



Tasmanian Freight Equalisation Scheme Ministerial Directions Variation Instrument 2020 (No. 2)

I, **Simon Atkinson**, Secretary of the Department of Infrastructure, Transport, Regional Development and Communications make the following variation.

Dated *24 / 12 /* 2020

A handwritten signature in blue ink, appearing to be 'Simon Atkinson', written over a horizontal line.

Simon Atkinson
Secretary

Department of Infrastructure, Transport, Regional Development and Communications

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Definitions.....	1
5 Schedules	1
Schedule 1—Variations	2
<i>Ministerial Directions for the Operation of the Tasmanian Freight Equalisation Scheme</i>	2

1 Name

This instrument is the *Tasmanian Freight Equalisation Scheme Ministerial Directions Variation Instrument 2020 (No. 2)*.

2 Commencement

This instrument commences upon signature.

3 Authority

This instrument is made under subclause 8.2.1 of the *Ministerial Directions for the Operation of the Tasmanian Freight Equalisation Scheme*.

4 Definitions

In this instrument:

Directions mean the Tasmanian Freight Equalisation Scheme Ministerial Directions 2015.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is varied or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Variations

Ministerial Directions for the Operation of the Tasmanian Freight Equalisation Scheme

1 Subclause 1.1.1

Omit “2016”, substitute “2015”.

2 Subclause 1.5.1 (definition of ‘manufacturing process’)

Omit “*ANZSIC 2006”, substitute “ANZSIC 2006”.

3 Subclause 1.5.1 (definition of ‘road freight equivalent cost (RFE)’)

Omit “*shipment”, substitute “shipment”.

4 Subclause 1.5.1 (definition of ‘SES employee’)

Repeal the definition, substitute:

SES employee means an SES employee or an acting SES employee, within the meaning of the *Public Service Act 1999*.

5 Paragraph 4.13.1(a)

After “passport”, insert “)”.

6 Paragraph 5.5.2(a)

After “in relation to that claim”; insert “or any other claim”.

7 Subclause 5A.1.2 (paragraph (a) of the definition of *processing day*)

Repeal the paragraph, substitute:

(a) any public holiday in Hobart;

8 Subclause 5A.2.1 (definition of *D*)

After “between the interest day and the payment day”, insert “and is inclusive of both days”.

9 Subclause 5A.2.1 (example)

Repeal the example, substitute:

Example: Assume the assistance otherwise payable under the Part is \$50,000, all information required for the claim is received at 4pm on 19 October 2019, the payment of financial assistance is made at 1am on 5 January 2020 and the general interest charge daily rate applicable through the month of November 2019 is 0.02339726%.

Step 1: Determine the claim complete day. In this case, if none of the things listed under the definition of ‘claim complete day’ occurred after the information was received, the claim complete day is 19 October 2019.

Step 2: Determine the interest day. Count 30 processing days from (and including) the day after the ‘claim complete day’ (20 October 2019). Do not include 24 October 2019, which is a public holiday in Hobart (Royal Hobart Show day). The 30th processing day

is 19 November 2019. The first business day after that day is 20 November 2019, which is the interest day.

Step 3: Determine the payment day. Here, the payment was made on 5 January 2020, which is the payment day.

Step 4: Determine the number of processing days between the interest day and the payment day (including both days). Looking at the period between the interest day (20 November 2019) and the payment day (5 January 2020), the days during the administrator's reduced activity period (between 24 December 2019 and 1 January 2020) are not 'processing days'. Therefore, the days that are processing days are the days 20 November 2019 to 23 December 2019 inclusive (34 days) and 2-5 January 2020 inclusive (4 days), and D is thus 38.

Step 5: Determine the interest rate applicable on the interest day. Here, the general interest charge rate on 20 November 2019 is 0.02339726%.

Step 6: Calculate the amount of interest payable as follows:

A = \$50,000

D = 38 days

GIC = 0.02339726%

$50000 \times 38 \times (0.02339726 / 100) = 444.5479 = \$ 444.55$

10 Subclause 8.1.3

Omit "powers and perform functions under these Directions on the Secretary's behalf", substitute "the Secretary's powers and functions under these Directions".

11 Subclause 8.1.5

Omit "under these Directions on the Secretary's behalf, the person may, by writing, authorise an employee of the administrator to exercise the power or perform the function under these Directions on the Secretary's behalf", substitute "under clause 8.1.3 of these Directions, the person may, by writing, authorise an employee of the administrator to exercise the power or perform the function under these Directions".

12 At the end of clause 8.1

Add:

8.1.7 An authorisation given under this clause does not cease to be effective only because the person who gave it ceases to hold office.

13 Transitional

Authorisations under subclauses 8.1.3 and 8.1.5 that have been given and not revoked immediately before the commencement of this instrument are taken to have been made under the relevant provision as varied by this instrument.