

Taxi Act 1994
Transport Co-ordination Act 1966

Transport Regulations Amendment (Road Passenger Services) Regulations 2019

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Transport Regulations Amendment (Road Passenger Services) Regulations 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) Part 2 — on the day on which the *Transport (Road Passenger Services) Act 2018* section 302 comes into operation;
- (c) the rest of the regulations — on the day on which the *Transport (Road Passenger Services) Act 2018* Part 9 Division 2 comes into operation.

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Regulations 2019***

Part 2 Amendments relating to taxi dispatch services

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**Part 2 — Amendments relating to taxi dispatch
services**

3. Regulations amended

This Part amends the *Taxi Regulations 1995*.

4. Regulation 19A deleted

Delete regulation 19A.

5. Schedule 1 amended

Delete Schedule 1 items 6 and 7.

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Amendments relating to on-demand passenger transport levy **Part 3**
Taxi Regulations 1995 amended **Division 1**
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**Part 3 — Amendments relating to on-demand
passenger transport levy**

Division 1 — *Taxi Regulations 1995* amended

6. Regulations amended

This Division amends the *Taxi Regulations 1995*.

7. Regulation 3 amended

- (1) In regulation 3 insert in alphabetical order:

leviable passenger service transaction has the meaning given in the *Transport (Road Passenger Services) Act 2018* section 244;

- (2) In regulation 3 in the definition of *Schedule 3 fare* delete “and includes any surcharge or fee of a kind set out in Schedule 3 for the hire;” and insert:

and includes —

- (a) any surcharge or fee of a kind set out in Schedule 3 for the hire; and
- (b) any amount charged under regulation 6(1A) in respect of the hire;

8. Regulation 6 amended

- (1) After regulation 6(1) insert:

(1A) Despite subregulation (1), if levy under the *Transport (Road Passenger Services) Act 2018* Part 9 Division 2 is payable in relation to a leviable passenger service transaction that relates to the hire of a taxi, the

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following may also be charged for the hire of the taxi —

- (a) an amount of fare allocated for the levy;
 - (b) an amount for the GST payable in relation to the amount referred to in paragraph (a).
- (1B) An amount charged under subregulation (1A)(a) must not exceed the lesser of —
- (a) 10% of the sum of the amounts charged for the hire of the taxi of a kind referred to in the *Transport (Road Passenger Services) Regulations 2019* regulation 47(2) (excluding the GST included in any of those amounts); or
 - (b) \$10.

- (2) In regulation 6(3) delete “and (2)” and insert:

to (2)

9. Regulation 6A amended

In regulation 6A(2):

- (a) after “voucher” insert:

(as defined in regulation 8(1))

- (b) delete “(as calculated in accordance with the appropriate tariff set out in Schedule 3)” and insert:

(as determined in accordance with regulation 6)

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- (2) In regulation 2A(1) in the definition of *Schedule 1 fare* delete “and includes any surcharge or fee of a kind set out in Schedule 1 for the hire;” and insert:

and includes —

- (a) any surcharge or fee of a kind set out in Schedule 1 for the hire; and
- (b) any amount charged under regulation 3(1AA) in respect of the hire;

14. Regulation 3 amended

- (1) After regulation 3(1) insert:

(1AA) Despite subregulation (1), if levy under the *Transport (Road Passenger Services) Act 2018* Part 9 Division 2 is payable in relation to a leviable passenger service transaction that relates to the hire of a taxi-car, the following may also be charged for the hire of the taxi-car —

- (a) an amount of fare allocated for the levy;
- (b) an amount for the GST payable in relation to the amount referred to in paragraph (a).

(1AB) An amount charged under subregulation (1AA)(a) must not exceed the lesser of —

- (a) 10% of the sum of the amounts charged for the hire of the taxi-car of a kind referred to in the *Transport (Road Passenger Services) Regulations 2019* regulation 47(2) (excluding the GST included in any of those amounts); or
- (b) \$10.

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(2) In regulation 3(1B) delete “and (1A)” and insert:

to (1A)

15. Regulation 3AA amended

In regulation 3AA(2):

(a) after “voucher” insert:

(as defined in regulation 5A(1))

(b) delete “(as calculated in accordance with the appropriate tariff set out in Schedule 1)” and insert:

(as determined in accordance with regulation 3)

16. Regulation 5 amended

Delete regulation 5(3) and insert:

(3) If a taxi-car is the subject of multiple hiring, each separate hirer may, at that hirer’s destination, be charged 75% of the Schedule 1 fare for the hire of the taxi-car applicable at that hirer’s destination.

17. Regulation 6 amended

After regulation 6(1) insert:

(1A) If any amounts under regulation 3(1AA) are to be paid in relation to the hire of the taxi-car, the fare schedule must include a statement that an additional amount of

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fare allocated for the levy and an amount for the GST
on that additional amount may be charged.

R. NEILSON, Clerk of the Executive Council.
