

TN302

Transport (Road Passenger Services) Act 2018

Transport (Road Passenger Services) Amendment Regulations (No. 2) 2020

SL 2020/204

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Transport (Road Passenger Services) Amendment Regulations (No. 2) 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Transport (Road Passenger Services) Regulations 2020*.

4. Regulation 127 amended

In regulation 127 insert in alphabetical order:

emergency declaration means an emergency situation declaration or a state of emergency declaration (as those terms are defined in the *Emergency Management Act 2005* section 3);

5. Regulation 129 amended

- (1) In regulation 129(2) delete “an emergency area (as defined in the *Emergency Management Act 2005* section 3).” and insert:

the area to which an emergency declaration applies.

- (2) After regulation 129(2) insert:
- (3) Subregulation (2) does not apply in relation to an area if —
- (a) in the case of an area to which only 1 emergency declaration applies — the area is determined under regulation 129A to be an exempt area in relation to the emergency declaration; or
 - (b) in the case of an area to which 2 or more emergency declarations apply — the area is determined under regulation 129A to be an exempt area in relation to each of the emergency declarations.

Note: The heading to amended regulation 129 is to read:

Certain fares and charges prohibited in certain declared emergencies

6. Regulation 129A inserted

After regulation 129 insert:

129A. Exempt areas in relation to emergency declarations

- (1) For the purposes of regulation 129(3), the CEO may determine that the area, or part of the area, to which an emergency declaration applies is an exempt area in relation to the emergency declaration.
- (2) A determination under subregulation (1) must —
 - (a) be in writing; and
 - (b) specify the area that is an exempt area; and
 - (c) specify the emergency declaration in relation to which the area is exempt.
- (3) The CEO may, in writing, revoke or vary a determination under subregulation (1).
- (4) Unless sooner revoked, a determination under subregulation (1) ceases to have effect when the emergency declaration specified in the determination ceases to be in force.
- (5) The CEO must publish on the Department's website —
 - (a) a determination under subregulation (1); and
 - (b) any revocation or variation under subregulation (3).