

Western Australia

Transport Co-ordination Act 1966

Transport Co-ordination Regulations 1985

Transport Co-ordination Regulations 1985

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Transport Co-ordination Regulations 1985

1. Citation

These regulations may be cited as the *Transport Co-ordination Regulations 1985*¹.

2. Commencement

These regulations shall come into operation on 1 January 1986.

3. Terms used in these regulations

- (1) In these regulations, unless the context otherwise requires —
- charter services* means a service that is not a RPT service;
 - credit card charge* means an amount payable by the licensee to the credit card provider;
 - Form* means a form in Schedule 2;
 - GST* has the meaning given to that term in the Commonwealth *A New Tax System (Goods and Services Tax) Act 1999* section 195-1;
 - licensee* means the holder of the aircraft licence;
 - load factor*, for a flight, means the number of paying and free-on-board passengers divided by the number of seats available for passengers;
 - net freight revenue* means amounts receivable in the month by the licensee for carrying freight on the aircraft, for example,

consignment fees and amounts per kilogram of freight, other than amounts in respect of GST;

net passenger revenue means amounts receivable in the month from passengers in relation to operating the aircraft, for example, fares, excess baggage charges and amounts paid by passengers for in-flight beverages, other than amounts in respect of passenger service fees, credit card charges or GST;

operating costs means amounts payable in the month by the licensee in relation to operating the aircraft, including —

- (a) flight crew and cabin crew costs, including employment and accommodation costs; and
- (b) landing fees, passenger service fees and other similar fees payable to airport operators; and
- (c) turnaround costs payable to airport operators, or other service providers, for services provided in relation to the aircraft at airports, for example, baggage handling and aircraft movement costs; and
- (d) in-flight catering costs; and
- (e) commissions on reservations and ticket bookings; and
- (f) loyalty scheme costs; and
- (g) promotion costs; and
- (h) aircraft insurance, finance and security costs; and
- (i) costs of maintaining and repairing the aircraft, for example, depreciation and insurance, excluding labour costs and other indirect costs; and
- (j) fuel costs; and
- (k) taxes imposed on the licensee in respect of the operation of the aircraft;

passenger service fee means an amount payable by the licensee to the airport operator in respect of each passenger on a flight to or from the airport;

registration number means the registration number of the aircraft given by the Civil Aviation Safety Authority;

revenue load factor, for a flight, means the Revenue Passenger Kilometres (the number of paying passengers x the number of kilometres flown) divided by the Actual Seat Kilometres (the number of seats available for passengers x the number of kilometres flown);

RPT services means regular public transport services that operate according to a published schedule.

- (2) In relation to a reference to an amount that is payable or receivable in a month —
- (a) an amount is payable or receivable in a month if, in accordance with accrual accounting principles, the amount is payable or receivable at a time in the month; and
 - (b) an amount that is payable or receivable in a month is not payable or receivable in any other month.

[Regulation 3 inserted in Gazette 6 Oct 2006 p. 4364-5.]

[4. Deleted in Gazette 28 Jun 2002 p. 3115.]

5. Forms

An applicant for a licence shall provide such particulars as are required by a Form and the Director General may require an applicant to provide such other information in support of the application as the Director General considers necessary.

6. Applications for permits and temporary licences

An application for a permit or temporary licence shall be made as far as is practicable at least 24 hours before the time it is intended to operate the vehicle in respect of which the permit or temporary licence is sought.

7. Fees and returns

- (1) The fees payable in respect of a licence shall be paid —

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- (a) where the fee is a fee determined under section 21(1)(a)(i) or (c)(i) of the Act within 7 days after the last day of each month of the term of the licence;
 - (b) where the fee is a fee determined under section 21(1)(a)(ii), (b) or (c)(ii) on the issue of the licence.
- (2) Where the fee payable in respect of a licence is a fee determined under section 21(1)(a)(i) or (c)(i) the licensee shall forward a return in the form of Form 3 or 9 as the case requires in respect of the last preceding month together with the fee.
- (3) Where the fee payable is a fee payable in respect of a permit or temporary licence the fee shall accompany the application for the licence.

[Regulation 7 amended in Gazette 8 Dec 1989 p. 4464.]

8. Number plates

- (1) A person who is the holder of an omnibus licence shall place on the omnibus a plate containing distinguishing letters and numerals issued by the Director General in respect of the omnibus being operated under the licence.
- (2) The plate referred to in subregulation (1) remains the property of the Minister and shall be returned to the Department whenever the omnibus ceases to be licensed under the Act.
- (3) Where a plate is issued in respect of a vehicle under subregulation (1), the plate shall not be placed on any vehicle other than the vehicle in respect of which the plate is issued.
- (4) A plate issued under this regulation shall be kept in good condition and so that the numbers and letters on the plate are clearly distinguishable.
- (5) Where a plate issued under this regulation becomes so damaged that the numbers or letters cannot be easily distinguished the person who has custody of the vehicle shall return the plates to the Department.

- (6) Where the plate issued under this regulation in respect of a vehicle has been lost, damaged or destroyed the licensee shall obtain a replacement plate for the vehicle in question.

8A. Percentages and amounts prescribed for section 21(1)

For the purposes of section 21(1) of the Act —

- (a) in relation to the fee for an omnibus licence —
- (i) the prescribed percentage is 6%; and
 - (ia) the prescribed manner of assessment of the gross earnings is to calculate gross earnings on the fare component directly related to the carriage of passengers or freight wholly within Western Australia, less any part of the fare used for passenger accommodation, entry fee, agent's commission and similar ancillary charges; and
 - (ii) the prescribed amount is \$23.30;

and

- (b) in relation to the fee for a commercial goods vehicle licence the prescribed amount is \$5; and

[(c) deleted]

- (d) in relation to the fee for a ferry licence the prescribed amount is \$1.46.

[Regulation 8A inserted in Gazette 8 Dec 1989 p. 4464; amended in Gazette 29 Sep 1998 p. 5398; 27 Jun 2003 p. 2526; 25 Jun 2004 p. 2290; 24 Jun 2005 p. 2777; 23 Jun 2006 p. 2228; 22 Jun 2007 p. 2873; 1 Jul 2008 p. 3160; 30 Jun 2009 p. 2662.]

8AB. Prescribed records (section 29(1)(e))

The following records are prescribed for the purposes of section 29(1)(e) of the Act —

- (a) the time and date each journey was commenced and completed;

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- (b) the make and licence plate number of the vehicle used;
- (c) the driver of the vehicle for each journey;
- (d) the picking up and setting down location(s);
- (e) a record of the charge for each journey and proof of payment;
- (f) the names of the passengers, and a contact number or address for each passenger;
- (g) the financial records and receipts required to support claims for subsidies under the Act.

[Regulation 8AB inserted in Gazette 29 Sep 1998 p. 5398-9.]

8B. Amounts prescribed for section 32A(2)

For the purposes of section 32A(2) of the Act, the amount prescribed as the maximum fee —

- (a) for the issue of a single number plate, is \$17.50; and
- (b) for the issue of a pair of number plates, is \$23.35.

[Regulation 8B inserted in Gazette 8 Dec 1989 p. 4464; amended in Gazette 23 Jun 2006 p. 2228; 22 Jun 2007 p. 2873; 1 Jul 2008 p. 3160; 30 Jun 2009 p. 2662.]

8BA. RPT services — prescribed records and statistics (section 47(1)(d))

- (1) The following records and statistics are prescribed for the purposes of section 47(1)(d) of the Act, in relation to the operation of the aircraft, for RPT services, on routes specified in the aircraft's licence that include an airport listed in Schedule 3 Division 1 —
 - (a) the registration number of the aircraft;
 - (b) for each flight —
 - (i) the flight number (if any); and
 - (ii) the time, date and location of departure and arrival; and

- (iii) the number of passengers; and
 - (iv) for each class of fare (as determined by the licensee) — the number of seats sold, the price and (where relevant) the discount (as a percentage) applied to calculate the price; and
 - (v) the revenue load factor or the load factor;
- (c) for each calendar month, each route flown by the aircraft in the month and each class of fare (as determined by the licensee) sold in the month — the number of seats sold in the class, the average price and (where relevant) the average discount (as a percentage) applied to calculate the price;
- (d) for each cancelled flight and flight that failed to comply with the applicable flight schedule —
- (i) the flight number (if any); and
 - (ii) the intended date and location of departure and arrival; and
 - (iii) the reasons for the cancellation or failure; and
 - (iv) the respects in which the flight failed to comply with the relevant schedule;
- (e) for each calendar month and each route flown by the aircraft in the month — the total net passenger revenue from, and the total operating costs of, operating the aircraft;
- (f) for each calendar month and each destination to which the aircraft carried freight in the month — the weight of freight carried and the net freight revenue from carrying that freight;
- (g) for each calendar month and each route flown by the aircraft in the month — the number of flying hours;
- (h) for each calendar month — the number and type of written complaints made by passengers relating to the operation of the aircraft or services provided in relation to the operation of the aircraft, and a description of any

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complaint resolution procedure undertaken in respect of such complaints.

- (2) For the purposes of subregulation (1)(e), if a component of the total operating costs is not directly attributable to the operation of the aircraft for the month and a route, it is to be attributed to the operation of the aircraft for the month and the route on a proportional basis.

- (3) The licensee must keep the records and statistics for 5 years.

[Regulation 8BA inserted in Gazette 6 Oct 2006 p. 4365-7; amended in Gazette 30 May 2008 p. 2087.]

8BB. Charter services — prescribed records and statistics (section 47(1)(d))

- (1) The following records and statistics are prescribed for the purposes of section 47(1)(d) of the Act, in relation to the operation of the aircraft, for charter services, on flights to or from airports listed in Schedule 3 Division 1 or 2 —

- (a) the registration number of the aircraft;
- (b) for each flight —
 - (i) the flight number (if any); and
 - (ii) the time, date and location of departure and arrival; and
 - (iii) a copy of the invoice for the flight; and
 - (iv) the number of passengers; and
 - (v) the revenue load factor or the load factor.

- (2) The licensee must keep the records and statistics for 5 years.

[Regulation 8BB inserted in Gazette 6 Oct 2006 p. 4367.]

8C. Amounts prescribed for section 47B(8)

For the purposes of section 47B(8) of the Act, the prescribed amount —

- (a) in relation to a licence or the renewal of a licence, is \$50; and
- (b) in relation to a permit, is 5 cents.

[Regulation 8C inserted in Gazette 8 Dec 1989 p. 4464.]

[9. Deleted in Gazette 30 Dec 2004 p. 6960.]

10. Weights of vehicles

The weight of any goods carried on a vehicle may be determined in accordance with the *Road Traffic (Vehicle Standards) Regulations 2002*.

[Regulation 10 amended in Gazette 1 Nov 2002 p. 5401.]

11. Schedule 1 Forms

A form numbered in column 1 of Schedule 1 is the form for the purpose specified in column 2 of that Schedule opposite and corresponding to that numbered form.

Schedule 1

Column 1	Column 2
Form 1.....	Application for an omnibus licence.
Form 2.....	Omnibus licence.
Form 3.....	Omnibus statistical return and statement of gross earnings.
Form 4.....	Application for a commercial goods licence.
Form 5.....	Commercial goods vehicle licence.
Form 6.....	Application for renewal of commercial goods vehicle licence.
Form 7.....	Application for an aircraft licence.
Form 8.....	Aircraft licence.
Form 9.....	Statement of gross earnings of aircraft.
Form 10.....	Application for licence to engage in coasting trade.
Form 11.....	Licence to engage in coasting trade.
Form 12.....	Application for renewal of licence to engage in coasting trade.
Form 13.....	Application for a temporary licence or permit.
Form 14.....	Temporary licence or permit.
Form 15.....	Application for permit to engage in the coasting trade.
Form 16.....	Permit to engage in the coasting trade.
Form 17.....	Application for transfer of licence other than an omnibus licence.
Form 18.....	Application for transfer of omnibus licence.
Form 19.....	Transfer of licence.
[Form 20	<i>deleted</i>]
Form 21.....	Election not to appear at a hearing (section 56A).
Form 22.....	Notice relating to prior convictions (section 56B).
Form 23.....	Search warrant (section 49).
Form 24.....	Application for a ferry licence.
Form 25.....	Ferry licence.
Form 26.....	Application for a ferry permit.

[Schedule 1 amended in Gazette 29 Apr 1988 p. 1306; 30 Dec 2004 p. 6960.]

Schedule 2

Forms

Western Australia

TRANSPORT CO-ORDINATION ACT 1966

TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 1

APPLICATION FOR AN OMNIBUS LICENCE

To the DIRECTOR GENERAL:

I/WE [full name] hereby make application for an Omnibus Licence, under the provisions of the Transport Co-ordination Act, in respect of the vehicle described hereunder and submit answers to the following questions in connection with the service proposed to be conducted: —

Description of Omnibus

Make and Model	Registration Number	Year of Manufacture	Passenger Seating Capacity	Chassis Number	Star Rating	3rd Party Class

Nature of Proposed Operation [Please tick as appropriate]

- Charter
- Full and Half day Tours
- Extended Tours
- Group Package Tours
- Safari Camping Tours
- Regular Passenger Service

For Office Use Only
Licence Fee

Basis.....	<u>Receipt</u>
Rate.....	No.....
Term.....	Date.....
Amount \$.....	Amount \$.....

1. Proposed date of commencement of operation.....
2. In the case of tours and Regular Passenger Service
 - 2 — (1) Route)
 - 2 — (2) Timetable) Full details required — attach schedule
 - 2 — (3) Fares) PLEASE SEE OTHER SIDE

QUESTIONS — continued

Questions 5 to 7 need not be answered if applicant already holds an Omnibus Licence under the *Transport Co-ordination Act 1966*, and this application is, in effect, for a renewal of such licence.

3. Do you propose to employ any person to drive the vehicle.....
.....
4. If answer to Question 3 is in the affirmative, state the name of the Industrial Award under which wages will be paid.....
.....
5. Names and addresses of persons to whom reference can be made as to your character and financial standing.....
.....
6. What other passenger transport facilities are there on or near the route over which you propose to operate?.....
.....
.....
7. In what respect if any are these existing facilities considered to be inadequate?.....
.....
.....
.....
.....
.....

I/We hereby declare that I am/we are the owner(s) of the vehicle described herein and that the information contained herein is true and correct in every particular.

Signature of Applicant(s).....
Private Address.....
.....Phone No.....
Business Address or Registered Office.....
.....Phone No.....

NOTE: Current Licences for the vehicle under the Road Traffic Act should be submitted with this application. They will be returned after perusal.

[Form 1 amended in Gazette 28 Feb 2003 p. 683.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985
OMNIBUS LICENCE

Form 2

This licence shall authorise

(hereinafter called the licensee) subject to the provisions of the *Transport Co-ordination Act 1966*, and the regulations made from time to time thereunder, and to the conditions (if any) endorsed hereon to operate the said vehicle on the route or routes described hereon until the day of 20 .

DESCRIPTION OF VEHICLES AND FEES PAYABLE

Make and Type	Plate No.	Year	Star Rating	Max: Pass: Seating	\$ c

ISSUED with the authority of the MINISTER and effective on and from the day of 20 .

[Form 2 amended in Gazette 28 Feb 2003 p. 683.]

<input type="checkbox"/> <i>Please place CROSS in BOX if receipt required</i>		REVENUE FOR ASSESS. OF LICENCE FEES \$	RATE %	LICENCE FEES PAYABLE \$
		AMOUNT OF GROSS EARNINGS FROM —	TOURS	
		R.P.T.		
		OTHER		
		TOTAL		

I certify that the above information is true and correct in every particular.

.....20.....
Date

.....
Signature of Licensee

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 4

APPLICATION FOR A COMMERCIAL GOODS VEHICLE LICENCE
NOTE — THIS FORM NOT TO BE USED FOR RENEWAL OF LICENCE

PLEASE TICK WHETHER —	
New application.....	<input type="checkbox"/>
Replacement vehicle.....	<input type="checkbox"/>
Additional vehicle.....	<input type="checkbox"/>

To the DIRECTOR GENERAL:

I/WE (full name)..... hereby
make application, under the provisions of the *Transport Co-ordination Act 1966* — as
amended for a Commercial Goods Vehicle Licence to operate the vehicle(s) described
hereunder in accordance with the particulars set out herein.

PARTICULARS OF VEHICLES		FOR OFFICE USE ONLY			
WEIGHTS		Annual	Temporary	TOTAL	
Make.....	Unladen (Tare).....kg	Rate:	Rate:		
	Maximum Load.....kg	From.....	From.....		
*Type.....	EXTRA load authorised by:	To.....	To.....		
Reg. No.....	Overload Permit.....kg	Fee.....	Fee.....		
	Gross Weight.....kg				
Make.....	Unladen (Tare).....kg	Rate:	Rate:		
	Maximum Load.....kg	From.....	From.....		
*Type.....	EXTRA load authorised by:	To.....	To.....		
Reg. No.....	Overload Permit.....kg	Fee.....	Fee.....		
	Gross Weight.....kg				
Make.....	Unladen (Tare).....kg	Rate:	Rate:		
	Maximum Load.....kg	From.....	From.....		
*Type.....	EXTRA load authorised by:	To.....	To.....		
Reg. No.....	Overload Permit.....kg	Fee.....	Fee.....		
	Gross Weight.....kg				
*Type: State —					
TT (Tabletop)	Rec. No.....			\$	
TLR (Trailer)					
ST (Semi-Trailer)	Amount	Add— Debit Brought forward			
TANK (Tanker)					
UTE (Utility)	Licence No.....	Deduct— Credit Brought Forward			
S/WGN (Station Wagon)					
CAR (Motor Car)	Date Paid.....	Final Total.....\$			

Place of Business.....
.....Tel No.....
Private Address (if any).....
.....Tel No.....
Date of Application.....

PLEASE FORWARD ROAD TRAFFIC ACT LICENCE AND CURRENT
RENEWAL RECEIPT FOR EACH VEHICLE WHEN SUBMITTING THIS
APPLICATION

IF AN APPLICATION FOR A REPLACEMENT OR ADDITIONAL VEHICLE,
PLEASE FORWARD CURRENT COMMERCIAL GOODS VEHICLE LICENCE IN
ADDITION TO ABOVE

[Form 4 amended in Gazette 28 Feb 2003 p. 683.]

Western Australia
 TRANSPORT CO-ORDINATION ACT 1966
 TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 5

COMMERCIAL GOODS VEHICLE LICENCE

Licence No.
 Licensee No.

This licence shall authorise

(hereinafter called the licensee) subject to the provisions of the *Transport Co-ordination Act 1966*, and the regulations made from time to time thereunder, and to the conditions (if any) endorsed hereon to operate the said vehicles on the route or routes described hereon until the day of 20 .

DESCRIPTION OF VEHICLES AND FEES PAYABLE

Make and Type	Plate No	Max Load Kg	Gross Weight Kg	\$ c

RATE

TOTAL

ISSUED with the authority of the MINISTER and effective on and from the day of 20 .

[Form 5 amended in Gazette 28 Feb 2003 p. 683.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 6

APPLICATION FOR RENEWAL OF A COMMERCIAL GOODS VEHICLE LICENCE

I/WE hereby make application, under the provisions of the *Transport Co-ordination Act 1966* for a Commercial Goods Vehicle Licence to operate the vehicle(s) described hereunder.

LICENCE EXPIRES

on the.....day
of.....20.....

RENEWAL OF EXISTING LICENCE

Make and Type	Road Traffic Act Plate No.	Max Load (kg)	Gross Weight (kg)	TOTAL	
				\$	c

If renewal of your licence for the above vehicles is required, please sign and date form below, and return to this office with fees of: —

PLEASE CROSS OUT VEHICLE(S) NO LONGER REQUIRED

FIRST AND FINAL NOTICE

THIS LICENCE MUST BE RENEWED BY EXPIRY DATE, OTHERWISE OPERATION OF THE VEHICLE(S) AFTER SUCH DATE WILL RESULT IN LEGAL ACTION BEING TAKEN FOR BREACHES OF THE *TRANSPORT CO-ORDINATION ACT 1966*.

NOTE — Requests for amendments to be shown on reverse of this form.

I/WE HEREBY DECLARE THAT —

- (a) I am/we are the Owner(s) of the vehicle(s) described in this application.
- (b) The information contained in this application and the attachments (if any) hereto are true and correct in every particular.

Signature of Owner.....

Occupation of Owner.....

Place of Business.....

.....Tel. No.....

Private Address (if any).....

.....Tel. No.....

Date of Application.....

ADDITIONAL/REPLACEMENT VEHICLE/S:

Make and Type	Road Traffic Act Plate No.	Max. Load (kg)	Gross Weight (kg)	FOR OFFICE USE ONLY		
				Months	Rate	TOTAL

AMENDMENTS TO ROUTE AND/OR GOODS

1. Proposed Route or area of operation.....

2. Nature of goods to be carried (Details required for both forward and return journeys).

3. Purpose for which goods carried are to be used. (State also if intended for sale by anyone.)

4. Frequency of Operation. (If regular Public Transport Service, attach proposed timetable.)	5. Proposed date of Commencement.
--	-----------------------------------

6. Freight Rates to be charged in case of Regular
Public Transport Service or General Hire. (If
space inadequate attach separate statement.)

7. Reasons why existing transport facilities
(road, rail, sea or air) cannot cater adequately
for the transport proposed in this application.

8. Any further information in support of this
application.

Transport Co-ordination Regulations 1985
Schedule 2 Forms

- A. In the case of a REGULAR PUBLIC SERVICE —
- (1) Proposed timetables are as appended hereto (Attach Timetables)
 - (2) Schedule of Fares and Freight rates proposed to be charged is appended hereto (Attach Schedule)
 - (3) Route (Attach Schedule if necessary)
- B. In the case of CHARTER FLIGHTS —
- (1) The places or areas to be served are.....
.....
.....
 - (2) The charter rates to be charged are —
.....
.....
- C. In the case of OTHER BUSINESS PURPOSES —
- (1) Place or area of operation will be: —
.....
 - (2) Nature of loading to be carried is: —
.....
 - (3) Goods carried will be used for the following purposes: —
.....
 - (4) Reasons why regular air or other transport services cannot be used for such transport are: —
.....
.....
.....

I/WE HEREBY DECLARE that —

- (a) I am/We are the owner(s) of the aircraft described in this application;
- (b) the information contained in this application and in the attachments hereto is true and correct in every particular.

Signature.....
Occupation.....
Address.....
.....

OPERATIONS REQUIRING A LICENCE —

Except where the above mentioned exemptions apply, a licence is required in respect of every aircraft which is used to carry passengers or goods for hire or for any consideration, or in the course of or in connection with any trade or business whatever.

[Form 7 amended in Gazette 28 Feb 2003 p. 683.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 8

AIRCRAFT LICENCE

Licence No.
 Licensee No.

This licence shall authorise

(hereinafter called the licensee) subject to the provisions of the *Transport Co-ordination Act 1966*, and the regulations made from time to time thereunder, and to the conditions (if any) endorsed hereon to operate the said aircraft on the route or routes described hereon until the day of 20

DESCRIPTION OF AIRCRAFT AND FEES PAYABLE

Make and Type	Identification No.	No. of Engines	Max Take-off Weight kg	\$ c

RATE

TOTAL

ISSUED with the authority of the MINISTER and effective on and from the day of 20

[Form 8 amended in Gazette 28 Feb 2003 p. 683.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 9

STATEMENT OF GROSS EARNINGS OF AIRCRAFT FOR MONTH(S)
OF 20

Name of licensee.....

Address.....

TYPE OF OPERATION	No. of Passengers	Freight Carried Inc. Mails	Gross Earnings		Licence Fee		
					Rate	Amount	
Regular Airline Service — Authorised by Licence No.		Kg	\$	c		\$	c
Charter Flights — Authorised by Licence No.							
TOTALS.....							

To the
 Director General

I/WE CERTIFY that the above information is true and correct in every particular.

FOR OFFICE USE ONLY		
Rec. No.	Amount	Date Paid

.....
 Signature of Licensee.
 Date

[Form 9 amended in Gazette 28 Feb 2003 p. 683.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 10

APPLICATION FOR A LICENCE TO ENGAGE IN THE COASTING
TRADE

To the DIRECTOR GENERAL:

I/WE (name of applicant)..... of
(address).....

Designation.....
(State whether Owner, Master, Charterer or Agent of ship)

of the undermentioned ship HEREBY MAKE APPLICATION FOR A LICENCE for
such ship to carry cargo of the description set out on the back hereof to and from the
Ports specified during the period from the..... 20.....to the..... 20.....
(both inclusive)* and to carry passengers also between the ports of

PARTICULARS OF SHIP

Name of Ship.....Port of Registry.....

Name of Registered Owner and Master.....

Official Number.....

Reasons why the cargo described herein, or any portion of it, cannot be forwarded by a
ship which is licensed, or deemed to be licensed, under the *Transport Co-ordination
Act 1966*.

.....
.....

*Strike out if not applicable.

(Continued on back)

(Reverse of Form No. 10)

Application for a Licence to engage in the Coasting Trade — *continued*

Ports of Call	Description of Cargo	Consignors and Consignees	Names of parties to, and period of, any contract for the carriage of cargo, and purpose (if known) for which the cargo is to be used
Port of Loading —	Consignor —	.....
Port of Discharge	Consignee —	.....

I/WE HEREBY DECLARE that the information contained in this application and the attachments (if any) hereto is, to the best of my/our knowledge and belief, true and correct in every particular.

Date of Application.....20..... Signature of Applicant.....

[Form 10 amended in Gazette 28 Feb 2003 p. 683.]

Western Australia
 TRANSPORT CO-ORDINATION ACT 1966
 TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 11
 S. 47B

LICENCE TO ENGAGE IN THE COASTING TRADE

WHEREAS.....(Name)
 of.....(Address)
of the Ship.....
 (Designation) (Name of Ship)
 registered at the Port of.....has applied for a LICENCE to engage in
 the Coasting Trade, authority is hereby granted for such Ship to carry cargo of the
 description set out hereunder to and from the Ports specified and on behalf of the
 Consignors and Consignees named during the period from.....
 20.....to.....20..... (both dates inclusive*) and to carry passengers
 also between the ports of.....

DESCRIPTION OF CARGO

Ports of Call	Description of Cargo	Consignors and Consignees
Port of Loading —		Consignor —
Port of Discharge —		Consignee —

LICENCE FEE:
 \$.....
 Receipt No. —

 Date of Payment —

ISSUED with the authority of the Minister on
 the.....20.....

* Strike out if not applicable.

[Form 11 amended in Gazette 28 Feb 2003 p. 683.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 12

APPLICATION FOR RENEWAL OF LICENCE TO ENGAGE IN THE
COASTING TRADE

To the DIRECTOR GENERAL:

I/WE (name of applicant).....

of (address).....

Designation.....

(State whether Owner, Master, Charterer or Agent of ship)

of the undermentioned ship hereby make application for the renewal of the licence dated
the.....day of.....20..... authorising the ship
to engage in the coasting trade and granted for a period of

Period of renewal applied for.....

PARTICULARS OF SHIP

Name of Ship.....Port of Registry.....

Name of Registered Owner.....Official Number.....

[Form 12 amended in Gazette 28 Feb 2003 p. 683.]

Transport Co-ordination Regulations 1985
Schedule 2 Forms

FOR OFFICE USE ONLY		
Rec. No.....		I HEREBY CERTIFY that the information set out hereon is true and correct in every particular, and that the vehicle proposed to be used is correctly licensed in accordance with the provisions of the <i>Road Traffic Act 1974</i> , as amended from time to time.
Amount.....		
Date.....		
Permit No.....		Date of Application.....20.....
Expires.....		Signature of Applicant.....
.....		Occupation of Applicant.....
.....		Address of Applicant.....

[Form 13 amended in Gazette 28 Feb 2003 p. 683.]

Transport Co-ordination Regulations 1985
Schedule 2 Forms

Issued with the authority of the Minister	Rec. No.....	Balance transferred
	Amount.....	To/From Credit
.....	Date.....	\$.....
Authorised Officer		

N.B. — This Permit is not transferable under any circumstances.

[Form 14 amended in Gazette 28 Feb 2003 p. 684.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 15

APPLICATION FOR A PERMIT TO ENGAGE IN THE COASTING TRADE

To the —

Director General:

I/WE (name of applicant).....

of (address).....

Designation.....

(State whether Owner, Master, Charterer or Agent of ship)

of the undermentioned ship HEREBY MAKE APPLICATION FOR A PERMIT for such ship to carry the cargo described on the back hereof between the Ports specified in accordance with the proposed dates set out, and to carry passengers† also between the Ports of

PARTICULARS OF SHIP

Name of Ship.....Port of Registry.....

Name of Registered Owner.....Official Number.....

Master.....

PURPOSE FOR WHICH CARGO IS TO BE USED*

REASONS WHY CARGO CANNOT BE FORWARDED BY A SHIP WHICH IS LICENSED, OR IS DEEMED TO BE LICENSED, UNDER THE ABOVE ACT*

† Strike out if not applicable.

* If these particulars are not known to the applicant, write "unknown" but the supply of the information, if available, will expedite determination of the application.

APPLICATION FOR A PERMIT TO ENGAGE IN THE COASTING TRADE — Continued

PARTICULARS OF VOYAGE		PARTICULARS OF CARGO			
Port at which cargo is to be loaded —	Proposed date of sailing	Description	Quantity	Name of Consignor —	Name of Consignor —
Port at which cargo is to be discharged —	Proposed date of discharge .....	.....	.....	Name of Consignee —	Name of Consignee —
Port at which cargo is to be loaded —	Proposed date of sailing	Description	Quantity	Name of Consignor —	Name of Consignor —
Port at which cargo is to be discharged —	Proposed date of discharge .....	.....	.....	Name of Consignee —	Name of Consignee —
Port at which cargo is to be loaded —	Proposed date of sailing	Description	Quantity	Name of Consignor —	Name of Consignor —
Port at which cargo is to be discharged —	Proposed date of discharge .....	.....	.....	Name of Consignee —	Name of Consignee —
Port at which cargo is to be loaded —	Proposed date of sailing	Description	Quantity	Name of Consignor —	Name of Consignor —
Port at which cargo is to be discharged —	Proposed date of discharge .....	.....	.....	Name of Consignee —	Name of Consignee —

[Form 15 amended in Gazette 28 Feb 2003 p. 684.]

I/WE HEREBY DECLARE that the information contained in this application and the attachments (if any) hereto is,
to the best of my/our knowledge and belief, true and correct in every particular.

Date of Application.....20.....

Signature of Applicant.....

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 16

PERMIT TO ENGAGE IN THE COASTING TRADE

WHEREAS.....(Name)
of.....(Address)
.....of the Ship.....
(Designation) (Name of ship)
registered at the Port of.....has applied for a
PERMIT to engage in the Coasting Trade, authority is hereby granted for such ship to
carry the undermentioned cargo to and from the Ports specified.

Port of Loading.....Sailing on or about.....

Port of Discharge.....Discharge on or about.....

Description of Cargo	Quantity	Consigned —
.....	From —
.....
.....

PERMIT FEE: \$..... Receipt No.....	ISSUED with the authority of the Minister on the.....20.....
--	---

[Form 16 amended in Gazette 28 Feb 2003 p. 684.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966

Form 17

**APPLICATION FOR TRANSFER OF LICENCE
OTHER THAN AN OMNIBUS LICENCE**

For.....

(State whether "Commercial
Goods vehicle" "Ferry" or
"Aircraft" Licence.)

Date.....

To the DIRECTOR GENERAL:

I, (transferee).....

Occupation.....

of (Address).....

hereby apply for the transfer to me of "Commercial Goods Vehicle" Licence

No.....*

"Ferry" Licence No.....*

"Aircraft" Licence No.....*

held by (transferor).....

Signature of Transferee.....

Date.....

Telephone No.

The public vehicle in respect of which the abovementioned licence has been issued has
been disposed of to (transferee).....
and I agree to the licence being transferred to him.

Signature of Transferor.....

Date.....

Telephone No.

* Delete whichever is not applicable.

*[Form 17 inserted in Gazette 29 Apr 1988 p. 1306; amended in
Gazette 28 Feb 2003 p. 684.]*

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985
APPLICATION FOR TRANSFER OF AN OMNIBUS LICENCE

Form 18
S. 30

To the DIRECTOR GENERAL:

I (transferee).....
Occupation.....
of (Address).....
hereby apply for the transfer to me of Omnibus Licence No..... held by
(transferor)

I certify that no monies or other consideration by way of premium, or otherwise has been paid, or is to be paid, for the transfer of this licence, as per section 30(2) of the *Transport Co-ordination Act 1966*.

Signature of Transferee.....

Date.....20..... Telephone No.....

The omnibus in respect of which the abovementioned licence has been issued has been disposed of to (transferee)..... and I agree to the licence being transferred to him.

Date.....20..... Signature of Transferor.....

[Form 18 amended in Gazette 28 Feb 2003 p. 684.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966

Form 19
S. 23

TRANSFER OF LICENCE

Date of Issue.....20.....

Application having been made by —

(Transferee).....

(Occupation).....

(Address).....

for the transfer to him of Omnibus/Commercial Goods Vehicle/Aircraft/Ferry Licence
No.....issued to.....

(who has agreed to such transfer), the Licence is hereby transferred accordingly and
henceforth the transferee shall be the licensee and, as such, shall comply in all respects
with the terms and conditions of the licence.

Issued with the authority of the Minister

.....Authorised Officer

*[Form 19 inserted in Gazette 29 Apr 1988 p. 1306; amended in
Gazette 28 Feb 2003 p. 684.]*

[Form 20 deleted in Gazette 30 Dec 2004 p. 6960.]

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

PART 1

Form 21
S. 56A

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 56A of the *Transport Co-ordination Act 1966*, you may by an election in writing in the prescribed form (copies of 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 registrar of the Magistrates Court² 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 complainant.

4. If you DO NOT APPEAR, whether you elect to do so or not, the Magistrates Court³ 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 and this notice 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 complaints as would, under the laws of evidence apart from section 56A of the *Transport Co-ordination Act 1966*, 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

PART 2
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 *Transport Co-ordination Act 1966*, together with a notice that I may, under section 56A of the Act, elect to appear or not to appear at the Magistrates Court³ on the hearing of the complaint hereby NOTIFY you that I elect —

PLEASE INDICATE THE
SELECTION YOU ARE
MAKING BY DELETING
WHICHEVER DOES
NOT APPLY.

- TO APPEAR AT THE HEARING.
— NOT TO APPEAR AT THE HEARING.

.....
(Signature of Defendant).

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

PART 1

Form 22
S. 56B

NOTICE RELATING TO ALLEGED PRIOR CONVICTIONS

TO
(Defendant)

of
(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 notice is served or delivered; and
- (b) you are convicted of the offence alleged in that complaint,

the document set out below shall be admissible evidence under section 56B of the *Transport Co-ordination Act 1966* that you were convicted of the offences alleged in the document and of the particulars relating to those convictions.

PART 2

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	Charge Number	Date of Hearing	Fine

.....
Complainant.

Western Australia
TRANSPORT CO-ORDINATION ACT 1966
TRANSPORT CO-ORDINATION REGULATIONS 1985

Form 23

SEARCH WARRANT

TO:
AB¹ a person who is authorised in writing by the Minister
for Transport to exercise the power conferred by section 49(1)(c) of the *Transport*
Co-ordination Act 1966

or

CD² a member of the Police Force of Western
Australia.

WHEREAS I, the undermentioned justice, being satisfied on oath by you that —

- (a) there is reasonable cause to suspect that a vehicle, goods or documents
concerned in an offence or suspected offence or attempt to commit an offence
under the *Transport Co-ordination Act 1966* may be found on the premises
situate at EF³
.....
and

- (b) the issue of this warrant is reasonably required for the purpose referred to in
section 49(1) of the *Transport Co-ordination Act 1966*

hereby authorise you, together with GH⁴/or IJ⁵ to enter the premises, if
necessary by force.

GIVEN under my hand, at in the State of Western Australia, this
..... day of 20

J.S.,
J.P.

¹ Name of authorised person who satisfies the justice on oath as to (a) and (b).

² Name of member of Police Force.

³ Address of premises.

⁴ If not a member of the Police Force the name of this person must be set out in the
warrant. Description of a person as an authorised person is not enough.

⁵ If Police Officer no need to mention name of police officer.

(Delete 4 or 5 whichever does not apply.)

Western Australia
 TRANSPORT CO-ORDINATION ACT 1966

Form 24
 (S. 47AA)

APPLICATION FOR A FERRY LICENCE

To the Director General:

I/WE (full name)
 hereby apply, under the provisions of the *Transport Co-ordination Act 1966* for a Ferry
 Licence to operate the vessel described below in accordance with the following
 particulars.

Description of Vessel				For Office Use Only			
Name of Vessel	State Passenger Vessel Number	Passenger Capacity	Licence Fees Payable before issue of Licence				
			Rate	Period	\$	c	
Licence Fees	Date	Rec. No.	Amount				
.....				
Rate				\$	

Details of Proposed Operation

1. Nature of Proposed Operation
2. Proposed Route or Area of Operation
3. Proposed Commencement Date
4. Proposed Schedule of Fares

I/WE hereby declare that I am/we are the Owner(s) of the vessel described herein and
 that the information contained herein is true and correct in every particular.

Signature of Applicant(s)

Private Address

Phone No.

Business Address or Registered Office

Phone No.

*[Form 24 inserted in Gazette 29 Apr 1988 p. 1307; amended in
 Gazette 28 Feb 2003 p. 684.]*

Western Australia
TRANSPORT CO-ORDINATION ACT 1966

Form 25
(S. 47AA)

FERRY LICENCE

Licence No.

This licence shall authorise

(name of owner)

subject to the *Transport Co-ordination Act 1966* and the conditions (if any) endorsed under item 6, to operate the vessel named in item 1 on the route or area described in item 4 until 20

1. Name of vessel
2. State passenger vessel number
3. Maximum number of passengers
4. Route or area of operation
5. Fee
6. Conditions

Issued with the authority of the Minister and effective on 20

.....

Authorised Officer

[Form 25 inserted in Gazette 29 Apr 1988 p. 1307-8; amended in Gazette 28 Feb 2003 p. 684.]

Western Australia

TRANSPORT CO-ORDINATION ACT 1966

Telephone application No. issued (if any) No. .

Form 26
(S. 47AB(2))

APPLICATION FOR FERRY PERMIT

To the Director General:

I hereby apply
(name of owner)

under the provisions of the *Transport Co-ordination Act 1966* for a permit (subject to
the conditions specified below) to operate the
(name of ferry)

No. in accordance with the particulars described in items 1 or 2.
(licence No. of ferry)

1. Description of deviation from the routes specified in the licence.

OR

2. Description of —

(a) period for which temporary authorisation is requested ; and

(b) the route or area not specified in the licence for which temporary
authorisation is requested.

I hereby certify that the above information is true and correct in every particular.

Date of application

Signature of owner

Occupation of owner

Address of owner.

*[Form 26 inserted in Gazette 29 Apr 1988 p. 1308; amended in
Gazette 28 Feb 2003 p. 684.]*

Schedule 3 — Airports

[r. 8BA and 8BB]

[Heading inserted in Gazette 6 Oct 2006 p. 4367.]

Division 1

[Heading inserted in Gazette 6 Oct 2006 p. 4367.]

1. Albany
2. Carnarvon
3. Esperance
4. Exmouth-Learmouth
5. Geraldton
6. Kalbarri
7. Laverton
8. Leinster
9. Leonora
10. Meekatharra
11. Monkey Mia-Shark Bay
12. Mt. Magnet
13. Wiluna

[Division 1 inserted in Gazette 6 Oct 2006 p. 4367-8.]

Division 2

[Heading inserted in Gazette 6 Oct 2006 p. 4368.]

1. Fitzroy Crossing
2. Halls Creek

[Division 2 inserted in Gazette 6 Oct 2006 p. 4368.]

Notes

- ¹ This is a compilation of the *Transport Co-ordination Regulations 1985* 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>Transport Co-ordination Regulations 1985</i>	20 Dec 1985 p. 4835-55	1 Jan 1986 (see r. 2)
<i>Transport Co-ordination Amendment Regulations 1988</i>	29 Apr 1988 p. 1305-8	29 Apr 1988
<i>Transport Co-ordination Amendment Regulations 1989</i>	8 Dec 1989 p. 4463-4	29 Jun 1990 (see r. 2)
<i>Transport Co-ordination Amendment Regulations 1998</i>	29 Sep 1998 p. 5398-9	29 Sep 1998
<i>Transport Co-ordination Amendment Regulations (No. 2) 2002</i>	28 Jun 2002 p. 3115	1 Jul 2002 (see r. 2 and <i>Gazette</i> 28 Jun 2002 p. 3037)
<i>Transport Co-ordination Amendment Regulations 2002</i>	1 Nov 2002 p. 5401	1 Nov 2002 (see r. 2)
<i>Transport Co-ordination Amendment Regulations 2003</i>	28 Feb 2003 p. 682-4	28 Feb 2003
Reprint 1: The <i>Transport Co-ordination Regulations 1985</i> as at 16 May 2003 (includes amendments listed above)		
<i>Transport Co-ordination Amendment Regulations (No. 2) 2003</i>	27 Jun 2003 p. 2526	1 Jul 2003 (see r. 2)
<i>Transport Co-ordination Amendment Regulations 2004</i>	25 Jun 2004 p. 2289-90	1 Jul 2004 (see r. 2)
<i>Transport Co-ordination Amendment Regulations (No. 2) 2004</i>	30 Dec 2004 p. 6960	1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130)
<i>Transport Co-ordination Amendment Regulations 2005</i>	24 Jun 2005 p. 2777	1 Jul 2005 (see r. 2)
<i>Transport Co-ordination Amendment Regulations (No. 2) 2006</i>	23 Jun 2006 p. 2228	1 Jul 2006 (see r. 2)
<i>Transport Co-ordination Amendment Regulations 2006</i>	6 Oct 2006 p. 4363-8	6 Oct 2006
Reprint 2: The <i>Transport Co-ordination Regulations 1985</i> as at 3 Nov 2006 (includes amendments listed above)		

Transport Co-ordination Regulations 1985

Citation	Gazettal	Commencement
<i>Transport Co-ordination Amendment Regulations 2007</i>	22 Jun 2007 p. 2872-3	r. 1 and 2: 22 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2007 (see r. 2(b))
<i>Transport Co-ordination Amendment Regulations 2008</i>	30 May 2008 p. 2087	r. 1 and 2: 30 May 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 31 May 2008 (see r. 2(b))
<i>Transport Co-ordination Amendment Regulations (No. 2) 2008</i>	1 Jul 2008 p. 3159-60	r. 1 and 2: 1 Jul 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 2 Jul 2008 (see r. 2(b))
<i>Transport Co-ordination Amendment Regulations 2009</i>	30 Jun 2009 p. 2661-2	r. 1 and 2: 30 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2009 (see r. 2(b))

² Under the *Courts Legislation Amendment and Repeal Act 2004* s. 54(2), a reference in a written law to the clerk of petty sessions is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to the registrar of the Magistrates Court. This reference was amended under the *Reprints Act 1984* s. 7(5)(a).

³ Under the *Courts Legislation Amendment and Repeal Act 2004* s. 58, a reference in a written law to the 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. This reference was amended under the *Reprints Act 1984* s. 7(5)(a).