

# COMMONWEALTH AID ROADS.

No. 32 of 1964.

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

[Assented to 26th May, 1964.]

[Date of commencement, 23rd June, 1964.]

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

1. This Act may be cited as the *Commonwealth Aid Roads Act* 1964. Short title.

2.—(1.) In this Act, unless the contrary intention appears— Interpretation.

“construction”, in relation to roads or works, includes reconstruction, maintenance and repair;

“expend on rural road construction” includes pay to municipal, shire or other local authorities for rural road construction;

“expenditure on road construction” includes payment to municipal, shire or other local authorities for road construction, and “expended on road construction” has a corresponding meaning;

“road construction” includes the purchase of road-making plant;

“rural road construction” includes the purchase of road-making plant for use in connexion with rural roads;

“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.

(2.) 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.

Basic grant.

3.—(1.) There is payable to the States in respect of each year specified in the following table, for the purpose of financial assistance, the amount specified opposite to that year in that table:—

	£
Year commencing 1st July, 1964 .. ..	62,000,000
Year commencing 1st July, 1965 .. ..	64,000,000
Year commencing 1st July, 1966 .. ..	66,000,000
Year commencing 1st July, 1967 .. ..	68,000,000
Year commencing 1st July, 1968 .. ..	70,000,000
	330,000,000

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

(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 in proportion to the respective numbers of their people determined in accordance with section seven of this Act;

(ii) one-third shall be divided amongst those States in proportion to their respective areas; and

(iii) one-third shall be divided amongst those States in proportion to the respective numbers of motor vehicles registered in those States determined in accordance with section seven of this Act,

and payments shall be made to those States accordingly.

Additional grant based on State expenditure for road purposes.

4.—(1.) Where—

(a) a State furnishes to the Treasurer such information as he requires with respect to the amount expended on road construction during a year referred to in the next succeeding sub-section by the State from its own resources and any amount set aside during that year from its own resources for expenditure on road construction but not expended during that year; and

(b) the Treasurer is satisfied that the total of—

(i) the amount expended on road construction during that year by the State from its own resources; and

(ii) any amount expended on road construction by the State during the period of six months commencing on the first day of the following

year from its own resources out of any amount set aside for expenditure but not expended as mentioned in the last preceding paragraph,

exceeds the amount specified opposite to the name of that State in the Schedule to this Act,

there is payable to the State in respect of that 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 that bears the same proportion to the amount specified opposite to that year in the following table as the amount payable to the State under the last preceding section in respect of that year bears to the amount payable to the States under that section in respect of that year:—

			£
Year commencing 1st July, 1964	..	..	3,000,000
Year commencing 1st July, 1965	..	..	6,000,000
Year commencing 1st July, 1966	..	..	9,000,000
Year commencing 1st July, 1967	..	..	12,000,000
Year commencing 1st July, 1968	..	..	15,000,000
			<hr/>
			45,000,000
			<hr/>

(3.) Information furnished by a State as mentioned in paragraph (a) of 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.

(4.) An amount taken into account as expenditure under sub-paragraph (ii) of paragraph (b) of sub-section (1.) of this section shall not again be taken into account as expenditure under this section.

5.—(1.) Subject to the next two succeeding sub-sections, moneys paid to a State under this Act shall be expended on road construction or on research directly connected with the planning or design of roads or with road construction.

Grants to be  
expended on  
roads.

(2.) Each State shall, out of moneys paid to it under this Act in respect of a year, expend on rural road construction an amount, that is not less than two-fifths of the amount of those moneys.

(3.) Each State may, out of moneys paid to it under this Act in respect of a year, expend on the construction of works that are not roads but are directly connected with transport by road or water, an amount not exceeding the amount that bears to One

million pounds the same proportion as the amount payable to that State under section three of this Act in respect of that year bears to the amount payable to the States under that section in respect of that year.

**Periods within which grants are to be expended.**

6.—(1.) Moneys paid to a State under this Act in a year shall, during that year, be expended, or set aside for expenditure, by the State.

(2.) Moneys set aside for expenditure in accordance with the last preceding sub-section shall be expended by the State during the period of eighteen months commencing on the first day of that year.

**Determinations by Commonwealth Statistician.**

7.—(1.) For the purposes of sub-section (2.) of section three of this Act, the Commonwealth Statistician shall, as soon as practicable after the thirty-first day of December in the year in respect of which the determination is required, make a determination as to—

- (a) the number of the people of each State; and
- (b) the number of motor vehicles registered in each State.

(2.) For the purposes of a determination under the last preceding sub-section—

- (a) the number of the people of a State shall be taken to be the number of the people of the State according to the results, being results last published by the Commonwealth Statistician before the thirty-first day of December in the year in which the determination is made, of the census last held before that date in respect of which results have been published; and
- (b) the number of motor vehicles registered in a State shall be taken to be the number of motor vehicles registered in that State, as at the thirty-first day of December last preceding the commencement of the year in which the determination is made, according to the statistics of motor vehicles on register for each State last published by the Commonwealth Statistician before the thirty-first day of December in that year.

(3.) Determinations made by the Commonwealth Statistician under this section shall, for the purposes of this Act, be conclusively presumed to be correct.

**Statements of expenditure, &c., to be furnished.**

8.—(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 condition that the State will submit to the Minister of State for Shipping and Transport—

(a) as soon as practicable—

(i) after the thirtieth day of June in that year a statement, in accordance with a form approved by him, 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; and

(ii) after the thirty-first day of December in the next succeeding year, a statement in accordance with a form so approved, as to the expenditure by the State during the period of six months ended on that date out of any sum set aside but not expended as mentioned in the last preceding sub-paragraph;

(b) if the Minister so requires, as soon as practicable after such date as the Minister determines, a statement in writing setting out such other information in relation to amounts shown in statements submitted under the last preceding paragraph to have been expended or set aside for expenditure, or such other information in relation to the operation of this Act in connexion with those amounts, as the Minister specifies; and

(c) if the Minister so requires, a certificate by the Auditor-General of the State verifying such of the contents of statements referred to in either of the last two preceding paragraphs as the Minister specifies.

(2.) An amount shown in a statement as mentioned in sub-paragraph (ii) of paragraph (a) of the last preceding sub-section as having been expended during the period referred to in that sub-paragraph shall not be shown in any succeeding statement furnished by a State under that sub-section to have been expended.

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 following conditions:—

Conditions as  
to repayment.

(a) that, if the Treasurer of the Commonwealth informs the Treasurer of the State that he is satisfied that the amount paid to the State under this Act exceeds the amount properly payable, the State will repay to the Commonwealth the amount of the excess or such lesser sum as the Treasurer of the Commonwealth determines;

(b) that, 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 to the Commonwealth such sum as the Minister determines, being a sum not exceeding the amount in respect of which the Minister is so satisfied; and

(c) that, the Treasurer of the Commonwealth may deduct any sum repayable under either of the last two preceding paragraphs from an amount that becomes payable by the Commonwealth to the State.

**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.

---

**THE SCHEDULE.**

Section 4.

*Base amounts for Additional Grants.*

						£
New South Wales	..	..	..	..	..	15,062,177
Victoria	..	..	..	..	..	12,586,253
Queensland	..	..	..	..	..	7,882,566
South Australia	..	..	..	..	..	4,915,832
Western Australia	..	..	..	..	..	2,686,917
Tasmania	..	..	..	..	..	2,712,949

---