

PX302\*

Government Railways Act 1904

## **Government Railways Amendment and Repeal By-laws 2003**

Made by the Public Transport Authority of Western Australia under section 23 of the *Government Railways Act 1904* and approved by the Governor in Executive Council under section 24.

### **1. Citation**

These by-laws may be cited as the *Government Railways Amendment and Repeal By-laws 2003*.

## 2. Terms used in these by-laws

In these by-laws, unless the contrary intention appears —

“**By-law 80**” means the *Government Railways Act By-law No. 80 — Government Railways Parking Station By-law\**;

[\* *Published in Gazette 25 August 1958, p. 2275-6.*  
For amendments to 12 November 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 154.*]

“**By-law 91**” means the *Government Railways Act By-law No. 91 — Sale and Consumption of Liquor\**;

[\* *Published in Gazette 6 June 1969, p. 1673.*  
For amendments to 12 November 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 155.*]

“**By-law 95**” means the *Government Railways Act By-law No. 95 — Removal and Disposal of Vehicles By-laws\**.

[\* *Published in Gazette 21 July 1978, p. 2688-9.*  
For amendments to 12 November 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 156.*]

## 3. By-laws repealed

All by-laws made under the *Government Railways Act 1904* are repealed except —

- (a) By-law 80;
- (b) By-law 91; and
- (c) By-law 95.

## 4. By-law 80 amended

- (1) The amendments in this by-law are to By-law 80.
- (2) The heading “By-law No. 80 — Government Railways Parking Station By-law” before sub-by-law 1 is deleted and the following rule is inserted instead —

“

### 1A. Citation

- (1) This by-law may be cited as the *Government Railways (Parking Stations) By-law 1997*.
- (2) The main legislative units of this by-law are called rules, and a rule may contain 2 or more subrules (this sentence, for example, being subrule (2) of rule 1A).

”.

- (3) Sub-by-law 1(1) is amended as follows:
  - (a) by deleting the definition of “commercial vehicle”;

- (b) by deleting the definition of “parking station” and inserting instead —

“

“**parking station**” means a parking station constituted under rule 3(a);

”.

- (4) Sub-by-law 1(2) is amended by deleting “these regulations” and inserting instead —

“ this by-law ”.

- (5) Sub-by-law 2(2)(a) is amended by deleting “the Commission prior to the coming into operation of this by-law;” and inserting instead —

“

The Western Australian Government Railways Commission prior to the coming into operation of the *Public Transport Authority Act 2003* Part 7 Division 2;

”.

- (6) Sub-by-law 3(a) is amended by inserting after “parking stations” —

“

, being any land, building or other structure containing a parking space or parking spaces that is provided on a railway for the purpose of accommodating vehicles with or without charge

”.

- (7) Sub-by-law 10 is repealed and the following rule is inserted instead —

“

#### **10. Loading zone**

- (1) A person must not permit a vehicle to stand in a parking space if there is a sign on it or adjacent to it marked “Loading Zone” unless —
- (a) the vehicle is being used for delivering or collecting goods in the course of commerce; and
  - (b) the vehicle remains in the space for not more than 30 minutes.

- (2) In this rule —

“**goods**” means an article or collection of articles weighing at least 14 kilograms of which the content is at least 0.2 cubic metre.

”.

- (8) Item 1 of Schedule 1 is repealed and the following item is inserted instead —

“

1.(1) The charge to be paid for parking a vehicle in a secured parking station on a weekday for any period between 7 a.m. and 9 p.m. on the day of issue of the ticket is \$1.00.

(2) In this item —

“**weekday**” means a day other than a Saturday or Sunday.

”.

- (9) Form 1 of Schedule 2 is amended by deleting “Western Australian Government Railways Commission, G.P.O. Box S1422, Perth 6845” and inserting instead —

“

Public Transport Authority of Western Australia,  
PO Box 383, Northbridge 6865

”.

- (10) Form 2 of Schedule 2 is amended as follows:

(a) by deleting “Western Australian Government Railways Commission, G.P.O. Box S1422, Perth 6845” and inserting instead —

“

Public Transport Authority of Western Australia,  
PO Box 383, Northbridge 6865

”;

(b) by deleting “TO: The Western Australian Government Railways Commission” and inserting instead —

“

TO: Public Transport Authority of Western Australia

”.

- (11) By-law 80 is amended by deleting “Commission” in each place where it occurs that is specified in the Table to this sub-by-law and inserting instead —

“ Authority ”.

#### Table

sub-by-law 1(1) (in the definition of “authorised person”)	sub-by-law 24
sub-by-law 2(2) (in the second place)	sub-by-law 26(2)(a) and (b), (3), and (4)
sub-by-law 3	sub-by-law 27(2)(b) and (3)
sub-by-law 7	sub-by-law 28
sub-by-law 18(1), (2) and (3)(b)	sub-by-law 29
sub-by-law 19(1) and (2)	sub-by-law 30
sub-by-law 22(b) and (c)	Schedule 2 Form 2 (in the first 2 places)

- (12) By-law 80 is amended by deleting “sub-bylaw” or “Sub-bylaw” in each place where it occurs that is specified in the Table to this sub-bylaw and inserting instead —

“ rule ”.

**Table**

sub-bylaw 1(1) (in the definition of “authorised person”)	sub-bylaw 26(1) and (2)(a) and (b)
sub-bylaw 9	sub-bylaw 28
sub-bylaw 13	Schedule 1 item 2
sub-bylaw 18(2) and (3)	Schedule 2 Form 1 and Form 2
sub-bylaw 23(1)	

- (13) By-law 80 is amended by deleting “Government Railways Parking Station By-law 80” or “Government Railways Parking Station By-law No. 80” in each place where it occurs in Form 1 or Form 2 of Schedule 2 and inserting instead —

“ *Government Railways (Parking Stations) By-law 1997* ”.

**5. By-law 91 amended**

- (1) The amendments in this by-law are to By-law 91.
- (2) The headings “By-law No. 91.” and “Sale and Consumption of Liquor.” before rule 1 are deleted and the following rule is inserted instead —

“

**1AA. Citation**

- (1) This by-law may be cited as the *Government Railways (Sale and Consumption of Liquor) By-law 1971*.
- (2) The main legislative units of this by-law are called rules, and a rule may contain 2 or more subrules (this sentence, for example, being subrule (2) of rule 1AA).

”.

- (3) Rule 1 is amended in the definition of “liquor” by deleting “Liquor Act, 1970.” and inserting instead —

“ *Liquor Licensing Act 1988*. ”.

- (4) Rule 1A is amended by deleting “metropolitan area (within the meaning given in section 18B(1) of the *Transport Coordination Act 1966*).” and inserting instead —

“

metropolitan region (as described in the Third Schedule to the *Metropolitan Region Town Planning Scheme Act 1959*).

”.

- (5) Rule 2A is repealed.

- (6) By-law 91 is amended by deleting “Commission” in each place where it occurs that is specified in the Table to this sub-by-law and inserting instead —

“ Authority ”.

**Table**

rule 2	rule 4
rule 3	rule 6

**6. By-law 95 amended**

- (1) The amendments in this by-law are to By-law 95.
- (2) The heading “(By-law No. 95.)” is deleted.
- (3) Rule 1 is amended as follows:
- (a) by inserting before “This”, at the beginning of the rule, the subrule designation “(1)”;
- (b) by deleting “Removal and Disposal of Vehicles By-laws.” and inserting instead —
- “
- Government Railways (Removal and Disposal of Vehicles) By-law 1978.*
- ”.
- (c) by inserting at the end of the rule the following subrule —
- “
- (2) The main legislative units of this by-law are called rules, and a rule may contain 2 or more subrules (this sentence, for example, being subrule (2) of rule 1).
- ”.
- (4) Rule 3 is amended in the definition of “authorised person” by deleting “these by-laws” and inserting instead —
- “ this by-law ”.
- (5) Rule 7 is amended by deleting “Rule” in both places in which it occurs and inserting instead —
- “ rule ”.
- (6) Rule 10(2) is amended by deleting “placed into the Miscellaneous Revenue Account of the Commission.” and inserting instead —
- “
- credited to the account referred to in the *Public Transport Authority Act 2003* section 32.
- ”.
- (7) By-law 95 is amended by deleting “Commission” in each place where it occurs that is specified in the Table to this sub-by-law and inserting instead —
- “ Authority ”.

**Table**

rule 3	rule 8(1) and (2)
rule 4	rule 9
rule 6	rule 10(1)
rule 7	

The common seal of the Public  
Transport Authority of Western  
Australia was affixed, as authorised by  
the Authority, in the presence of —

R. WALDOCK, A/chief executive officer.

Approved by the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.