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Energy Grants (Credits) Scheme Regulations 2003

Statutory Rules 2003 No. 1

179

I, GUY STEPHEN MONTAGUE GREEN, Administrator of the
Commonwealth of Australia, acting with the advice of the
Federal Executive Council, make the following Regulations
under the *Energy Grants (Credits) Scheme Act 2003*.

Dated 30 JUN 2003 2003

G S M Green
Administrator

By His Excellency's Command

HELEN COONAN
Minister for Revenue and Assistant Treasurer

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Regulation 1

Part 1 Preliminary

1 Name of Regulations

These Regulations are the *Energy Grants (Credits) Scheme Regulations 2003*.

2 Commencement

These Regulations commence on 1 July 2003.

3 *Diesel and Alternative Fuels Grants Scheme Regulations 2000* — repeal

The following Statutory Rules are repealed:

- 2000 Nos. 44, 160 and 318
- 2001 Nos. 17 and 200
- 2002 No. 54.

4 Definitions

In these Regulations:

Act means the *Energy Grants (Credits) Scheme Act 2003*.

AMG means the Australian Map Grid.

BSD means an area described in that way in the edition of the Australian Standard Geographical Classification that was:

- (a) published by the Australian Bureau of Statistics; and
- (b) current on 12 April 2000.

claimant means a person who makes a claim for payment of an energy grant.

claim period has the same meaning as in the *Product Grants and Benefits Administration Act 2000*.

litre includes *cubic metre*.

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qualifying use is an actual use or a proposed use by a claimant in a claim period of a type of fuel:

- (a) that the claimant purchases or imports into Australia in the claim period; and
- (b) for which the claimant is entitled to an energy grant under subsection 56 (1) of the Act.

statistical local area means an area described in that way, and by reference to a unique name and number, in the edition of the Australian Standard Geographical Classification that was:

- (a) published by the Australian Bureau of Statistics; and
- (b) current on 12 April 2000.

type of fuel means:

- (a) on-road diesel fuel, on-road alternative fuel or off-road diesel fuel; or
- (b) a particular kind of on-road diesel fuel, on-road alternative fuel or off-road diesel fuel.

5 Meaning of emergency vehicle (Act s 4)

For the definition of **emergency vehicle** in section 4 of the Act, the following are emergency vehicles:

- (a) a vehicle that is:
 - (i) operated by an ambulance service; and
 - (ii) fitted with a siren and a flashing warning light;
- (b) a vehicle that:
 - (i) is operated by a firefighting service; and
 - (ii) is designed, permanently fitted out and equipped for the purposes of preventing and fighting fires; and
 - (iii) has external markings that identify the vehicle as a firefighting vehicle;
- (c) a vehicle that is:
 - (i) operated by a police force or service; and
 - (ii) fitted with a siren and a flashing warning light;
- (d) a vehicle that:
 - (i) is designed and permanently fitted out for the purposes of emergency response or search and rescue operations; and

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- (ii) has external markings that identify it as such a vehicle;
- (e) a vehicle, other than a vehicle mentioned in paragraph (a), (b), (c) or (d), that is:
 - (i) operated by the Commonwealth or a State or Territory, or by a Commonwealth, State or Territory authority, for a purpose similar to a purpose indicated in any of those paragraphs; and
 - (ii) identified as such a vehicle by a siren, flashing warning light, appropriate markings, or similar means.

6 Metropolitan areas (Act s 6)

For subsection 6 (2) of the Act, the area included in each metropolitan area is as follows:

- (a) for the Newcastle–Sydney–Wollongong metropolitan area — the area described in Schedule 1;
- (b) for the Melbourne–Geelong metropolitan area — the area described in Schedule 2;
- (c) for the Sunshine Coast–Brisbane–Gold Coast metropolitan area — the area described in Schedule 3;
- (d) for the Perth metropolitan area — the area described in Schedule 4;
- (e) for the Adelaide metropolitan area — the area described in Schedule 5;
- (f) for the Canberra metropolitan area — the area described in Schedule 6.

Part 2 On-road credits

7 **Meaning of *on-road alternative fuel* (Act s 4)**

For paragraph (d) of the definition of *on-road alternative fuel* in section 4 of the Act, the following fuels are specified:

- (a) liquefied natural gas;
- (b) biodiesel that:
 - (i) is the subject of a fuel standard under the *Fuel Quality Standards Act 2000*; and
 - (ii) complies with the standard.

8 **Meaning of *on-road diesel fuel* (Act s 4)**

For the definition of *on-road diesel fuel* in section 4 of the Act, on-road diesel fuel is a substance that:

- (a) has been purchased for use as fuel for road vehicles powered by diesel engines; and
- (b) consists principally of products derived from petroleum or shale, including the following:
 - (i) stabilised crude oil, topped crude oil, or condensate;
 - (ii) a recycled substance that has been produced by a process of refining or has been recovered by another process;
 - (iii) recycled waste oil that has been blended with diesel.

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Part 3 Off-road credits

9 Meaning of *off-road diesel fuel* (Act s 4)

- (1) For the definition of *off-road diesel fuel* in section 4 of the Act, the following kinds of fuel are specified:
- (a) a product on which:
 - (i) customs duty has been paid at a rate that is applicable to diesel fuel, under Schedule 3 to the *Customs Tariff Act 1995*, at the time of the payment; or
 - (ii) excise duty has been paid at a rate that is applicable to diesel fuel, under the Schedule to the *Excise Tariff Act 1921*, at the time of the payment;that is capable of being used as fuel in a diesel engine;
 - (b) a fuel oil that has the characteristics set out in subsection 3 (4) of the *Excise Tariff Act 1921*;
 - (c) a petroleum product:
 - (i) that has a density:
 - (A) equal to or exceeding 0.900 at 15° Celsius as determined by ASTM 1298; or
 - (B) less than 0.900 at 15° Celsius as determined by ASTM 1298 and:
 - (I) a maximum cetane index of 35 as determined by ASTM D976; or
 - (II) in respect of the heaviest 10% of a particular volume of fuel tested, a minimum value of 0.35% mass of carbon residue on 10% distillation residue as determined by ASTM D189 or D524; or
 - (III) a minimum pour point of 15° Celsius as determined by ASTM D97; or

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- (IV) a minimum sulphur content of 1.5% mass as determined by ASTM D129; or
 - (V) a minimum kinematic viscosity of 10 centistokes (millimetres squared per second) at 40° Celsius as determined by ASTM D445; and
 - (ii) on which duty has been paid at a rate that is applicable to diesel fuel; and
 - (iii) that is capable of being used as a fuel otherwise than in an internal combustion engine.
- (2) A reference in paragraph (1) (c) to ASTM, followed by a number, is a reference to a test so numbered as prescribed by the American Society for Testing and Materials and set out in Section 5 of the *Annual Book of ASTM Standards* (1986 revision) published in 1986 by the American Society for Testing and Materials at Philadelphia, Pennsylvania in the United States of America.
- (3) The following kinds of fuel are not ***off-road diesel fuel***:
- (a) gasoline and other petroleum or shale spirit that has a flash point of less than 23° Celsius when tested in an Abel Pensky (closed test) apparatus;
 - (b) coal tar and coke oven distillates;
 - (c) aromatic hydrocarbons and light oils that:
 - (i) consist principally of aromatic hydrocarbons (not being petroleum or shale products); and
 - (ii) are suitable for use as gasoline substitutes; and
 - (iii) have a flash point of less than 23° Celsius when tested in an Abel Pensky (closed test) apparatus.

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10 Qualifying uses

For paragraph 53 (6) (b) of the Act, the following uses of off-road diesel fuel are specified:

- (a) use as an ingredient in the manufacture of any of the following products:
 - (i) a mould release agent;
 - (ii) road construction material;
 - (iii) ink;if the product is not suitable for use as a fuel;
- (b) use, other than as a fuel, in the manufacture of plastics.

Part 4 Entitlement to energy grant

11 Specified amounts per litre — on-road alternative fuel and on-road diesel fuel (Act s 57 (2))

- (1) For subsection 57 (2) of the Act, Parts 1 and 2 of Schedule 7 specify the amounts per litre for:
 - (a) on-road diesel fuel; and
 - (b) different kinds of on-road alternative fuel.
- (2) An amount per litre that is specified for a particular type of fuel does not apply to a blend of that type of fuel and another type of fuel, whether or not the other type of fuel is specified in Schedule 7.

Note **On-road diesel fuel** may include a blend of diesel and ethanol, and may also include a blend of diesel and biodiesel.

12 Specified amounts per litre — off-road diesel fuel (Act s 57 (2))

For subsection 57 (2) of the Act, Part 3 of Schedule 7 specifies the amounts per litre for either or both of the following:

- (a) different kinds of off-road diesel fuel;
- (b) different proposed uses of off-road diesel fuel.

13 Methods of working out quantity of fuel (Act s 57 (5))

- (1) For subsection 57 (5) of the Act, the methods set out in Schedule 8 are prescribed.
- (2) The Schedule sets out the following methods:
 - (a) the constructive method (a basic calculation method);
 - (b) the deductive method (a basic calculation method);
 - (c) the percentage use method (a variation of a basic calculation method);

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- (d) the small claimants method (a variation of a basic calculation method).
- (3) The Schedule sets out the circumstances in which the different methods may be used.

Schedule 1 Newcastle–Sydney– Wollongong metropolitan area

(paragraph 6 (a))

Part 1 Complete statistical local areas

101 The Newcastle–Sydney–Wollongong metropolitan area
includes each of the following statistical local areas:

105350150	Ashfield (A)
105400200	Auburn (A)
105200350	Bankstown (C)
105500500	Baulkham Hills (A)
105500750	Blacktown (C)
105051100	Botany Bay (C)
105351300	Burwood (A)
105301450	Camden (A)
105301500	Campbelltown (C)
105201550	Canterbury (C)
105351900	Concord (A)
105352550	Drummoyne (A)
105252850	Fairfield (C)
105403950	Holroyd (C)
105604000	Hornsby (A)
105554100	Hunter's Hill (A)
1051541507	Hurstville (C)
105154450	Kogarah (A)
105604500	Ku-ring-gai (A)
110054650	Lake Macquarie (C)
105554700	Lane Cove (A)
105054800	Leichhardt (A)
105254900	Liverpool (C)
105655150	Manly (A)
105055200	Marrickville (A)
105555350	Mosman (A)
110055901	Newcastle (C) — Inner
110055902	Newcastle (C) — Remainder

105555950	North Sydney (A)
105406250	Parramatta (C)
105456350	Penrith (C)
105656370	Pittwater (A)
105106550	Randwick (C)
105156650	Rockdale (C)
105556700	Ryde (C)
115056900	Shellharbour (C)
105057070	South Sydney (C)
105357100	Strathfield (A)
105157150	Sutherland Shire (A)
105057201	Sydney (C) — Inner
105057202	Sydney (C) — Remainder
105658000	Warringah (A)
105108050	Waverley (A)
105558250	Willoughby (C)
115058450	Wollongong (C)
105108500	Woollahra (A)

Part 2 Roads between statistical local areas

- 201 The Newcastle–Sydney–Wollongong metropolitan area includes the area contained within the road reserve of the Sydney–Newcastle Freeway, between:
- (a) the northern boundary of 105604000 Hornsby (A) statistical local area; and
 - (b) the southern boundary of 110054650 Lake Macquarie (C) statistical local area.

Schedule 2 Melbourne–Geelong metropolitan area

(paragraph 6 (b))

Part 1 Complete statistical local areas

101 The Melbourne–Geelong metropolitan area includes each of the following statistical local areas:

205300661	Banyule (C) — Heidelberg
205300662	Banyule (C) — North
205650911	Bayside (C) — Brighton
205650912	Bayside (C) — South
210052751	Bellarine — Inner
205451111	Boroondara (C) — Camberwell North
205451112	Boroondara (C) — Camberwell South
205451113	Boroondara (C) — Hawthorn
205451114	Boroondara (C) — Kew
205101181	Brimbank (C) — Keilor
205101182	Brimbank (C) — Sunshine
205801612	Casey (C) — Berwick
205801613	Casey (C) — Cranbourne
205801616	Casey (C) — Hallam
210052752	Corio — Inner
205301891	Darebin (C) — Northcote
205301892	Darebin (C) — Preston
205852171	Frankston (C) — East
205852174	Frankston (C) — West
210052753	Geelong
210052754	Geelong West
205652311	Glen Eira (C) — Caulfield
205652314	Glen Eira (C) — South
205752671	Greater Dandenong (C) — Dandenong
205752674	Greater Dandenong (C) Bal
205103111	Hobsons Bay (C) — Altona
205103112	Hobsons Bay (C) — Williamstown
205353271	Hume (C) — Broadmeadows

205653431	Kingston (C) — North
205653434	Kingston (C) — South
205553671	Knox (C) — North
205553674	Knox (C) — South
205504211	Manningham (C) — East
205504214	Manningham (C) — West
205104330	Maribyrnong (C)
205554411	Maroondah (C) — Croydon
205554412	Maroondah (C) — Ringwood
205054601	Melbourne (C) — Inner
205054605	Melbourne (C) — Southbank–Docklands
205054608	Melbourne (C) — Remainder
205504971	Monash (C) — South-West
205504974	Monash (C) — Waverley East
205504975	Monash (C) — Waverley West
205105063	Moonee Valley (C) — Essendon
205105065	Moonee Valley (C) — West
205255251	Moreland (C) — Brunswick
205255252	Moreland (C) — Coburg
205255253	Moreland (C) — North
205905345	Mornington Peninsula (S) — West
210052755	Newtown
205405713	Nillumbik (S) — South
205405715	Nillumbik (S) — South-West
205055901	Port Phillip (C) — St Kilda
205055902	Port Phillip (C) — West
210052756	South Barwon — Inner
205656352	Stonnington (C) — Malvern
205056351	Stonnington (C) — Prahran
205506981	Whitehorse (C) — Box Hill
205506984	Whitehorse (C) — Nunawading East
205506985	Whitehorse (C) — Nunawading West
205407074	Whittlesea (C) — South
205057351	Yarra (C) — North
205057352	Yarra (C) — Richmond
205607455	Yarra Ranges (S) — South-West

Part 2 Parts of statistical local areas

- 201 The Melbourne–Geelong metropolitan area includes the area (known as the Werribee Extension) within a notional line that:
- (a) commences at the intersection of Boundary Road, Robinsons Road and Palmers Road, being the south-western corner of 205101182 Brimbank (C) — Sunshine statistical local area; and
 - (b) continues south by the centre line of Palmers Road to its intersection with the centre line of Sayers Road; and
 - (c) continues west by the centre line of Sayers Road to its intersection with the north-eastern corner of 205207265 Wyndham (C) — Werribee statistical local area (approximate AMG Zone 55 coordinate 298 700E 5 808 030N); and
 - (d) continues generally west, south and north-east by the northern, western and southern boundaries respectively of 205207265 Wyndham (C) — Werribee statistical local area to the intersection with the centre thread of Skeleton Creek (approximate AMG Zone 55 coordinate 299 570E 5 805 280N); and
 - (e) continues generally south by the centre thread of Skeleton Creek to its intersection with the centre line of the westbound carriageway of the Princes Freeway; and
 - (f) continues generally north-east by the centre line of that carriageway to its intersection with the eastern boundary of 205207268 Wyndham (C) Bal statistical local area (approximate AMG Zone 55 coordinate 302 400E 5 806 100N); and
 - (g) continues generally north-east and west by the eastern and northern boundaries respectively of 205207268 Wyndham (C) Bal statistical local area to intersection of Boundary Road, Robinsons Road and Palmers Road.
- 202 The Melbourne–Geelong metropolitan area includes the area (known as the Airport Extension) within a notional line that:
- (a) commences at the intersection of the centre lines of Cahill Street and Wildwood Road, being a corner of 205353274 Hume (C) — Craigieburn statistical local area; and

- (b) continues south by the centre line of Wildwood Road to its intersection with the centre lines of Bulla Road and Sunbury Road; and
- (c) continues generally east by the centre line of Sunbury Road to its intersection with the centre line of Oaklands Road; and
- (d) continues generally north by the centre line of Oaklands Road to its intersection with the centre line of Somerton Road; and
- (e) continues generally east by the centre line of Somerton Road to its intersection with the centre line of Mickleham Road; and
- (f) continues generally north by the centre line of Mickleham Road to its intersection with the centre line of Mount Ridley Road; and
- (g) continues generally east by the centre line of Mount Ridley Road and its easterly prolongation to its intersection with the centre line of the southbound carriageway of the Hume Freeway (approximate AMG Zone 55 coordinate 318 050E 5 839 750N); and
- (h) continues generally south by the centre line of the southbound carriageway of the Hume Freeway to its intersection with the prolongation of Craigieburn Road East (approximate AMG Zone 55 coordinate 318 390E 5 836 460N); and
- (i) continues generally east by the prolongation of Craigieburn Road East and the centre line of Craigieburn Road East to its intersection with the centre line of Epping Road; and
- (j) continues generally south by the centre line of Epping Road to a corner on the southern boundary of 205407071 Whittlesea (C) — North statistical local area (approximate AMG Zone 55 coordinate 325 800E 5 832 880N); and
- (k) continues generally west by that boundary to its intersection with the eastern boundary of 205353274 Hume (C) — Craigieburn statistical local area; and

-
- (l) continues generally west, south and north by the southern and western boundaries respectively of 205353274 Hume (C) — Craigieburn statistical local area to the intersection of the centre lines of Cahill Street and Wildwood Road.

Part 3 Roads between statistical local areas

- 301 The Melbourne–Geelong metropolitan area includes the area contained within the road reserve of the Princes Freeway, between the eastern boundary of 210052752 Corio — Inner statistical local area and the southern boundary of 205207265 Wyndham (C) — Werribee statistical local area.

Schedule 3 Sunshine Coast–Brisbane– Gold Coast metropolitan area

(paragraph 6 (c))

Part 1 Complete statistical local areas

101 The Sunshine Coast–Brisbane–Gold Coast metropolitan area includes each of the following statistical local areas:

305051001	Acacia Ridge
305405951	Albany Creek
305051004	Albion
305051007	Alderley
305506251	Alexandra Hills
305051012	Algester
305051015	Annerley
305051018	Anstead
305405954	Arana Hills
305051023	Archerfield
310053497	Arundel
305051026	Ascot
305051031	Ashgrove
310053501	Ashmore
305051034	Aspley
305051037	Bald Hills
305051042	Balmoral
305051045	Banyo
305051048	Bardon
305103461	Beenleigh
305051053	Bellbowrie
305051057	Belmont–Mackenzie
310053504	Benowa
305103463	Bethania–Waterford
310053507	Biggera Waters
310053512	Bilinga
305506254	Birkdale
305051064	Boondall

305051067	Bowen Hills
305051072	Bracken Ridge
305405957	Bray Park
305051075	Bridgeman Downs
305051078	Brighton
310053513	Broadbeach
310053515	Broadbeach Waters
305051083	Brookfield (including Mt Coot-tha)
305304601	Browns Plains
305051086	Bulimba
310053517	Bundall
310053521	Burleigh Heads
310053523	Burleigh Waters
305051094	Calamvale
310152132	Caloundra (C) — Caloundra North
310152133	Caloundra (C) — Caloundra South
310152135	Caloundra (C) — Kawana
305051097	Camp Hill
305051102	Cannon Hill
305506257	Capalaba
305051105	Capalaba West
305051113	Carina
305051116	Carina Heights
305051108	Carindale
310053525	Carrara–Merrimac
305051121	Carseldine
305051124	Chandler
305051127	Chapel Hill
305051132	Chelmer
305051135	Chermside
305051138	Chermside West
305051143	City — Inner (Brisbane)
305051146	City — Remainder (Brisbane)
305051151	Clayfield
305506262	Cleveland
305456201	Clontarf
310053527	Coolangatta
310053531	Coombah
305051154	Coopers Plains

305051157	Coorparoo
305051162	Corinda
310053533	Currumbin
310053535	Currumbin Waters
305304605	Daisy Hill–Priestdale
305051167	Darra–Sumner
305051173	Deagon
305051176	Doolandella–Forest Lake
305051184	Durack
305051187	Dutton Park
305103466	Eagleby
305051195	East Brisbane
305103471	Edens Landing–Holmview
305051198	Eight Mile Plains
310053537	Elanora
305051203	Ellen Grove
305051206	Enoggera
310053541	Ernest–Molendinar
305405962	Everton Hills
305051211	Everton Park
305051214	Fairfield
305051217	Ferny Grove
305405965	Ferny Hills
305051222	Fig Tree Pocket
305051228	Fortitude Valley — Inner
305051233	Fortitude Valley — Remainder
305051236	Geebung
305051241	Graceville
305051244	Grange
305304608	Greenbank — Pt B
305051247	Greenslopes
305051252	Gumdale
305051255	Hamilton
305051258	Hawthorne
310053543	Helensvale
305051265	Hemmant–Lytton
305051271	Hendra
305051274	Herston
305051277	Highgate Hill

305051282	Holland Park
305051285	Holland Park West
310053545	Hollywell
310053547	Hope Island
305051288	Inala
305051293	Indooroopilly
305253962	Ipswich (C) — Central
305253965	Ipswich (C) — East
305051296	Jamboree Heights
305051301	Jindalee
305405968	Kallangur
305051304	Kangaroo Point
305051312	Kedron
305051315	Kelvin Grove
305051318	Kenmore
305051323	Kenmore Hills
305051326	Keperra
305304612	Kingston
305051331	Kuraby
310053553	Labrador
305405973	Lawnton
305304615	Loganholme
305304618	Loganlea
305051337	Lota
305051345	Lutwyche
305051356	MacGregor
310053555	Main Beach–Broadwater
305051364	Manly
305051367	Manly West
305051372	Mansfield
305456204	Margate–Woody Point
310154902	Maroochy (S) — Buderim
310154905	Maroochy (S) — Coastal North
310154907	Maroochy (S) — Maroochydhore
310154911	Maroochy (S) — Mooloolaba
305304623	Marsden
305051353	McDowall
310053557	Mermaid Beach
310053562	Mermaid Waters–Clear Island Waters

310053563	Miami
305051375	Middle Park
305051378	Milton
305051383	Mitchelton
305051386	Moggill
305051391	Moorooka
305051397	Morningside
305051402	Mount Gravatt
305051405	Mount Gravatt East
305051408	Mount Ommaney
305103476	Mt Warren Park
310053565	Mudgeeraba
305051413	Murarie
305051416	Nathan
310053567	Nerang
305051421	New Farm
305051424	Newmarket
305051427	Newstead
310155752	Noosa (S) — Noosa–Noosaville
310155755	Noosa (S) — Sunshine–Peregian
310155756	Noosa (S) — Tewantin
305051432	Norman Park
305051435	Northgate
305051438	Nudgee
305051443	Nudgee Beach
305051446	Nundah
305506264	Ormiston
310053571	Oxenford
305051451	Oxley
305051454	Paddington
305051456	Pallara–Heathwood–Larapinta
310053573	Palm Beach
310053575	Paradise Point
305051463	Parkinson–Drewvale
310053577	Parkwood
305405974	Petric
305051465	Pinjarra Hills
305051467	Pinkenba–Eagle Farm
305051473	Pullenvale

305051476	Ransome
305456206	Redcliffe–Scarborough
305051481	Red Hill
305051484	Richlands
305051487	Riverhills
305051492	Robertson
310053582	Robina
305304631	Rochedale South
305051498	Rocklea
305456208	Rothwell–Kippa–Ring
310053583	Runaway Bay
305051503	Runcorn
305051506	St Lucia
305051511	Salisbury
305051514	Sandgate
305051517	Seventeen Mile Rocks
305304634	Shailer Park
305051522	Sherwood
305304637	Slacks Creek
305051525	South Brisbane
310053585	Southport
305051528	Spring Hill
305304642	Springwood
305051533	Stafford
305051536	Stafford Heights
310053586	Stephens
305405976	Strathpine
305051541	Stretton–Karawatha
305051547	Sunnybank
305051552	Sunnybank Hills
310053587	Surfers Paradise
305051556	Taigum–Fitzgibbon
305304645	Tanah Merah
305051558	Taringa
305051563	Tarragindi
305051566	The Gap (including Enoggera Reserve)
305506268	Thornside
305506271	Thornlands
305051571	Tingalpa

305051574	Toowong
310053591	Tugun
305304651	Underwood
305051582	Upper Brookfield
305051588	Upper Mount Gravatt
305051593	Virginia
305051596	Wacol
305051601	Wakerley
305304654	Waterford West
305051604	Wavell Heights
305506276	Wellington Point
305051607	West End (Brisbane)
305051612	Westlake
305051615	Willawong
305051618	Wilston
305103494	Windaroo–Bannockburn
305051623	Windsor
305051626	Wishart
305304656	Woodridge
305051631	Woolloongabba
305051634	Woolloowin
310053593	Worongary–Tallai
305051637	Wynnum
305051642	Wynnum West
305051645	Yeerongpilly
305051648	Yeronga
305051653	Zillmere

Part 2 Parts of statistical local areas

- 201 The Sunshine Coast–Brisbane–Gold Coast metropolitan area includes the area (known as the Brendale Extension) within a notional line that:
- (a) commences at the intersection of the centre line of South Pine Road and the eastern boundary of 305405983 Pine Rivers (S) Bal statistical local area (approximate AMG Zone 56 coordinate 496 060E 6 975 510N); and

-
- (b) continues generally north by the centre line of South Pine Road to its intersection with the centre line of Warner Road; and
 - (c) continues generally north-west by a straight line to the intersection of the centre lines of Kremzow Road and Old North Road; and
 - (d) continues generally north by the centre line of Old North Road to its intersection with the eastern boundary of 305405983 Pine Rivers (S) Bal statistical local area (approximate AMG Zone 56 coordinate 496 310E 6 979 120N); and
 - (e) continues generally east, south and west by part of the eastern boundary of 305405983 Pine Rivers (S) Bal statistical local area to intersection of the centre line of South Pine Road and the eastern boundary of 305405983 Pine Rivers (S) Bal statistical local area.
- 202 The Sunshine Coast–Brisbane–Gold Coast metropolitan area includes the area within a notional line (known as the Andrews Extension) that:
- (a) commences at the intersection of the southbound carriageway of the Pacific Highway and the eastern boundary of 310053542 Guanaba–Currumbin Valley statistical local area (approximate AMG Zone 56 coordinate 539 050E 6 891 720N); and
 - (b) continues generally east and south by part of the eastern boundary of 310053542 Guanaba–Currumbin Valley statistical local area to its intersection with the centre line of the southbound carriageway of the Pacific Highway (approximate AMG Zone 56 coordinate 541 940E 6 889 680N); and
 - (c) continues generally north-west by the centre line of the southbound carriageway of the Pacific Highway to the intersection of the southbound carriageway of the Pacific Highway and the eastern boundary of 310053542 Guanaba–Currumbin Valley statistical local area.

- 203 The Sunshine Coast–Brisbane–Gold Coast metropolitan area includes the area (known as the Burpengary Extension) within a notional line that:
- (a) commences at the intersection of the eastern boundary of 305405983 Pine Rivers (S) Bal statistical local area and the northern boundary of 305456208 Rothwell–Kippa-Ring statistical local area (approximate AMG Zone 56 coordinate 503 060E 6 990 410N); and
 - (b) continues generally south and west by part of the eastern boundary of 305405983 Pine Rivers (S) Bal statistical local area to a corner on that boundary (approximate AMG Zone 56 coordinate 497 600E 6 987 420N), being the centre line of the Brisbane–Caboolture railway line; and
 - (c) continues generally north by the centre line of the Brisbane–Caboolture railway line to a corner on the eastern boundary of 305405983 Pine Rivers (S) Bal statistical local area (approximate AMG Zone 56 coordinate 496 630E 6 989 550N); and
 - (d) continues generally east along part of the eastern boundary of that statistical local area to the intersection of the eastern boundary of 305405983 Pine Rivers (S) Bal statistical local area and the northern boundary of 305456208 Rothwell–Kippa-Ring statistical local area.

Part 3 Roads between statistical local areas

- 301 The Sunshine Coast–Brisbane–Gold Coast metropolitan area includes each of the following areas:
- (a) the area contained within the road reserve of the Bruce Highway, between the northern boundary of 305405983 Pine Rivers (S) Bal statistical local area and the southern boundary of 310152133 Caloundra (C) — Caloundra [(S)] statistical local area;
 - (b) the area contained within the road reserve of the Pacific Highway, between the northern boundary of 305103496 Gold Coast (C) Bal in the BSD and the northern boundary of 310053571 Oxenford statistical local area.

Schedule 4 Perth metropolitan area

(paragraph 6 (d))

Part 1 Complete statistical local areas

101 The Perth metropolitan area includes each of the following statistical local areas:

505100350	Bassendean (T)
505100420	Bayswater (C)
505250490	Belmont (C)
505051310	Cambridge (T)
505251330	Canning (C)
505051750	Claremont (T)
505201820	Cockburn (C)
505052170	Cottesloe (T)
505203150	East Fremantle (T)
505203431	Fremantle (C) — Inner
505203432	Fremantle (C) — Remainder
505253780	Gosnells (C)
505154171	Joondalup (C) — North
505154174	Joondalup (C) — South
505204830	Kwinana (T)
505205320	Melville (C)
505055740	Mosman Park (T)
505056580	Nedlands (C)
505056930	Peppermint Grove (S)
505057081	Perth (C) — Inner
505057082	Perth (C) — Remainder
505207490	Rockingham (C)
505257840	South Perth (C)
505157914	Stirling (C) — Central
505157915	Stirling (C) — Coastal
505157916	Stirling (C) — South-Eastern
505057980	Subiaco (C)
505258510	Victoria Park (T)

505058570 Vincent (T)
505158767 Wanneroo (C) — South

Part 2 Parts of statistical local areas

- 201 The Perth metropolitan area includes the area (known as the Swan/Mundaring/Kalamunda/Armadale Extension) within a notional line that:
- (a) commences at the intersection of the centre lines of Wolfe Road and Rowley Road, being a point on the western boundary of 505250210 Armadale (C) statistical local area; and
 - (b) continues generally north and east along the western boundary of 505250210 Armadale (C) statistical local area to its intersection with the southern boundary of 505104200 Kalamunda (S) statistical local area; and
 - (c) continues generally north-west and north along the western boundary of 505104200 Kalamunda (S) statistical local area to its intersection with 505108050 Swan (S) statistical local area; and
 - (d) continues generally north-west, north-east, west and north along the southern and western boundaries respectively of 505108050 Swan (S) statistical local area to the intersection of the line with the centre line of Park Street (approximate AMG Zone 50 coordinate 394 110E 6 479 560N); and
 - (e) continues generally east by the centre line of Park Street to its intersection with the centre line of Beechboro Road North; and
 - (f) continues generally south by the centre line of Beechboro Road North to its intersection with the centre line of Marshall Road; and
 - (g) continues generally east by the centre lines of Marshall Road, Arthur Street and Coast Road and the easterly prolongation of the centre line of Coast Road to the centre thread of the Swan River (approximate AMG Zone 50 coordinate 404 860E 6 474 760N); and

- (h) continues generally north-east following the centre thread of the Swan River to its intersection with the westerly prolongation of the centre line of Oakover Road (approximate AMG Zone 50 coordinate 405 300E 6 476 170N); and
- (i) continues generally east by the westerly prolongation of the centre line of Oakover Road and the centre lines of Oakover Road, Campersic Road and Neuman Road to the intersection of the western boundary of John Forrest National Park (approximate AMG Zone 50 coordinate 410 810E 6 476 390N); and
- (j) continues generally north, east and south along the western, northern and eastern boundaries respectively of John Forrest National Park to the intersection of the centre line of the Great Eastern Highway and the prolongation of the eastern boundary of John Forrest National Park; and
- (k) continues generally east along the centre line of the Great Eastern Highway to its intersection with the centre line of Marri Road; and
- (l) continues generally south along the centre line of Marri Road to its intersection with the centre line of Kenmore Street; and
- (m) continues generally south along the centre line of Kenmore Street to its most southern end; and
- (n) continues generally south-east by a straight line to the intersection of the centre lines of Thomas Road and Moola Road; and
- (o) continues generally south along the centre line of Moola Road to its most southern end; and
- (p) continues generally south by a straight line to the intersection with the centre thread of the Helena River (approximate AMG Zone 50 coordinate 417 060E 6 466 010N); and
- (q) continues generally south-east along the centre thread of the Helena River to its intersection with the centre line of Mundaring Weir Road; and
- (r) continues generally south along the centre line of Mundaring Weir Road to its intersection with the centre line of Ashendon Road; and

- (s) continues generally south-east along the centre line of Ashendon Road to its intersection with the northern boundary of 505250210 Armadale (C) statistical local area (approximate AMG Zone 50 coordinate 424 190E 6 449 940N); and
- (t) continues generally west along the northern boundary of 505250210 Armadale (C) statistical local area to its intersection with the centre line of Springdale Road (approximate AMG Zone 50 coordinate 414 880E 6 449 630N); and
- (u) continues generally south along the centre line of Springdale Road to its intersection with the centre line of Chevin Road; and
- (v) continues generally east along the centre line of Chevin Road to its intersection with the centre line of the Brookton Highway; and
- (w) continues generally east along the centre line of the Brookton Highway to its intersection with the centre line of Gardiner Road; and
- (x) continues generally south along the centre line of Gardiner Road to approximate AMG Zone 50 coordinate 6 445 440N; and
- (y) continues generally south by a straight line to the intersection with the centre line of McNess Road (approximate AMG Zone 50 coordinate 416 590E 6 443 460N); and
- (z) continues generally south-east along the centre line of McNess Road to its intersection with the centre line of Canning Dam Road; and
- (za) continues generally south along the centre line of Canning Dam Road to its intersection with the centre line of the Albany Highway; and
- (zb) continues generally south by a straight line to the intersection with the southern boundary of 505250210 Armadale (C) statistical local area (approximate AMG Zone 50 coordinate 415 550E 6 435 520N); and
- (zc) continues generally west along that boundary to the intersection of the centre lines of Wolfe Road and Rowley Road.

- 202 The Perth metropolitan area includes the area (known as the Wanneroo Extension) within a notional line that:
- (a) commences at the intersection of Gnangara Road and Sydney Street, being the south-east corner of 505158761 Wanneroo (C) — North-East statistical local area; and
 - (b) continues generally west and north-west along the southern and western boundaries respectively of 505158761 Wanneroo (C) — North-East statistical local area to the intersection with the southern boundary of 505158764 Wanneroo (C) — North-West statistical local area; and
 - (c) continues generally west along part of the southern boundary of 505158764 Wanneroo (C) — North-West statistical local area to the intersection with the High Water Mark of mainland Australia (approximate AMG Zone 50 coordinate 377 450E 6 490 750N); and
 - (d) continues generally north-west along the High Water Mark to approximate AMG Zone 50 coordinate 6 499 720N; and
 - (e) continues east to a corner on the western boundary of the Neerabup National Park (approximate AMG Zone 50 coordinate 377 540E 6 499 720N); and
 - (f) continues generally south-east by part of the western boundary of the Neerabup National Park to its intersection with the centre line of Quinns Road; and
 - (g) continues generally east along the centre line of Quinns Road to its intersection with the centre line of Wanneroo Road; and
 - (h) continues generally south-east along the centre line of Wanneroo Road to its intersection with the centre line of Pinjar Road; and
 - (i) continues generally north-east along the centre line of Pinjar Road to its intersection with the centre line of Caporn Street; and
 - (j) continues generally east along the centre line of Caporn Street to its intersection with the centre line of Franklin Road; and

- (k) continues generally south along the centre line of Franklin Road to its intersection with the intersection of the centre line of Trichet Road; and
- (l) continues generally east along the centre line of Trichet Road to its intersection with the centre line of Hawkins Road; and
- (m) continues generally south along the centre line of Hawkins Road to its intersection with the centre line of Ross Street; and
- (n) continues generally east along the centre line of Ross Street to its intersection with the centre line of Sydney Road; and
- (o) continues generally south and south-east along the centre line of Sydney Road to its intersection with the centre line of Joyce Road; and
- (p) continues generally east along the centre line of Joyce Road and its prolongation easterly to the intersection with the eastern boundary of 505158761 Wanneroo (C) — North-East statistical local area (approximate AMG Zone 50 coordinate 394 220E 6 485 080N); and
- (q) continues generally south by part of the eastern boundary of 505158761 Wanneroo (C) — North-East statistical local area to the intersection of Gnangara Road and Sydney Street.

Schedule 5 Adelaide metropolitan area

(paragraph 6 (e))

- 101 The Adelaide metropolitan area includes each of the following statistical local areas:

405150070	Adelaide (C)
405150701	Burnside (C) — North-East
405150704	Burnside (C) — South-West
405150911	Campbelltown (C) — East
405150914	Campbelltown (C) — West
405101061	Charles Sturt (C) — Coastal
405101064	Charles Sturt (C) — Inner East
405101065	Charles Sturt (C) — Inner West
405101068	Charles Sturt (C) — North-East
405055681	East Central (C)
405052030	Gawler (M)
405202601	Holdfast Bay (C) — North
405202604	Holdfast Bay (C) — South
405204061	Marion (C) — Central
405204064	Marion (C) — North
405204065	Marion (C) — South
405204341	Mitcham (C) — Hills
405204344	Mitcham (C) — North-East
405204345	Mitcham (C) — West
405155291	Norwood Petersham St Peters (C) — East
405155294	Norwood Petersham St Peters (C) — West
405205341	Onkaparinga (C) — Hackham
405205343	Onkaparinga (C) — Morphett
405205344	Onkaparinga (C) — North Coast
405205345	Onkaparinga (C) — Reservoir
405205346	Onkaparinga (C) — South Coast
405205347	Onkaparinga (C) — Woodcroft
405055681	Playford (C) — East Central
405055683	Playford (C) — Elizabeth
405055686	Playford (C) — West
405055688	Playford (C) — West Central

405105895	Port Adel. Enfield (C) — Coast
405055891	Port Adel. Enfield (C) — East
405055894	Port Adel. Enfield (C) — Inner
405105898	Port Adel. Enfield (C) — Port
405156510	Prospect (C)
405057148	Salisbury (C) Bal
405057141	Salisbury (C) — Central
405057143	Salisbury (C) — Inner North
405057144	Salisbury (C) — North-East
405057146	Salisbury (C) — South-East
405057701	Tea Tree Gully (C) — Central
405057704	Tea Tree Gully (C) — Hills
405057705	Tea Tree Gully (C) — North
405057708	Tea Tree Gully (C) — South
405157981	Unley (C) — East
405157984	Unley (C) — West
405158260	Walkerville (M)
405108411	West Torrens (C) — East
405108414	West Torrens (C) — West
405108899	Unincorporated Western

Schedule 6 Canberra metropolitan area

(paragraph 6 (f))

- 101 The Canberra metropolitan area includes each of the following statistical local areas:

805050089	Acton
805050189	Ainslie
805400239	Amaroo
805100279	Aranda
805250339	Banks
805350369	Barton
805100459	Belconnen Town Centre
805250609	Bonython
805050639	Braddon
805100729	Bruce
805250819	Calwell
805050909	Campbell
805201089	Chapman
805101179	Charnwood
805151269	Chifley
805251359	Chisholm
805051449	City (Canberra)
805251549	Conder
805101629	Cook
805151719	Curtin
805351809	Deakin
805051889	Dickson
805051989	Downer
805202079	Duffy
805102139	Dunlop
805052169	Duntroon
805102259	Evatt
805252349	Fadden
805152439	Farrer
805202529	Fisher
805102619	Florey

805102709	Flynn
805352789	Forrest
805102889	Fraser
805352979	Fyshwick
805153069	Garran
805253159	Gilmore
805103249	Giralang
805253289	Gordon
805253339	Gowrie
805253379	Greenway
805353429	Griffith
805053609	Hackett
805353789	Harman
805103879	Hawker
805103969	Higgins
805204059	Holder
805104149	Holt
805154239	Hughes
805154419	Isaacs
805254509	Isabella Plains
805104779	Kaleen
805254869	Kambah
805354959	Kingston
805105139	Latham
805055229	Lyneham
805155319	Lyons
805255489	Macarthur
805105589	Macgregor
805105679	Macquarie
805155859	Mawson
805105409	McKellar
805105949	Melba
805406039	Mitchell
805256129	Monash
805356219	Narrabundah
805406249	Ngunnawal
805406279	Nicholls
805056389	O'Connor
805156489	O'Malley

805256579	Oxley
805106669	Page
805406719	Palmerston
805356759	Parkes
805156849	Pearce
805156939	Phillip
805357119	Red Hill
805057209	Reid
805257289	Richardson
805207389	Rivett
805057479	Russell
805107569	Scullin
805107659	Spence
805207749	Stirling
805258019	Theodore
805158109	Torrens
805058289	Turner
805258379	Wanniassa
805208469	Waramanga
805058559	Watson
805108649	Wectangera
805208739	Weston
805358919	Yarralumla

Schedule 7 Specified amounts per litre

(regulations 11 and 12)

Part 1 On-road diesel fuel

Type of fuel	Amount per litre
On-road diesel fuel	\$0.18510 per litre

Part 2 On-road alternative fuel

Type of fuel	Amount per litre
Liquefied petroleum gas	\$0.11925 per litre
Ethanol	\$0.20809 per litre
Compressed natural gas	\$0.12617 per cubic metre
Liquefied natural gas	\$0.0813 per litre
Biodiesel	\$0.18510 per litre

Part 3 Off-road diesel fuel

1. For off-road diesel fuel of a kind specified in paragraph 9 (1) (a)

Qualifying uses of fuel	Amount per litre
Use in mining operations or in primary production (other than agriculture) as specified in subsection 53 (2) of the Act	For a claim made between 1 July 2003 and 31 December 2005 (inclusive) — \$0.38143 per litre
Use in mining operations or in primary production (including agriculture) as specified in subsection 53 (2) of the Act	For a claim made on or after 1 January 2006 — \$0.38143 per litre

Qualifying uses of fuel	Amount per litre
Use in agriculture (otherwise than for the purpose of propelling a road vehicle on a public road)	For a claim made between 1 July 2003 and 31 December 2003 (inclusive) — \$0.38143 per litre plus \$0.00714 per litre For a claim made between 1 January 2004 and 30 June 2004 (inclusive) — \$0.38143 per litre plus \$0.01143 per litre For a claim made between 1 July 2004 and 31 December 2004 (inclusive) — \$0.38143 per litre plus \$0.00857 per litre For a claim made between 1 January 2005 and 30 June 2005 (inclusive) — \$0.38143 per litre plus a second amount of \$0.00571 per litre For a claim made between 1 July 2005 and 31 December 2005 (inclusive) — \$0.38143 per litre plus a second amount of \$0.00286 per litre
Use in rail transport or use in marine transport as specified in subsection 53 (3) of the Act	\$0.38143 per litre
Use at the premises, and for the purposes, specified in subsection 53 (4) of the Act	\$0.38143 per litre
Use as an ingredient in the manufacture of explosives, as specified in paragraph 53 (5) (c) of the Act	\$0.38143 per litre
A use that qualifies under subsection 53 (6) of the Act	\$0.38143 per litre

2. For off-road diesel fuel of a kind specified in paragraph 9 (1) (b)

Qualifying use of fuel	Amount per litre
Use in mining operations or in primary production as specified in subsection 53 (2) of the Act	\$0.07557 per litre
Use in rail transport or use in marine transport as specified in subsection 53 (3) of the Act	\$0.07557 per litre
Use at the premises, and for the purposes, specified in subsection 53 (4) of the Act	\$0.07557 per litre
A use that qualifies under paragraph 53 (5) (a) or (b) of the Act	\$0.07557 per litre

3. For off-road diesel fuel of a kind specified in paragraph 9 (1) (c)

Qualifying use of fuel	Amount per litre
Use otherwise than in an internal combustion engine (subsection 53 (7) of the Act)	\$0.30586 per litre

Schedule 8 **Methods of working out quantity of fuel**

(regulation 13)

Part 1 **General rules**

1.1 **Definitions**

In this Schedule:

disqualifying use is an actual use of fuel mentioned in paragraph (a), (b) or (c) of section 49 or 55 of the Act.

on-road fuel means on-road diesel fuel and on-road alternative fuel.

quantity of fuel means the number of whole litres of on-road diesel fuel, on-road alternative fuel or off-road diesel fuel.

sample percentage, in relation to total quantity of fuel of a class mentioned in subclause 1.2 (2) that you purchased or imported into Australia in the sample period, means the quantity of that fuel that you actually used for a qualifying use, expressed as a percentage of the total quantity of the fuel.

sample period means the sample period mentioned in clause 3.2.1.

1.2 **General rules for working out quantity of fuel**

- (1) For any method prescribed by this Schedule for the purpose of subsection 57 (5) of the Act, the following general rules apply.

Working out quantity of fuel

- (2) You must work out the quantity of fuel separately for each of the following classes:
- (a) each type of fuel actually used or proposed to be used;
 - (b) all off-road diesel fuel actually used or proposed to be used;

- (c) all on-road fuel actually used or proposed to be used.

Note Under the Act, quantities are to be in whole litres.

- (3) You must use only 1 method of working out the quantity of fuel.

Apportionment of fuel

- (4) For the purpose of working out, in respect of a vehicle or piece of equipment, the quantity of fuel used, fuel may be apportioned between qualifying uses and disqualifying uses by reference to:
- (a) kilometres actually travelled by the vehicle (taken from odometer readings); or
 - (b) if the vehicle operates on fixed routes, route distances (instead of kilometres travelled); or
 - (c) hours that the vehicle or piece of equipment was operated; or
 - (d) another appropriate measure.

Part 2 Basic calculation methods

2.1 General

- (1) You may work out the quantity of fuel you propose to use or actually used for a qualifying use in a claim period by using a basic calculation method.
- (2) The basic calculation methods are the constructive method and the deductive method.

2.2 Keeping of records

- (1) In order to use the constructive method, you must have records of:
- (a) the total quantity of fuel of each class mentioned in subclause 1.2 (2) that you purchased or imported into Australia in the claim period; and

- (b) the quantity of fuel of each of those classes that you actually used for a qualifying use in the claim period; and
 - (c) the quantity of fuel of each of those classes that you propose to use for a qualifying use in the claim period; and
 - (d) each qualifying use in the claim period.
- (2) In order to use the deductive method, you must have records of:
- (a) the total quantity of fuel of each class mentioned in subclause 1.2 (2) that you purchased or imported into Australia in the claim period; and
 - (b) the quantity of fuel of each of those classes that you actually used for a disqualifying use in the claim period; and
 - (c) the quantity of fuel of each of those classes that you propose to use for a disqualifying use in the claim period; and
 - (d) each disqualifying use in the claim period.

Note You are required by section 27A of the *Product Grants and Benefits Administration Act 2000* to notify the Commissioner of any disqualifying use of fuel.

2.3 The constructive method

Constructive method — actual use

- (1) The constructive method of working out the quantity of fuel of a class mentioned in subclause 1.2 (2) that you actually used for a qualifying use in a claim period requires you to add up the quantity of fuel in that class that you actually used for a qualifying use in the claim period.

Note See subclause 1.2 (2) for general rules for working out quantity of fuel.

Constructive method — proposed use

- (2) The constructive method of working out the quantity of fuel of a class mentioned in subclause 1.2 (2) that you propose to use for a qualifying use in a claim period requires you to add up the quantity of fuel in that class that you propose to use for a qualifying use in the claim period.

Note See subclause 1.2 (2) for general rules for working out quantity of fuel.

2.4 The deductive method

Deductive method — actual use

- (1) The deductive method of working out the quantity of fuel of a class mentioned in subclause 1.2 (2) that you actually used for a qualifying use in a claim period is:

total quantity of fuel purchased or imported – quantity of disqualified fuel

where:

total quantity of fuel purchased or imported is the total quantity of fuel of a class mentioned in subclause 1.2 (2) that you purchased or imported into Australia in the claim period.

quantity of disqualified fuel is the quantity of fuel of that class that was actually used for a disqualifying use in the claim period.

Note See subclause 1.2 (2) for general rules for working out quantity of fuel.

Deductive method — proposed use

- (2) The deductive method of working out the quantity of fuel of a class mentioned in subclause 1.2 (2) that you propose to use for a qualifying use in a claim period is:

total quantity of fuel purchased or imported – proposed quantity of disqualified fuel

where:

total quantity of fuel purchased or imported is the total quantity of fuel of a class mentioned in subclause 1.2 (2) that you purchased or imported into Australia in the claim period.

proposed quantity of disqualified fuel is the quantity of fuel of that class that you propose to use for a disqualifying use in the claim period.

Part 3 Variations of the basic calculation methods

Division 1 General

3.1.1 General

- (1) You may work out the quantity of fuel you actually used, or propose to use, for a qualifying use in a claim period using a variation of a basic calculation method.
- (2) The variations of the basic calculation methods are the percentage use method and the small claimants method.

3.1.2 Keeping of records

- (1) In order to use the percentage use method or the small claimants method, you must have records of:
 - (a) the quantity of fuel of each class mentioned in subclause 1.2 (2) that you purchased or imported into Australia:
 - (i) if you are using the percentage use method — in the sample period; and
 - (ii) in any other case — in the claim period; and
 - (b) the quantity of fuel of each of those classes that you used for a qualifying use or disqualifying use:
 - (i) if you are using the percentage use method — in the sample period; and
 - (ii) in any other case — in the claim period; and

- (c) each qualifying use and disqualifying use:
 - (i) if you are using the percentage use method — in the sample period; and
 - (ii) in any other case — in the claim period.

Note You are required by section 27A of the *Product Grants and Benefits Administration Act 2000* to notify the Commissioner of any disqualifying use of fuel.

- (2) If, in a claim period, 2 or more of your vehicles travel different routes or 2 or more pieces of your equipment are used in different ways, you must keep separate records for the purpose of working out the sample percentage.

Division 2 The percentage use method

3.2.1 How to use the percentage use method

- (1) You may use the percentage use method to work out the quantity of fuel of a class mentioned in subclause 1.2 (2) that you actually used, or propose to use, for a qualifying use in a claim period by reference to your use of that fuel in a sample period.
- (2) The sample period must be:
 - (a) a continuous period of at least 12 weeks in a claim period; and
 - (b) representative of your fuel usage patterns in the claim period.
- (3) For subclause (1), the quantity of fuel of a class mentioned in subclause 1.2 (2) that you actually used for a qualifying use in the sample period may be worked out using the constructive method or the deductive method.

3.2.2 The percentage use method

The percentage use method of working out the quantity of fuel of a class mentioned in subclause 1.2 (2) that you actually used, or propose to use, for a qualifying use in a claim period is:

sample percentage $\times$ total quantity of fuel purchased or imported in a claim period

where:

total quantity of fuel purchased or imported in a claim period
is the total quantity of fuel of a class mentioned in subclause 1.2 (2) that you purchased or imported into Australia in a claim period.

3.2.3 Alternative application of percentage use method

- (1) If, in a claim period, 2 or more of your vehicles travel similar routes or 2 or more pieces of your equipment are used in a similar way:
 - (a) you may work out the sample percentage by reference to 1 of the vehicles or pieces of equipment; and
 - (b) the sample percentage may be applied to the other vehicles or pieces of equipment.
- (2) You must be able to substantiate the reasonableness of applying the sample percentage to:
 - (a) a fleet of vehicles; or
 - (b) a number of pieces of equipment.
- (3) You must work out the sample percentage separately for fuel of each class mentioned in subclause 1.2 (2).

3.2.4 When you may rely on a sample percentage already worked out

For the purpose of the calculation in clause 3.2.2, you may use the sample percentage you worked out in an earlier claim period in relation to fuel of a class mentioned in subclause 1.2 (2) if:

- (a) your pattern of usage of fuel of that class is substantially the same as in the earlier claim period; and
- (b) the claim is made within 5 years after the end of the earlier claim period; and
- (c) clause 3.2.5 does not require you to work out a new sample percentage.

3.2.5 When you need to work out a new sample percentage

- (1) For the purpose of the calculation in clause 3.2.2, you must work out a new sample percentage if your pattern of usage in the current claim period of fuel of a class mentioned in subclause 1.2 (2) has substantially changed since the end of the sample period in:
 - (a) the current claim period; or
 - (b) an earlier claim period.
- (2) For the purpose of the calculation in clause 3.2.2 in a particular claim period, if:
 - (a) subclause (3) or (4) does not apply; or
 - (b) you do not have a current sample percentage;you must work out a new sample percentage for that claim period.
- (3) For the purpose of the calculation in clause 3.2.2 in a particular claim period, if:
 - (a) the total of your claims for payment of an energy grant in:
 - (i) the first 12 months after you first calculated your sample percentage; or
 - (ii) any of the periods of 12 months starting on the anniversary of first calculating your sample percentage;is less than \$10 000; and

- (b) the claim period is within 60 months after you first calculated your sample percentage; and
 - (c) subclause (1) does not apply;
you may use the sample percentage for that claim period.
- (4) For the purpose of the calculation in clause 3.2.2 in a particular claim period, if:
- (a) the total of your claims for payment of an energy grant in the first 12 months after you first calculated your sample percentage is at least \$10 000; and
 - (b) the claim period is within 12 months after you first calculated your sample percentage; and
 - (c) subclause (1) does not apply;
you may use the sample percentage for that claim period.

Division 3 The small claimants method

3.3.1 How to use the small claimants method

You may use the small claimants method to make a claim for payment of an energy grant for all or part of a claim period for actual use, or proposed use, of fuel of a class mentioned in subclause 1.2 (2) only if making the claim using that method would not result in the total amount of claims for payment of an energy grant being more than \$5 000 in the current financial year.

3.3.2 The small claimants method

The small claimants method of working out the quantity of fuel of a class mentioned in subclause 1.2 (2) that you actually used, or propose to use, for a qualifying use in a claim period requires you to make a reasonable estimate of the quantity of fuel actually used for a qualifying use in the claim period.

Note

1. Notified in the *Commonwealth of Australia Gazette* on 2003. 30 June