



Western Australia

Transport Co-ordination Act 1966

## **Transport (Country Taxi-cars Fares) Regulations 1991**



## **Transport (Country Taxi-cars Fares) Regulations 1991**

### **Contents**

1.	Citation	1
2.	Commencement	1
2A.	Terms used	1
3.	Schedule 1 fares	2
3AA.	Contract fares	4
3AB.	Parking fees and cleaning costs	5
3A.	Providing a payment terminal	6
3B.	Surcharge for non-cash payment	6
4.	Evading fares	7
4A.	Deposit of fare in advance, driver may require	7
5.	Multiple hiring	7
5A.	Taxi user subsidy scheme vouchers	8
6.	Fare schedule to be available to hirers	9
7.	Breach of regulations, offence	9
7A.	Offences and modified penalties prescribed (Act s. 58A)	10

Contents

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**Schedule 1 — Fares**

**Division 1 — Gascoyne region**

**Division 2 — Goldfields-Esperance region**

**Division 3 — Great Southern region**

**Division 4 — Kimberley region**

**Division 5 — Mid West region**

**Division 6 — Peel region**

**Division 7 — Pilbara region**

**Division 8 — South West region**

**Division 9 — Wheatbelt region**

**Schedule 2 — Modified penalties**

**Schedule 3 — Forms**

**Notes**

Compilation table 29

Provisions that have not come into operation 33

**Defined terms**

## Transport (Country Taxi-cars Fares) Regulations 1991

### 1. Citation

These regulations may be cited as the *Transport (Country Taxi-cars Fares) Regulations 1991* <sup>1</sup>.

[Regulation 1 amended: Gazette 28 Jun 2016 p. 2662.]

### 2. Commencement

These regulations shall come into operation on the day on which they are published in the *Government Gazette* <sup>1</sup>.

### 2A. Terms used

- (1) In these regulations, unless the contrary intention appears —
- booking service**, for a taxi-car driver, means a person that, at the request of a person to be provided with a taxi-car, arranges the provision of a taxi-car that is driven by the driver;
- business entity** includes an individual, body corporate, trust or partnership, who or that carries on business;
- call out** means hiring a taxi-car through the driver or the driver's booking service (but not hiring a taxi-car at a taxi-stand or as a result of hailing the driver);
- contract fare** means an amount payable for the hire of a taxi-car agreed under regulation 3AA(1);
- GST** has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth);

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

**payment terminal** means a device or system used to facilitate a non-cash payment and provided in accordance with regulation 3A;

**region** means a region described in the *Regional Development Commissions Act 1993* Schedule 1;

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

**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.

- (2) A term has the same meaning in these regulations as it has in the *Transport Co-ordination Act 1966* Part IIIB.

*[Regulation 2A inserted: Gazette 13 Dec 2013 p. 6178; amended: Gazette 20 Feb 2015 p. 690-1; 28 Jun 2016 p. 2662-3.]*

**3. Schedule 1 fares**

- (1) Each owner, driver and other operator of a taxi-car that is hired in a region must ensure that the fare, and any surcharge and fee of a kind set out in Schedule 1, for the hire of the taxi-car, inclusive of GST, are not more than those set out in Schedule 1 in respect of that region.

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- (1A) A driver of a taxi-car must not select a tariff for a passenger that is not the appropriate tariff as set out in Schedule 1.
- (1B) Subregulations (1) and (1A) do not apply to a taxi-car that is hired for a contract fare.
- (2) This regulation does not apply to a taxi-car, which under the conditions attached to its licence may be operated as a private taxi-car.
- (3) The off meter rates specified in Schedule 1 —
- (a) shall apply to a journey which at any time is outside the designated radius; and
  - (b) shall apply to the distances travelled by the taxi-car —
    - (i) where the point of engagement is within the designated radius — from the point of engagement to the destination and for the return journey by the nearest practicable route; and
    - (ii) where the point of engagement is outside the designated radius — to the point of engagement, from the point of engagement to the destination and for the return journey by the nearest practicable route,whether or not the taxi-car is occupied by a passenger during the whole of that journey.
- (4) In subregulation (3) —
- designated radius*** means —
- (a) for a taxi-car hired in the South West region — a 15 km radius of the post office designated in the relevant taxi-car licence; or

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- (b) for a taxi-car hired in any other region — a 30 km radius of the post office designated in the relevant taxi-car licence.

*[Regulation 3 amended: Gazette 14 Jul 2006 p. 2571; 29 Jun 2012 p. 2963; 13 Dec 2013 p. 6179; 28 Jun 2016 p. 2663.]*

**3AA. Contract fares**

- (1) The amount payable for the hire of a taxi-car may be agreed between the hirer and the driver of the taxi-car or the driver's booking service (a ***contract fare***).
- (2) However, if a voucher is to be used for the payment or part-payment of the contract fare, the amount agreed under subregulation (1) must not exceed the fare (as calculated in accordance with the appropriate tariff set out in Schedule 1) that would otherwise be payable for the hire of the taxi-car.
- (3) Subregulation (1) does not apply if the taxi-car is hired at a taxi stand or as a result of hailing the driver.
- (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-car, 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 3AB(2); and
  - (ii) costs of cleaning mentioned in regulation 3AB(3); and
  - (iii) a surcharge for a non-cash payment mentioned in regulation 3B.
- (6) A taxi-car 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 3AA inserted: Gazette 28 Jun 2016 p. 2663-5;  
amended: Gazette 22 May 2018 p. 1601.]*

**3AB. Parking fees and cleaning costs**

- (1) This regulation applies whether a taxi-car is hired for a Schedule 1 fare or a contract fare.
- (2) The hirer of a taxi-car must pay the fee, if any, for parking during the journey at a passenger's request.  
Penalty for this subregulation: a fine of \$200.
- (3) The hirer of a taxi-car may be charged for the costs of cleaning the taxi-car 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) —
  - (a) for a taxi-car hired in the Mid West region, at a rate higher than \$49.45 for each hour or part of an hour for the time required to clean the taxi-car; or
  - (b) for a taxi-car hired in any other region, at a rate higher than \$49.00 for each hour or part of an hour for the time required to clean the taxi-car.

Penalty for this subregulation: a fine of \$200.

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*[Regulation 3AB inserted: Gazette 28 Jun 2016 p. 2665.]*

**3A. Providing a payment terminal**

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

- (a) if the licence holder was involved in requesting or enabling the use of that type of payment terminal, then the licence holder provides the terminal for the purposes of regulation 3B(2);
- (b) if the owner or another operator was involved in requesting or enabling the use of that type of payment terminal, then the owner or another operator provides the terminal for the purposes of regulation 3B(2);
- (c) in any other case, the driver provides the terminal for the purposes of regulation 3B(2).

*[Regulation 3A inserted: Gazette 20 Feb 2015 p. 691.]*

**3B. Surcharge for non-cash payment**

- (1) If a surcharge is added because a Schedule 1 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 \$200.
- (3) Where more than one payment terminal is available for a taxi-car, the driver must use the terminal that results in the lowest surcharge, if any, being imposed when a non-cash payment is made.

Penalty for this subregulation: a fine of \$200.

*[Regulation 3B inserted: Gazette 20 Feb 2015 p. 691; amended: Gazette 28 Jun 2016 p. 2666.]*

**4. Evading fares**

- (1) A person must not evade or attempt to evade the payment of a Schedule 1 fare or a contract fare for the hire of a taxi-car.
- (2) A taxi-car driver must report any evasion or attempted evasion of a Schedule 1 fare for a hiring of the taxi-car to the Director General as soon as is practicable.

*[Regulation 4 amended: Gazette 24 Dec 2002 p. 6605;  
28 Jun 2016 p. 2666.]*

**4A. Deposit of fare in advance, driver may require**

Prior to accepting a hiring, a taxi-car driver may require a hirer to pay a deposit equal to the anticipated Schedule 1 fare as estimated by the driver or the contract fare.

*[Regulation 4A inserted: Gazette 14 Jul 2006 p. 2571;  
amended: Gazette 28 Jun 2016 p. 2667.]*

**5. Multiple hiring**

- (1) In this regulation —  
**multiple hiring**, in relation to a taxi-car, means the hiring of the taxi-car by 2 or more passengers who are not accompanying each other but who agree to share the hire of the taxi-car and pay separate fares for carriage in the taxi-car.
- (2) The hirer of a taxi-car 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-car is the subject of multiple hiring, each separate hirer may, at that hirer's destination, be charged —
  - (a) 75% of the sum of the amount of the fare then recorded on the taximeter and any surcharge or fee of a kind set out in Schedule 1 for the hire that is not included in the metered amount; or

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- (b) if the taxi-car is not fitted with a taximeter, 75% of the amount of the Schedule 1 fare that would be payable at that time if the taxi-car were being used for the carriage of a hirer or hirers for a single fare.
- (4) A taxi-car 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-car is the subject of multiple hiring —
  - (a) the hirer for the purposes of regulation 3AB(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 3AB(3) who may be charged for the costs of cleaning the taxi-car 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 3B(1) 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 5 inserted: Gazette 28 Jun 2016 p. 2667-9.]*

**5A. 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 taxi-car driver must not refuse to accept a voucher as payment or part-payment of a Schedule 1 fare or a contract fare if the payment or part-payment is in accordance with guidelines published by the Director General.

- (3) A taxi-car driver who accepts a voucher must not enter on the voucher any information that the driver knows to be false or misleading.
- (4) A taxi-car 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) An owner or operator of a taxi-car must not direct a taxi-car driver to refuse to accept a voucher as payment or part-payment of a Schedule 1 fare or a contract fare if the payment or part-payment is in accordance with guidelines published by the Director General.

*[Regulation 5A inserted: Gazette 28 Jun 2016 p. 2669;  
amended: Gazette 22 May 2018 p. 1601.]*

**6. Fare schedule to be available to hirers**

- (1) The owner of a taxi-car must ensure that there is carried in the vehicle a schedule in a form approved by the Director General detailing the rates and other amounts in Schedule 1 to be paid in the event that the taxi-car is hired for a Schedule 1 fare (the *fare schedule*).
- (2) A taxi-car driver must make the fare schedule available to the hirer at the hirer's request.
- (3) A person must not drive a taxi-car in which the fare schedule is not carried.

*[Regulation 6 inserted: Gazette 28 Jun 2016 p. 2670.]*

**7. Breach of regulations, offence**

A person who contravenes or fails to comply with any of these regulations commits an offence and, unless otherwise provided in these regulations, is liable to a penalty —

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- (a) for a first offence, to a fine not exceeding \$100; and
- (b) for a second or subsequent offence, to a fine not exceeding \$200.

*[Regulation 7 amended: Gazette 28 Jun 2016 p. 2670.]*

**7A. Offences and modified penalties prescribed (Act s. 58A)**

- (1) For the purposes of section 58A of the Act, the prescribed offences against these regulations for which infringement notices may be given, and the modified penalties for those offences, are set out in Schedule 2.
- (2) For the purposes of section 58A(3), the prescribed form of infringement notice is Form 1 in Schedule 3.
- (3) For the purposes of section 58A(2), the prescribed form of notice of withdrawal of infringement notice is Form 2 in Schedule 3.

*[Regulation 7A inserted: Gazette 14 Jul 2006 p. 2571-2.]*

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

## Schedule 1 — Fares

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*[Heading inserted: Gazette 23 Dec 2014 p. 4898; amended: Gazette 28 Jun 2016 p. 2670.]*

### Division 1 — Gascoyne region

*[Heading inserted: Gazette 23 Dec 2014 p. 4898.]*

#### Metered rates (maximums)

	Flagfall	Distance rate	Detention
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.20	\$2.31/km	\$49.00/hour
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$2.31/km	\$49.00/hour
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.10	\$3.41/km	\$76.00/hour

#### Off meter rates (maximums)

	Distance rate (during hiring and for forward or return journey)
When carrying fewer than 5 passengers	\$1.25/km
When carrying 5 or more passengers	\$1.90/km

**Transport (Country Taxi-cars Fares) Regulations 1991****Schedule 1** Fares**Division 2** Goldfields-Esperance region**Other amounts (maximums)**

<b>Call out fee</b>	\$1.50
<b>Surcharges</b>	
Ultra-Peak —	
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65
Christmas Day —	
midnight to midnight	\$5.10
New Year's Eve —	
6 pm New Year's Eve to 6 am New Year's Day	\$5.70

*[Division 1 inserted: Gazette 23 Dec 2014 p. 4898-9; amended:  
Gazette 28 Jun 2016 p. 2671.]*

**Division 2 — Goldfields-Esperance region**

*[Heading inserted: Gazette 23 Dec 2014 p. 4899.]*

**Metered rates (maximums)**

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.20	\$1.80/km	\$49.00/hour
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$1.80/km	\$49.00/hour



	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.10	\$2.56/km	\$76.00/hour

**Off meter rates (maximums)**

	<b>Distance rate</b> (during hiring and for forward or return journey)
When carrying fewer than 5 passengers	\$1.15/km
When carrying 5 or more passengers	\$1.66/km

**Other amounts (maximums)**

<b>Call out fee</b>	\$1.50
<b>Surcharges</b>	
Ultra-Peak —	
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65
Christmas Day —	
midnight to midnight	\$5.10
New Year's Eve —	
6 pm New Year's Eve to 6 am New Year's Day	\$5.70

*[Division 2 inserted: Gazette 23 Dec 2014 p. 4899-901; amended:  
Gazette 28 Jun 2016 p. 2671.]*

**Division 3 — Great Southern region**

*[Heading inserted: Gazette 23 Dec 2014 p. 4901.]*

**Metered rates (maximums)**

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
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**Transport (Country Taxi-cars Fares) Regulations 1991****Schedule 1** Fares**Division 3** Great Southern region

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.20	\$1.75/km	\$49.00/hour
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$1.75/km	\$49.00/hour
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.10	\$2.60/km	\$76.00/hour

**Off meter rates (maximums)**

	<b>Distance rate</b> (during hiring and for forward or return journey)
When carrying fewer than 5 passengers	\$1.05/km
When carrying 5 or more passengers	\$1.60/km

**Other amounts (maximums)**

<b>Call out fee</b>	\$1.50
<b>Surcharges</b>	
Ultra-Peak —	
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65

Christmas Day — midnight to midnight	\$5.10
New Year's Eve — 6 pm New Year's Eve to 6 am New Year's Day	\$5.70

*[Division 3 inserted: Gazette 23 Dec 2014 p. 4901-2; amended:  
Gazette 28 Jun 2016 p. 2671.]*

**Division 4 — Kimberley region**

*[Heading inserted: Gazette 23 Dec 2014 p. 4902.]*

**Metered rates (maximums)**

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.20	\$2.27/km	\$49.00/hour
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$2.27/km	\$49.00/hour
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.10	\$3.35/km	\$76.00/hour

**Off meter rates (maximums)**

	<b>Distance rate</b> (during hiring and for forward or return journey)
When carrying fewer than 5 passengers	\$1.26/km

**Transport (Country Taxi-cars Fares) Regulations 1991****Schedule 1** Fares**Division 5** Mid West region

	<b>Distance rate</b> (during hiring and for forward or return journey)
When carrying 5 or more passengers	\$1.92/km

**Other amounts (maximums)**

<b>Call out fee</b>	\$1.50
<b>Airport fee</b> (for a journey starting at the terminal at the Broome International Airport)	\$2.50
<b>Surcharges</b>	
Ultra-Peak —	
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65
Christmas Day —	
midnight to midnight	\$5.10
New Year's Eve —	
6 pm New Year's Eve to 6 am New Year's Day	\$5.70

*[Division 4 inserted: Gazette 23 Dec 2014 p. 4902-4; amended: Gazette 28 Jun 2016 p. 2671; 21 Aug 2018 p. 2943.]*

**Division 5 — Mid West region**

*[Heading inserted: Gazette 23 Dec 2014 p. 4904.]*

**Metered rates (maximums)**

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.30	\$1.76/km	\$49.50/hour

	Flagfall	Distance rate	Detention
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.20	\$1.76/km	\$49.50/hour
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.20	\$2.60/km	\$76.60/hour
<b>Off meter rates (maximums)</b>			
	<b>Distance rate</b> (during hiring and for forward or return journey)		
When carrying fewer than 5 passengers	\$1.05/km		
When carrying 5 or more passengers	\$1.60/km		
<b>Other amounts (maximums)</b>			
<b>Call out fee</b>	\$1.50		
<b>Surcharges</b>			
Ultra-Peak —			
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65		
Christmas Day —			
midnight to midnight	\$5.10		

**Transport (Country Taxi-cars Fares) Regulations 1991****Schedule 1** Fares**Division 6** Peel region

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

*[Division 5 inserted: Gazette 23 Dec 2014 p. 4904-5; amended:  
Gazette 28 Jun 2016 p. 2671.]*

**Division 6 — Peel region**

*[Heading inserted: Gazette 23 Dec 2014 p. 4905.]*

**Metered rates (maximums)**

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.20	\$1.75/km	\$49.00/hour
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$1.75/km	\$49.00/hour
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.10	\$2.60/km	\$76.00/hour

**Off meter rates (maximums)**

	<b>Distance rate</b> (during hiring and for forward or return journey)
When carrying fewer than 5 passengers	\$1.05/km
When carrying 5 or more passengers	\$1.60/km

**Other amounts (maximums)**

<b>Call out fee</b>	\$1.50
<b>Surcharges</b>	
Ultra-Peak —	
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65
Christmas Day —	
midnight to midnight	\$5.10
New Year's Eve —	
6 pm New Year's Eve to 6 am New Year's Day	\$5.70

*[Division 6 inserted: Gazette 23 Dec 2014 p. 4905-7; amended:  
Gazette 28 Jun 2016 p. 2671.]*

**Division 7 — Pilbara region**

*[Heading inserted: Gazette 23 Dec 2014 p. 4907.]*

**Metered rates (maximums)**

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.20	\$2.31/km	\$49.00/hour
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$2.31/km	\$49.00/hour

**Transport (Country Taxi-cars Fares) Regulations 1991****Schedule 1**      Fares**Division 7**      Pilbara region

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.10	\$3.41/km	\$76.00/hour

**Off meter rates (maximums)**

	<b>Distance rate</b> (during hiring and for forward or return journey)
When carrying fewer than 5 passengers	\$1.25/km
When carrying 5 or more passengers	\$1.90/km

**Other amounts (maximums)**

<b>Call out fee</b>	\$1.50
<b>Airport fee</b> (for a journey starting at the terminal at the Port Hedland International Airport)	\$2.00
<b>Surcharges</b>	
Ultra-Peak —	
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65
Christmas Day —	
midnight to midnight	\$5.10
New Year's Eve —	
6 pm New Year's Eve to 6 am New Year's Day	\$5.70

*[Division 7 inserted: Gazette 23 Dec 2014 p. 4907-8; amended: Gazette 28 Jun 2016 p. 2671; 12 May 2017 p. 2472.]*



**Division 8 — South West region**

*[Heading inserted: Gazette 23 Dec 2014 p. 4908.]*

**Metered rates (maximums)**

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.20	\$1.75/km	\$49.00/hour
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$1.75/km	\$49.00/hour
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.10	\$2.60/km	\$76.00/hour

**Off meter rates (maximums)**

	<b>Distance rate</b> (during hiring and for forward or return journey)
When carrying fewer than 5 passengers	\$1.05/km
When carrying 5 or more passengers	\$1.60/km

**Other amounts (maximums)**

<b>Call out fee</b>	\$1.50
<b>Surcharges</b>	
Ultra-Peak —	
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65
Christmas Day —	
midnight to midnight	\$5.10
New Year's Eve —	
6 pm New Year's Eve to 6 am New Year's Day	\$5.70

*[Division 8 inserted: Gazette 23 Dec 2014 p. 4908-10; amended:  
Gazette 28 Jun 2016 p. 2671.]*

**Division 9 — Wheatbelt region**

*[Heading inserted: Gazette 23 Dec 2014 p. 4910.]*

**Metered rates (maximums)**

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 1</b>			
Monday to Friday 6 am to 6 pm	\$4.20	\$1.80/km	\$49.00/hour
<b>Tariff 2</b>			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$1.80/km	\$49.00/hour

	<b>Flagfall</b>	<b>Distance rate</b>	<b>Detention</b>
<b>Tariff 3</b>			
When carrying 5 or more passengers	\$6.10	\$2.56/km	\$76.00/hour

**Off meter rates (maximums)**

	<b>Distance rate</b> (during hiring and for forward or return journey)
When carrying fewer than 5 passengers	\$1.15/km
When carrying 5 or more passengers	\$1.66/km

**Other amounts (maximums)**

<b>Call out fee</b>	\$1.50
<b>Surcharges</b>	
Ultra-Peak —	
Between midnight Friday to 5 am Saturday or midnight Saturday to 5 am Sunday	\$2.65
Christmas Day —	
midnight to midnight	\$5.10
New Year's Eve —	
6 pm New Year's Eve to 6 am New Year's Day	\$5.70

*[Division 9 inserted: Gazette 23 Dec 2014 p. 4910-11; amended:  
Gazette 28 Jun 2016 p. 2671.]*

**Schedule 2 — Modified penalties**

[r. 7A(1)]

*[Heading inserted: Gazette 14 Jul 2006 p. 2572.]*

**Table**

<b>Item</b>	<b>Regulation</b>	<b>Description of offence</b>	<b>Modified penalty</b> \$
1.	r. 3(1)	Fare, surcharge or fee of a kind set out in Schedule 1 for hire of taxi-car is more than that in Schedule 1	50
2.	r. 3(1A)	Selecting a tariff that is not the appropriate tariff as set out in Schedule 1	50
3.	r. 3AA(6)	Not retaining contract fare record for 12 months	50
4.	r. 3AB(2)	Hirer failing to pay parking fee incurred at passenger's request	50
5.	r. 3AB(4)	Charging excessive cleaning costs	50
6.	r. 3B(2)	Imposing excessive surcharge	50
7.	r. 3B(3)	Not using correct payment terminal	50
8.	r. 4(1)	Evading or attempting to evade payment of fare	50
9.	r. 4(2)	Failing to report evasion or attempted evasion of payment of fare to Director General	50
10.	r. 5A(2)	Refusing to accept voucher	50

**Transport (Country Taxi-cars Fares) Regulations 1991**  
Modified penalties

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<b>Item</b>	<b>Regulation</b>	<b>Description of offence</b>	<b>Modified penalty</b> \$
11.	r. 5A(3)	Entering false or misleading information on voucher	50
12.	r. 5A(6)	Directing taxi-car driver to refuse to accept voucher	50
13.	r. 6(1)	Owner failing to ensure fare schedule carried in vehicle	50
14.	r. 6(2)	Driver failing to make schedule available to hirer upon request	50
15.	r. 6(3)	Driving a taxi-car in which relevant fare schedule is not carried	50

*[Schedule 2 inserted: Gazette 28 Jun 2016 p. 2671-3.]*

**FORM 1**

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**Schedule 3 — Forms**

[r. 7A(2) and (3)]

*[Heading inserted: Gazette 14 Jul 2006 p. 2573.]*

**FORM 1**

*TRANSPORT CO-ORDINATION ACT 1966 — section 58A*

*TRANSPORT (COUNTRY TAXI-CARS FARES)*

*REGULATIONS 1991 - regulation 7A(2)*

Western Australia

Department of Transport

**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 and 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.

.....

.....

Description of offence

Penalty \$ [ ] [ ] [ ] [ ]

.....

No. ....

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, additional administrative charges may be incurred and action may be taken to suspend your Motor Drivers Licence until you have paid in full the modified penalty and any additional charges OR you have elected to have this matter heard and determined by a court.

Payment may be made —

- (i) by post to —

[Insert appropriate address here]

- (ii) by hand to —

Clerk of Courts<sup>2</sup> —

Albany, Armadale, Broome, Bunbury, Busselton, Carnarvon, Collie, Derby, Esperance, Fremantle, Geraldton, Harvey, Kalgoorlie, Karratha, Katanning, Kununurra, Mandurah, Manjimup, Merredin, Moora, Midland, Narrogin, Northam, Pinjarra, Port Hedland, Roebourne, Rockingham and Perth — Magistrates Court <sup>3</sup>, Level 2, Central Law Courts, 30 St Georges Terrace.

A receipt will not be mailed unless requested.

**Payments will not be accepted at any Department of Transport offices.**

Inquiries should be made in writing and forwarded by post to —

(Insert appropriate address here)

## TAXI INFRINGEMENT NOTICE CREDIT CARD SLIP

Do not detach — Return complete document with payment to —

[Insert appropriate address here]

Please debit my credit card account —

Bankcard [ ]      Mastercard [ ]      Visacard [ ]

[illegible]

Amount [ ] [ ] [ ] [ ]

Cardholder Name: .....

Signature: ..... Expiry Date: ...../...../.....

**FORM 2**

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*[Form 1 inserted: Gazette 14 Jul 2006 p. 2573-4; amended: Gazette 28 Jun 2016 p. 2673.]*

**FORM 2**

*TRANSPORT CO-ORDINATION ACT 1966 — section 58A*

*TRANSPORT (COUNTRY TAXI-CARS FARES)*

*REGULATIONS 1991 - regulation 7A(3)*

Western Australia

Department of Transport

**NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE**

Serial No. ....

Name

Address

Dear Sir/Madam

Notice of withdrawal of proceedings

Infringement Number

Date

Time

Code

Description

Take notice that I, being authorised to do so, hereby withdraw proceedings under the *Transport Co-ordination Act 1966* in relation to the infringement notice issued for the above offence.

Director General

Date

*[Form 2 inserted: Gazette 14 Jul 2006 p. 2574-5; amended: Gazette 28 Jun 2016 p. 2673.]*



## Notes

- <sup>1</sup> This is a compilation of the *Transport (Country Taxi-cars Fares) Regulations 1991* and includes the amendments made by the other written laws referred to in the following table <sup>1a</sup>. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Country Taxi-cars (Fares and Charges) Regulations 1991</i>	19 Apr 1991 p. 1815-20	19 Apr 1991
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 1991</i>	12 Jul 1991 p. 3484-6	12 Jul 1991
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 1991</i>	2 Aug 1991 p. 4080-1	2 Aug 1991
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 3) 1991</i>	6 Sep 1991 p. 4717-18	6 Sep 1991
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 4) 1991</i>	11 Oct 1991 p. 5236-7	11 Oct 1991
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 5) 1991</i>	29 Nov 1991 p. 6044-5	29 Nov 1991
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 1992</i>	14 Aug 1992 p. 4068-9	14 Aug 1992
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 1993</i>	1 Oct 1993 p. 5394-5	4 Oct 1993 (see r. 2)
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 1994</i>	4 Mar 1994 p. 899	4 Mar 1994
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 1994</i>	10 Jun 1994 p. 2418-19	13 Jun 1994 (see r. 2)
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 3) 1994</i>	30 Sep 1994 p. 5057-8	3 Oct 1994 (see r. 2)

## Transport (Country Taxi-cars Fares) Regulations 1991

Citation	Gazettal	Commencement
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 1995</i>	30 Jun 1995 p. 2696-7	3 Jul 1995 (see r. 2)
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 1996</i>	23 Feb 1996 p. 683-4	23 Feb 1996
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 1996</i>	23 Feb 1996 p. 685-7	23 Feb 1996
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 3) 1996</i>	7 Jun 1996 p. 2423	7 Jun 1996
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2000</i>	28 Mar 2000 p. 1688-94	28 Mar 2000
<b>Reprint of the Country Taxi-cars (Fares and Charges) Regulations 1991 as at 26 Apr 2000</b> (includes amendments listed above)		
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2000</i>	20 Jun 2000 p. 3071-5	1 Jul 2000 (see r. 2)
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 3) 2000</i>	21 Nov 2000 p. 6326-9	21 Nov 2000
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2002</i>	24 Dec 2002 p. 6605-6	24 Dec 2002
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2003</i>	24 Dec 2003 p. 5267-71	24 Dec 2003
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2004</i>	10 Dec 2004 p. 5911-15	10 Dec 2004
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2005</i>	21 Jan 2005 p. 270-4	21 Jan 2005
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 3) 2005</i>	1 Dec 2005 p. 5791-801	1 Dec 2005

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2006</i>	14 Jul 2006 p. 2570-5	14 Jul 2006
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2006</i>	8 Dec 2006 p. 5393-9	8 Dec 2006
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2007</i>	21 Dec 2007 p. 6329-38	r. 1 and 2: 21 Dec 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Dec 2007 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2008</i>	31 Jul 2008 p. 3437-48	r. 1 and 2: 31 Jul 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Aug 2008 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2008</i>	17 Dec 2008 p. 5335-46	r. 1 and 2: 17 Dec 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Dec 2008 (see r. 2(b))
<b>Reprint 2: The Country Taxi-cars (Fares and Charges) Regulations 1991 as at 6 Feb 2009</b> (includes amendments listed above)		
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2010</i>	9 Feb 2010 p. 272-81	r. 1 and 2: 9 Feb 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Feb 2010 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2011</i>	11 Feb 2011 p. 508-15	r. 1 and 2: 11 Feb 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 12 Feb 2011 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2011</i>	30 Nov 2011 p. 4973-7	r. 1 and 2: 30 Nov 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Dec 2011 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2012</i>	22 Jun 2012 p. 2798-9	r. 1 and 2: 22 Jun 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2012 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2012</i>	29 Jun 2012 p. 2962-3	r. 1 and 2: 29 Jun 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2012 (see r. 2(b))

Citation	Gazettal	Commencement
<b>Reprint 3: The Country Taxi-cars (Fares and Charges) Regulations 1991 as at 26 Oct 2012</b> (includes amendments listed above)		
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 3) 2012</i>	30 Nov 2012 p. 5808-12	r. 1 and 2: 30 Nov 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Dec 2012 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2013</i>	13 Dec 2013 p. 6178-89	r. 1 and 2: 13 Dec 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Dec 2013 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2014</i>	23 Dec 2014 p. 4897-911	r. 1 and 2: 23 Dec 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Dec 2014 (see r. 2(b))
<i>Country Taxi-cars (Fares and Charges) Amendment Regulations 2015</i>	20 Feb 2015 p. 690-2	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>On-demand Transport Regulations Amendment Regulations 2016 Pt. 2</i>	28 Jun 2016 p. 2655-92	4 Jul 2016 (see r. 2(b))
<b>Reprint 4: The Transport (Country Taxi-cars Fares) Regulations 1991 as at 10 Mar 2017</b> (includes amendments listed above)		
<i>Transport (Country Taxi-cars Fares) Amendment Regulations 2017</i>	12 May 2017 p. 2471-2	r. 1 and 2: 12 May 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 22 May 2017 (see r. 2(b))
<i>Transport Regulations Amendment (Fares) Regulations 2018 Pt. 3</i>	22 May 2018 p. 1600-1	23 May 2018 (see r. 2(b))
<i>Transport (Country Taxi-cars Fares) Amendment Regulation 2018</i>	21 Aug 2018 p. 2943	r. 1 and 2: 21 Aug 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Aug 2018 (see r. 2(b))

- <sup>1a</sup> On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

**Provisions that have not come into operation**

Citation	Gazettal	Commencement
<i>Transport Regulations Amendment (Road Passenger Services) Regulations 2019</i> Pt. 3 Div. 2 <sup>4</sup>	26 Feb 2019 p. 451-8	1 Apr 2019 (see r. 2(c) and <i>Gazette</i> 26 Feb 2019 p. 449-50)

- <sup>2</sup> 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.
- If immediately before commencement of the *Courts Legislation Amendment and Repeal Act 2004* Pt. 2 Div. 2, a person held office under the *Local Courts Act 1904* s. 13 as a clerk, then on commencement the person is taken under the *Courts Legislation Amendment and Repeal Act 2004* s. 6(1) to have been appointed as a registrar of the Magistrates Court.
- <sup>3</sup> 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. The reference was changed under the *Reprints Act 1984* s. 7(5)(a).
- <sup>4</sup> On the date as at which this compilation was prepared, the *Transport Regulations Amendment (Road Passenger Services) Regulations 2019* Pt. 3 Div. 2 had not come into operation. It reads as follows:

**Part 3 — Amendments relating to on-demand passenger transport levy**

**Division 2 — Transport (Country Taxi-cars Fares) Regulations 1991 amended**

**12. Regulations amended**

This Division amends the *Transport (Country Taxi-cars Fares) Regulations 1991*.

**13. Regulation 2A amended**

- (1) In regulation 2A(1) insert in alphabetical order:

**leviable passenger service transaction** has the meaning given in the *Transport (Road Passenger Services) Act 2018* section 244;

- (2) In regulation 2A(1) in the definition of **Schedule 1 fare** delete “and includes any surcharge or fee of a kind set out in Schedule 1 for the hire;” and insert:

and includes —

- (a) any surcharge or fee of a kind set out in Schedule 1 for the hire; and
- (b) any amount charged under regulation 3(1AA) in respect of the hire;

**14. Regulation 3 amended**

- (1) After regulation 3(1) insert:

- (1AA) Despite subregulation (1), if levy under the *Transport (Road Passenger Services) Act 2018* Part 9 Division 2 is payable in relation to a leviable passenger service transaction that relates to the hire of a taxi-car, the following may also be charged for the hire of the taxi-car —

- (a) an amount of fare allocated for the levy;
- (b) an amount for the GST payable in relation to the amount referred to in paragraph (a).

- (1AB) An amount charged under subregulation (1AA)(a) must not exceed the lesser of —

- (a) 10% of the sum of the amounts charged for the hire of the taxi-car of a kind referred to in the *Transport (Road Passenger Services) Regulations 2019* regulation 47(2) (excluding the GST included in any of those amounts); or
- (b) \$10.

- (2) In regulation 3(1B) delete “and (1A)” and insert:

to (1A)

**15. Regulation 3AA amended**

In regulation 3AA(2):

- (a) after “voucher” insert:

(as defined in regulation 5A(1))

- (b) delete “(as calculated in accordance with the appropriate tariff set out in Schedule 1)” and insert:

(as determined in accordance with regulation 3)

**16. Regulation 5 amended**

Delete regulation 5(3) and insert:

- (3) If a taxi-car is the subject of multiple hiring, each separate hirer may, at that hirer’s destination, be charged 75% of the Schedule 1 fare for the hire of the taxi-car applicable at that hirer’s destination.

**17. Regulation 6 amended**

After regulation 6(1) insert:

- (1A) If any amounts under regulation 3(1AA) are to be paid in relation to the hire of the taxi-car, the fare schedule must include a statement that an additional amount of fare allocated for the levy and an amount for the GST on that additional amount may be charged.

Defined terms

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**Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
booking service .....	2A(1)
business entity .....	2A(1)
call out .....	2A(1)
contract fare .....	2A(1), 3AA(1)
designated radius.....	3(4)
fare schedule .....	6(1)
GST.....	2A(1)
multiple hiring .....	5(1)
non-cash payment .....	2A(1)
payment terminal .....	2A(1)
region .....	2A(1)
Schedule 1 fare.....	2A(1)
surcharge.....	2A(1)
voucher .....	5A(1)