

Explanatory Statement – Variation of the Nation Building Program Roads to Recovery Program List

Instrument 2012/1

Under s.87 of the *Nation Building Program (National Land Transport) Act 2009* (the Act), the Minister must determine a list of bodies which are to receive Roads to Recovery funds and the amount that each is to receive ie. its allocation and also show any unallocated funds. The initial list was determined on 26 February 2009.

Under s.88(1), where a body on the list ceases to exist before it has received its full allocation, the Minister can redirect any part of the allocation of the precursor body not paid to it at the date of abolition to the body that has taken over its responsibilities. In practice, this is done by varying the list.

The Roads and Traffic Authority (RTA) was responsible for the roads in the unincorporated area of western NSW until its abolition on 26 October 2011. A new body, Roads and Maritime Services (RMS), now has this responsibility. The RTA needs to be removed from the list and the remainder of its allocation transferred to RMS.