



**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**

ISSN 1448-949X (print)      ISSN 2204-4264 (online)  
PRINT POST APPROVED PP665002/00041



**PERTH, TUESDAY, 26 FEBRUARY 2019    No. 25    SPECIAL**

PUBLISHED BY AUTHORITY KEVIN J. McRAE, GOVERNMENT PRINTER AT 12.30 PM  
© STATE OF WESTERN AUSTRALIA

**SPECIAL GAZETTE**

**PROCLAMATION**

	Page
Transport (Road Passenger Services) Act 2018 Commencement Proclamation 2019 .....	449



**SUBSIDIARY LEGISLATION**

Transport Regulations Amendment (Road Passenger Services) Regulations 2019.....	451
Taxation Administration Amendment Regulations (No. 2) 2019 .....	459





Transport (Road Passenger Services) Act 2018

## **Transport (Road Passenger Services) Act 2018 Commencement Proclamation 2019**

Made under the *Transport (Road Passenger Services) Act 2018*  
section 2(b) by the Governor in Executive Council.

### **1. Citation**

This proclamation is the *Transport (Road Passenger Services) Act 2018 Commencement Proclamation 2019*.

### **2. Commencement**

The *Transport (Road Passenger Services) Act 2018* comes into operation as follows —

- (a) the following provisions come into operation on 28 February 2019 —
  - (i) Part 2;
  - (ii) Part 3 (other than sections 27(1) and (2) and 28);
  - (iii) Parts 7 and 8;
  - (iv) Part 9 Division 1 (other than sections 230 and 236) and Division 3;
  - (v) Parts 10 and 11;
  - (vi) Part 12 (other than Division 3);
  - (vii) Part 13;
  - (viii) Part 14 Division 1 (other than section 303) and Division 2 (other than Subdivisions 1, 2, 3, 8 and 10 and section 327(1));

***Transport (Road Passenger Services) Act 2018 Commencement  
Proclamation 2019***

---

- (b) the following provisions come into operation on 1 April 2019 —
- (i) sections 27(1) and (2) and 28;
  - (ii) Part 9 Division 2;
  - (iii) Part 14 Division 2 Subdivision 8.

K. BEAZLEY, Governor.

L.S.

R. SAFFIOTI, Minister for Transport.

Notes:

1. The *Transport (Road Passenger Services) Regulations 2019* come into operation as follows —
    - (a) Part 4 Division 7 and Part 7 Division 2 — on the day on which the *Transport (Road Passenger Services) Act 2018* Part 9 Division 2 comes into operation;
    - (b) the rest of the regulations — on the day on which the *Transport (Road Passenger Services) Act 2018* section 265 comes into operation.
  2. The *Transport Regulations Amendment (Road Passenger Services) Regulations 2019* come into operation as follows —
    - (a) Part 2 — on the day on which the *Transport (Road Passenger Services) Act 2018* section 302 comes into operation;
    - (b) regulations other than Parts 1 and 2 — on the day on which the *Transport (Road Passenger Services) Act 2018* Part 9 Division 2 comes into operation.
  3. The *Taxation Administration Amendment Regulations (No. 2) 2019* come into operation on the day on which the *Transport (Road Passenger Services) Act 2018* section 329 comes into operation.
-

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.

***Transport Regulations Amendment (Road Passenger Services)  
Regulations 2019***

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

**r. 3**

---

**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.

***Transport Regulations Amendment (Road Passenger Services)  
Regulations 2019***

Amendments relating to on-demand passenger transport levy      **Part 3**  
Taxi Regulations 1995 amended      **Division 1**  
r. 6

---

**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

***Transport Regulations Amendment (Road Passenger Services)  
Regulations 2019***

**Part 3** Amendments relating to on-demand passenger transport levy

**Division 1** Taxi Regulations 1995 amended

**r. 9**

---

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)



**Transport Regulations Amendment (Road Passenger Services)  
Regulations 2019**

Amendments relating to on-demand passenger transport levy                      **Part 3**  
Transport (Country Taxi-cars Fares) Regulations 1991                      **Division 2**  
amended

**r. 10**

**10. Regulation 7 amended**

After regulation 7(1) insert:

- (1A) If any amounts under regulation 6(1A) are to be paid in relation to the hire of the taxi, the schedule displayed under subregulation (1) must include a statement that an additional amount of fare allocated for the levy and an amount for the GST on that additional amount may be charged.

**11. Regulation 10 amended**

Delete regulation 10(3) and insert:

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

**Division 2 — Transport (Country Taxi-cars Fares)  
Regulations 1991 amended**

**12. Regulations amended**

This Division amends the *Transport (Country Taxi-cars Fares) Regulations 1991*.

**13. Regulation 2A amended**

- (1) In regulation 2A(1) insert in alphabetical order:

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

**Transport Regulations Amendment (Road Passenger Services)  
Regulations 2019**

**Part 3** Amendments relating to on-demand passenger transport levy

**Division 2** Transport (Country Taxi-cars Fares) Regulations 1991  
amended

**r. 14**

---

- (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.

**Transport Regulations Amendment (Road Passenger Services)  
Regulations 2019**

Amendments relating to on-demand passenger transport levy  
Transport (Country Taxi-cars Fares) Regulations 1991  
amended

**Part 3  
Division 2**

**r. 15**

---

(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

***Transport Regulations Amendment (Road Passenger Services)  
Regulations 2019***

**Part 3** Amendments relating to on-demand passenger transport levy

**Division 2** Transport (Country Taxi-cars Fares) Regulations 1991  
amended

**r. 17**

---

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.

---

Taxation Administration Act 2003

## **Taxation Administration Amendment Regulations (No. 2) 2019**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Taxation Administration Amendment Regulations (No. 2) 2019*.

**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 on which the *Transport (Road Passenger Services) Act 2018* section 329 comes into operation.

**3. Regulations amended**

These regulations amend the *Taxation Administration Regulations 2003*.

**4. Regulation 9 amended**

In regulation 9(1):

- (a) in paragraph (d) delete “2008.” and insert:

2008; or

***Taxation Administration Amendment Regulations (No. 2) 2019*****r. 4**

---

- (b) after paragraph (d) insert:
  - (e) the *Transport (Road Passenger Services) Act 2018* Part 9 Division 2.

R. NEILSON, Clerk of the Executive Council.

---