

TAXI-CARS (CO-ORDINATION AND CONTROL).

No. 13 of 1967.

AN ACT to amend the Taxi-cars (Co-ordination and Control) Act, 1963-1965.

[Assented to 20th October, 1967.]

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, 1967.* Short title.

(2) In this Act the Taxi-cars (Co-ordination and Control) Act, 1963-1965 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Taxi-cars (Co-ordination and Control) Act, 1963-1967.

S. 3
amended.

2. Section three of the principal Act is amended by substituting for the interpretation, "Commissioner" the following interpretation—

"Commissioner" and "Deputy Commissioner" have the same meanings as are respectively given to those terms in the Road and Air Transport Commission Act, 1966; .

S. 5
amended.

3. Section five of the principal Act is amended—

(a) by substituting for the words, "or his deputy" in paragraph (a) of subsection (3), the words, "or the Deputy Commissioner";

(b) by substituting for paragraph (c) of subsection (4) the following paragraph—

(c) two shall, in respect of appointments made after the coming into operation of the Taxi-cars (Co-ordination and Control) Act Amendment Act, 1967, be persons who are taxi-car owners or operators and who are elected by taxi-car owners and operators; ; and

(c) by adding after subsection (5) a subsection as follows—

(6) The Minister may, in respect of any member of the Board appointed under paragraph (c) of subsection (3) of this section, appoint a person to be the deputy of that member to represent the same interests as that member, and any person so appointed has, at any meeting of the Board at which the member, of whom that person is the deputy, is not present, all the powers of that member. .

4. Section seven of the principal Act is amended— S. 7 amended.

- (a) by deleting the passage, "his deputy," in lines one and two; and
- (b) by adding after the passage, "such," in line five the passage, "and the deputies of those firstmentioned members,".

5. Subsection (2) of section eight of the principal Act is amended by substituting for the words, "his deputy" in line three, the words, "the member chosen by the members present". S. 8 amended.

6. The principal Act is amended by adding after section seventeen a section as follows— S. 17A added.

17A. (1) Where a vehicle licensed under this Act is under repair and cannot be operated as a taxi-car, the Chairman may, by permit in writing under his hand, authorise the owner of that vehicle to operate another vehicle in substitution for that firstmentioned vehicle, and the provisions of this Act apply in relation to the operation of any vehicle pursuant to this section as if the vehicle were licensed under this Act. Substitution of vehicle for taxi-car under repair.

(2) A permit under subsection (1) of this section—

- (a) shall not be issued in relation to a vehicle that does not comply with the requirements of paragraph (a) of subsection (2) of section sixteen of this Act;
- (b) may be revoked by the Commissioner at any time; and
- (c) unless previously revoked, expires immediately upon the operation of the vehicle licensed under this Act for which the vehicle to which the permit relates has been substituted.

S. 18A
added.

7. The principal Act is amended by adding after section eighteen a section as follows—

Endorse-
ments on
certain
licences.

18A. (1) Where a person has, for the purpose of becoming the owner of a vehicle that is a taxi-car licensed under this Act, entered into a transaction whereby that vehicle is charged with the repayment of moneys advanced to him under that transaction, or may be repossessed from him, the Board may, if it is satisfied that—

- (a) it has been fully informed of all the details of the transaction; and
- (b) the whole of the moneys, if any, advanced to that person under that transaction has been or will be used for that purpose,

endorse the licence of that vehicle issued under this Act to the effect that the Board will not, subject to subsection (2) of this section, refuse any application for the transfer of that licence that is made by that person with the consent of the other parties to the transaction.

(2) The Board shall, as the occasion arises, give effect to an endorsement made on a licence pursuant to subsection (1) of this section, but the provisions of this section do not require or authorise the Board to effect a transfer of a licence—

- (a) to a person who does not meet the requirements of paragraph (c) of subsection (2) of section sixteen of this Act; or
- (b) to a person who holds two or more licences issued under this Act. .

8. Section twenty-one of the principal Act is repealed and re-enacted as follows—

S. 21
repealed
and
re-enacted.

21. Any person who operates a taxi-car shall cause to be carried in that taxi-car such documents as are prescribed; and a person who operates a taxi-car in which those documents are not carried commits an offence, unless he shows that he took all reasonable steps to ensure that those documents were so carried. .

Certain
documents
to be
carried.

9. Section twenty-two of the principal Act is amended by adding after the word, "offence" in line one, the passage, ", other than a minor offence within the meaning of section thirty of this Act,".

S. 22
amended.

10. The principal Act is amended by adding after section twenty-three B a section as follows—

S. 23C
added.

23C. Any person who knowingly causes—

- (a) a taxi-car licensed under this Act to be operated in a manner contrary to the provisions of this Act; or
 - (b) a vehicle not licensed under this Act to be operated as a taxi-car within a control area,
- commits an offence. .
- Causing
vehicles
to be
unlawfully
operated.

Cf. No. 30 of
1918, s. 4.
"This Act"
includes
regulations.

11. The principal Act is amended by adding a section as follows—

S. 23D
added.

23D. (1) The Board may direct any owner or person registered as a taxi-car driver to attend at the office of the Board within such reasonable time as the Board directs.

Persons
may be
required to
attend
Board's
office.

(2) A person who, without reasonable excuse, fails to comply with a direction of the Board given under subsection (1) of this section commits an offence. .

S. 30
added.

12. The principal Act is amended by adding after section twenty-nine a section as follows—

Regulations
relating to
minor
offences.

30. (1) Subject to subsection (2) of this section, the Governor may, on the recommendation of the Board, make regulations authorising the infliction and collection by prescribed persons of penalties for offences against this Act prescribed as minor offences and may by those regulations prescribe—

Cf. No. 30 of
1918, s. 4.
"This Act"
includes
regulations.

- (a) what offences against this Act are minor offences;
- (b) modified penalties for first or subsequent minor offences;
- (c) the method of notifying a person alleged to have committed a minor offence of the alleged offence and of how it may be dealt with; and
- (d) the records to be kept and the manner of keeping them.

(2) Regulations made pursuant to this section—

- (a) shall provide that a person alleged to have committed a minor offence may decline to have the offence so dealt with under the regulations;
 - (b) may prescribe penalties not exceeding the sum of ten dollars. .
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