Sydney Ferries services

Transport — Determination
November 2012
Sydney Ferries services

Determination No. 5, 2012
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Preliminary

1 Background

(a) Under section 16AE(2) of the Passenger Transport Act 1990 (NSW) (Passenger Transport Act) IPART is to conduct investigations and make reports to the Minister on the determination of maximum fares for Regular Ferry Services supplied under a Ferry Service Contract (Regulated Ferry Services).

(b) In investigating and reporting on the maximum fares for Regulated Ferry Services, IPART has had regard to a broad range of matters, including the matters set out in section 16AE(5) of the Passenger Transport Act.

2 Application of this determination

(a) This determination sets out the formulae to be applied to determine the maximum fares that a Contract Holder may charge for Regulated Ferry Services, by fixing the maximum weighted average percentage increase across Fares for a number of categories of Regulated Ferry Services.

(b) This determination commences on the later of:
   (1) 6 January 2013; and
   (2) the date that it is published in the NSW Government Gazette, (2013 Commencement Date).

(c) This determination applies from the 2013 Commencement Date to the date this determination is replaced (Determination Period).

3 Replacement of Determination No. 10, 2006

This determination replaces Determination No. 10, 2006 from the 2013 Commencement Date. The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under Determination No. 10, 2006 prior to its replacement.
4 Contract may make provision for maximum fares pending first determination

(a) Under section 16AE(8) of the Passenger Transport Act, a Ferry Service Contract may make provision for maximum fares for the provision of Regular Ferry Services pending the first determination of maximum fares under section 16AE of the Passenger Transport Act.

(b) Under section 16AE(9) of the Passenger Transport Act, any provision of the kind referred to in paragraph (a) above ceases to have effect as part of the Ferry Service Contract on and from the first determination of maximum fares under section 16AE of the Passenger Transport Act that applies to the provision of the Regulated Ferry Services to which the Ferry Service Contract relates.

(c) This determination is the first determination of maximum fares under section 16AE of the Passenger Transport Act that applies to the provision of Regulated Ferry Services.

5 Compliance with this determination

(a) Under section 16AE(6) of the Passenger Transport Act, a Ferry Service Contract is taken to include a term (Implied Term) to the effect that the Contract Holder must not charge a passenger of the Regulated Ferry Service a fare that exceeds the maximum fare determined by IPART for the provision of such a service to a passenger of that kind.

(b) Under section 16AE(7) of the Passenger Transport Act, any contravention of the Implied Term by the Contract Holder may be remedied at law or in equity as though the term were an essential term to which the parties had by contract agreed.

6 Pricing schedules

Schedule 1 and the tables in that schedule set out the formulae to be applied to determine the maximum fares that a Contract Holder may charge for Regulated Ferry Services.

7 Definitions and interpretation

Definitions and interpretation provisions used in this determination are set out in schedule 2.
Schedule 1    Maximum fares for Regulated Ferry Services provided by a Contract Holder

1 Application

(a) This schedule sets out the formulae to be applied to determine the maximum fares that a Contract Holder may charge for Regulated Ferry Services, by fixing the maximum weighted average percentage increase in Fares for a number of categories of Regulated Ferry Services.

(b) If a Contract Holder introduces any new Fares during the Determination Period, this determination will apply to those Fares in accordance with this schedule 1.

(c) If a Contract Holder discontinues any Fares during the Determination Period, this determination will apply to remaining Fares in accordance with this schedule 1.

2 Tickets for Regulated Ferry Services

As at the date of this determination, the Contract Holder offers the following Ferry Tickets:

(a) MyFerry1 Single Ticket;
(b) MyFerry2 Single Ticket;
(c) MyFerry1 Return Ticket;
(d) MyFerry2 Return Ticket;
(e) MyFerry1 TravelTen Ticket;
(f) MyFerry2 TravelTen Ticket;
(g) ZooPass Ticket; and
(h) MyMulti Day Pass Ticket.

[Note: maximum prices for Multi-Modal Tickets are determined under Determination No. 6, 2012 entitled 'CityRail and Multi Modal Tickets from January 2013'.]
3 Maximum fares for Regulated Ferry Services

A Contract Holder must ensure that its Fares comply with the following formula:

(a) For the 2013 Period:

\[(1 + 4.8\%) \times \left( \sum_{i=1}^{n} P_{i2012} \times Q_{i2012} \right) \geq \left( \sum_{i=1}^{n} P_{i2013} \times Q_{i2012} \right)\]

Where:

n is number of Ferry Tickets.

P_{i2012} is the Full Fare specified in Table 1 for Ferry Ticket i.

P_{i2013} is the Full Fare the Contract Holder charges for Ferry Ticket i during the 2013 Period.

Q_{i2012} is:

(1) subject to paragraph (2) below, the total number of Ticket Sales for Ferry Ticket i during the most recent 12 month period (or for such other period as approved by IPART); or

(2) if, during the 2013 Period, any of the following events occur:
   (A) a new Ticket is introduced;
   (B) a Ticket is discontinued;
   (C) there is a Fare increase or Fare decrease of a Substitutable Ticket;
   (D) there is a change in conditions of travel for one or more Tickets; or
   (E) there is not yet 12 months of data on Ticket Sales available for a Ticket,
   a value approved by IPART for each Ticket.

[Note: For the purposes of calculating Q under subparagraph (1) above, Ticket Validations of Multi Modal Tickets are to be treated as set out in IPART’s Compliance Spreadsheet.]
Schedule 1  Maximum fares for Regulated Ferry Services provided by a Contract Holder

(b) For the 2014 Period:

\[
(1 + 2.4\%) \times (1 + \Delta CPI_1) \times \left( \sum_{i=1}^{n} P_{i2013} \times Q_{i2013} \right) + CF_{2013} \geq \sum_{i=1}^{n} P_{i2014} \times Q_{i2013}
\]

Where:

- \( n \) is number of Ferry Tickets.
- \( P_{i2013} \) is the Full Fare the Contract Holder charged for Ferry Ticket \( i \) during the 2013 Period.
- \( P_{i2014} \) is the Full Fare the Contract Holder charges for Ferry Ticket \( i \) during the 2014 Period.
- \( Q_{i2013} \) is:
  1. subject to paragraph (2) below, the total number of Ticket Sales for Ferry Ticket \( i \) during the most recent 12 month period (or for such other period as approved by IPART); or
  2. if, during the 2014 Period, any of the following events occur:
     - (A) a new Ticket is introduced;
     - (B) a Ticket is discontinued;
     - (C) there is a Fare increase or Fare decrease of a Substitutable Ticket;
     - (D) there is a change in conditions of travel for one or more Tickets; or
     - (E) there is not yet 12 months of data on Ticket Sales available for a Ticket.

[Note: For the purposes of calculating \( Q \) under subparagraph (1) above, Ticket Validations of Multi Modal Tickets are to be treated as set out in IPART’s Compliance Spreadsheet.]
ΔCPI₁ has the meaning given to that term in clause 1.2 of schedule 2 of this determination.

CF₂₀¹₃ is the 2013 Catch-up Factor, calculated as follows:

(1) the Allowed Fare Revenue minus the Proposed Fare Revenue, where:

- **Allowed Fare Revenue** is \((1 + 4.8\%) \times (\sum_{i=1}^{n} P_{i2012} \times Q_{i2012})\)
- **Proposed Fare Revenue** is \((\sum_{i=1}^{n} P_{i2013} \times Q_{i2012})\)

\(n, P_{i2012} \) and \(Q_{i2012}\) have the meaning given to those terms in paragraph (a) above; and

(2) must be equal to or greater than 0.

(c) For the 2015 Period:

\[
(1 + 2.4\%) \times (1 + \Delta CPI₂) \times \left( \sum_{i=1}^{n} P_{i2014} \times Q_{i2014} \right) + CF_{2014} \geq \left( \sum_{i=1}^{n} P_{i2015} \times Q_{i2014} \right)
\]

Where:

\(n\) is number of Ferry Tickets.

\(P_{i2014}\) is the Full Fare the Contract Holder charged for Ferry Ticket \(i\) during the 2014 Period.

\(P_{i2015}\) is the Full Fare the Contract Holder charges for Ferry Ticket \(i\) during the 2015 Period.

\(Q_{i2014}\) is:

(1) subject to paragraph (2) below, the total number of Ticket Sales for Ferry Ticket \(i\) during the most recent 12 month period (or for such other period as approved by IPART); or

(2) if, during the 2015 Period, any of the following events occur:

(A) a new Ticket is introduced;
(B) a Ticket is discontinued;
(C) there is a Fare increase or Fare decrease of a Substitutable Ticket;
(D) there is a change in conditions of travel for one or more Tickets; or
(E) there is not yet 12 months of data on Ticket Sales available for a Ticket, a value approved by IPART for each Ticket.
Schedule 1 Maximum fares for Regulated Ferry Services provided by a Contract Holder

Note: For the purposes of calculating Q under subparagraph (1) above, Ticket Validations of Multi Modal Tickets are to be treated as set out in IPART’s Compliance Spreadsheet.

\(\Delta CPI_2\) has the meaning given to that term in clause 1.2 of schedule 2 of this determination.

\(\text{CF}_{2014}\) is the 2014 Catch-up Factor, calculated as followed:

1. the Allowed Fare Revenue minus the Proposed Fare Revenue, where:
   - **Allowed Fare Revenue** is \((1 + 2.4\%) \times (1 + \Delta CPI_1) \times \left((\sum_{i=1}^{n} P_{i2013} \times Q_{i2013}) + CF_{2013}\right)
   - **Proposed Fare Revenue** is \(\sum_{i=1}^{n} P_{i2014} \times Q_{i2013}\)
   - \(\Delta CPI_1, n, P_{i2013}, Q_{i2013}, P_{i2014}\) and \(CF_{2013}\) have the meaning given to those terms in paragraph (b) above; and
2. must be equal to or greater than 0.

(d) **For the 2016 Period:**

\[(1 + 2.4\%) \times (1 + \Delta CPI_3) \times \left((\sum_{i=1}^{n} P_{i2015} \times Q_{i2015}) + CF_{2015}\right) \geq \left((\sum_{i=1}^{n} P_{i2016} \times Q_{i2015}\right)\]

Where:

- \(n\) is number of Ferry Tickets.
- \(P_{i2015}\) is the Full Fare the Contract Holder charged for Ferry Ticket \(i\) during the 2015 Period.
- \(P_{i2016}\) is the Full Fare the Contract Holder charges for Ferry Ticket \(i\) during the 2016 Period.
- \(Q_{i2015}\) is:
  1. subject to paragraph (2) below, the total number of Ticket Sales for Ferry Ticket \(i\) during the most recent 12 month period (or for such other period as approved by IPART); or
  2. if, during the 2016 Period, any of the following events occur:
     - (A) a new Ticket is introduced;
     - (B) a Ticket is discontinued;
     - (C) there is a Fare increase or Fare decrease of a Substitutable Ticket;
     - (D) there is a change in conditions of travel for one or more Tickets; or
(E) there is not yet 12 months of data on Ticket Sales available for a Ticket, a value approved by IPART for each Ticket.

[Note: For the purposes of calculating Q under subparagraph (1) above, Ticket Validations of Multi Modal Tickets are to be treated as set out in IPART’s Compliance Spreadsheet.]

$\Delta CPI_3$ has the meaning given to that term in clause 1.2 of schedule 2 of this determination.

$CF_{2015}$ is the 2015 Catch-up Factor, calculated as follows:

(1) the Allowed Fare Revenue minus the Proposed Fare Revenue, where:

\[
\text{Allowed Fare Revenue} = (1 + 2.4\%) \times (1 + \Delta CPI_3) \times \left( \sum_{i=1}^{n} P_{i2014} \times Q_{i2014} \right) + CF_{2014}
\]

\[
\text{Proposed Fare Revenue} = \sum_{i=1}^{n} P_{i2015} \times Q_{i2014}
\]

$\Delta CPI_3$, $P_{i2014}$, $Q_{i2014}$ and $CF_{2014}$ have the meaning given to those terms in paragraph (c) above; and

(2) must be equal to or greater than 0.

4 Contract Holder required to submit pricing proposal

(a) If a Contract Holder proposes to, or Transport for NSW requires a Contract Holder to:

(1) increase a Fare;
(2) change the conditions of travel for one or more Tickets;
(3) introduce one or more new Tickets; or
(4) discontinue one or more Tickets,

(each a Proposed Fare Change Event), the Contract Holder (or Transport for NSW on behalf of the Contract Holder) must submit to IPART, in accordance with this clause 4, a pricing proposal at least 20 Business Days before the Proposed Fare Change Event takes place (or by such later date as agreed by IPART).

(b) The Contract Holder (or Transport for NSW on behalf of the Contract Holder) is not required to submit a pricing proposal if the Contract Holder is proposing only to reduce a Fare.

(c) Each pricing proposal submitted by the Contract Holder (or by Transport for NSW on behalf of the Contract Holder) must contain the following information:

(1) all proposed Fares and Tickets;
(2) details of the Ticket Sales for the most recent 12 month period (or such other period approved by IPART) for each Ticket;
(3) the information required in IPART’s Compliance Spreadsheet (as published on its website and updated from time to time);
(4) if a new Ticket is to be introduced:
   (A) details of that proposed new Ticket and Fare, including:
      (i) if the Fare is distance-based, zone-based, or time-based;
      (ii) the number of journeys included (or, if a time-based Fare, the estimated average number of journeys likely to be taken by passengers on that Fare, and the period for which it is valid); and
      (iii) any other conditions of travel;
   (B) how the change is expected to impact sales of other Tickets; and
   (C) the expected revenue impact of the change;
(5) if a Ticket is to be discontinued:
   (A) details of the discontinued Ticket;
   (B) how the change is expected to impact on sales of other Tickets; and
   (C) the expected revenue impact of the change; and
(6) any other information IPART requires to satisfy itself that the Contract Holder’s proposed fares comply with this determination.
(d) IPART may publish a pricing proposal submitted under this section on its website.

5 IPART assessment of pricing proposal
(a) IPART will notify the Contract Holder and Transport for NSW if it forms the view that the pricing proposal submitted by the Contract Holder would, if implemented, result in the Contract Holder charging passengers of the Regulated Ferry Services Fares that exceed the maximum fares that may be charged under this determination.
(b) IPART may publish this notice on its website.

6 Worked example
Assume for the purposes of this worked example only that:
- the Contract Holder has 3 Fares; and
- the allowed Fare increase between 2012 and 2013 is 4.8%.
Schedule 1 Maximum fares for Regulated Ferry Services provided by a Contract Holder

(a) Full Fares for 2012 and 2013 are as follow:

<table>
<thead>
<tr>
<th>Ferry Ticket</th>
<th>2012 Full Fare ($P_{2012}$)</th>
<th>2013 Full Fare ($P_{2013}$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MyFerry1 Single Ticket</td>
<td>$7.00</td>
<td>$7.40</td>
</tr>
<tr>
<td>MyFerry1 Return Ticket</td>
<td>$14.00</td>
<td>$14.80</td>
</tr>
<tr>
<td>MyFerry2 TravelTen Ticket</td>
<td>$56.00</td>
<td>$56.00</td>
</tr>
</tbody>
</table>

(b) Number of Ticket Sales are as follows:

<table>
<thead>
<tr>
<th>Ferry Ticket</th>
<th>Number of Ticket Sales 1 July 2011 - 30 June 2012 ($Q_{2012}$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MyFerry1 Single Ticket</td>
<td>100</td>
</tr>
<tr>
<td>MyFerry1 Return Ticket</td>
<td>70</td>
</tr>
<tr>
<td>MyFerry2 TravelTen Ticket</td>
<td>15</td>
</tr>
</tbody>
</table>

To determine whether the 2013 Fares comply with clause 3(a), schedule 1 of the determination, the following must be calculated:

(i) Allowed Fare Revenue

<table>
<thead>
<tr>
<th>Ferry Ticket</th>
<th>Full Fare ($P_{2012}$)</th>
<th>Number of Ticket Sales ($Q_{2012}$)</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>MyFerry1 Single Ticket</td>
<td>$7</td>
<td>100</td>
<td>$7*100 = $700</td>
</tr>
<tr>
<td>My Ferry 1 Return Ticket</td>
<td>$14</td>
<td>70</td>
<td>$14*70 = $980</td>
</tr>
<tr>
<td>My Ferry 2 TravelTen Ticket</td>
<td>$56</td>
<td>15</td>
<td>$5.60*15 = $840</td>
</tr>
</tbody>
</table>

Total revenue $2520

For an average increase in 2013 of 4.8%, the total revenue allowed in 2013 will be $2520 x (1 + 4.8%) = $2641.

(ii) Proposed Fare Revenue

<table>
<thead>
<tr>
<th>Ferry Ticket</th>
<th>Full Fare ($P_{2013}$)</th>
<th>Number of Ticket Sales ($Q_{2012}$)</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>MyFerry1 Single Ticket</td>
<td>$7.40</td>
<td>100</td>
<td>$7.40*100 = $740</td>
</tr>
<tr>
<td>My Ferry 1 Return Ticket</td>
<td>$14.80</td>
<td>70</td>
<td>$14.80*70 = $1036</td>
</tr>
<tr>
<td>My Ferry 2 TravelTen Ticket</td>
<td>$56</td>
<td>15</td>
<td>$56*15 = $840</td>
</tr>
</tbody>
</table>

Total revenue $2616
The fares for 2013 comply with clause 3(a), schedule 1 of the determination. The proposed fares for 2013 in the table above would comply with the maximum average fare increase because the Proposed Fare Revenue is less than the Allowed Fare Revenue - $2616 is less than $2641.
Table 1

Table 1  2012 Full Fares ($_{P_{2012}}$)

<table>
<thead>
<tr>
<th>Ferry Ticket</th>
<th>2012 Full Fare</th>
</tr>
</thead>
<tbody>
<tr>
<td>MyFerry1 Single Ticket</td>
<td>$5.60</td>
</tr>
<tr>
<td>MyFerry2 Single Ticket</td>
<td>$7.00</td>
</tr>
<tr>
<td>MyFerry1 Return Ticket</td>
<td>$11.20</td>
</tr>
<tr>
<td>MyFerry2 Return Ticket</td>
<td>$14.00</td>
</tr>
<tr>
<td>MyFerry1 TravelTen Ticket</td>
<td>$44.80</td>
</tr>
<tr>
<td>MyFerry2 TravelTen Ticket</td>
<td>$56.00</td>
</tr>
<tr>
<td>Zoo Pass Ticket</td>
<td>$11.20^a</td>
</tr>
<tr>
<td>MyMulti Day Pass Ticket</td>
<td>$21.00</td>
</tr>
</tbody>
</table>

^a The Regulated Ferry Service component of a ZooPass Ticket.
Schedule 2  Definitions and interpretation

1  Definitions

1.1  General definitions

2013 Commencement Date means the 2013 Commencement Date as defined in clause 2(b) of the Preliminary section of this determination.

2014 Commencement Date means 5 January 2014 or such other date as specified by IPART.

2015 Commencement Date means 4 January 2015 or such other date as specified by IPART.

2016 Commencement Date means 3 January 2016 or such other date as specified by IPART.

2013 Period means the period commencing on the 2013 Commencement Date and ending on the date immediately before the 2014 Commencement Date.

2014 Period means the period commencing on the 2014 Commencement Date and ending on the date immediately before the 2015 Commencement Date.

2015 Period means the period commencing on the 2015 Commencement Date and ending on the date immediately before the 2016 Commencement Date.

2016 Period means the period commencing on the 2016 Commencement Date and ending on the date immediately before the date that this determination is replaced.

Adult means a person who is aged 16 years or over, and is not entitled to a concession fare.

Business Day means a day other than a Saturday, a Sunday or a public holiday or bank holiday in all of New South Wales.

Compliance Spreadsheet means the spreadsheet entitled ‘Sydney Ferries Compliance Spreadsheet’ published on IPART’s website and updated from time to time.

Contract Holder means a party to a Ferry Service Contract under which that party provides Regulated Ferry Services.
**Determination No. 10, 2006** means IPART’s Determination No. 10, 2006 entitled ‘Sydney Ferries’.

**Determination Period** means the Determination Period defined in clause 2(c) of the Preliminary section of this determination.

**Fare** means a fare payable by any passenger for a Regulated Ferry Service, but does not include the fares payable for the Trial Fares and the tickets known as “Pensioner Excursion Ticket” and “Family Funday Sunday”.

**Ferry Service Contract** means a contract:

(a) between a Contract Holder and Transport for NSW under Division 1A of Part 3 of the Passenger Transport Act for the provision of a Regular Ferry Service; and

(b) which authorises or otherwise provides for the fares charged by the Contract Holder to be determined in accordance with section 16AE of the Passenger Transport Act.

**Ferry Ticket** means a ticket made available for sale, which entitles a customer to travel on a particular Regulated Ferry Service or a MyMulti Day Pass Ticket but does not include the tickets:

(a) for Trial Fares;

(b) known as “Pensioner Excursion Ticket”; and

(c) known as “Family Funday Sunday”.

**Full Fare** means:

(a) a fare payable by an Adult for a Regulated Ferry Service; or

(b) in the case of a ZooPass Ticket, the fare payable by an Adult for the Regulated Ferry Service component of the ZooPass Ticket.

[Note: as at the date of this determination, the Regulated Ferry Service component of the ZooPass is a MyFerry1 Return].

**GST** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**Implied Term** means the Implied Term defined in clause 5(a) of the Preliminary section of this determination.

**IPART** means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

**IPART Act** means the *Independent Pricing and Regulatory Tribunal Act 1992*.

**MyFerry1 Single Ticket** means a ticket for a single journey on a Regulated Ferry Service within the MyFerry1 Zone.
MyFerry2 Single Ticket means a ticket for a single journey on a Regulated Ferry Service within the MyFerry2 Zone.

MyFerry1 Return Ticket means a ticket for a return journey on a Regulated Ferry Service within the MyFerry1 Zone.

MyFerry2 Return Ticket means a ticket for a return journey on a Regulated Ferry Service within the MyFerry2 Zone.

MyFerry1 TravelTen Ticket means a ticket for 10 journeys (from the date of ticket activation) on a Regulated Ferry Service within the MyFerry1 Zone.

MyFerry2 TravelTen Ticket means a ticket for 10 journeys (from the date of ticket activation) on a Regulated Ferry Service within the MyFerry2 Zone.

MyFerry1 Zone means a fare band which is bounded by Cabarita wharf, Darling Harbour wharf, Mosman Bay wharf, Neutral Bay wharf, Taronga Zoo wharf and Watson’s Bay wharf from Circular Quay.

MyFerry2 Zone means a fare band which is bounded by Kissing Point wharf, Meadowbank wharf, Rydalmere wharf, Parramatta wharf, Sydney Olympic Park wharf and Manly wharf from Circular Quay.

Multi Modal Ticket means:

(a) each MyMulti Ticket; and

(b) any new ticket which:

   (1) is introduced during the Determination Period; and
   (2) entitles a customer to travel partly by means of the Regulated Ferry Services and partly by means of transport that are not Regulated Ferry Services (including by bus or train); and
   (3) is determined by IPART to be a Multi Modal Ticket,

but does not include ZooPass Tickets or MyMulti Day Pass Tickets.

MyMulti Day Pass Ticket means as a ticket which provides unlimited travel from the time of purchase until 4.00am on the next day on:

(a) all CityRail rail passenger services,

(b) all bus passenger services within the Sydney metropolitan area;

(c) all Regulated Ferry Services; and

(d) all Metro light rail services.
**MyMulti Ticket** means any of the following tickets:

(a) a MyMulti1 Weekly ticket;
(b) a MyMulti2 Weekly ticket;
(c) a MyMulti3 Weekly ticket;
(d) a MyMulti1 Monthly ticket;
(e) a MyMulti2 Monthly ticket;
(f) a MyMulti3 Monthly ticket;
(g) a MyMulti1 Quarterly ticket;
(h) a MyMulti2 Quarterly ticket;
(i) a MyMulti3 Quarterly ticket;
(j) a MyMulti1 Yearly ticket;
(k) a MyMulti2 Yearly ticket; and
(l) a MyMulti3 Yearly ticket,

**Passenger Transport Act** means the *Passenger Transport Act 1990* (NSW).

**Period** means the 2013 Period, the 2014 Period, the 2015 Period or the 2016 Period (as the case may be).

**Regular Ferry Service** has the meaning given to that term in the Passenger Transport Act.

**Regulated Ferry Services** means the Regulated Ferry Services defined in clause 1(a) of the Preliminary section of this determination.

**Substitutable Ticket** means a ticket which has one or more alternative tickets which can be used for the same Regulated Ferry Service.

**Ticket** means a Ferry Ticket (including a ticket using smart card or magnetic strip technology) made available for sale by a Contract Holder or a Multi Modal Ticket made available for use on the Regulated Ferry Services.
**Ticket Sale** means:

(a) in the case of a paper Ferry Ticket (apart from a paper MyMulti Day Pass Ticket), the sale of a Ferry Ticket through any vendor;

(b) in the case of a paper MyMulti Day Pass Ticket, a Ticket Validation of a MyMulti Day Pass Ticket converted to a Ticket Sale in accordance with the Compliance Spreadsheet; and

(c) in the case of an electronic ticket, the use of an electronic ticket for a Regulated Ferry Service.

For the purpose of calculating (a) above, Ticket Validations of Multi Modal Tickets are to be converted to Ticket Sales and allocated to a Ferry Ticket in accordance with the Compliance Spreadsheet.

**Ticket Validation** means a validation of a ticket for one journey on a Regulated Ferry Service through a validation system which records boardings and/or alightings of passengers on Regulated Ferry Services.

**Transport for NSW** means Transport for NSW as constituted under the *Transport Administration Act 1988* (NSW).

**Trial Fare** means a Fare:

(a) that is forecast by Transport for NSW or a Contract Holder to contribute less than 1% of ticket sales (*Ticket Sale Threshold*) and 1% of fare revenue (*Revenue Threshold*) for a Contract Holder over any calendar month period; and

(b) for which there is an existing Fare for the same Regulated Ferry Services covered by the Trial Fare.

A Fare will cease to be a Trial Fare if it:

(a) exceeds:

   (1) the Ticket Sale Threshold; or

   (2) the Revenue Threshold; or

(b) is offered for a period of more than 12 months.

**ZooPass Ticket** means a ticket for a return ferry journey from Circular Quay to Taronga Zoo, entry to Taronga Zoo and connecting bus transport between the ferry wharf and the zoo.
1.2 Consumer Price Index

(a) CPI means the consumer price index All Groups index number for Sydney as published by the Australian Bureau of Statistics, or if the Australian Bureau of Statistics does not or ceases to publish the index, then CPI will mean an index determined by IPART.

(b) $\Delta CPI_1, \Delta CPI_2$ and $\Delta CPI_3$ are calculated as follows:

\[
\Delta CPI_1 = \left( \frac{CPI_{Sept 2013}}{CPI_{Sept 2012}} \right) - 1
\]

\[
\Delta CPI_2 = \left( \frac{CPI_{Sept 2014}}{CPI_{Sept 2013}} \right) - 1
\]

\[
\Delta CPI_3 = \left( \frac{CPI_{Sept 2015}}{CPI_{Sept 2014}} \right) - 1
\]

where the subtext (for example Sept2013) refers to the CPI for the quarter and year indicated (in the example, the September quarter for 2013).

2 Interpretation

2.1 General provisions

In this determination:

(a) headings are for convenience only and do not affect the interpretation of this determination;

(b) a reference to a schedule, annexure, clause or table is a reference to a schedule, annexure, clause or table to this determination unless otherwise indicated;

(c) words importing the singular include the plural and vice versa;

(d) a reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, reenactments or replacements of them;

(e) where a word is defined, other grammatical forms of that word have a corresponding meaning;

(f) a reference to a day is to a calendar day;

(g) a reference to a person includes a reference to the person’s executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation), replacements and assigns;
(h) a reference to an officer includes a reference to the officer which replaces it or which substantially succeeds to its powers or functions;

(i) a reference to a body, whether statutory or not:
   (1) which ceases to exist; or
   (2) whose powers or functions are transferred to another body,

       is a reference to the body which replaces it or which substantially succeeds to its powers or functions.

2.2 Explanatory notes, simplified outline, worked examples and clarification notices

(a) Explanatory notes, simplified outlines and worked examples do not form part of this determination, but in the case of uncertainty may be relied on for interpretation purposes.

(b) IPART may publish a clarification notice in the NSW Government Gazette to correct any manifest error in or to clarify any part of this determination. Such a clarification notice is taken to form part of this determination.

2.3 Fares inclusive of GST

Fares specified in this determination include GST.