



Western Australia

Public Transport Authority Act 2003
Government Railways Act 1904
Transport Co-ordination Act 1966

Public Transport Authority Regulations 2003

Public Transport Authority Regulations 2003

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Defined terms

Public Transport Authority Regulations 2003

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Public Transport Authority Regulations 2003*.

2. Commencement

These regulations come into operation on the later of the day on which the *Public Transport Authority Act 2003* comes into operation and the day on which these regulations are published in the *Gazette*.

3. Terms used in these regulations

In these regulations, unless the contrary intention appears —
Act means the *Public Transport Authority Act 2003*;

conveyance means a road bus, ferry or railway train involved in the provision of a public passenger transport service by the Authority;

designated means designated by a sign placed by the Authority;

driver means the driver of a road bus or railway train involved in the provision of a public passenger transport service by the Authority;

electronic ticket means a physical data storage device or a software application that —

- (a) is issued or approved by the Authority; and

- (b) holds data that, alone or in conjunction with other data, evidences a person's authorisation to make a journey; and
- (c) at the start and end of the journey and at all times during the journey, is capable of being electronically read by the Authority's reading apparatus;

facility means a place associated with the provision of a public passenger transport service provided by the Authority;

journey means a journey on a public passenger transport service provided by the Authority;

master means the master of a ferry involved in the provision of a public passenger transport service by the Authority;

paper ticket means a voucher, receipt or other document issued by or on behalf of the Authority, that evidences a person's authorisation to make a journey;

sign includes a marking on the ground or other surface;

ticket means —

- (a) a paper ticket; or
- (b) an electronic ticket.

[Regulation 3 amended: Gazette 5 Nov 2013 p. 4950;
SL 2020/183 r. 4.]

4. Offences prescribed as infringement notice offences

The offences in these regulations that are followed by a penalty expressed as a “modified penalty” are offences that are prescribed offences for the purposes of section 44 of the Act, and the modified penalty following or applicable to the offence is the modified penalty prescribed for the purposes of section 45(1)(b) of the Act in respect of that offence.

Part 2 — Tickets

4A. Use of ticket may be subject to conditions

The Authority may issue or approve a ticket subject to conditions as to its use, including conditions as to —

- (a) the journeys in connection with which the ticket may be used; and
- (b) the places, times and circumstances in which the ticket may be used; and
- (c) the manner in which the ticket may be used; and
- (d) the person or class of persons who may use the ticket.

[Regulation 4A inserted: SL 2020/183 r. 5.]

5. Validity of ticket for journey

- (1) A paper ticket is valid for a journey if it evidences authorisation to make that journey, unless —
 - (a) it is torn; or
 - (b) it is to be validated by a machine before the commencement of the journey and it has not been so validated; or
 - (c) it is in such a condition that the printing or writing on it is not readily legible; or
 - (d) the printing on it has been altered, added to, erased or obliterated; or
 - (e) the period of duration of the ticket expired before the start of the journey; or
 - (f) it is not being used in accordance with any condition on which it was issued; or
 - (g) it is used or purported to be used on the journey beyond the point for which the fare has been paid; or

- (h) a current certificate or concession card is required to be held by a person as a condition of the use of the ticket on the journey and that certificate or concession card is not presented on demand to a driver, master or authorised person.
- (2) An electronic ticket is valid for a journey if it holds data that, alone or in conjunction with other data, evidences authorisation to make the journey, unless —
 - (a) the person using the ticket is required, before or at the start of the journey, to obtain confirmation from the Authority's reading apparatus of authorisation to make the journey, and the reading apparatus has not confirmed authorisation to make the journey; or
 - (b) it is not being used in accordance with any condition on which it was issued or approved; or
 - (c) a current certificate or concession card is required to be held by a person as a condition of the use of the ticket on the journey and that certificate or concession card is not presented on demand to a driver, master or authorised person.

[Regulation 5 inserted: SL 2020/183 r. 5.]

6. Making a journey without a valid ticket

- (1) A person who —
 - (a) starts or makes a journey; or
 - (b) leaves or ends a journey,

and who is not in possession of a ticket that is valid for the journey commits an offence.

Modified penalty for this subregulation: a fine of \$100.

Penalty for this subregulation: a fine of \$500.

- (1A) In proceedings for an offence under subregulation (1), the accused is taken not to have been in possession of a ticket that is valid for the journey (unless the contrary is proved) if —
- (a) it is proved that the accused did not produce a ticket valid for the journey to a driver, master or authorised person on demand made at the start or end of the journey or at any time during the journey; or
 - (b) it is proved that the accused used or attempted to make use of a ticket in connection with the journey that was not valid for the journey.
- (2) Subregulation (1) does not apply to —
- (a) a person authorised in writing by an authorised person to travel without paying a fare on a public passenger transport service specified in the authorisation; or
 - (b) a person travelling on a public passenger transport service provided by the Authority for which no fare has been fixed or within an area for which no fare is required to be paid.

[Regulation 6 amended: Gazette 24 Jul 2009 p. 2953; 5 Nov 2013 p. 4954; 6 Jul 2018 p. 2549; SL 2020/183 r. 6.]

6A. Being within a closed area without a valid ticket

- (1) In this regulation —
- appropriate ticket***, in relation to a closed area, means a ticket that is valid for a journey starting or ending at the railway station in which the closed area is located;
- closed area***, in relation to a railway station, means an area in the station, entry to or exit from which —
- (a) is controlled by gates, barriers or other means; and
 - (b) ordinarily requires the presentation of an appropriate ticket.

r. 6A

- (2) A person who is within the closed area of a railway station and is not in possession of an appropriate ticket commits an offence.
Modified penalty for this subregulation: a fine of \$100.
Penalty for this subregulation: a fine of \$500.
- (3) In proceedings for an offence under subregulation (2), the accused is taken not to have been in possession of an appropriate ticket (unless the contrary is proved) if —
- (a) it is proved that the accused did not produce an appropriate ticket to an authorised person on demand made when the accused entered or exited the closed area, or at any time while the accused was within the closed area; or
 - (b) it is proved that, when entering or exiting the closed area, the accused used or attempted to make use of a ticket that was not an appropriate ticket.
- (4) Subregulation (2) does not apply to a person permitted by an authorised person to enter the closed area of a railway station while not in possession of an appropriate ticket.

[Regulation 6A inserted: SL 2020/183 r. 7.]

Part 3 — Conduct in relation to Authority property

7. Interference with property

A person who —

- (a) interferes without lawful authority with a sign or equipment in or on Authority property; or
- (b) interferes without lawful authority with the mechanism of or a device in or on a conveyance,

commits an offence.

Modified penalty: a fine of \$200.

Penalty: a fine of \$2 000.

[Regulation 7 amended: Gazette 5 Nov 2013 p. 4954.]

8. Travelling on part of conveyance not intended for conveyance of passengers

A person who without lawful authority travels on any part of a conveyance not intended for the conveyance of passengers commits an offence.

Modified penalty: a fine of \$200.

Penalty: a fine of \$2 000.

[Regulation 8 amended: Gazette 5 Nov 2013 p. 4954.]

9. Entering or leaving a conveyance other than through a door

- (1) A person who, except in an emergency, enters or leaves a conveyance other than through a door intended for the use of passengers commits an offence.

Modified penalty: a fine of \$200.

Penalty: a fine of \$2 000.

- (2) Subregulation (1) does not apply to a driver, master, authorised person, or a security officer acting in the proper exercise of his or her duties.

[Regulation 9 amended: Gazette 5 Nov 2013 p. 4954.]

10. No standing allowed in certain areas on a conveyance

A person who stands in an area of a conveyance designated to be an area in which a person must not stand while the conveyance is moving commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

[Regulation 10 amended: Gazette 24 Jul 2009 p. 2953; 5 Nov 2013 p. 4950 and 4954.]

11. Smoking prohibited

(1A) In this regulation —

e-cigarette means a device that is designed to generate or release smoke, an aerosol or vapour (whether or not containing nicotine) by electronic means for inhalation by its user in a manner that replicates, or produces an experience similar to, the inhalation of smoke from an ignited tobacco product;

smoke (when used as a verb) means consume, hold or otherwise have control over —

- (a) an ignited tobacco product; or
- (b) an e-cigarette that is generating or releasing (whether or not by burning) smoke, an aerosol or vapour;

tobacco product has the meaning given in the *Tobacco Products Control Act 2006* Glossary clause 1.

(1) A person who smokes in or on a conveyance commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

- (2) A person who smokes in or on a facility in respect of which a notice is displayed that smoking is prohibited commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

- (3) This regulation does not limit the operation of the *Health (Smoking in Enclosed Public Places) Regulations 1999*¹.

[Regulation 11 amended: Gazette 24 Jul 2009 p. 2953-4;
5 Nov 2013 p. 4954; SL 2020/183 r. 8.]

12. Consumption of liquor

- (1A) In this regulation —

liquor has the meaning given in the *Liquor Control Act 1988* section 3(1).

- (1) Subject to subregulation (2), a person who consumes liquor in or on a conveyance or a facility commits an offence.
Modified penalty for this subregulation: a fine of \$100.
Penalty for this subregulation: a fine of \$500.
- (2) A person may consume liquor in or on a conveyance or a facility with the approval of the chief executive officer if that approval is obtained before the liquor is consumed.
- (3) In proceedings for an offence under subregulation (1), an allegation in the prosecution notice that a substance was liquor is, in the absence of proof to the contrary, taken to be proved.
- (4) If a person is contravening this regulation an authorised person may seize an open container of liquor in the person's possession.

- (5) An authorised person who seizes a container of liquor under subregulation (4) must dispose of it as soon as practicable after it is seized.

[Regulation 12 amended: Gazette 24 Jul 2009 p. 2954; 5 Nov 2013 p. 4954; SL 2020/183 r. 9.]

13. Nuisance

A person who acts in such a way as to cause a nuisance or annoyance to persons in or on a conveyance or a facility commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

[Regulation 13 amended: Gazette 24 Jul 2009 p. 2954; 5 Nov 2013 p. 4954.]

14. Begging and busking prohibited

Unless authorised in writing by the chief executive officer, a person who begs or busks in or on a conveyance or a facility commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

[Regulation 14 amended: Gazette 24 Jul 2009 p. 2954; 5 Nov 2013 p. 4954.]

15. Damage to a conveyance or facility

Unless authorised in writing by the chief executive officer, a person who affixes anything to or marks, paints, or writes anything on a conveyance or a facility commits an offence.

Modified penalty: a fine of \$200.

Penalty: a fine of \$2 000.

[Regulation 15 amended: Gazette 5 Nov 2013 p. 4954.]

16. Audible devices

- (1) Unless authorised in writing by the chief executive officer, a person who blows or plays on any musical instrument in or on a conveyance or a facility commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

- (2) A person who operates a device producing a sound (other than a telephone) in or on a conveyance or a facility unless the device is operated with the use of a headphone or ear plug or with the prior approval of the chief executive officer commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

*[Regulation 16 amended: Gazette 24 Jul 2009 p. 2954;
5 Nov 2013 p. 4954-5.]*

17. Selling things or services or distributing handbills etc. prohibited

- (1) Unless authorised in writing by the chief executive officer, a person who sells any thing or service or offers any thing or service for sale in or on a conveyance or a facility commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

- (2) Unless authorised in writing by the chief executive officer, a person who distributes any handbill, advertisement, or printed matter of any kind in or on a conveyance or a facility commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

*[Regulation 17 amended: Gazette 24 Jul 2009 p. 2954-5;
5 Nov 2013 p. 4954-5.]*

18. Food and drink

Unless authorised in writing by the chief executive officer, a person who consumes any drink or food in or on a conveyance commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

[Regulation 18 amended: Gazette 24 Jul 2009 p. 2955; 5 Nov 2013 p. 4954-5.]

19. Feet not to be placed on seats

A person who places or rests his or her foot or feet on or against a seat of a conveyance commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

[Regulation 19 amended: Gazette 24 Jul 2009 p. 2955; 5 Nov 2013 p. 4954-5.]

20. Luggage not to obstruct or endanger passengers

A person who while in or on a conveyance —

- (a) carries a thing in such a manner that it may hit another passenger; or
- (b) places or carries a thing in such a position or manner as to interfere with the ingress, egress, or comfort, or endanger the safety, of another person,

commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

[Regulation 20 amended: Gazette 24 Jul 2009 p. 2955; 5 Nov 2013 p. 4954-5.]

21. Possessing certain things prohibited

A person, other than an authorised person, a security officer or a member of the Police Force in the proper exercise of their duties, who, without lawful excuse, possesses any one or more of the following things on or in Authority property commits an offence —

- (a) an explosive;
- (b) a syringe other than a syringe for the administration by or for a person of a medication obtained by prescription;
- (c) any of the following as defined in the *Firearms Act 1973* section 4 —
 - (i) a firearm;
 - (ii) a major firearm part;
 - (iii) a prohibited firearm accessory;
 - (iv) ammunition;
- (d) a controlled weapon or prohibited weapon within the meaning of those terms in section 3 of the *Weapons Act 1999*;
- (e) a tool, device, substance or apparatus that is capable of being used to create graffiti or mark property.

Modified penalty applicable to paragraphs (a) to (d): a fine of \$200.

Modified penalty applicable to paragraph (e): a fine of \$100.

Penalty applicable to paragraphs (a) to (d): a fine of \$2 000.

Penalty applicable to paragraph (e): a fine of \$500.

[Regulation 21 amended: Gazette 24 Jul 2009 p. 2955; 5 Nov 2013 p. 4950-1; SL 2022/192 r. 4.]

22. Goods likely to spill, stain, or damage a conveyance

A person who takes, or causes to be taken, onto a conveyance any thing which is likely to —

- (a) spill; or
- (b) stain or cause damage to a conveyance,

commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

*[Regulation 22 amended: Gazette 24 Jul 2009 p. 2955;
5 Nov 2013 p. 4954-5.]*

23. Persons to stay inside conveyance

A person who —

- (a) projects or leans any portion of his or her body; or
- (b) projects an object,

out of a conveyance commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$500.

*[Regulation 23 amended: Gazette 24 Jul 2009 p. 2956;
5 Nov 2013 p. 4954-5.]*

Part 4 — Regulation of persons and vehicles on Authority property

24. Terms used in this Part

In this Part, unless the contrary intention appears —

ACROD permit means a current parking permit issued by National Disability Services Limited ABN 52 008 445 485, a company limited by guarantee, trading as National Disability Services WA;

driver means any person driving or in control of a vehicle;

park means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, of complying with provisions of any law or of immediately taking up or setting down persons or goods and **parking** has a correlative meaning;

parking space means a section or part of Authority property, that is designated as a place where a vehicle may stand or be parked whether on payment of a charge or otherwise;

secured parking facility means a facility in or on Authority property which is fenced and to which entry can be gained only through a gate that is locked between designated hours;

stand, in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law and **standing** has a correlative meaning;

ticket vending machine means a machine situated in or on Authority property which, following payment by note, coin, card or token, issues a parking ticket.

[Regulation 24 amended: Gazette 12 Dec 2003 p. 5040; 5 Nov 2013 p. 4951.]

24A. Government railways parking stations

This Part does not apply to a place to which the *Government Railways (Parking Stations) By-law 1997* applies.

[Regulation 24A inserted: Gazette 12 Dec 2003 p. 5040.]

25. Regulation of persons and vehicles on Authority property

- (1) The Authority may place signs in or on Authority property or remove or modify those signs.
- (2) Signs in or on Authority property immediately before the coming into operation of these regulations are to be taken to have been placed under subregulation (1).
- (3) The inscription on a sign operates according to its tenor.
- (4) A person must comply with —
 - (a) the inscription on a sign placed under subregulation (1) unless authorised by the chief executive officer to disobey the sign; or
 - (b) a signal or direction by an authorised person as to the use, parking or movement of a vehicle that is addressed to the person and that is reasonably required for the regulation of traffic in or on Authority property or a part of that property; or
 - (c) a signal or direction by an authorised person as to the movement of persons in or on any Authority property or a part of that property.

Modified penalty: a fine of \$50.

Penalty: a fine of \$250.

[Regulation 25 amended: Gazette 5 Nov 2013 p. 4951-2 and 4954-5.]

26. Obstruction

A person must not stand a vehicle so as to obstruct an entrance to, an exit from, or a roadway within, Authority property or

beyond the limits of any defined row of parking spaces within Authority property.

Modified penalty: a fine of \$50.

Penalty: a fine of \$250.

[Regulation 26 amended: Gazette 5 Nov 2013 p. 4954-5.]

27. Direction not to park in area

A person must not permit a vehicle to stand on any part of Authority property, whether or not that part is a parking space, if an authorised person directs the driver of the vehicle to move the vehicle.

Modified penalty: a fine of \$50.

Penalty: a fine of \$250.

[Regulation 27 amended: Gazette 5 Nov 2013 p. 4954-5.]

28. 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.

Modified penalty: a fine of \$50.

Penalty: a fine of \$250.

- (2) In this regulation —

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

[Regulation 28 inserted: Gazette 12 Dec 2003 p. 5041; amended: Gazette 5 Nov 2013 p. 4954-5.]

29. Designation of parking spaces for vehicles of persons with disability

A parking space in or on Authority property for the parking of vehicles of persons with a disability is to be designated by the symbol described in Australian Standard 1428 as the international symbol for access, displayed in the manner set out in Australian Standard 2890.6.

[Regulation 29 inserted: Gazette 5 Nov 2013 p. 4952.]

30. Disabled parking

- (1) A person must not, without permission of an authorised person, park or stand a vehicle in an area designated for the parking or standing of vehicles of disabled persons, unless —
- (a) a disabled person is the driver of or a passenger in the vehicle; and
 - (b) an ACROD permit is displayed in a prominent position in such a manner as to be clearly visible from the front of the vehicle.

Modified penalty for this subregulation: a fine of \$100.

Penalty for this subregulation: a fine of \$500.

- (2) A person other than a disabled person must not identify or purport to identify a vehicle in accordance with subregulation (1)(b).

Modified penalty for this subregulation: a fine of \$100.

Penalty for this subregulation: a fine of \$500.

[Regulation 30 amended: Gazette 5 Nov 2013 p. 4952 and 4954-5; SL 2020/183 r. 10.]

31. Vehicles and parking

A person must not, without permission of an authorised person —

- (a) park a vehicle in or on any part of Authority property other than a part designated for the time being for the parking of vehicles; or
- (b) stand a vehicle in or on any part of Authority property other than a part designated for the time being for the parking or standing of vehicles.

Modified penalty: a fine of \$50.

Penalty: a fine of \$250.

[Regulation 31 amended: Gazette 5 Nov 2013 p. 4954-5.]

32. Parking charges

- (1) If an area of Authority property is designated for parking subject to the payment of a charge set out in Schedule 1 item 1, a person must not park a vehicle in such an area at any time when the charge applies unless either subregulation (2) or (3) applies.

Modified penalty for this subregulation: a fine of \$50.

Penalty for this subregulation: a fine of \$250.

- (2) This subregulation applies if —
 - (a) the proper charge for parking the vehicle has been paid into a ticket vending machine; and
 - (b) a parking ticket has issued from the vending machine; and
 - (c) the parking ticket is displayed on the vehicle so that the date and an expiry time for permitted parking are clearly visible from outside the vehicle.
- (3) This subregulation applies if the proper charge for parking the vehicle has been paid, or arrangements for its payment have been made, in accordance with a payment mechanism approved

by the Authority for the purposes of this regulation by notice published in the *Gazette*.

[Regulation 32 inserted: SL 2020/183 r. 11.]

33. Removing vehicle from secured parking facility

- (1) A person who wishes to remove a vehicle from a secured parking facility between the designated hours must pay to the Authority the charge set out in Schedule 1 item 2 to have the gate to the facility unlocked and opened during those hours.
- (2) The Authority may reduce, waive or refund, in whole or in part, the charge prescribed under subregulation (1) in a particular case.

[Regulation 33 amended: Gazette 5 Nov 2013 p. 4953.]

Part 4A — Bicycles on passenger trains

[Heading inserted: Gazette 11 Feb 2005 p. 697.]

33A. Terms used in this Part

In this Part —

counter flow direction means —

- (a) away from the Perth CBD in the morning; or
- (b) towards the Perth CBD in the afternoon or evening;

peak flow direction means —

- (a) towards the Perth CBD in the morning; or
- (b) away from the Perth CBD in the afternoon or evening;

peak time means 7.00 a.m. to 9.00 a.m., and 4.30 p.m. to 6.30 p.m.;

working day means a weekday that is not a public holiday for the Perth metropolitan area.

[Regulation 33A inserted: Gazette 11 Feb 2005 p. 697.]

33B. Bikes on trains generally

- (1) Subject to regulation 33D, a person may travel with a bicycle on a passenger train on a day that is not a working day, at any time.
- (2) Subject to regulation 33D, a person may travel with a bicycle on a passenger train on a working day, at any time that is not peak time.

[Regulation 33B inserted: Gazette 11 Feb 2005 p. 697.]

33C. Bikes on trains in peak times

- (1) Subject to regulation 33D, a person may travel with a bicycle on a passenger train, in a counter flow direction during a peak time on a working day but, in doing so, must not get any closer to the

r. 33D

Perth CBD than the Canning Bridge, McIver, City West or Leederville station.

Modified penalty: a fine of \$100.

Penalty: a fine of \$2 000.

- (2) A person must not travel with a bicycle on a passenger train in a peak flow direction, during a peak time on a working day.

Modified penalty: a fine of \$100.

Penalty: a fine of \$2 000.

- (3) A security officer, an authorised person, or a member of the Police Force may direct that a person who is about to board a passenger train carriage with a bicycle is not to board that passenger train if, by embarking, that person would breach subregulation (1) or (2).

- (4) A security officer, an authorised person, or a member of the Police Force may direct that a person who is in breach of subregulation (1) or (2) is to disembark.

[Regulation 33C inserted: Gazette 11 Feb 2005 p. 697-8; amended: Gazette 24 Jul 2009 p. 2956; 5 Nov 2013 p. 4954-5.]

33D. Special events

- (1) A security officer, an authorised person, or a member of the Police Force may direct that a person who is about to board a passenger train carriage with a bicycle is not to board that passenger train if —

- (a) the particular carriage is crowded; or
(b) the particular carriage will be crowded,

due to an event causing high demands on the urban passenger train system (*e.g. Australia Day celebrations, Royal Show, Christmas pageants, sporting events or entertainment events*).

- (2) A security officer, an authorised person, or a member of the Police Force may direct that a person who is in a passenger train carriage with a bicycle is to disembark if —
- (a) the particular carriage is crowded; or
 - (b) the particular carriage will be crowded,

due to an event causing high demands on the urban passenger train system (*e.g. Australia Day celebrations, Royal Show, Christmas pageants, sporting events or entertainment events*).

- (3) A person who does not comply with a direction under this regulation commits an offence.

Modified penalty: a fine of \$100.

Penalty: a fine of \$2 000.

*[Regulation 33D inserted: Gazette 11 Feb 2005 p. 698;
amended: Gazette 24 Jul 2009 p. 2956; 5 Nov 2013 p. 4954-5.]*

Part 5 — Miscellaneous

34. Secondary functions: section 12(3) of the Act

For the purposes of section 12(3) of the Act the following activities are authorised activities —

- (a) allowing advertising to be displayed —
 - (i) on or in Authority property; or
 - (ii) on a ticket issued by the Authority;
- (b) leasing the whole or a part of Authority property that is land or premises;
- (c) developing and managing property for rail related activities such as railway sidings and spurs, rail terminals, and workshops for the repair and maintenance of rail rolling stock;
- (d) developing, selling, and installing ticketing and other systems, one purpose of which is to enable users of a public passenger transport service to buy tickets or pay fares for the use of that service.

35. Criteria for Minister's approval not being required under section 15 of the Act

For the purpose of section 15(3) of the Act the Minister's written approval is not required before the Authority grants a lease or licence of any Crown land of which it has the care, control, and management if —

- (a) the land to be leased or licensed is not currently required for the Authority's operational purposes; and
- (b) the period for which the lease or licence is granted does not exceed 10 years.

36. Disposal of an estate in land other than Crown land without the Minister's approval: section 16 of the Act

The Authority may dispose of an estate in land other than Crown land without the Minister's written approval if the estate disposed of is —

- (a) a leasehold interest or licence;
- (b) the land is not currently required for the Authority's operational purposes; and
- (c) the period for which the lease or licence is granted, including an option to renew the lease or licence, does not exceed 10 years.

37. Crossings by traction engines and large vehicles

(1) This regulation applies to —

- (a) a machine that travels on crawler-type tracks;
- (b) a road vehicle or machine which, or the load of which, exceeds 5 metres in width or height; and
- (c) a road vehicle or machine that —
 - (i) is limited to a speed of 15 kilometres per hour or less;
 - (ii) is likely to cause, or create a risk of causing, an obstruction to, interference with, or displacement of, a railway track.

(2) A person must not take, or attempt to take, a vehicle or machine to which this regulation applies across a railway track that is Authority property on the level except under and in accordance with a permit granted by the Authority or by an authorised person.

Modified penalty: a fine of \$400.

Penalty: a fine of \$2 000.

- (3) A permit may be granted for the purposes of subregulation (2) subject to such conditions and restrictions as the Authority or authorised person considers necessary to prevent damage being done to the railway.

[Regulation 37 amended: Gazette 5 Nov 2013 p. 4954-5.]

38. Sewage etc.

Unless authorised in writing by the chief executive officer, a person must not —

- (a) permit to flow on to Authority property;
- (b) place in or on Authority property; or
- (c) cause or suffer to flow on to, or to be placed in or on, Authority property,

any sewage or other offensive matter or drainage.

Modified penalty: a fine of \$400.

Penalty: a fine of \$2 000.

[Regulation 38 amended: Gazette 5 Nov 2013 p. 4954-5.]

39. Animals

Unless authorised in writing by the chief executive officer, a person must not —

- (a) drive on to Authority property; or
- (b) negligently allow to stray on to Authority property,

any cattle, horse, sheep, or other animal.

Modified penalty: a fine of \$400.

Penalty: a fine of \$2 000.

[Regulation 39 amended: Gazette 5 Nov 2013 p. 4954-5.]

40. Obstructing an authorised person

A person who obstructs, hinders, impedes or attempts to obstruct, hinder, or impede an authorised person or a security officer in the course of his or her duties commits an offence.

Modified penalty: a fine of \$200.

Penalty: a fine of \$1 000.

[Regulation 40 amended: Gazette 5 Nov 2013 p. 4954-5.]

41. Refusal of passage

- (1) A driver, master or authorised person may advise a person that that person must not travel on or remain on a conveyance if the driver, master or authorised person has reasonable grounds to believe that the person —
- (a) is engaging in conduct that constitutes an offence under regulation 7; or
 - (b) is engaging in conduct that constitutes an offence under regulation 8; or
 - (c) is sitting in a seat other than the seat allocated to him or her by a driver or master, or by the Authority by means of a ticket; or
 - (d) is engaging in conduct that constitutes an offence under regulation 23; or
 - (e) has failed to comply with a reasonable direction of an authorised person given for the purpose of protecting the safety of the conveyance or its passengers or promoting the interests of the convenience of its passengers on a conveyance; or
 - (f) except in an emergency, is entering or leaving the conveyance through a part of the conveyance other than a door intended for the use of passengers; or
 - (g) poses a threat to the safety of the driver or master of or a passenger on the conveyance; or

r. 41

- (h) is in such an unclean condition that he or she is likely to soil the conveyance; or
- (i) is abusive or disorderly; or
- (j) is under the influence of alcohol or drugs to such an extent that he or she is likely to soil the conveyance or to become abusive or disorderly; or
- (k) is in the company of an animal other than an assistance dog by which the person is entitled to be accompanied under the *Dog Act 1976* section 8; or
- (l) is, without lawful excuse, in possession of a thing referred to in regulation 21; or
- (m) is in possession of any thing that is likely to obstruct, harm, or inconvenience a passenger on the conveyance; or
- (n) is on the conveyance selling any thing or service or offering any thing or service for sale without the authority of the chief executive officer; or
- (o) does not have a valid ticket for a journey the person is making; or
- (p) by boarding the conveyance, will cause or has caused the passenger capacity of the conveyance to be exceeded.

- (2) In subregulation (1)(p) —
passenger capacity, of the conveyance, means the number of passengers that the conveyance is permitted to carry.

[(3) *deleted*]

[Regulation 41 amended: Gazette 13 Jun 2014 p. 1901; 6 Jul 2018 p. 2549-50; 19 Feb 2019 p. 335; SL 2020/183 r. 12.]

42. Failure to comply with refusal of travel

If a person has been advised under regulation 41 that he or she must not travel on or remain on a conveyance, that person commits an offence if he or she —

- (a) boards the conveyance; or
- (b) refuses or fails to alight from the conveyance.

Modified penalty: a fine of \$200.

Penalty: a fine of \$2 000.

[Regulation 42 amended: Gazette 5 Nov 2013 p. 4954-5.]

43. Ejecting people from Authority property: section 65 of the Act

For the purposes of section 65(1) of the Act, the circumstances in which a person who is in or on Authority property may be directed to leave that property are —

- (a) the person is sitting in a seat other than the seat allocated to him or her by a driver or master, or by the Authority by means of a ticket and having been asked by an authorised person to vacate the seat does not do so immediately; or
- (b) the person is interfering without lawful authority with a sign or equipment on Authority property or with the mechanism of or a device on a conveyance and, having been asked by an authorised person to stop that interference, fails to do so immediately; or
- (c) the person is without lawful authority travelling in or on any part of a conveyance not intended for the conveyance of passengers and, having been asked by an authorised person to stop so travelling, fails to do so immediately; or
- (d) the person is —
 - (i) projecting or leaning any portion of his or her body; or

- (ii) projecting an object, out of a conveyance and, having been asked by an authorised person to stop doing so, fails to do so immediately; or
- (e) the person is, except in an emergency, entering or leaving a conveyance other than through a door intended for the use of passengers and having been asked by an authorised person to stop doing so fails to do so immediately; or
- (f) the person has been given a reasonable direction or a direction by a driver, master or authorised person to move away from an area that is not intended for the use of passengers and the person does not obey that direction; or
- (fa) the person has been given a direction under regulation 33C(3), 33C(4), 33D(1) or 33D(2) and the person does not obey that direction; or
- (g) the person has been advised under regulation 41 that he or she must not travel on or remain on a conveyance; or
- (ga) the person is in or on Authority property, without reasonable excuse, in contravention of a prohibition order given to the person under section 64A(5) of the Act; or
- (h) the person has breached a provision of the *Government Railways Act 1904*, the *Public Transport Authority Act 2003*, or a regulation or by-law made under either of those Acts and the conduct constituting the breach involves danger or annoyance to a person on Authority property or using a conveyance; or
- (i) an authorised person, a security officer or a member of the Police Force —
 - (i) witnesses the person committing an offence referred to in section 58(2) of the Act in, on, in respect of or in relation to Authority property; or

- (ii) reasonably suspects that the person has committed an offence referred to in that subsection in, on, in respect of or in relation to Authority property.

[Regulation 43 amended: Gazette 11 Feb 2005 p. 699; 29 Feb 2008 p. 699; 27 Mar 2009 p. 932; 6 Jul 2018 p. 2550; SL 2020/183 r. 13.]

[43A, 43B. Deleted: Gazette 27 Mar 2009 p. 932.]

44. Powers of authorised persons to inspect and retain tickets

- (1) A driver, master or authorised person to whom a person produces a paper ticket under regulation 6 or 6A may —
 - (a) photograph or copy the ticket; or
 - (b) take notes of any information on the ticket; or
 - (c) if it is a ticket issued on the payment of a cash fare — retain the ticket and give the person who produced the ticket a voucher to the same effect as the ticket.
- (2) A driver, master or authorised person to whom a person produces an electronic ticket under regulation 6 or 6A may read, download or copy data held on the ticket that is relevant to the person's authorisation to make a journey.
- (3) A driver, master or authorised person may retain an electronic ticket that is produced to the driver, master or authorised person under regulation 6 or 6A if —
 - (a) it is a ticket belonging to a person who is registered with the Authority as the owner of the ticket; and
 - (b) the owner has notified the Authority that the ticket has been lost or stolen.
- (4) If an electronic ticket produced to a driver, master or authorised person under regulation 6 or 6A is not valid under regulation 5(2)(b) because it is not being used in accordance with a condition that it be used only by the person to whom it

was issued, the driver, master or authorised person may retain the ticket.

[Regulation 44 inserted: SL 2020/183 r. 14.]

45. Infringement notice

Schedule 2 Form 1 is prescribed, under section 45(1) of the Act, as the form of infringement notice.

46. Withdrawal of infringement notice

Schedule 2 Form 2 is prescribed, under section 47(1) of the Act, as the form of notice of withdrawal of infringement notice.

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

Schedule 1 — Charges

[r. 32, 33]

1. The charge to be paid under regulation 32 for parking a vehicle in a paid parking station on a weekday for any 24 hour period is \$2.00 including GST.
2. The charge to be paid under regulation 33(1) is \$10.00 including GST.

[Schedule 1 amended: Gazette 26 Jun 2007 p. 3059; 5 Nov 2013 p. 4953; 23 Dec 2016 p. 5912.]

Schedule 2 — Forms

[r. 45, 46]

Form 1

Public Transport Authority Act 2003

Public Transport Authority Regulations 2003

Infringement notice

Serial No.

1. To:
Ms/Mr Family name Given names
of:
Number Street
.....
Suburb Postcode

It is alleged that on the day of 2
at about a.m./p.m. you committed the offence indicated below —

2.	Regulation	Offence	Modified penalty
			\$
<input type="checkbox"/>
<input type="checkbox"/>

3. If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of money specified in this notice as being the modified penalty for the offence may be paid to the authorised person referred to in paragraph 5 below within a period of 28 days after receiving this notice.
4. If the modified penalty is not paid within the time specified in this notice a complaint for the alleged offence may be heard and determined by a court.
5. Please see the reverse side of this form for payment options.

Note: If you require an extension of time to pay the modified penalty or if you believe you have good reason to request this Authority to consider withdrawing this infringement notice, you must send your written reasons to the Director Security Services, Public Transport Authority, P.O. Box 383, Northbridge 6865.

[Reverse side]

Cheques, Postal Notes or Money Orders should be made out to Public Transport Authority and addressed to Post Office Box 383 Northbridge WA 6865. Please ensure to include your name and infringement number with the payment to enable correct payment reconciliation.

Alternatively, the modified penalty may be paid personally by presenting this notice and the payment amount to the following offices:

Info Centre / Booking Office	Location	Opening hours
Perth Station	Wellington St, Perth	Monday — Thursday: 7.00 a.m. - 6.30 p.m. Friday: 7.00 a.m. - 6.30 p.m. Saturday: 7.00 a.m. - 6.00 p.m. Sunday: 8.30 a.m. - 6.00 p.m. Public Holidays: 8.30 a.m. - 6.00 p.m.
Perth Underground Station	Perth Underground Station, Murray St entrance, Perth	Monday — Thursday: 7.00 a.m. - 6.00 p.m. Friday: 7.00 a.m. - 6.00 p.m. Saturday: 9.00 a.m. - 5.00 p.m. Sunday: 11.00 a.m. - 3.00 p.m. Public Holidays: 11.00 a.m. - 3.00 p.m. (excluding Christmas Day and Boxing Day)
Esplanade Busport	Mounts Bay Rd, Perth	Monday — Thursday: 7.30 a.m. - 5.30 p.m. Friday: 7.30 a.m. - 5.30 p.m. Saturday: 10.00 a.m. - 2.00 p.m. Sunday: 12.00 p.m. - 4.00 p.m. Public Holidays: Closed
Wellington Street Bus Station	376 Wellington St, Perth	Monday — Thursday: 7.30 a.m. - 5.30 p.m. Friday: 7.30 a.m. - 5.30 p.m. Saturday: 8.00 a.m. - 1.00 p.m. Sunday: Closed Public Holiday: Closed
Public Transport Centre	West Parade, East Perth	Monday — Thursday: 6.30 a.m. - 5.00 p.m. Friday: 6.30 a.m. - 6.00 p.m. Saturday: 6.30 a.m. - 1.00 p.m. Sunday: 7.30 a.m. - 3.30 p.m. Public Holidays: Closed
Armadale Booking Office	Armadale Railway Station	Monday — Friday: 8.30 a.m. - 12.30 p.m. Saturday and Sunday: Closed Public Holidays: Closed
Midland Booking Office	Midland Railway Station	Monday — Friday: 8.30 a.m. - 12.30 p.m. Saturday and Sunday: Closed Public Holidays: Closed

Info Centre / Booking Office	Location	Opening hours
Transit Admin Office	Perth Railway Station	Monday — Friday: 8.30 a.m. - 4.30 p.m. Saturday and Sunday: Closed Public Holidays: Closed

Payment by phone: Please call 1300 276 468 (credit card payments only)

Payment by internet: infringements.pta.wa.gov.au (credit card payments only)

Bill ID: 1001089 Ref: Please refer to the infringement serial number printed at the top right hand corner on the reverse side of this form.

Credit card only. Payments made online or over the phone must be made **before 9.00 p.m.** Western Australian Standard Time **on the due date.**

[Form 1 amended: Gazette 5 Nov 2013 p. 4953-4; 13 Jun 2014 p. 1902.]

Form 2

Public Transport Authority Act 2003

Public Transport Authority Regulations 2003

Withdrawal of infringement notice

Date of this notice: /..... /.....

To:

Ms/Mr Family name Given names

of:

No. Street

.....
Suburb Postcode

Infringement Notice No.dated/...../.....issued for
the alleged offence of

.....
.....
.....

has been withdrawn.

The modified penalty of \$

- was paid and a refund is enclosed.
- was not paid and should not be paid.

(delete as appropriate)

Name and title of authorised
person giving this notice:

Signature:

=====

Notes

This is a compilation of the *Public Transport Authority Regulations 2003* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Citation	Published	Commencement
<i>Public Transport Authority Regulations 2003</i>	27 Jun 2003 p. 2465-97	1 Jul 2003 (see r. 2 and <i>Gazette</i> 27 Jun 2003 p. 2384)
<i>Public Transport Authority Amendment Regulations 2003</i>	12 Dec 2003 p. 5040-1	12 Dec 2003
<i>Public Transport Authority Amendment Regulations 2005</i>	11 Feb 2005 p. 696-9	11 Feb 2005
<i>Public Transport Authority Amendment Regulations 2007</i>	9 Jan 2007 p. 27-8	9 Jan 2007
<i>Public Transport Authority Amendment Regulations (No. 3) 2007</i>	26 Jun 2007 p. 3058-9	r. 1 and 2: 26 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2007 (see r. 2(b))
<i>Public Transport Authority Amendment Regulations 2008</i>	29 Feb 2008 p. 698-700	r. 1 and 2: 29 Feb 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Mar 2008 (see r. 2(b))
Reprint 1: The <i>Public Transport Authority Regulations 2003</i> as at 4 Jul 2008 (includes amendments listed above)		
<i>Public Transport Authority Amendment Regulations 2009</i>	27 Mar 2009 p. 931-2	r. 1 and 2: 27 Mar 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 28 Mar 2009 (see r. 2(b) and <i>Gazette</i> 27 Mar 2009 p. 917)
<i>Public Transport Authority Amendment Regulations (No. 2) 2009</i>	24 Jul 2009 p. 2953-6	r. 1 and 2: 24 Jul 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Jul 2009 (see r. 2(b))
<i>Public Transport Authority Amendment Regulations 2013</i>	5 Nov 2013 p. 4950-5	r. 1 and 2: 5 Nov 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 6 Nov 2013 (see r. 2(b))

Citation	Published	Commencement
<i>Public Transport Authority Amendment Regulations 2014</i>	13 Jun 2014 p. 1901-2	r. 1 and 2: 13 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Jun 2014 (see r. 2(b))
<i>Public Transport Authority Amendment Regulations 2016</i>	23 Dec 2016 p. 5912	r. 1 and 2: 23 Dec 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Dec 2016 (see r. 2(b))
<i>Public Transport Authority Amendment Regulations 2018</i>	6 Jul 2018 p. 2549-50	r. 1 and 2: 6 Jul 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Jul 2018 (see r. 2(b))
<i>Public Transport Authority Amendment Regulations 2019</i>	19 Feb 2019 p. 335	r. 1 and 2: 19 Feb 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 20 Feb 2019 (see r. 2(b))
<i>Public Transport Authority Amendment Regulations 2020</i>	SL 2020/183 29 Sep 2020	r. 1 and 2: 29 Sep 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Sep 2020 (see r. 2(b))
<i>Public Transport Authority Amendment Regulations (No. 2) 2022</i>	SL 2022/192 18 Nov 2022	r. 1 and 2: 18 Nov 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 19 Nov 2022 (see r. 2(b))

Other notes

- ¹ Repealed by the *Health (Smoking in Enclosed Public Places) Regulations 2003* which were repealed by the *Tobacco Products Control Act 2006* s. 126.

Defined terms

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

The list is not part of the law.]

Defined term	Provision(s)
ACROD permit	24
Act.....	3
appropriate ticket	6A(1)
closed area.....	6A(1)
conveyance.....	3
counter flow direction	33A
designated	3
driver.....	3, 24
e-cigarette	11(1A)
electronic ticket.....	3
facility	3
goods.....	28(2)
journey	3
liquor.....	12(1A)
master.....	3
paper ticket.....	3
park	24
parking	24
parking space	24
passenger capacity	41(2)
peak flow direction	33A
peak time.....	33A
secured parking facility.....	24
sign.....	3
smoke.....	11(1A)
stand.....	24
standing.....	24
ticket	3
ticket vending machine	24
tobacco product.....	11(1A)
working day	33A