

## COMMONWEALTH AID ROADS.

No. 39 of 1959.

An Act to grant Financial Assistance to the States in relation to Roads and to Works connected with Transport.

[Assented to 22nd May, 1959.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, for the purpose of appropriating the grant originated in the House of Representatives, as follows:—

Short title.

1. This Act may be cited as the *Commonwealth Aid Roads Act* 1959.

Commence-  
ment.

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

3. In this Act, unless the contrary intention appears—

Definitions.

“rural roads” means roads in rural areas (including developmental roads, feeder roads, roads in sparsely populated areas and in soldier settlement areas and roads in country municipalities and shires), other than highways, trunk roads and main roads;

“year” means a period commencing on the first day of July and ending on the following thirtieth day of June.

4.—(1.) There is payable to the States in respect of each year specified in the table set out in this sub-section, for the purpose of financial assistance, the amount specified opposite to that year in that table:—

Basic grant.

	£
Year commencing 1st July, 1959 .. ..	40,000,000
Year commencing 1st July, 1960 .. ..	42,000,000
Year commencing 1st July, 1961 .. ..	44,000,000
Year commencing 1st July, 1962 .. ..	46,000,000
Year commencing 1st July, 1963 .. ..	48,000,000
	220,000,000

(2.) An amount payable to the States under the last preceding sub-section shall be divided amongst the States in accordance with the next succeeding section.

(3.) Where the sum of—

(a) the amount payable to a State under the *Commonwealth Aid Roads Act 1954–1956* in respect of the year that commenced on the first day of July, One thousand nine hundred and fifty-eight; and

(b) the amount payable to that State under the *Commonwealth Aid Roads (Special Assistance) Act 1957* in respect of the year referred to in the last preceding paragraph,

exceeds the amount payable to that State under the preceding provisions of this section in respect of the year commencing on the first day of July, One thousand nine hundred and fifty-nine, there is payable to that State, in respect of the latter year, for the purpose of financial assistance and in addition to the financial assistance granted by any other provision of this Act, an amount equal to the amount of that excess.

5.—(1.) An amount payable to the States under the last preceding section shall be divided amongst the States as follows:—

Distribution of basic grant amongst the States.

(a) one-twentieth of the amount shall be paid to the State of Tasmania;

(b) of the remainder of the amount—

- (i) one-third shall be divided amongst the other States according to their respective populations as published by the Commonwealth Statistician from the returns of the census last taken before the commencement of that year;
- (ii) one-third shall be divided amongst those States according to their respective areas; and
- (iii) one-third shall be divided amongst those States according to the number of motor vehicles shown by statistics published by the Commonwealth Statistician to have been respectively registered in those States as at the thirty-first day of December last preceding the commencement of that year.

(2.) In the last preceding sub-section, “motor vehicles” means motor cars and commercial motor vehicles (including utilities, panel vans, lorries, omnibuses and station wagons) and motor cycles, but does not include trailers, road tractors and similar vehicles or vehicles used by any part of the Defence Force.

Additional grant based on State allocations for road purposes.

6.—(1.) Where—

(a) a State furnishes to the Treasurer—

- (i) as soon as practicable after the end of the year that commenced on the first day of July, One thousand nine hundred and fifty-eight, such information as the Treasurer requires with respect to amounts allocated by the State in that year from its own resources for expenditure on roads; and
- (ii) as soon as practicable after the end of any subsequent year up to and including the year commencing on the first day of July, One thousand nine hundred and sixty-three, such information as the Treasurer requires with respect to amounts so allocated by the State in that year; and

(b) the Treasurer is satisfied that the sum of the amounts so allocated by the State in the subsequent year exceeds the sum of the amounts so allocated by the State in the year referred to in sub-paragraph (i) of the last preceding paragraph,

there is payable to the State in respect of the subsequent year, for the purpose of financial assistance and in addition to the financial assistance granted by any other provision of this Act, the amount of that excess or the quota of the State for that year, whichever is the less.

(2.) For the purpose of the last preceding sub-section, the quota of a State for a year is an amount determined by apportioning the amount specified opposite to that year in the table set out in this sub-section amongst the States in the same proportions as an amount payable to the States under section four of this Act in respect of that year is divisible amongst the States:—

	£
Year commencing 1st July, 1959 .. ..	2,000,000
Year commencing 1st July, 1960 .. ..	4,000,000
Year commencing 1st July, 1961 .. ..	6,000,000
Year commencing 1st July, 1962 .. ..	8,000,000
Year commencing 1st July, 1963 .. ..	10,000,000
	30,000,000

(3.) Information furnished by a State under sub-section (1.) of this section shall not be accepted for the purposes of that sub-section unless it is certified to be correct by the Auditor-General of the State.

7.—(1.) Subject to the next two succeeding sub-sections, moneys paid to a State under this Act shall be expended—

Purposes for which grants are to be expended.

- (a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant;
- (b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or
- (c) in making payments for or in connexion with research relating to the construction, maintenance or repair of roads.

(2.) Each State shall, out of the moneys paid to it under this Act in a year, expend in that year an amount, not being less than two-fifths of the sum of those moneys—

- (a) on the construction, reconstruction, maintenance and repair of rural roads or on the purchase of road-making plant for use in connexion with rural roads; or

- (b) in making payments to municipal and other local authorities for the construction, reconstruction, maintenance and repair of rural roads or for the purchase of road-making plant for use in connexion with rural roads.

(3.) Each State may, out of the moneys paid to it under this Act in a year, expend in that year, otherwise than on roads, an amount, not exceeding the amount ascertained in respect of that State by apportioning the sum of One million pounds amongst the States in the same proportions as an amount payable to the States under section four of this Act in respect of the year is divisible amongst the States, on works connected with transport by road or water.

**Certified statement of expenditure to be furnished.**

8. Payment of an amount to a State under this Act is subject to the condition that the State will, as soon as practicable after the thirtieth day of June in each year, submit to the Minister of State for Shipping and Transport—

- (a) a statement, in accordance with a form approved by the Minister, of the expenditure by the State out of that amount in that year and of the balance of that amount remaining unexpended at the end of that year; and
- (b) a certificate by the Auditor-General of the State that amounts shown in the statement as expended have been expended by the State and the expenditure has been in accordance with this Act.

**Additional conditions.**

9. In addition to the conditions specified in any other provision of this Act, payment of an amount to a State under this Act is subject to the conditions that—

- (a) if the Minister of State for Shipping and Transport informs the Treasurer of the State that he is satisfied that the State has failed to comply with the conditions applicable to that amount, the State will repay that amount to the Commonwealth; and
- (b) if that amount exceeds the amount properly payable, the State will repay the excess to the Commonwealth.

**Advances.**

10. The Treasurer may, at such times as he thinks fit, make advances of such amounts as he thinks fit to a State on account of an amount that may become payable under this Act to the State.

**Appropriation.**

11. Payments under this Act shall be made out of the Consolidated Revenue Fund, which is appropriated accordingly.