

Explanatory Statement

Issued by the Authority of the Minister for Infrastructure, Transport, Regional Development
and Local Government

National Land Transport Act 2014

National Land Transport (Roads to Recovery List) Variation Instrument (No. 1) 2025

Allocations for the Roads to Recovery funding period commencing on 1 July 2024 were determined on 14 May 2024 in the *National Land Transport (Roads to Recovery List) Determination 2024*. In that List at Schedule 2, \$45,034,055 was set aside for the Western Australian Government to advise of Aboriginal Access Road and Bridge works to receive funding, with that funding to be provided to identified funding recipients, thereby increasing their allocation by the relevant cost of the project/s.

Subsection 88(2A) of the *National Land Transport Act (2014)* (the Act) allows the Minister to vary the List to allocate this set aside funding to relevant funding recipients. This Instrument varies the List to allocate all set aside funds to those funding recipients identified in Schedule 1 and reduce the amount set aside in Schedule 2 to zero. The increases to allocations have been determined by the Western Australian Government which has selected projects through a consultative process.

Subsection 88(3) of the Act allows the Minister vary the List to correct an error or update the name of a body specific in the List to ensure the funding is provided to the correct organisation. This Instrument remedies an administrative error impacting the number sequencing in the List.

Subsection 88(5) of the Act also provides that an instrument varying a Roads to Recovery List is a legislative instrument, though section 42 (disallowance) of the *Legislation Act 2003* does not apply to the instrument. This instrument is due to sunset on 1 October 2034.

The Instrument commences on the day after registration.