

Queensland



Transport Operations (Road Use Management) Act 1995

TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995

**Reprinted as in force on 2 July 1995
(Regulation not amended up to this date)**

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This regulation is reprinted as at 2 July 1995.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use expressions consistent with current drafting practice (s 29)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 40)
- make all necessary consequential amendments (s 7(1)(k)).

See endnotes for information about when provisions commenced.



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[reprinted as in force on 2 July 1995]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Transport Operations (Road Use Management) Regulation 1995*.

Commencement

2. This regulation commences on 1 July 1995.

Definitions—the dictionary

3.(1) The dictionary¹ in schedule 5 defines particular words used in this regulation.

(2) Definitions found elsewhere in this regulation are signposted² in the dictionary.

Vehicles regulation applies to

4. This regulation applies to a vehicle with an MRC of more than 4.5 t.

¹ In some regulations, definitions are contained in a dictionary that appears as the last schedule and forms part of the Act—*Acts Interpretation Act 1954*, section 14.

² The signpost definitions in the dictionary alert the reader to the terms defined elsewhere in the Act and tell the reader where these definitions can be found. For example, the definition ‘“pensioner” see section 7’, tells the reader there is a definition of the term “pensioner” in section 7.

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PART 2—FEES

Fees

5.(1) Schedule 1 sets out the registration fees for vehicles with an MRC of more than 4.5 t.

(2) If a vehicle falls within 2 or more categories in the schedule, the registration fee for the vehicle is the higher or highest of the fees that could apply to the vehicle.

(3) In addition to the registration fee, an administration fee of \$35.00 is payable for a vehicle that is not a trailer.

(4) For registration for a period of less than 1 year—

- (a) the registration fee and administration fee are adjusted according to the number of months (including part of a month) in the period; and
- (b) other than for registration up to a common expiry date—a registration adjustment fee of \$27.40 is payable in addition to the registration fee.

Concessional registration fees—primary producers

6.(1) The chief executive may partially exempt a primary producer from payment of the registration fee on a primary production vehicle.

(2) A primary producer must apply to the chief executive for the exemption in the approved form.

(3) The chief executive may give—

- (a) an exemption conditional on the vehicle's use being limited by—
 - (i) the distance the vehicle may travel; and
 - (ii) the roads the vehicle may use; or
- (b) an unlimited exemption.

(4) If an exemption is given, the primary producer must pay—

- (a) for a limited exemption—a registration fee of—

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- (i) for a motor vehicle—\$27.70; or
- (ii) for a trailer—\$62.70; or
- (b) for an unlimited exemption—the following percentage of the registration fee—
 - (i) for a truck with 2 or 3 axles—50%;
 - (ii) for a truck with 4 or more axles—25%;
 - (iii) for a prime mover, or a short, medium or long combination truck, with 2 axles—50%;
 - (iv) for a prime mover, or a short, medium or long combination truck, with 3 or more axles—25%;
 - (v) for a trailer with 1 axle—50%;
 - (vi) for a trailer with 2 axles—35%;
 - (vii) for a trailer with 3 or more axles—30%.

(5) A primary producer to whom an exemption is given for a primary production vehicle must give the chief executive written notice—

- (a) of ceasing to use the vehicle to carry on the producer's business as a primary producer, before the cessation; or
- (b) of the sale or other transfer of the vehicle under the *Transport Infrastructure (Roads) Regulation 1991*, within 14 days of the sale or other transfer.

Maximum penalty—60 penalty units.

(6) The chief executive may then reassess the registration fee payable for the vehicle's registration, without the exemption, for the period (the **“unexpired period”**)—

- from when the primary producer ceased to be eligible for the exemption
- to the end of the vehicle's current registration.

(7) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired period to be paid by—

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- (a) if the primary producer's notice is given under subsection (5)(a)—the primary producer; or
- (b) if the primary producer's notice is given under subsection (5)(b)—the person to whom the vehicle is sold or otherwise transferred.

(8) The amount assessed must be paid within 28 days after the chief executive gives the notice.

Maximum penalty—60 penalty units.

(9) In this section—

“primary production vehicle” means either of the following vehicles owned by a primary producer and used only for carrying on the producer's business as a primary producer—

- (a) a prime mover or truck with a carrying capacity over 4 t;
- (b) a trailer.

Concessional registration fees—pensioners

7.(1) The chief executive may partially exempt from payment of the registration fee a motorised caravan owned by a pensioner.

(2) A pensioner must apply to the chief executive for the exemption in the approved form.

(3) If an exemption is given, the pensioner must pay the following percentage of the registration fee—

- (a) if the pensioner was issued the pensioner concession card before 1 July 1994—25%;
- (b) if the pensioner was issued the pensioner concession card after 30 June 1994—50%.

(4) A pensioner to whom an exemption is given for a motorised caravan must give the chief executive written notice—

- (a) of ceasing to be a pensioner, within 14 days of the cessation; or
- (b) of the sale or other transfer of the caravan under the *Transport Infrastructure (Roads) Regulation 1991*, within 14 days of the

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sale or other transfer.

Maximum penalty—20 penalty units.

(5) The chief executive may then reassess the registration fee payable for the vehicle's registration, without the exemption, for the period (the **“unexpired period”**)—

- from when the pensioner ceased to be eligible for the exemption
- to the end of the vehicle's current registration.

(6) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired period to be paid by—

- (a) if the pensioner's notice is given under subsection (4)(a)—the pensioner; or
- (b) if the pensioner's notice is given under subsection (4)(b)—the person to whom the caravan is sold or otherwise transferred.

(7) The amount assessed must be paid within 28 days after the chief executive gives the notice.

Maximum penalty—20 penalty units.

(8) In this section—

“pensioner” means a person who holds a pensioner concession card.

“pensioner concession card” means a pensioner concession card issued by the Department of Social Security or Department of Veterans' Affairs.

Concessional registration fees—others

8.(1) The chief executive may partially exempt from payment of the registration fee an exempted vehicle.

(2) A person must apply to the chief executive for the exemption in the approved form.

(3) If an exemption is given, the person must pay the following percentage of the registration fee—

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- (a) for a truck with 2 or 3 axles—50%;
- (b) for a truck with 4 or more axles—25%;
- (c) for a prime mover, or a short, medium or long combination truck, with 2 axles—50%;
- (d) for a prime mover, or a short, medium or long combination truck, with 3 or more axles—25%;
- (e) for a trailer with 1 axle—50%;
- (f) for a trailer with 2 axles—35%;
- (g) for a trailer with 3 or more axles—30%;
- (h) for a special purpose vehicle—25%.

(4) A person to whom an exemption is given for a vehicle must give the chief executive written notice—

- (a) of ceasing to be eligible for the concession, within 14 days of the cessation; or
- (b) of the sale or other transfer of the vehicle under the *Transport Infrastructure (Roads) Regulation 1991*, within 14 days of the sale or other transfer.

Maximum penalty—60 penalty units.

(5) The chief executive may then reassess the registration fee payable for the vehicle's registration, without the exemption, for the period (the **“unexpired period”**)—

- from when the person ceased to be eligible for the exemption
- to the end of the vehicle's current registration.

(6) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired period to be paid by—

- (a) if the person's notice is given under subsection (4)(a)—the person; or
- (b) if the person's notice is given under subsection (4)(b)—the person to whom the vehicle is sold or otherwise transferred.

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(7) The amount assessed must be paid within 28 days after the chief executive gives the notice.

Maximum penalty—60 penalty units.

(8) In this section—

“exempted vehicle” means a vehicle—

- (a) of a kind mentioned in the vehicle coding manual; or
- (b) owned by a person mentioned in the vehicle coding manual; or
- (c) used in a way mentioned in the vehicle coding manual.

“vehicle coding manual” means the vehicle coding manual issued by the chief executive.³

Indivisible load permit fees

9.(1) This section applies to a motor vehicle with at least 1 trailer (a **“vehicle combination”**) that—

- (a) is loaded with an indivisible load; and
- (b) has a loaded mass of more than 125 t.

(2) The fee for the grant of a permit to operate the vehicle combination⁴ is worked out using the formula—

$$\text{journey length} \times \text{total esa} \times \$0.04$$

(3) In this section—

“average load per row” means the mass (in tonnes) of the loaded trailer that is transmitted to the ground through its tyres, divided by the number of rows of tyres on the trailer.

“equivalent standard axles” means the number shown in schedule 2 opposite the number for the average load per row.

“journey length” means the number of kilometres involved in the journey

³ This manual is available for inspection at the Department of Transport.

⁴ The permit is issued under the *Transport Infrastructure (Roads) Regulation 1991*, section 3.06 (Heavy indivisible vehicles and loads).

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for which the permit is granted.

“total esa” means the equivalent standard axles multiplied by the number of rows of tyres on the trailer.

Example—

For a trailer with a loaded mass of 129.5 t and 7 rows of tyres, the average load per row is 18.5 t (ie $129.5 \text{ t} \div 7$).

According to schedule 2, the equivalent standard axles of a trailer that has an average load per row of 18.5 t is 4.6.

The total esa for a trailer with equivalent standard axles of 4.6 and having 7 rows of tyres is 32.2 (ie 4.6×7).

So the fee for a journey of 100 km for a vehicle with a total esa of 32.2 is \$128.80 (ie $100 \times 32.2 \times \$0.04$).

Axles

10.(1) Schedule 3 sets out the axle load limits for each type of axle or axle group.

(2) Two axles not more than 1 m apart are to be regarded as 1 axle.

(3) Three axles not more than 2 m apart are to be regarded as 2 axles.

(4) Four axles not more than 3.2 m apart are to be regarded as 3 axles.

Trailers

11. To decide the number of trailers that a prime mover or truck may tow, a dolly and semi trailer when used together are to be regarded as 1 trailer.

SCHEDULE 1

REGISTRATION FEES FOR 12 MONTHS

section 5

PART 1—VEHICLES

Vehicle type	2 axle	3 axle	4 axle	5 axle
Trucks—				
Truck (type 1)	\$300	\$600	\$900	\$900
Truck (type 2)	\$500	\$800	\$2 000	\$2 000
Short combination truck	\$600	\$2 100	\$2 100	\$2 100
Medium combination truck	\$4 000	\$4 000	\$4 250	\$4 250
Long combination truck	\$5 250	\$5 250	\$5 250	\$5 250
Prime Movers—				
Short combination prime mover	\$800	\$3 250	\$4 250	\$4 250
Medium combination prime mover (B-Double)	\$3 250	\$4 250	\$4 500	\$4 500
Long combination prime mover (type 1)	\$4 750	\$4 750	\$4 750	\$4 750
Long combination prime mover (type 2)	\$5 250	\$5 250	\$5 500	\$5 500

SCHEDULE 1 (continued)

PART 2—TRAILERS

Trailers \$250 x number of axles

PART 3—BUSES

Bus type	2 axle	3 axle
Bus (type 1)	\$300	—
Bus (type 2)	\$500	\$1 250
Articulated bus	—	\$500

PART 4—SPECIAL PURPOSE VEHICLES

Special purpose vehicle (type 1)—

Caravan \$52.70

Equipment trailer \$52.70

Mobile machinery \$206.20

Motorised caravan \$369.40

Tractor \$8.90

Special purpose vehicle (type 2) \$250 + (\$250 x number of axles in excess of 2)

SCHEDULE 2

EQUIVALENT STANDARD AXLES

section 9

PART 1—TRAILERS WITH ROWS OF 8 TYRES

Average load per row (tonnes)	Equivalent standard axles per row
10 or more but less than 11	0.4
11 or more but less than 12	0.6
12 or more but less than 13	0.9
13 or more but less than 14	1.2
14 or more but less than 15	1.7
15 or more but less than 16	2.2
16 or more but less than 17	2.8
17 or more but less than 18	3.6
18 or more but less than 19	4.6
19 or more but less than 20	5.7
20 or more but less than 21	6.9
21 or more but less than 22	8.4
22 or more but less than 23	10.2
23 or more but less than 24	12.1
24 or more	14.4

SCHEDULE 2 (continued)

PART 2—TRAILERS WITH ROWS OF 4 TYRES

Average load per row (tonnes)	Equivalent standard axles per row
5 or more but less than 6	0.1
6 or more but less than 7	0.3
7 or more but less than 8	0.5
8 or more but less than 9	0.9
9 or more but less than 10	1.5
10 or more but less than 11	2.2
11 or more but less than 12	3.2
12 or more	4.6

SCHEDULE 3

AXLE LOAD LIMITS

section 10

Type of axle or axle group	Axle load limit (tonnes)
Single axles—	
(a) 2 tyres	6.0
(b) 2 wide profile tyres—	
(i) 375 mm to 450 mm	6.7
(ii) over 450 mm	7.0
(c) 4 or more tyres—	
(i) on pig trailers	8.5
(ii) on other vehicles	9.0
Twin steer axle groups (2 consecutive axles connected to the same steering mechanism)—	
(a) non-load sharing suspensions	10.0
(b) load sharing suspensions	11.0
Tandem axle groups (2 consecutive axles connected by a load sharing suspension)—	
(a) 4 tyres	11.0
(b) 4 wide profile tyres—	
(i) 375 mm to 450 mm	13.3
(ii) over 450 mm	14.0
(c) 6 tyres	13.0
(d) 8 or more tyres—	
(i) on pig trailers	15.0
(ii) on other vehicles	16.5
Tri-axle groups (3 consecutive axles connected by a load sharing suspension)—	
(a) 6, 8 or 10 tyres	15.0
(b) 6 wide profile tyres (375 mm or over)—	
(i) on pig trailers	18.0

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SCHEDULE 3 (continued)

	(ii) on other vehicles	20.0
(c)	12 or more tyres—	
	(i) on pig trailers	18.0
	(ii) on other vehicles	20.0

SCHEDULE 5

DICTIONARY

section 3

“articulated bus” means a bus with 2 or more rigid sections that are connected to one another in a way that allows—

- (a) passenger access between the sections; and
- (b) rotary movement between the sections.

“ATM” (aggregate trailer mass)—

- (a) means the maximum mass, specified by the manufacturer, for a loaded trailer; and
- (b) includes any mass imposed on the vehicle towing the trailer when they are on a horizontal surface.

“average load per row” see section 9.

“axle” means the axis of rotation of a row of tyres across a vehicle.

“axle group” means 1 axle or consecutive axles connected by a load sharing suspension system or steering mechanism.

“bus” means a motor vehicle built mainly to carry more than 12 seated adults.

“bus (type 1)” means a rigid bus that has 2 axles and an MRC of not more than 12 t.

“bus (type 2)” means a rigid bus that has—

- (a) 2 axles and an MRC of more than 12 t; or
- (b) 3 axles.

“caravan” means an enclosed trailer designed for people to live in.

“carrying capacity” of a vehicle means the vehicle’s GVM less the vehicle’s tare.

SCHEDULE 5 (continued)

“commercial vehicle” means a motor vehicle built—

- (a) in accordance with an Australian Design Rule for Motor Vehicles and Trailers as endorsed by the Australian Transport Advisory Council and issued by the Commonwealth Department of Transport; and
- (b) mainly to—
 - (i) carry goods; or
 - (ii) tow a trailer.

“dog trailer” means a trailer that has 2 axle groups with the front axle group being steered by connection to the towing vehicle.

“dolly” means a specially designed pig trailer used to convert a semi trailer into a dog trailer.

“equipment trailer” means a vehicle built to transport machinery or equipment that forms an integral part of the vehicle.

“equivalent standard axles” see section 9.

“exempted vehicle” see section 8.

“GTMR” (gross trailer mass rating) means the mass transmitted to the ground by the axles of a trailer when—

- (a) coupled to a towing vehicle; and
- (b) carrying its maximum load approximately uniformly distributed over the load bearing area.

“indivisible load” means a load that can not, without disproportionate effort, expense or risk of damage, be divided into 2 or more smaller loads for transportation.

“journey length” see section 9.

“load carrying vehicle” means a vehicle designed and built to carry goods in addition to any fuel, water, lubricants, tools and any other equipment or accessories necessary for the vehicle’s normal operation.

“loaded mass” of a vehicle means the vehicle’s mass together with the

SCHEDULE 5 (continued)

mass of the vehicle's load that is transmitted to the ground.

“long combination prime mover (type 1)”—

- (a) means a prime mover nominated to tow 2 trailers; but
- (b) does not include a medium combination prime mover.

“long combination prime mover (type 2)” means a prime mover nominated to tow more than 2 trailers.

“long combination truck” means a truck nominated to tow 2 or more trailers.

“medium combination prime mover” means a prime mover nominated to tow 2 semi trailers where the second semi trailer is mounted on the rear of the semi trailer being towed by the prime mover (otherwise known as a B-double).

“medium combination truck” means a truck nominated to tow 1 trailer where the combination has more than 6 axles.

“mobile machinery” means a motor vehicle built to transport and operate machinery or equipment that forms an integral part of the vehicle, other than—

- (a) a commercial vehicle; or
- (b) a vehicle used to tow a disabled vehicle; or
- (c) a tractor.

“motorised caravan” means a motor vehicle designed mainly for people to live in.

“MRC” (mass rating for charging) of a vehicle means the maximum permissible mass of the vehicle and its load—

- (a) shown on the compliance plate as the GVM, GTMR or ATM of the vehicle; or
- (b) for a vehicle without a compliance plate—decided by the registration authority, having regard to the design and construction of—

SCHEDULE 5 (continued)

- (i) the vehicle; or
- (ii) any of its components.

“nominated” means nominated by the person in an application for registration of a vehicle.

“pensioner” see section 7.

“pensioner concession card” see section 7.

“pig trailer” means a trailer—

- (a) with 1 axle group near the middle of its load carrying surface; and
- (b) connected to the towing vehicle by a drawbar.

“pole type trailer” means a trailer—

- (a) attached to a towing vehicle by a pole or by something fitted to a pole; and
- (b) used to transport loads that are capable of supporting themselves as beams between supports.

Example of loads transported by pole type trailers—

Logs or pipes.

“primary producer” means a person engaged mainly in the production of—

- (a) tobacco; or
- (b) raw material for clothing or food derived from—
 - (i) agriculture; or
 - (ii) dairying; or
 - (iii) fishing; or
 - (iv) livestock production; or
 - (v) viticulture.

“primary production vehicle” see section 6.

“prime mover” means a motor vehicle designed to tow a semi trailer.

SCHEDULE 5 (continued)

“registration authority” means the authority that is responsible for registering vehicles.

“semi trailer” means a trailer (including a pole type trailer) that has—

- (a) 1 axle group towards the rear; and
- (b) a way of attaching to a prime mover that results in some of the load being imposed on the prime mover.

“short combination prime mover” means a prime mover nominated to tow 1 semi trailer.

“short combination truck” means a truck nominated to tow 1 trailer.

“special purpose vehicle” means a vehicle that—

- (a) does not carry passengers or goods; or
- (b) has a primary purpose other than the carriage of passengers or goods.

Example—

Caravans, equipment trailers, mobile machinery, motorised caravans and tractors.

“special purpose vehicle (type 1)” means a special purpose vehicle that does not have an axle or axle group loaded over the axle load limits specified in schedule 3.

“special purpose vehicle (type 2)” means a special purpose vehicle that has at least 1 axle or axle group that is loaded over the axle load limits specified in schedule 3.

“tare” of a vehicle means the mass of—

- (a) the unloaded vehicle; and
- (b) any fuel, water, lubricants, tools and any other equipment or accessories necessary for the vehicle’s normal operation.

“total esa” see section 9.

“tractor” means a motor vehicle used for towing purposes, other than a motor vehicle—

- (a) designed to carry passengers or goods (other than its own fuel or

SCHEDULE 5 (continued)

water); or

(b) used to tow a disabled vehicle.

“trailer” does not include a vehicle that is not a load carrying vehicle.

“truck” means a rigid motor vehicle that is built mainly as a load carrying vehicle.

“truck (type 1)” means a truck with—

- (a) 2 axles and an MRC of not more than 12 t; or
- (b) 3 axles and an MRC of not more than 16.5 t; or
- (c) 4 or more axles and an MRC of not more than 20 t.

“truck (type 2)” means a truck with—

- (a) 2 axles and an MRC of more than 12 t; or
- (b) 3 axles and an MRC of more than 16.5 t; or
- (c) 4 or more axles and an MRC of more than 20 t.

“vehicle coding manual” see section 8.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Transport Operations (Road Use Management) Regulation 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

<p>AIA = Acts Interpretation Act 1954</p> <p>amd = amended</p> <p>ch = chapter</p> <p>def = definition</p> <p>div = division</p> <p>exp = expires/expired</p> <p>gaz = gazette</p> <p>hdg = heading</p> <p>ins = inserted</p> <p>lap = lapsed</p> <p>notfd = notified</p> <p>om = omitted</p> <p>o in c = order in council</p> <p>p = page</p> <p>para = paragraph</p> <p>prec = preceding</p> <p>pres = present</p> <p>prev = previous</p>	<p>(prev) = previously</p> <p>proc = proclamation</p> <p>prov = provision</p> <p>pt = part</p> <p>pubd = published</p> <p>R = Reprint No.</p> <p>RA = Reprints Act 1992</p> <p>reloc = relocated</p> <p>renum = renumbered</p> <p>rep = repealed</p> <p>s = section</p> <p>sch = schedule</p> <p>sdiv = subdivision</p> <p>SIA = Statutory Instruments Act 1992</p> <p>SL = subordinate legislation</p> <p>sub = substituted</p> <p>unnum = unnumbered</p>
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4 List of legislation

Transport Operations (Road Use Management) Regulation 1995 SL No. 157

notfd gaz 2 June 1995 pp 1062–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 1995 (see s 2)

5 List of annotations

PART 3—AMENDMENT OF TRANSPORT INFRASTRUCTURE (ROADS) REGULATION 1991

pt hdg om R1 (see RA s 7(1)(k))

Regulation amended

s 12 om R1 (see RA s 40)

SCHEDULE 4—AMENDMENT OF TRANSPORT INFRASTRUCTURE (ROADS) REGULATION 1991

om R1 (see RA s 40)