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Road Management Act 2004

VARIATION OF SECTION 110 THRESHOLD AMOUNT FOR 2017–18

I, Luke Donnellan, Minister for Roads and Road Safety and Minister administering the **Road Management Act 2004**, publish this notice in accordance with section 111(5) of that Act.

Background

Section 110 of the **Road Management Act 2004** ('the Act') provides that a road authority is not liable for property damages (as defined in that section) where the value of the damage is equal to or less than the 'threshold amount'. It further provides that the amount which may be recovered against a road authority in a claim for property damages which exceeds the threshold amount is to be reduced by the threshold amount.

'Threshold amount' is defined by section 110(1) as the amount of \$1,000 as varied under section 111. Section 111(1) of the Act provides a formula for the variation of the original \$1,000 threshold amount in respect of the 2005–06 financial year and each subsequent financial year:

$$A \times \frac{B}{C}$$

where –

'A' is the amount of \$1,000 as varied under section 111.

'B' is the all groups consumer price index for Melbourne in original terms for the most recent reference period in the preceding calendar year most recently published by the Australian Bureau of Statistics.

'C' is the all groups consumer price index in original terms for Melbourne for the corresponding reference period one year earlier than the reference period referred to in B most recently published by the Australian Bureau of Statistics.

Calculation of varied threshold amount for 2017–18

For the purposes of the calculation of the threshold amount in respect of the 2017–18 financial year, the values of A, B and C are as follows:

A = \$1,380 being the amount referred to in section 110 as varied under section 111 – see definition of 'threshold amount' in section 110(1) and the notice specifying the threshold amount in respect of the 2016–17 financial year published in the Victoria Government Gazette S155, 18 May 2016, pp 1–2;

B = 109.9 being the all groups consumer price index for Melbourne in original terms most recently published by the Australian Bureau of Statistics in respect of the December quarter of the 2016–17 financial year which is the most recent reference period in the 2016 calendar year;

C = 108.3 being the all groups consumer price index for Melbourne in original terms most recently published by the Australian Bureau of Statistics in respect of the December quarter of the 2015–16 financial year which is the most recent reference period in the 2015 calendar year.

The calculation of the threshold amount in respect of the 2017–18 financial year is therefore as follows:

$$\$1,380 \times \frac{109.9}{108.3} = \$1,400.39$$

This figure is rounded to \$1,400 in accordance with section 111(2)(b) of the Act.

SPECIAL

Specification of varied threshold amount for 2017–2018

In accordance with section 111(5) of the **Road Management Act 2004**, I specify \$1,400 to be the threshold amount for the purposes of section 110 (as varied in accordance with section 111) of that Act, in respect of the financial year beginning on 1 July 2017.

Dated 16 June 2017

LUKE DONNELLAN MP
Minister for Roads and Road Safety

Note: The threshold amount specified in this notice applies to property damages claims (as defined in section 110) which arise out of incidents that occur during the 2017–18 financial year. Claims which arise out of incidents in earlier years are subject to the threshold amount which applied in that year.

The following table sets out, for reference purposes, threshold amounts in respect of claims arising during financial years since 1 July 2004.

Year in which claim arose	Threshold amount	Reference
2004–2005	\$1,000	Section 110 of the Road Management Act 2004
2005–2006	\$1,020	Government Gazette G26, 30 June 2005, pp 1415–16
2006–2007	\$1,050	Government Gazette G26, 29 June 2006, pp 1346–47
2007–2008	\$1,080	Government Gazette S139, 28 June 2007, pp 1–2
2008–2009	\$1,120	Government Gazette S180, 30 June 2008, pp 1–2
2009–2010	\$1,160	Government Gazette S203, 25 June 2009, pp 1–2
2010–2011	\$1,180	Government Gazette S251, 29 June 2010, pp 1–2
2011–2012	\$1,220	Government Gazette S199, 27 June 2011, pp 1–2
2012–2013	\$1,260	Government Gazette S208, 22 June 2012, pp 1–2
2013–2014	\$1,290	Government Gazette S240, 28 June 2013, pp 1–2
2014–2015	\$1,330	Government Gazette S196, 23 June 2014, pp 1–2
2015–2016	\$1,350	Government Gazette S167, 23 June 2015, pp 1–2
2016–2017	\$1,380	Government Gazette S155, 18 May 2016, pp 1–2
2017–2018	\$1,400	See notice above

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