



Queensland

Transport Infrastructure (Rail) Amendment Regulation (No. 1) 2010

Subordinate Legislation 2010 No. 149

made under the

Transport Infrastructure Act 1994

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[s 1]

1 Short title

This regulation may be cited as the *Transport Infrastructure (Rail) Amendment Regulation (No. 1) 2010*.

2 Commencement

This regulation commences on 1 July 2010.

3 Regulation amended

This regulation amends the *Transport Infrastructure (Rail) Regulation 2006*.

4 Amendment of s 33 (Annual levy payable by railway manager or railway operator)

(1) Section 33(2), ‘the year’, first mention—

omit, insert—

‘a financial year’.

(2) Section 33(2), ‘the year’, second mention—

‘the financial year’.

5 Replacement of sch 1 (Annual levy)

Schedule 1—

omit, insert—

‘Schedule 1 Annual levy

section 33(1)

‘The annual levy payable by a person who is a railway manager or railway operator is calculated on the following basis—

-
- (a) if the total amount of the person's estimated revenue for a financial year from a following source (*estimated revenue*)—
 - (i) the management of 1 or more railways;
 - (ii) the operation of any rolling stock on 1 or more railways;
 - (iii) both the management of 1 or more railways and the operation of rolling stock on 1 or more railways;

is not more than \$250000—nil;
 - (b) if the total amount of the person's estimated revenue for a financial year is more than \$250000 but not more than \$500000—
 - (i) for an accreditation for only tourist and heritage railway operations—\$5750; or
 - (ii) for another accreditation—\$6900;
 - (c) if the total amount of the person's estimated revenue for a financial year is more than \$500000—
 - (i) for an accreditation for only tourist and heritage railway operations—
 - (A) \$66 for each estimated kilometre of railway track for which the person is accredited as a railway manager for the financial year; and
 - (B) 8c for each estimated kilometre of railway track to be used for transporting passengers or freight under the person's accreditation as a railway operator for the financial year; or
 - (ii) for another accreditation—
 - (A) \$79.20 for each estimated kilometre of railway track for which the person is accredited as a railway manager for the financial year; and
 - (B) 9.6c for each estimated kilometre of railway track to be used for transporting passengers

[s 6]

or freight under the person's accreditation as a railway operator for the financial year.

Examples of kilometres of railway track used for transporting passengers or freight—

- 1 If a train uses 300km of railway track to transport passengers or freight from point A to point B, and then makes a return journey to point A without passengers or freight, the number of kilometres of railway track used to transport the passengers or freight is 2 x 300km (being 600km).
- 2 If the train mentioned in example 1 makes 30 return journeys between point A and point B each day of a financial year, the number of kilometres of railway track used to transport passengers or freight for the financial year is 2 x 300km x 30 x 365 (being 6570000km).'

6 Amendment of sch 2 (Dictionary)

Schedule 2—

insert—

'tourist and heritage railway means a railway that—

- (a) is operated on either or both of the following bases—
 - (i) for personal enjoyment;
 - (ii) for enjoyment by the public on a not-for-profit basis; and
- (b) has, as its purpose, the re-creation of railway experiences of the past, including, for example, by using vintage rail infrastructure and vintage rolling stock.

tourist and heritage railway operations means railway operations for a tourist and heritage railway.'

ENDNOTES

- 1 Made by the Governor in Council on 24 June 2010.
- 2 Notified in the gazette on 25 June 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport and Main Roads.

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