

# STATE TRANSPORT CO-ORDINATION

10° GEO. VI., No. IV.

No. 4 of 1946.

AN ACT to amend the State Transport Co-ordination Act, 1933-1940, by extending the application thereof, by exempting from licensing aircraft used for medical transport service, by authorising the Western Australian Transport Board to exempt vehicles from licensing and by incorporating, by repealing and re-enacting herein the provisions of the Road Transport Subsidy Act, 1937, and other relative purposes.

[Assented to 23rd October, 1946.]

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

1. This Act may be cited as the *State Transport Co-ordination Act Amendment Act, 1946*, and shall be read as one with the State Transport Co-ordination Act, 1933-1940 (No. 42 of 1933 as reprinted with amendments pursuant to the Amendments Incorporation Act, 1938, in Volume 2 of The Reprinted Acts of the Parliament of Western Australia), hereinafter referred to as the principal Act. Short title
2. The Road Transport Subsidy Act, 1937 (Act No. 12 of 1937), is hereby repealed. Act repealed.
3. A section is inserted in the principal Act after section one as follows:— New section.
  - 1A. This Act shall apply and have effect throughout the State. Application of Act.
4. Section thirteen of the principal Act is repealed. Repeal of s. 13.
5. A new section is inserted after section fourteen of the principal Act as follows:— New section.
  - 14A. With the approval of the Minister, the Board may, by notice in the *Government Gazette*, Exemption of vehicles from licensing.

exempt any vehicle or class of vehicles from the licensing provisions of this Act, subject to such conditions as may be prescribed in such notice.

Amendment of s. 45. Repeal and new section.

6. (1) Section forty-five of the principal Act is repealed and a section is inserted in lieu thereof as follows:—

Aircraft not to operate unless licensed.

45. No aircraft shall operate intra State unless such aircraft is licensed in accordance with this Part.

Exemption of aircraft used for medical service transport.

(2) The provisions of this section shall not apply to an aircraft used for the purpose only of transporting:—

- (a) a medical practitioner registered under the Medical Act, 1894-1945, in the course of his professional duties; or
- (b) a sick or injured person to or from medical aid, in case of emergency.

New sub-section.

7. Section forty-eight of the principal Act is amended by inserting after subsection (3) thereof a new subsection as follows:—

Exemption north of twenty-sixth parallel of south latitude.

(4) The provisions of this section shall not apply to any vehicle operating in that part of the State situated north of the twenty-sixth parallel of south latitude.

Amendment of s. 60. Repeal of ss. 2 and new ss. 2.

8. Section sixty of the principal Act is amended as follows:—

(1) By repealing subsection (2) and inserting in lieu thereof a new subsection as follows:—

- (2) Out of the said fund there shall be paid—
  - (a) the cost of administration of this Act;
  - (b) contributions to the Superannuation Fund payable by the Board under any agreement made between the Board and the Treasurer under the provisions of section six of the Superannuation and Family Benefits Act, 1938-1945; and
  - (c) such sums as in the opinion of the Board are necessary or expedient in the interests of public transport to be granted in aid of any transport carried on by the holder of a license for any public vehicle.

(2) A new subsection is added as follows:—

(3) At the end of the financial year any balance remaining in the Fund shall be divided into three portions in the same proportion as the license fees derived respectively from licenses issued for omnibuses, commercial goods vehicles, and aircraft bear to the total of all such license fees, and such portions shall be applied as follows:—

New ss. 3.  
Apportioning  
of Fund.

(a) The portion which is derived from the fees for the issue of omnibus licenses shall be applied towards the maintenance and improvement of the roads (including the erection of shelter sheds or other amenities along such route) on which the omnibuses operate, and shall be divided equitably amongst the various statutory authorities concerned in the maintenance and improvement of those roads.

Authority to  
subsidise  
roads, landing  
grounds and  
facilities.  
Cf. 12 of  
1937.

(b) The portion which is derived from the fees for the issue of licenses for commercial goods vehicles shall be applied in like manner towards the maintenance and improvement of the roads on which the commercial goods vehicles operate, and shall be divided equitably amongst the various statutory authorities concerned in the maintenance and improvement of those roads.

(c) The portion which is derived from the fees for the issue of licenses for aircraft shall be held in trust by the Board and shall be applied, as and when the Board shall deem fit, towards the provision, maintenance or improvement of any aircraft landing ground or of any facilities deemed necessary for the safe operation of any aircraft using or about to use any aircraft landing ground.

9. The principal Act as amended by this Act may be cited as the State Transport Co-ordination Act, 1933-1946.

Citation of  
Principal Act  
as amended.