

Submission to COMPETITION POLICY REVIEW Draft Report , September 2014

By Alan Manson-

30 October 2014-

Introduction

I thank the Committee members for allowing me the opportunity to comment on the Draft Report. In this, my comment is directed towards the proposal to tax vehicle usage on Australia's roads.-

Proposal to Tax Road Use

I noted on Page 135 of the Draft Report the following statement:-

Technologies are available that allow greater use of cost-reflective pricing, which in turn could be linked to the provision of road infrastructure. This could make roads more like other sectors, where road authorities charge directly for their use and use the revenues raised for road construction and maintenance. The PC notes in its recent report on infrastructure that:

The adoption of a well-designed road fund model or a corporatised public road agency model is paramount to delivering net benefits from the funding and provision of roads. In the future, road funds may be able to consider direct road user charges, which would facilitate more effective asset utilisation and more rigorous assessment of new investments.¹⁵⁸

I find this recommendation of adopting "...a well-designed road fund model or a corporatised public road agency model" "[to] "...facilitate more effective asset utilisation and more rigorous assessment of new investments" quite offensive.-

The Committee obviously assumes that the various governments throughout Australia actually 'own' the road network rather than *We the People*. -

On the contrary, the Australian Constitution of 1901 (that I believe is still in force today) plainly states that "...trade, commerce, and intercourse among the States, whether by means of internal carriage [e.g. roads] or ocean navigation [e.g. maritime transport only], shall be **ABSOLUTELY FREE** [of any taxes or tolls]."-

This statement can be found in the Australian Constitution 1901, Chapter 4 - Finance and Trade, Section 92 and is reproduced below.-

92. On the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

<http://www.aph.gov.au/~link.aspx?id=63B954D0FFB44EC78FC18B10C53EBCCE&z=z->

Recommendation. x

As the Draft Report's statement (quoted above) clearly opposes every Australian's right to transport their goods (or to travel privately) throughout the nation without being taxed for the use of the road compared to the Australian Constitution; I believe this recommendation should be deleted from the Final Report as it is unconstitutional. -