

TAXI-CARS (CO-ORDINATION AND CONTROL).

No. 60 of 1983.

AN ACT to amend the Taxi-cars (Co-ordination and Control) Act 1963-1981 and for related purposes.

[Assented to 13 December 1983.]

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

1. (1) This Act may be cited as the *Taxi-cars (Co-ordination and Control) Amendment Act 1983*.

Short title
and citation.

(2) In this Act the Taxi-cars (Co-ordination and Control) Act 1963-1981 is referred to as the principal Act.

Reprinted
as approved
14 July 1977
and
amended by
Acts Nos.
68 of 1977,
27 and 92 of
1978, 10, 48
and 50 of
1980 and
106 of 1981.

(3) The principal Act as amended by this Act may be cited as the Taxi-cars (Co-ordination and Control) Act 1963-1983.

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Section 5
amended.

3. Section 5 of the principal Act is amended—

(a) in subsection (2) by deleting “seven” and substituting the following—

“ 10 ”;

(b) by deleting paragraph (c) of subsection (3) and substituting the following paragraph—

“ (c) 8 persons appointed by the Governor in accordance with this section. ”;

(c) by inserting after subsection (3) the following subsection—

“ (3a) Subject to section 6, the members of the Board appointed under paragraphs (a), (b) and (ba) of subsection (4) of this section shall hold office for such period not exceeding 2 years as is specified in the instrument of their appointment and shall be eligible for reappointment. ”;

(d) in subsection (4)—

(i) by deleting “and” at the end of paragraph (b);

(ii) by inserting after paragraph (b) the following paragraph—

“ (ba) 2 shall be persons nominated by the Minister who are actively involved in the provision of taxi-car services; and ”;

and

- (iii) in paragraph (c) by deleting “three shall be persons chosen” and substituting the following—

“ 4 shall be persons elected ”;

- (e) by repealing subsection (4a) and substituting the following subsection—

“ (4a) The following provisions apply to and in relation to the members elected under subsection (4) (c) of this section—

- (a) an election shall be held whenever the office of such a member becomes vacant by effluxion of time;
- (b) subject to section 6 of this Act, the term of office of such members shall be 2 years;
- (c) a person shall not be elected to hold office as such a member unless he is a person who is elected by and from amongst the persons who have, during the period of 3 months ending on the 7th day before the nomination day for that election, been owners or full-time drivers of taxi-cars; and
- (d) an election for the purposes of this subsection shall be conducted in such a manner as to ensure that of the members so elected—
 - (i) at least one shall be a person who is the owner of a taxi-car;

- (ii) at least one shall be a person who is registered as a full-time driver of a taxi-car but who is not also an owner of a taxi-car;
- (iii) not more than one shall be a person who is not actively engaged on the road in the operation of a taxi-car. ”.

Section 6
amended.

4. Section 6 of the principal Act is amended in subsection (1)—

(a) by deleting “or” at the end of paragraph (e);

(b) by deleting the full stop at the end of paragraph (f) and substituting the following—

“ ; or ”; and

(c) by inserting after paragraph (f) the following paragraph—

“ (g) being a person appointed on the nomination of the Minister under section 5 (4) (ba) he ceases to be a person who is actively involved in the provision of taxi-car services. ”.

Section 8
amended.

5. Section 8 of the principal Act is amended in paragraph (a) of subsection (3) by deleting “four” and substituting the following—

“ 7 ”.

6. (1) Each person holding office as a member of the Board appointed under section 5 (4) (a) or (b) of the principal Act immediately prior to the coming into operation of this Act shall continue to hold office as such until the expiry of his term, subject to the principal Act and the terms of his appointment, and shall be eligible for reappointment. Transitional.

(2) The 3 members of the Board who were chosen in accordance with section 5 (4) (c) of the principal Act for appointment under section 5 (3) (c) of the principal Act and who, immediately before the coming into operation of this Act, held office shall go out of office upon the coming into operation of this Act.

(3) Notwithstanding section 5 (4a) (b) of the principal Act as amended by this Act, the terms of office of the persons who are thirdly and fourthly declared to be elected under section 5 (4) (c) of the principal Act as amended by this Act to fill the vacancies arising from the operation of this Act shall be one year.
