriate Minister of the State to carry out planning and furnish advice to both Ministers in connection with the provision and maintenance of national roads in the State; 40

(c) that the State will, at all reasonable times, permit a person authorized by the Minister—

(i) to inspect any work involved in the carrying out of an approved project;

(ii) to carry out reasonable tests on any work that has been or is being carried out on an approved project, being tests designed to ascertain whether the work has been or is being carried out in accordance with the standards applicable to that work in accordance with section 6; and

(iii) to inspect and make copies of, or take extracts from, any plans, designs, tenders, records or other documents relating to an approved project;

(d) that, if the Minister so requests with respect to an approved project, there will be furnished to the Minister by the State, as soon as practicable after such date as the Minister specifies, a comprehensive report concerning the project or a specified part of the project, being a report containing such particulars as are specified by the Minister;

(e) that the State will permit a person authorized by the Minister, at all reasonable times, to inspect and make copies of, or take extracts from, any plans, designs, tenders, records or other documents relating to a project that is included in a program of projects that has been submitted to the Minister under section 7;

(f) that the State will make provision satisfactory to the Minister for the provision and maintenance of roads connecting the national roads in the State with other roads in the State;

(g) that the State will not, without the consent of the Minister, cause or permit a toll or fee to be charged for the right to travel in a vehicle on or over a particular part of a national road unless a toll or fee was charged for the right to travel in a vehicle on or over the road constituting that part of the national road immediately before the commencement of this Act; and

(h) that, if the Minister informs the Treasurer of the State that he is satisfied that the State has failed to fulfil a condition specified in a preceding paragraph, the State will repay to the Commonwealth the amount of the financial assistance paid to it under section 8, or such part of that amount as the Minister specifies.

(2) In this section—

“approved project”, in relation to a State, means a project included in a program of projects in respect of which there is in force an approval by the Minister under section 7 in relation to the State in respect of a year that is a relevant year within the meaning of Part II;

“construction”, in relation to a road, means—

(a) the construction, reconstruction or realignment of the road; or

(b) the bringing of the road to a higher standard.

(3) A reference in paragraph (1) (a) to works shall be read as a reference to works that are to commence after 31 August 1981.

Additional conditions with respect to Part III projects

25. In addition to the conditions specified in any other provision of this Act, a grant of financial assistance to a State under section 10 is subject to the following conditions: 5

- (a) that the State will, as soon as practicable after 30 June 1982, furnish to the Minister a report, in accordance with a form approved by him, concerning each project by way of the construction of an arterial road in respect of which the State has, during the year ending on that date, expended moneys paid to it under that section; and 10
- (b) that, if the Minister informs the Treasurer of the State that he is satisfied that the State has failed to fulfil the condition specified in paragraph (a), the State will repay to the Commonwealth the amount of the financial assistance paid to it under that section, or such part of that amount as the Minister specifies. 15

Deduction of amount repayable by State

26. The Minister for Finance may deduct any amount repayable by a State under this Act from an amount payable by the Commonwealth to the State under this Act. 20

Time and manner of payments

27. Payments to a State under this Act shall be made at such times, and in such amounts, as the Minister for Finance approves.

Payments to States to be made out of Consolidated Revenue Fund or Loan Fund 25

28. Payments to a State for the purposes of this Act may be made out of the Consolidated Revenue Fund or the Loan Fund.

Authority to borrow

29. The Treasurer may, during a year that is a relevant year within the meaning of Part II, in accordance with the provisions of the *Commonwealth Inscribed Stock Act* 1911, or in accordance with the provisions of an Act authorizing the issue of Treasury Bills, borrow moneys not exceeding in the aggregate the sum of— 30

- (a) the total amount of financial assistance that may be granted to the States under this Act; and 35
- (b) the expenses of borrowing.

Application of moneys borrowed

30. Moneys borrowed under section 29 shall be issued and applied only for the expenses of borrowing, for the purpose of making payments to the States in accordance with this Act and for the purpose of making payments to the Consolidated Revenue Fund in accordance with section 31. 40

Reimbursement of Consolidated Revenue Fund from Loan Fund

5 **31. (1)** Where an amount has been paid out of the Consolidated Revenue Fund under this Act, the Minister for Finance may authorize the payment to that Fund, out of the Loan Fund, of an amount not exceeding the amount so paid.

10 **(2)** In any statement prepared by the Minister for Finance under section 50 of the *Audit Act* 1901, amounts paid to the Consolidated Revenue Fund under sub-section (1) of this section shall not be shown as receipts of that Fund but shall be shown as having reduced the total of the amounts expended from that Fund under this Act.

Appropriation

32. The Consolidated Revenue Fund and the Loan Fund are appropriated as necessary for the purposes of this Act.

Delegations

15 **33. (1)** The Minister may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to an officer of the Australian Public Service any of his powers under section 6, 7 or 14.

(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Minister.

20 **(3)** A delegation under this section does not prevent the exercise of a power by the Minister.

SCHEDULE 1

Section 8

NATIONAL ROADS

State	Year commencing 1 July 1981	Year commencing 1 July 1982	Year commencing 1 July 1983
	\$	\$	\$
New South Wales	103,566,000	103,566,000	72,496,000
Victoria	52,868,000	52,868,000	37,008,000
Queensland	59,893,000	59,893,000	41,925,000
South Australia	27,240,000	27,240,000	19,068,000
Western Australia	31,769,000	31,769,000	22,238,000
Tasmania	13,984,000	13,984,000	9,789,000
Northern Territory	13,399,000	13,399,000	9,379,000

SCHEDULE 2

Section 10

ARTERIAL ROADS

State	Amount
	\$
New South Wales	64,503,000
Victoria	52,599,000
Queensland	47,972,000
South Australia	16,659,000
Western Australia	28,754,000
Tasmania	8,037,000
Northern Territory	2,142,000

SCHEDULE 3

Section 15

LOCAL ROADS

State	Amount
	\$
New South Wales	46,267,000
Victoria	32,361,000
Queensland	31,496,000
South Australia	12,403,000
Western Australia	23,372,000
Tasmania	8,222,000
Northern Territory	7,494,000

