



Western Australia

Taxi Regulations 1995

Compare between:

[29 Oct 2016, 04-m0-01] and [05 May 2017, 05-a0-00]



Western Australia

[Reprinted under the
Reprints Act 1984 as
at 5 May 2017](#)

Taxi Act 1994

Taxi Regulations 1995

1. Citation

These regulations may be cited as the *Taxi Regulations 1995* ¹.

2. Commencement

These regulations come into operation on the day Part 6 of the *Taxi Act 1994* comes into operation ¹.

3. Terms used

In these regulations, unless the contrary intention appears —

approved person means a person who is approved for the purposes of the provision in which the term is used;

booking service, for a driver, means a person that, at the request of a person to be provided with a taxi, arranges the provision of a taxi that is driven by the driver;

call out means hiring a taxi through the driver or the driver's booking service (but not hiring a taxi at a taxi rank or as a result of hailing the driver);

camera surveillance unit means an approved device that takes visual or audio-visual recordings;

contract fare means an amount payable for the hire of a taxi agreed under regulation 6A(1);

driver means taxi driver;

GST has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth);

guaranteed booking means hiring a taxi through the driver or the driver's booking service (but not hiring a taxi at a taxi rank or as a result of hailing the driver) in order to guarantee the arrival of the taxi at the arranged time and place;

hirer includes prospective hirer;

metered taxi means a vehicle, other than a multi-purpose taxi or a restricted taxi, which is fitted with a meter in order to operate as a taxi;

multi-purpose taxi has the meaning given by regulation 5(1);

non-cash payment means the payment, other than by means of cash, of any amount payable in respect of the hiring of a taxi;

payment terminal means a device or system used to facilitate a non-cash payment and provided in accordance with regulation 8A;

plying for hire includes the time spent waiting at a taxi rank by a driver when a vehicle is being used as a taxi by the driver;

restricted taxi means a vehicle, other than a metered taxi or a multi-purpose taxi, which is fitted with a meter and which, as a condition of its operation, may only operate during specified times or within specified parts of a control area;

Schedule 3 fare means the fare for the hire of a taxi referred to in regulation 6(1) and includes any surcharge or fee of a kind set out in Schedule 3 for the hire;

section means section of the *Taxi Act 1994*;

substitute taxi means a vehicle which is fitted with a meter in order to operate as a taxi but which, as a condition of its operation, may only be operated in substitution for another taxi which is temporarily out of operation;

surcharge does not include a fee or charge that is imposed on a non-cash payment by —

- (a) a participant in a designated payment system within the meaning of the *Payment Systems (Regulation) Act 1998* (Commonwealth); or
- (b) a person consistently within a voluntary undertaking given by the person to, and accepted by, the Reserve Bank of Australia,

but includes any GST consequent on the payment terminal being made available.

[Regulation 3 amended in Gazette 25 Jun 1996 p. 2995-6; 23 Jan 2004 p. 320; 8 Dec 2006 p. 5391; 7 Jun 2011 p. 2058; 20 Feb 2015 p. 692-3; 28 Jun 2016 p. 2675.]

4. Control area prescribed (Act s. 3(1))

- (1) The area comprising the districts included within the red boundary marking on the Department of Land Administration² Miscellaneous Plan No. 850 is prescribed as a control area.
- (2) In subregulation (1) **district** has the same meaning as it has in the *Local Government Act 1960*³.

4A. Relevant percentage prescribed (Act s. 16(10))

For the purpose of paragraph (b) of the definition of **relevant percentage** in section 16(10), the prescribed percentage is 45%.

[Regulation 4A inserted in Gazette 13 Apr 2006 p. 1554; amended in Gazette 22 Dec 2006 p. 5823; 5 Aug 2011 p. 3188.]

5. Conditions imposable under Act s. 20(1) on multi-purpose taxis, prescribed

- (1) A multi-purpose taxi is a vehicle which —
 - (a) is fitted with a meter in order to operate as a taxi; and

r. 5A

- (b) is intended principally for the transport of persons who have a disability and any wheelchairs or other aids required by those persons; and
 - (c) the operation of which is subject to conditions referred to in subregulations (2), (3) and (4).
- (2) For the purpose of section 20, the Director General may impose conditions on the operation of a multi-purpose taxi requiring the operator and driver of that taxi to give priority to the transport of persons who have a disability and any wheelchairs or other aids required by those persons.
- (3) For the purpose of section 20, the Director General may impose conditions on the operation of a multi-purpose taxi, restricting the operator and driver to one or more particular taxi dispatch service providers, selected by the Director General.
- (4) For the purpose of section 20, the Director General may impose conditions on the operation of a multi-purpose taxi in relation to the minimum number of occasions each month on which the taxi is to be hired for the transport of persons who use wheelchairs.

*[Regulation 5 amended in Gazette 22 Mar 2002 p. 1654;
20 Feb 2004 p. 609.]*

5A. Conditions imposable under Act s. 20(1) about leasing taxis, prescribed

For the purposes of section 20(1), the following are matters in relation to which the Director General may impose conditions on the operation of a taxi using specified taxi plates —

- (a) the leasing of the taxi (with its taxi plates), including —
 - (i) the provision to the Director General of information about the terms and conditions of the lease and any variation of those terms and conditions; and
 - (ii) the maximum amounts that may be charged in relation to the lease;

- (b) the leasing of the taxi plates from the plate holder who is the owner of the plates, including —
 - (i) the provision to the Director General of information about the terms and conditions of the lease and any variation of those terms and conditions; and
 - (ii) the maximum amounts that may be charged in relation to the lease.

[Regulation 5A inserted in Gazette 10 Dec 2004 p. 5910-11.]

[5B. Deleted in Gazette 10 Dec 2004 p. 5910.]

6. Schedule 3 fares

- (1) Each plate holder, driver, other operator and person providing a taxi dispatch service in respect of a taxi must ensure that the fare, and any surcharge and fee of a kind set out in Schedule 3, for the hire of the taxi, inclusive of GST, are not more than those set out in Schedule 3.
- (2) A driver must not select a tariff for a passenger that is not the appropriate tariff as set out in Schedule 3.
- (3) Subregulations (1) and (2) do not apply to a taxi that is hired for a contract fare.

[Regulation 6 inserted in Gazette 28 Jun 2016 p. 2676.]

6A. Contract fares

- (1) The amount payable for the hire of a taxi may be agreed between the hirer and the driver or the driver's booking service (a ***contract fare***).
- (2) Subregulation (1) does not apply if —
 - (a) the taxi is hired at a taxi rank or as a result of hailing the driver; or
 - (b) a voucher, as defined in regulation 8(1), is to be used as payment or part-payment of the fare.

r. 6B

- (3) A contract fare may be higher or lower than the Schedule 3 fare that would otherwise apply.
- (4) A contract fare has no effect, and cannot be recovered, unless —
 - (a) the contract fare is agreed before the journey starts; and
 - (b) before the journey starts, the hirer is given a written record (which may be in electronic form) complying with subregulation (5).
- (5) The written record must set out —
 - (a) sufficient details to enable the identification of the driver, taxi, the hirer and at least one of the passengers; and
 - (b) details of the proposed journey's origin and destination; and
 - (c) details of the date and departure time of the proposed journey; and
 - (d) the amount of the contract fare; and
 - (e) a statement to the effect that, in addition to the contract fare, there may be payable in respect of the journey —
 - (i) parking fees mentioned in regulation 6B(2); and
 - (ii) costs of cleaning mentioned in regulation 6B(3); and
 - (iii) a surcharge for a non-cash payment mentioned in regulation 8B.
- (6) A driver must retain a copy of the record of each contract fare agreed by the driver, or agreed on behalf of the driver by the driver's booking service, for a period of 12 months starting on the day the contract fare was agreed.

[Regulation 6A inserted in Gazette 28 Jun 2016 p. 2676-7.]

6B. Parking fees and cleaning costs

- (1) This regulation applies whether a taxi is hired for a Schedule 3 fare or a contract fare.

- (2) The hirer of a taxi must pay the fee, if any, for parking during the journey at a passenger's request.
- (3) The hirer of a taxi may be charged for the costs of cleaning the taxi if it is soiled by a passenger during the journey.
- (4) A person must not charge another person for the costs mentioned in subregulation (3) at a rate higher than \$49.00 for each hour or part of an hour for the time required to clean the taxi.

[Regulation 6B inserted in Gazette 28 Jun 2016 p. 2677-8.]

7. Fare schedule to be displayed in taxis

- (1) If a vehicle is being operated as a taxi each driver, plate holder, other operator and person providing the taxi dispatch service involved, if any, must ensure that a schedule in an approved form detailing the rates and amounts in Schedule 3 to be paid in the event that the taxi is hired for a Schedule 3 fare ~~is~~ displayed in an approved position from where it is clearly visible from the outside of the front passenger window and from the front passenger seat.
- (2) The name of the taxi dispatch service involved is to be included on the fare schedule displayed under this regulation.

*[Regulation 7 amended in Gazette 9 Jan 2004 p. 97;
23 Jan 2004 p. 321; 28 Jun 2016 p. 2678.]*

8. Taxi user subsidy scheme vouchers

- (1) In this regulation —
voucher means a voucher issued under an approved State or Commonwealth Government scheme which is intended to make taxi travel available to people with disability.
- (2) A driver must not refuse to accept a voucher as payment or part-payment of a Schedule 3 fare if the payment or part-payment is in accordance with guidelines published by the Director General.

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- (3) A driver who accepts a voucher must not enter on the voucher any information that the driver knows to be false or misleading.
- (4) A driver must not accept a voucher that contains information that the driver knows or ought to know to be false in a material particular.
- (5) A person must not tender a voucher to which they are not entitled, or that contains information that is false in a material particular.
- (6) A plate holder, an operator or a person providing a taxi dispatch service must not direct a driver to refuse to accept a voucher as payment or part-payment of a Schedule 3 fare if the payment or part-payment is in accordance with guidelines published by the Director General.

[Regulation 8 inserted in Gazette 28 Jun 2016 p. 2678-9.]

8A. Providing ~~a~~ payment terminal

Where a payment terminal is available for use in a taxi —

- (a) if the provider of a Taxi Dispatch Service was involved in requesting or enabling the use of that type of payment terminal, then that Taxi Dispatch Service provider provides the terminal for the purposes of regulation 8B(2);
- (b) if the plate holder was involved in requesting or enabling the use of that type of payment terminal, then the plate holder provides the terminal for the purposes of regulation 8B(2);
- (c) if another operator who is not the taxi driver was involved in requesting or enabling the use of that type of payment terminal, then that operator provides the terminal for the purposes of regulation 8B(2);
- (d) in any other case, the driver provides the terminal for the purposes of regulation 8B(2).

[Regulation 8A inserted in Gazette 20 Feb 2015 p. 693.]

8B. Surcharge for non-cash payment

- (1) If a surcharge is added because a Schedule 3 fare or a contract fare is being paid using a non-cash payment, that surcharge is to be no more than 5% of all amounts to be paid by the hirer that relate to the hiring (except the surcharge itself).
- (2) A person who provides a payment terminal that results in the imposition of a surcharge of more than 5% commits an offence.
Penalty for this subregulation: a fine of \$1 000.
- (3) Where more than one payment terminal is available for a taxi, the driver must use the terminal that results in the lowest surcharge, if any, being imposed when the non-cash payment is made.

Penalty for this subregulation: a fine of \$1 000.

*[Regulation 8B inserted in Gazette 20 Feb 2015 p. 693-4;
amended in Gazette 28 Jun 2016 p. 2679-80.]*

9. Commencement and termination of hiring

- (1) A period of hiring of a taxi commences —
 - (a) where the taxi is engaged at a taxi rank or as a result of being hailed, upon the entry into the taxi of the hirer, or a person accompanying the hirer; or
 - (b) where the taxi is engaged to commence the hiring at a specified place, as soon as the hirer, a person accompanying the hirer or a person apparently acting on behalf of the hirer acknowledges the driver after arrival at that place; or
 - (c) where the taxi is engaged to commence the hiring at a specified place and at a specified time, on arrival of the taxi at that place at, or after, that time,

and terminates when the taxi is free to resume plying for hire.

- (2) A driver must set the meter in operation at the commencement of a hiring and stop the meter at the termination of a hiring.

r. 9A

- (3) If a driver stops the taxi during the period of a hiring to refuel the taxi, consult a road directory or for some other purpose not requested by the hirer, the driver must pause the meter until the journey is recommenced.
- (4) This regulation does not apply if —
 - (a) the taxi is hired for a contract fare; or
 - (b) an off meter rate set out in Schedule 3 applies to the journey.

[Regulation 9 amended in Gazette 28 Jun 2016 p. 2680.]

9A. Hirer not paying fare at termination of hiring or as otherwise agreed, offence

The hirer of a taxi who is obliged to pay for carriage in the taxi any Schedule 3 fare or contract fare that is in accordance with the Act commits an offence if —

- (a) at the termination of the hiring; or
- (b) contrary to an agreement made with the driver at the commencement of the hiring,

the hirer fails to pay the fare.

Penalty: a fine of \$1 000.

[Regulation 9A inserted in Gazette 8 Dec 1998 p. 6585; amended in Gazette 28 Jun 2016 p. 2680-1.]

9B. Unpaid fare may be added to modified penalty in infringement notice

- (1) If an infringement notice is given under section 39 for an offence under regulation 9A, the amount of the Schedule 3 fare or contract fare that the hirer failed to pay may be added to the amount that would otherwise be payable as the modified penalty.
- (2) If subregulation (1) has effect, the person entitled to the fare that the hirer failed to pay shall be paid, towards the discharge of

that entitlement, so much of the amount added as is recovered through payment of the modified penalty.

[Regulation 9B inserted in Gazette 8 Dec 1998 p. 6586; amended in Gazette 28 Jun 2016 p. 2681.]

10. Multiple hiring

- (1) In this regulation —
multiple hiring, in relation to a taxi, means the hiring of the taxi by 2 or more passengers who are not accompanying each other but who agree to share the hire of the taxi and pay separate fares for carriage in the taxi.
- (2) The hirer of a taxi may refuse to consent to the carriage of passengers, other than those accompanying the hirer, during the period of the hiring.
- (3) If a taxi is the subject of multiple hiring, each separate hirer may, at that hirer's destination, be charged 75% of the sum of —
 - (a) the amount of the fare then recorded on the meter; and
 - (b) any surcharge or fee of a kind set out in Schedule 3 for the hire that is not included in the metered amount.
- (4) A taxi that is hired for a contract fare cannot be the subject of multiple hiring (but nothing in this regulation prevents 2 or more passengers who are not accompanying each other from agreeing to share the cost of the contract fare).
- (5) If a taxi is the subject of multiple hiring —
 - (a) the hirer for the purposes of regulation 6B(2) who must pay the fee, if any, for parking during the journey at a passenger's request is the hirer who is, or who is accompanying, that passenger; and
 - (b) the hirer for the purposes of regulation 6B(3) who may be charged for the costs of cleaning the taxi if it is soiled by a passenger during the journey is the hirer who is, or who is accompanying, that passenger; and

- (c) the amounts to be paid by a hirer for the purposes of adding a surcharge under regulation 8B are, in respect of each hirer, the amounts for the separate fare incurred by that hirer and any parking fee or cleaning costs payable by that hirer as mentioned in paragraph (a) or (b).

[Regulation 10 inserted in Gazette 28 Jun 2016 p. 2681-2.]

11. Most economical route to be taken unless hirer directs otherwise

Unless otherwise directed by the hirer, a driver shall take the hirer to his or her destination by the most economical route, once the hirer has informed the driver of the destination.

[Regulation 11 amended in Gazette 23 Jan 2004 p. 321.]

12. Driver may require deposit from hirer

Prior to accepting a hiring, a driver may require a hirer to pay a deposit equal to the anticipated Schedule 3 fare as estimated by the driver or the contract fare.

[Regulation 12 amended in Gazette 28 Jun 2016 p. 2682.]

13. Driver must accept hirer except in certain circumstances; when driver can terminate hiring

- (1) At any time during which a driver is plying for hire that driver must accept any hirer, and any person accompanying a hirer, as a passenger in the taxi he or she is driving unless —
 - (aa) the driver has reasonable grounds to believe that —
 - (i) the hirer or a person accompanying the hirer; or
 - (ii) the place at which the hiring is to commence or terminate,poses a threat to the driver's safety; or
 - (ab) the driver has reasonable grounds to believe that the hiring would result in a breach of a condition imposed by the Director General under section 20 on the operation of the taxi; or

- (a) the hirer or a person accompanying the hirer is in such an unclean condition that he or she will soil the taxi; or
 - (b) the hirer or a person accompanying the hirer is abusive or aggressive; or
 - (c) the hirer or a person accompanying the hirer appears to be under the influence of alcohol or drugs to such an extent that he or she is likely to soil the taxi or become abusive or aggressive; or
 - (d) the driver has reasonable grounds to believe that the hirer, or a person accompanying the hirer, has evaded or attempted to evade the payment of a fare for hiring a taxi; or
 - (e) the driver requires the hirer to pay a deposit under regulation 12, and the hirer does not pay it; or
 - (f) the hirer and persons accompanying the hirer aged 12 or over exceed the number of available seatbelts in the taxi.
- (2) If at any point during the period of a hiring a person begins to soil the taxi or become abusive or aggressive, the driver may terminate the hiring and require the hirer to pay —
- (a) the Schedule 3 fare or contract fare that would have been due if the hiring had terminated at that point in the normal course of events; and
 - (b) costs of cleaning mentioned in regulation 6B(3).
- (3) A driver shall not terminate a hiring before reaching the agreed destination, for reasons other than those set out in subregulation (2).

[Regulation 13 amended in Gazette 8 Dec 1998 p. 6586; 23 Jan 2004 p. 321-2; 10 Sep 2004 p. 3923-4; 10 Dec 2004 p. 5911; 28 Jun 2016 p. 2683.]

r. 13A

13A. Driver to inform taxi dispatch service of certain matters

- (1) The driver of a taxi that is operated using a taxi dispatch service shall not fail to inform the provider of the taxi dispatch service on each occasion that the driver commences or completes a period during which he or she is operating the taxi.

[(2) deleted]

- (3) When contacting the provider of a taxi dispatch service for the purpose of complying with subregulation (1), a driver shall correctly identify himself or herself to the provider.

[Regulation 13A inserted in Gazette 8 Dec 1998 p. 6586-7; amended in Gazette 23 Jan 2004 p. 322.]

13B. Camera surveillance units in taxis, requirements as to

- (1) A person must not operate a vehicle as a taxi at any time (the **relevant time**) unless —
- (a) a camera surveillance unit has been installed in the vehicle in an approved manner by an approved person; and
 - (b) a certificate has been given under regulation 13G(2) by an approved person in respect of the camera surveillance unit within 12 months before the relevant time; and
 - (c) the camera surveillance unit —
 - [(i) deleted]*
 - (ii) is in the same position as it was when installed in the vehicle in the approved manner; and
 - (iii) is in proper working order; and
 - (iv) is in operation in the vehicle whenever the vehicle is in use as a taxi.

[(2) deleted]

- (3) If an authorised officer is of the opinion that a vehicle operated as a taxi does not comply with the requirements of subregulation (1), the officer may —
- (a) by notice in writing, direct the plate holder or the operator —
 - (i) to remedy any defect that relates to the camera surveillance unit in the vehicle, as specified in the notice; and
 - (ii) to have the vehicle inspected at a specified place by an approved person or an authorised officer, within the period specified in the notice; and
 - (b) by attaching a copy of the notice to the vehicle, prohibit the continued operation of the vehicle as a taxi until —
 - (i) it has been inspected by an approved person or an authorised officer and the camera surveillance unit found to be in a satisfactory condition; and
 - (ii) the approved person or authorised officer has removed the notice from the vehicle.
- (4) A person must not operate a vehicle as a taxi unless an approved sign stating that a camera surveillance unit is in operation in the vehicle is displayed at an approved place on each door of the vehicle.

[Regulation 13B inserted in Gazette 7 Jun 2011 p. 2058-9; amended in Gazette 16 Sep 2016 p. 3946.]

13C. Directions under r. 13B(3), effect of etc.

- (1) A person given a direction under regulation 13B(3)(a) —
- (a) must comply with the direction; and
 - (b) must rectify any defect relating to the camera surveillance unit in the vehicle that is found during an inspection by an approved person or an authorised officer.

r. 13D

- (2) A person other than an approved person or an authorised officer must not remove, interfere with or destroy a notice attached to a vehicle under regulation 13B(3)(b).
- (3) A person must not operate a vehicle as a taxi while the vehicle is subject to a prohibition under regulation 13B(3)(b).

[Regulation 13C inserted in Gazette 7 Jun 2011 p. 2059.]

13D. Camera surveillance units in taxis, who can install etc.

- (1) In this regulation —
service includes repair, maintain, adjust, modify, inspect and test.
- (2) A person other than an approved person must not —
 - (a) install a camera surveillance unit in a vehicle operated as a taxi; or
 - (b) remove a camera surveillance unit from a vehicle operated as a taxi; or
 - (c) service a camera surveillance unit installed in a vehicle operated as a taxi.

[Regulation 13D inserted in Gazette 7 Jun 2011 p. 2059-60.]

13E. Camera surveillance units, who can view etc. information in

- (1) A person must not view, download, copy, play, edit or erase any visual or audio-visual recording stored in a camera surveillance unit installed in a vehicle operated as a taxi.
- (2) Subregulation (1) does not apply to —
 - (a) an authorised officer; or
 - (b) an approved person who is authorised to view, download, copy, play, edit or erase the visual or audio-visual recording by an authorised officer.

[Regulation 13E inserted in Gazette 7 Jun 2011 p. 2060.]

13F. Camera surveillance units, obstruction of etc.

- (1) A person must not obstruct, interfere with or destroy a camera surveillance unit installed in a vehicle operated as a taxi.
- (2) Subregulation (1) does not apply to or in relation to —
 - (a) anything done by an approved person in accordance with regulation 13D(2); or
 - (b) anything done by an authorised officer or an approved person in accordance with regulation 13E(2).

[Regulation 13F inserted in Gazette 7 Jun 2011 p. 2060.]

13G. Camera surveillance units, certificates as to proper working order of

- (1) In subregulation (2) —

current certificate means a certificate given within 12 months before the certificate is provided to the Director General under that subregulation.
- (2) A person who operates a vehicle as a taxi must provide to the Director General each year, at the approved time and in the approved form, a current certificate given by an approved person certifying that the camera surveillance unit installed in the vehicle was inspected on the specified date by the approved person and found to be in proper working order.
- (3) An approved person must not state any false or misleading information in a certificate that is given by the person for the purposes of this regulation.

[Regulation 13G inserted in Gazette 7 Jun 2011 p. 2060-1.]

13H. Camera surveillance units, transitional provisions for

- (1) In this regulation —

commencement day means the day on which the *Taxi Amendment Regulations 2011* regulation 5 comes into operation.

- (2) A vehicle operated as a taxi that, immediately before the commencement day, is required to comply with conditions imposed by the Director General under section 20 in relation to a camera surveillance unit installed in the vehicle is taken to be operated in compliance with the requirements of regulation 13B(1)(a), (b) and (c)(ii) if the vehicle complies with those conditions.
- (3) The Director General may publish a notice in the *Gazette* stating that subregulation (2) ceases to have effect in relation to a camera surveillance unit of a specified type on and from —
 - (a) the day after the day on which the notice is published in the *Gazette*; or
 - (b) any later day specified in the notice.
- (4) Subregulation (2) ceases to have effect as stated in a notice under subregulation (3) in relation to a camera surveillance unit of a type specified in the notice.

[Regulation 13H inserted in Gazette 7 Jun 2011 p. 2061.]

14. Guide dogs, transport of

A driver shall transport a guide dog which is accompanying a passenger who is visually impaired.

15. Driver identification to be displayed

A driver shall display an approved identification card, in the form and manner directed by the Director General, —

- (a) in a prominent position in the taxi he or she is driving; and
- (b) in a position and in a manner that allows a passenger in the taxi to be able to read it from the front and the back seat.

[Regulation 15 inserted in Gazette 23 Jan 2004 p. 322.]

16. Conduct of drivers while driving or plying for hire

- (1) A driver shall, at all times while engaged as a driver or when plying for hire —
 - (a) conduct himself or herself in an orderly manner; and
 - (b) behave in a courteous manner to passengers and prospective passengers; and
 - (c) offer reasonable assistance to assist passengers to enter or leave the taxi or to load or unload their luggage.
- (2) A driver shall, while engaged as a driver or when plying for hire, comply with any lawful and reasonable request by the hirer relating to the hirer's comfort, if that request would not interfere with the safe operation of the taxi.

[Regulation 16 amended in Gazette 23 Jan 2004 p. 323.]

17. Conduct of drivers at taxi ranks

- (1) A driver shall not obstruct the egress of another taxi from a taxi rank.
- (2) A driver shall not leave the taxi unattended while it is at a taxi rank.

[Regulation 17 amended in Gazette 8 Dec 1998 p. 6587.]

[17A, 17B. Deleted in Gazette 28 Jun 2016 p. 2683.]

18. Authorised meter mechanics; taxi meters, fitting and testing of etc.

- (1) The Director General may appoint such number of appropriately qualified persons as he or she sees fit to be authorised meter mechanics.
- (2) A person shall not operate a vehicle as a taxi unless that vehicle is fitted with a meter of an approved type which has been tested, certified as accurate and sealed by an authorised meter mechanic.

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- (3) An authorised meter mechanic who adjusts, repairs or tests a taxi meter shall seal the meter in the approved manner and issue a certificate of accuracy in the approved form certifying that the meter accurately calculates fares in accordance with the applicable fare schedule.
- (4) An authorised meter mechanic shall not issue a certificate of accuracy which is false or misleading in any particular.
- (5) No person other than an authorised meter mechanic shall break the seal on, adjust, repair, test or in any other way interfere with a meter.
- (6) The Director General shall not accept payment of an annual fee for taxi plates referred to in regulation 19(1) until the plate holder produces a certificate of accuracy which relates to the meter used in the vehicle being operated using those plates and which was issued —
 - (a) after the latest change to the meter rates set out in the fare schedule; or
 - (b) since the last annual fee was paid,whichever is most recent.

*[Regulation 18 amended in Gazette 26 Mar 1996 p. 1483;
9 Jan 2004 p. 97; 7 Jun 2011 p. 2061.]*

19. Fees prescribed (Act s. 19 and 24)

- (1) For the purposes of section 19(1), the prescribed annual fee payable by plate holders for taxi plates is \$210 where the fee is paid within the time allowed by section 19(2).
- (2) The fee payable on an application under section 24 for approval of a transfer of the ownership, or an interest in the ownership, of taxi plates is \$74.

[(3), (3a)] deleted

- (4) The charge payable for the issue of taxi plates or the issue of replacements for lost, damaged or stolen taxi plates is \$43.

[Regulation 19 amended in Gazette 26 Mar 1996 p. 1483-4; 25 Jun 1996 p. 2996; 30 Jun 2003 p. 2634; 9 Jan 2004 p. 98; 23 Jun 2006 p. 2227; 12 Jun 2007 p. 2739; 29 Sep 2009 p. 3854; 17 May 2011 p. 1825; 5 Jun 2012 p. 2369; 13 Jun 2014 p. 1903; 12 Jun 2015 p. 2036; 27 May 2016 p. 1555.]

19A. Conditions imposable under Act s. 29 on taxi dispatch service providers

For the purpose of section 29, the Director General may impose conditions on the provider of a taxi dispatch service in relation to the following —

- (aa) the charges that may be imposed upon hirers for services provided to them by the provider of the taxi dispatch service, including when such charges may, or may not, be imposed;
- (a) the charges that may be imposed upon multi-purpose taxi operators for using the dispatch service;
- (b) the manner in which particular types of requests for multi-purpose taxi services are allocated and distributed by a taxi dispatch service provider.

[Regulation 19A inserted in Gazette 22 Mar 2002 p. 1654-5; amended in Gazette 8 Dec 2006 p. 5392.]

19B. Prescribed day (Act s. 30K(2))

For the purpose of section 30K(2) the prescribed day is 31 March 2017.

[Regulation 19B inserted in Gazette 28 Oct 2016 p. 4920.]

20. Interest rate prescribed (Act s. 36(8))

For the purpose of section 36(8) the prescribed rate of interest is that specified for bank transactions and investment accounts of

less than \$2 000 in the current Reserve Bank of Australia Bulletin Table F3 Interest Rates.

21. Offences and penalties

A person who contravenes a provision of these regulations commits an offence, and unless otherwise provided in these regulations, the penalty is a fine of \$1 000.

[Regulation 21 amended in Gazette 28 Jun 2016 p. 2683.]

22. Infringement notices and modified penalties (Act s. 39)

- (1) For the purposes of section 39 the offences for which infringement notices may be given and the modified penalties for those offences are prescribed in Schedule 1.
- (2) For the purposes of section 39(2) the prescribed form of infringement notice is Form 1 in Schedule 2.
- (3) For the purposes of section 39(6) the prescribed form of notice of withdrawal of infringement notice is Form 2 in Schedule 2.

[23. Deleted in Gazette 28 Jun 2016 p. 2683.]

[24. Omitted under the Reprints Act 1984 s. 7(4)(f).]

Schedule 1 — Offences for which infringement notices may be issued

[r. 22(1)]

Item	Section of Act or Regulation	Description of Offence	Modified Penalty \$
1	Section 15(1)	Owner or driver of vehicle operating as a taxi within a control area without using taxi plates	500
2	Section 20(2)	(a) Failure to comply with, or ensure compliance with, conditions imposed under section 20(1), other than conditions relating to driver standards or conditions referred to in regulation 5(4)	250
		(b) Failure to comply with, or ensure compliance with, conditions imposed under section 20(1) and referred to in regulation 5(4)	500
3	Section 21(1)	Plate holder failing to ensure that plates used in manner directed	100
4	Section 21(2)	Using taxi plates on vehicle other than taxi	250
5	Section 25(1)	Failure to return taxi plates	150
6	Section 26	Provide or advertise an unregistered taxi dispatch service	250
7	Section 29(2)	Failure to comply with taxi dispatch service conditions	300
8	Section 32(5)	Operating taxi the operation of which prohibited	100
9	Section 32(6)	Failure to comply with notice or rectify defect	300

Item	Section of Act or Regulation	Description of Offence	Modified Penalty \$
10	Section 36(2) and (5)	Offences relating to the issue of receipts and statements regarding driver bonds	100
11	Section 36(8)	Failure to return driver bond within 14 days of the driver ceasing to be contracted, engaged or employed	500
<i>[12. Deleted]</i>			
13	Regulation 6(1)	Fare, surcharge or fee of a kind set out in Schedule 3 for hire of taxi is more than that in Schedule 3	200
14	Regulation 6(2)	Selecting a tariff that is not the appropriate tariff as set out in Schedule 3	200
14A	Regulation 6A(6)	Not retaining contract fare record for 12 months	100
14B	Regulation 6B(2)	Hirer failing to pay parking fee incurred at passenger's request	100
14C	Regulation 6B(4)	Charging excessive cleaning costs	100
14D	Regulation 7	Failure to ensure display of fare schedule	100
15	Regulation 8(2)	Refusing to accept voucher	200
16	Regulation 8(3)	Driver entering false or misleading information on voucher	200
17	Regulation 8(6)	Directing driver to refuse to accept voucher	200
18A	Regulation 8B(2)	Imposing excessive surcharge	200
18B	Regulation 8B(3)	Not using correct payment terminal	200

Item	Section of Act or Regulation	Description of Offence	Modified Penalty \$
18	Regulation 9(2) and (3)	Offences relating to setting, stopping or pausing meter	200
19	Regulation 9A	Hirer failing to pay fare at termination of hiring or as agreed	250
20	Regulation 11	Driver failing to use most economical route	100
21	Regulation 13(1)	Driver failing to accept hiring	200
22	Regulation 13(3)	Driver terminating a hiring prior to reaching the agreed destination	200
23	Regulation 13A(1)	Driver failing to inform provider of taxi dispatch service as required	100
24	Regulation 13A(3)	Driver giving incorrect information regarding their identity to the provider of a taxi dispatch service	200
25	Regulation 13B(1)	Offences relating to camera surveillance unit requirements	200
26A	Regulation 13B(4)	Failing to display approved sign	100
26B	Regulation 13C(1)	Failing to comply with direction or rectify defect	250
26C	Regulation 13C(2)	Unauthorised removal of notice	250
26D	Regulation 13C(3)	Operating a taxi subject to prohibition	250
26E	Regulation 13D(2)	Unauthorised installing, removing or servicing of camera surveillance unit	200
26F	Regulation 13E(1)	Unauthorised downloading of information from camera surveillance unit	500

Taxi Regulations 1995**Schedule 1** Offences for which infringement notices may be issued

Item	Section of Act or Regulation	Description of Offence	Modified Penalty \$
26G	Regulation 13F(1)	Obstructing or interfering with camera surveillance unit	500
26H	Regulation 13G(2)	Failing to provide current certificate	200
26I	Regulation 13G(3)	Stating false or misleading information in certificate	200
26	Regulation 14	Driver failing to transport a guide dog	300
27	Regulation 15	Driver failing to display approved identification card	200
28	Regulation 16(1)	Offences relating to the conduct of drivers	200
29	Regulation 17	Offences relating to conduct of driver at taxi rank	200
[30. Deleted]			
31	Regulation 18(2)	Operating taxi with an unsealed meter	250
32	Regulation 18(4) and (5)	Offences relating to meters	250

[Schedule 1 inserted in Gazette 23 Jan 2004 p. 323-5; amended in Gazette 24 Feb 2006 p. 883; 24 Apr 2009 p. 1387; 7 Jun 2011 p. 2061-2; 20 Feb 2015 p. 694; 28 Jun 2016 p. 2683-5.]

Schedule 2

[Regulations 22(2) and (3)
and 23(1) and (2)]

FORM 1

TAXI ACT 1994 — section 39
TAXI REGULATIONS 1995 — regulation 22(2)

Western Australia
Department for Planning and Infrastructure ⁵

TAXI INFRINGEMENT NOTICE

PART “B”

This space for cash register imprint

To be retained by Cashier.

OFFICE COPY ONLY

Please do not detach from Part “A”

PART “A”

OFFICIAL RECEIPT

DEFENDANT’S COPY

No.

Issue Date/...../.....

Sex: []

Date of birth []/[]/[]

M
Surname (Block Letters) Other Names in full MDL Number

Address
Number of Street Town or Suburb Postcode

Particulars of Taxi: Plate No. Annual fee due/...../.....

Make Model Colour

Company

It is alleged that at hours on day of 20 at

..... that you committed the offence indicated hereunder.

.....

..... Penalty \$ [] [] []

Description of Offence

..... No.

Signature of authorised person

Take notice that —

If you do not wish to have a complaint of the alleged offence heard and determined by a court,
you may pay to an officer specified on the reverse side of this notice, within 28 days, the total
amount specified.

If that amount is not paid within 28 days, further action will be taken in respect of the alleged
offence(s) under the INREP system or by a prosecution. Procedures under the INREP system will
give rise to charges payable by you additional to the penalty amount.

Form 1

[Form 1 amended in Gazette 28 Feb 2003 p. 682.]

FORM 2

TAXI ACT 1994 — section 39(6)
TAXI REGULATIONS 1995 — regulation 22(3)

Western Australia
Department for Planning and Infrastructure ⁵

NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.

Name

Address

Dear Sir/Madam

Notice of withdrawal of proceedings

Infringement

Number

INREP Case

Number

Date

Time

Code

Description

Take notice that I, being authorised to do so hereby withdraw proceedings under the *Taxi Act 1994* in relation to infringement notice issued for the above offence.

Director General

Date

[Form 2 amended in Gazette 28 Feb 2003 p. 682.]

FORM 3

TAXI ACT 1994 — section 34(1)(b) ⁴
TAXI REGULATIONS 1995 — regulation 23(1)(a)

Notice to Defendant

**NOTICE TO DEFENDANT RELATING TO ELECTING
TO APPEAR OR NOT TO APPEAR AT A HEARING**

TO
(DEFENDANT)

OF
(ADDRESS)

Charge/Reference

Date of Hearing

Court

1. THIS IS TO ADVISE you that under section 34 ⁴ of the *Taxi Act 1994* you may by an election in writing in the prescribed form (copies which are attached to this notice) elect to appear or not to appear on the hearing of the complaint referred to in the summons which this notice accompanies.

2. If you wish to make an election please complete the copies of the form of election accompanying this notice so as to indicate either that you will appear at the hearing of the complaint contained in the summons or that you will not appear at the hearing.

3. For an election to be properly made under the Act one copy of the form of election should be delivered by post or otherwise to the clerk of petty sessions ⁹³ at the place appointed in the summons for the hearing and one copy should be delivered by post or otherwise to the complainant whose address is

.....
.....
so as to reach each addressee not later than 21 days before the time appointed in the summons for the hearing of the complaint.

4. If you DO NOT APPEAR, whether you elect to do so or not, the court of petty sessions ⁸⁷ hearing the complaint may under the alternative procedure provided for in the Act proceed —

- (a) to hear and determine the complaint in your absence;
- (b) to permit the affidavits accompanying the summons to be tendered in evidence; and
- (c) to determine the complaint on such particulars in the affidavits in support of the matters alleged in the complaint as would, under the laws of evidence apart from section 34 ⁴ of the *Taxi Act 1994* be admissible if given orally before the Court, and not on any other particulars.

5. If you DO APPEAR at the hearing having elected not to appear or having made no election at all, the Court hearing the complaint is required, on the application of the complainant, to adjourn the hearing of the complaint for at least such time as is shown to the satisfaction of the Court to be necessary to enable the complainant to proceed otherwise than by the procedure referred to in paragraph 4 of this notice.

.....
Complainant

Form 4

FORM 4

TAXI ACT 1994 — section 34(1)(b) ⁴
TAXI REGULATIONS 1995 — regulation 23(1)(b)

ELECTION BY DEFENDANT

I
of
having been served with a summons at least 28 days before the date appointed
in the summons for the hearing of a complaint of an offence under the *Taxi*
Act 1994 together with a notice that I may, under section 34 ⁴ of the Act, elect to
appear or not to appear at the court of petty sessions ⁸⁷ on the hearing of the
complaint hereby NOTIFY you that I elect —

PLEASE INDICATE
THE ELECTION YOU — TO APPEAR AT THE HEARING
ARE MAKING BY
DELETING WHICHEVER — NOT TO APPEAR AT THE HEARING
DOES NOT APPLY

.....
(Signature of Defendant)

FORM 5

TAXI ACT 1994 — section 35(1) ⁴

TAXI REGULATIONS 1995 — regulation 23(2)

DOCUMENT RELATING TO ALLEGED PRIOR CONVICTIONS

NOTICE

TO

(Defendant)

.....

(Address)

THIS IS TO ADVISE you that if —

- (a) you do not appear on the hearing of the complaint referred to in the summons with which this document is served or delivered; and
- (b) you are convicted of the offence in that complaint,

this document shall be admissible evidence under section 35 ⁴ of the *Taxi Act 1994* that you were convicted of the offences alleged, and of the particulars relating to those convictions.

PARTICULARS OF ALLEGED PRIOR CONVICTIONS

It is alleged that the defendant in this case has previously been convicted of certain offences particulars of which are as follows —

DATE OF OFFENCE	SECTION/REGULATION	CHARGE NUMBER	DATE OF HEARING	PENALTY

Date

.....

—COMPLAINANT

Schedule 3 — Fares

[r. 6]

[Heading inserted in Gazette 28 Jun 2016 p. 2685.]

Metered rates (maximums)

Tariff	Flagfall	Distance rate	Detention
Tariff 1 Monday to Friday 6 am to 6 pm	\$4.20	\$1.72/km	\$49.00/hour
Tariff 2 Monday to Friday 6 pm to 6 am Friday 6 pm to Monday 6 am All day Public Holidays	\$6.10	\$1.72/km	\$49.00/hour
Tariff 3 When carrying 5 or more passengers	\$6.10	\$2.56/km	\$76.00/hour

Off meter rates (maximums)

When off meter rates apply	Distance rate
When carrying fewer than 5 passengers for a journey starting in a control area and ending outside the control area	\$2.08 for each kilometre from the start of the journey to the end of the journey

When off meter rates apply	Distance rate
When carrying 5 or more passengers for a journey starting in a control area and ending outside the control area	\$3.16 for each kilometre from the start of the journey to the end of the journey
Tours	\$73.90 for the first hour or part of the first hour \$17.95 for each quarter hour after the first hour
Weddings	\$136.20 for the first 2 hours or part of the first 2 hours \$16.90 for each quarter hour after the first 2 hours
Funerals	\$68.20 for the first hour or part of the first hour \$16.90 for each quarter hour after the first hour

Other amounts (maximums)

Call out fee (but only if a guaranteed booking fee is not payable for the same hire)	\$1.50
Guaranteed booking fee	\$9.00
Airport fee (for a journey starting at a terminal at the Perth Airport)	\$3.00
Surcharges Ultra-Peak — Between midnight Friday to 3 am Saturday or midnight Saturday to 3 am Sunday	\$3.60

Christmas Day — midnight to midnight	\$5.10
New Year's Eve — 6 pm New Year's Eve to 6 am New Year's Day	\$5.80

[Schedule 3 inserted in Gazette 28 Jun 2016 p. 2685-7.]

Notes

- ¹ This [reprint](#) is a compilation [as at 5 May 2017](#) of the *Taxi Regulations 1995* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Taxi Regulations 1995</i>	10 Jan 1995 p. 75-90	10 Jan 1995 (see r. 2 and <i>Gazette</i> 10 Jan 1995 p. 73)
<i>Taxi Amendment Regulations 1996</i>	26 Mar 1996 p. 1483-5	26 Mar 1996
<i>Taxi Amendment Regulations</i> (No. 2) 1996	25 Jun 1996 p. 2995-6	25 Jun 1996
<i>Taxi Amendment Regulations</i> (No. 3) 1996	25 Jun 1996 p. 2996-8	25 Jun 1996
<i>Taxi Amendment Regulations 1997</i>	4 Feb 1997 p. 707	4 Feb 1997
Reprint of the <i>Taxi Regulations 1995</i> as at 12 Dec 1997 (includes amendments listed above)		
<i>Taxi Amendment Regulations 1998</i>	8 Dec 1998 p. 6585-8	17 Dec 1998 (see r. 2)
<i>Taxi Amendment Regulations 2000</i>	1 Feb 2000 p. 382-3	1 Feb 2000
<i>Taxi Amendment Regulations 2002</i>	22 Mar 2002 p. 1654-5	22 Mar 2002
<i>Taxi Amendment Regulations 2003</i>	28 Feb 2003 p. 681-2	28 Feb 2003
<i>Equality of Status Subsidiary</i> <i>Legislation Amendment</i> <i>Regulations 2003 Pt. 39</i>	30 Jun 2003 p. 2581-638	1 Jul 2003 (see r. 2 and <i>Gazette</i> 30 Jun 2003 p. 2579)
<i>Taxi Amendment Regulations 2004</i>	9 Jan 2004 p. 96-8	9 Jan 2004
<i>Taxi Amendment Regulations</i> (No. 2) 2004	23 Jan 2004 p. 320-5	23 Jan 2004
<i>Taxi Amendment Regulations</i> (No. 3) 2004	20 Feb 2004 p. 608-9	20 Feb 2004
<i>Taxi Amendment Regulations</i> (No. 4) 2004	10 Sep 2004 p. 3923-4	10 Sep 2004

Citation	Gazettal	Commencement
<i>Taxi Amendment Regulations (No. 5) 2004</i>	10 Dec 2004 p. 5910-11	10 Dec 2004
Reprint 2: The Taxi Regulations 1995 as at 4 Mar 2005 (includes amendments listed above)		
<i>Taxi Amendment Regulations 2006</i>	24 Feb 2006 p. 882-3	24 Feb 2006
<i>Taxi Amendment Regulations (No. 3) 2006</i>	13 Apr 2006 p. 1554	13 Apr 2006
<i>Taxi Amendment Regulations (No. 4) 2006</i>	23 Jun 2006 p. 2227	1 Jul 2006 (see r. 2)
<i>Taxi Amendment Regulations (No. 5) 2006</i>	8 Dec 2006 p. 5391-2	8 Dec 2006
<i>Taxi Amendment Regulations (No. 6) 2006</i>	22 Dec 2006 p. 5822-3	22 Dec 2006
Reprint 3: The Taxi Regulations 1995 as at 25 May 2007 (includes amendments listed above)		
<i>Taxi Amendment Regulations 2007</i>	12 Jun 2007 p. 2738-9	r. 1 and 2: 12 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2007 (see r. 2(b))
<i>Taxi Amendment Regulations 2008</i>	7 Mar 2008 p. 750	r. 1 and 2: 7 Mar 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 8 Mar 2008 (see r. 2(b))
<i>Taxi Amendment Regulations 2009</i>	24 Apr 2009 p. 1387	r. 1 and 2: 24 Apr 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Apr 2009 (see r. 2(b))
<i>Taxi Amendment Regulations (No. 2) 2009</i>	29 Sep 2009 p. 3854	r. 1 and 2: 29 Sep 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Sep 2009 (see r. 2(b))
<i>Taxi Amendment Regulations (No. 2) 2011</i>	17 May 2011 p. 1825	r. 1 and 2: 17 May 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2011 (see r. 2(b))
<i>Taxi Amendment Regulations 2011</i>	7 Jun 2011 p. 2057-62	r. 1 and 2: 7 Jun 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2011 (see r. 2(b))

Citation	Gazettal	Commencement
<i>Taxi Amendment Regulations (No. 3) 2011</i>	5 Aug 2011 p. 3187-8	r. 1 and 2: 5 Aug 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 6 Aug 2011 (see r. 2(b))
Reprint 4: The Taxi Regulations 1995 as at 13 Jan 2012 (includes amendments listed above)		
<i>Taxi Amendment Regulations 2012</i>	5 Jun 2012 p. 2368-9	r. 1 and 2: 5 Jun 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2012 (see r. 2(b))
<i>Taxi Amendment Regulations 2014</i>	13 Jun 2014 p. 1903	r. 1 and 2: 13 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2014 (see r. 2(b))
<i>Taxi Amendment Regulations 2015</i>	20 Feb 2015 p. 692-4	r. 1 and 2: 20 Feb 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Feb 2015 (see r. 2(b))
<i>Taxi Amendment Regulations (No. 2) 2015</i>	12 Jun 2015 p. 2036	r. 1 and 2: 12 Jun 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2015 (see r. 2(b))
<i>On-demand Transport Regulations Amendment (Fees) Regulations 2016 Pt. 2</i>	27 May 2016 p. 1554-6	1 Jul 2016 (see r. 2(b))
<i>On-demand Transport Regulations Amendment Regulations 2016 Pt. 4</i>	28 Jun 2016 p. 2655-92	4 Jul 2016 (see r. 2(b))
<i>Taxi Amendment Regulations 2016</i>	16 Sep 2016 p. 3946	r. 1 and 2: 16 Sep 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 17 Sep 2016 (see r. 2(b))
<i>Taxi Amendment Regulations (No. 2) 2016</i>	28 Oct 2016 p. 4920	r. 1 and 2: 28 Oct 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 29 Oct 2016 (see r. 2(b) and <i>Gazette</i> 28 Oct 2016 p. 4909)

[Reprint 5: The Taxi Regulations 1995 as at 5 May 2017 \(includes amendments listed above\)](#)

² Plans of the former Department of Land Administration are now held by the Western Australian Land Information Authority (see the *Land Information Authority Act 2006* s. 100).

³ Now cited as the *Local Government (Miscellaneous Provisions) Act 1960*.

⁴ The *Taxi Act 1994* s. 34 and 35 were deleted by the *Acts Amendment (Criminal Procedure) Act 1999* s. 9.

⁵ Under the *Alteration of Statutory Designation (DPI) Order 2009* a reference in a law to the Department of Planning and Infrastructure is to be read and construed as a reference to the Department of Transport.

⁶ ~~Under the *Public Sector Management Act 1994* departments can be established and named. At the time this compilation was prepared, the designation of the department known as the Department of Justice had been altered to the Department of the Attorney General, and the Department of Corrective Services is established.~~

⁷⁶ Now known as the registrar of the Magistrates Court.

⁸⁷ Under the *Courts Legislation Amendment and Repeal Act 2004* s. 58 a reference in a written law to a court of petty sessions is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to the Magistrates Court.

⁹⁸ Under the *Courts Legislation Amendment and Repeal Act 2004* s. 54(2) a reference in a written law to a clerk of petty sessions is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to a registrar of the Magistrates Court.