

**TAXI-CARS
(CO-ORDINATION AND
CONTROL).**

No. 68 of 1977.

AN ACT to amend the Taxi-cars (Co-ordination and Control) Act, 1963-1976.

[Assented to 28th November, 1977.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Taxi-cars (Co-ordination and Control) Act Amendment Act, 1977.* Short title and citation.

(2) In this Act the Taxi-cars (Co-ordination and Control) Act, 1963-1976 is referred to as the principal Act. Approved for reprint 14th July, 1977.

(3) The principal Act as amended by this Act may be cited as the Taxi-cars (Co-ordination and Control) Act, 1963-1977.

Section 5
amended.

2. Section 5 of the principal Act is amended—

(a) as to subsection (3), by deleting the words “for a period of three years” in line four of paragraph (c) and substituting the words “subject to this section for such period not exceeding three years as is specified in the instrument of their appointment”; and

(b) by repealing subsection (4a) and substituting the following subsection—

(4a) The following provisions apply to and in relation to the persons chosen to represent the interests of taxi-car owners and operators—

(a) the persons holding office as such members immediately prior to the 6th day of May, 1978 (in this subsection referred to as the “appointed date”) shall go out of office on that date;

(b) an election shall be held in respect of the vacancies in the offices of such members occurring on the appointed date and thereafter in respect of each occasion when such an office becomes vacant by effluxion of time;

(c) subject to section six of this Act, the term of office of the persons who are elected to hold office as such members shall be three years, save that of the members who are elected to fill the vacancies occurring pursuant to paragraph (a) of this subsection the member secondly declared

to be elected shall hold office for a term of two years and the member last declared to be elected shall hold office for a term of one year;

(d) no person shall be elected to hold office as such a member unless he is a person who is elected by and from amongst the persons who have, for the period of three months immediately preceding the seventh day prior to the nomination day for that election, been the owner or a full-time driver of a taxi-car; and

(e) an election for the purposes of this subsection shall be conducted in such a manner as to ensure that of the members so elected—

(i) one shall be a person who is the owner of a taxi-car;

(ii) one shall be a person who is registered as a full-time driver of a taxi-car but who is not also an owner; and

(iii) not more than one shall be a person who is not actively engaged on the road in the operation of a taxi-car.

3. Section 6 of the principal Act is amended— Section 6 amended.

(a) as to subsection (1)—

(i) by deleting the passage “duties; or” at the end of paragraph (d) and substituting the passage “duties;”;

and

(ii) by deleting paragraph (e) and substituting the following paragraphs—

(e) being an owner at the time of his election as a member he ceases to be an owner; or

(f) being a registered full-time driver of a taxi-car who is not also an owner at the time of his election as a member he ceases to be such a person. ;

(b) as to subsection (3), by adding after the word “occurs”, in line one, the passage “, not being a casual vacancy to which subsection (3a) of this section applies,”;

and

(c) by adding after subsection (3) the following subsection—

(3a) Where a member vacates office pursuant to paragraph (e) or paragraph (f) of subsection (1) of this section—

(a) an election to fill the office vacated shall be held jointly with the next election occasioned by a vacancy occurring by effluxion of time, and the person then elected shall hold office for the balance of the term that would have been held by the member so vacating office; and

(b) notwithstanding the operation of that paragraph the Minister may nominate—

(i) the person so vacating office; or

(ii) a person representative of the like interests,

1977.]

Taxi-cars (Co-ordination and Control). [No. 68.]

for appointment to the office until the vacancy is filled pursuant to paragraph (a) of this subsection and a person so nominated may be appointed to and hold interim office accordingly. .
