

WESTERN AUSTRALIA

TRANSPORT CO-ORDINATION AMENDMENT ACT

No. 13 of 1989

AN ACT to amend the *Transport Co-ordination Act 1966*.

[Assented to 2 November 1989]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Transport Co-ordination Amendment Act 1989*.

Commencement

2. This Act shall come into operation on such day as is fixed by proclamation.

Principal Act

3. In this Act the *Transport Co-ordination Act 1966** is referred to as the principal Act.

[*Reprinted as at 6 March 1987 and amended by Acts Nos. 95 and 115 of 1987.]

Section 21 amended

4. Section 21 of the principal Act is amended by repealing subsection (1) and substituting the following subsection—

“ (1) In respect of every public vehicle licence the following fees are payable to the Director General in the prescribed manner, in relation to the term of the licence, or such shorter period as is prescribed, namely—

(a) for an omnibus licence under Division 2, a fee determined by the Minister and—

(i) based on, but not exceeding the prescribed percentage of, the gross earnings derived from the operation of the vehicle assessed in such manner as may be prescribed; or

(ii) based on, but not exceeding the prescribed amount per annum for each unit of, the maximum number of passengers that the vehicle is licensed to carry at any one time,

whichever basis is, in the opinion of the Minister, the more appropriate;

(b) for a commercial goods vehicle licence under Division 3 a fee determined by the Minister, but not exceeding the prescribed amount for each licence for each 50 kilograms or part thereof of the gross weight of the vehicle, which prescribed amount may be different for different routes or areas of operation or for different classes of goods or mass of goods or for any combination of those factors;

(c) for an aircraft licence under Division 4, a fee determined by the Minister and—

(i) based on, but not exceeding the prescribed percentage of, the gross earnings of the vehicle assessed in such manner as may be prescribed; or

- (ii) based on, but not exceeding the prescribed amount per annum for each kilogram of, the maximum permissible take-off weight specified in the Certificate of Airworthiness issued in respect of the vehicle under the *Air Navigation Regulations* of the Commonwealth,

whichever basis is in the opinion of the Minister, the more appropriate; and

- (d) for a ferry licence under Division 4A, a fee determined by the Minister based on, but not exceeding the prescribed amount per annum for each unit of, the maximum number of passengers that the vehicle is licensed to carry at any one time with a maximum fee of \$600 per annum. ”.

Section 25 amended

5. Section 25 of the principal Act is amended by inserting after subsection (1) the following subsection—

- “ (1a) An application shall be accompanied by the fee referred to in section 32A (2). ”.

Section 32A inserted

6. After section 32 of the principal Act the following section is inserted—

Number plates

- “ 32A. (1) The Minister may issue number plates, of such type and in such form as he may determine, for every omnibus licensed under this Division.

(2) The Minister may from time to time fix the fee payable, not exceeding the prescribed amount, for the issue of number plates for omnibuses.

(3) A person shall not operate an omnibus licensed under this Division unless number plates issued under this section are affixed to the omnibus in the prescribed manner.

Penalty: \$200. ”.

Section 47B amended

7. Section 47B of the principal Act is amended by repealing subsection (8) and substituting the following subsection—

“ (8) In respect of every licence or permit under this Division there shall be paid to the Director General in the prescribed manner a fee determined by the Minister based on but not exceeding—

(a) for a licence or the renewal of a licence, the prescribed amount for each month or part thereof of the term of the licence or renewal; and

(b) for a permit, the prescribed amount for each tonne of cargo carried on the voyage to which the permit relates,

with a minimum fee of \$5 per permit. ”.

Section 60 amended

8. Section 60 of the principal Act is amended in subsection (2)—

(a) by deleting paragraph (ea) and substituting the following paragraph—

“ (ea) number plates for omnibuses, including—

(i) requirements as to their fixing and display; and

(ii) the maximum fee for their issue under section 32A; ”; and

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

“ (mb) the percentages and amounts required to be prescribed under section 21 (1) and section 47B (8); ”.

Section 62 amended

9. Section 62 of the principal Act is amended—

(a) in subsection (3)—

(i) in paragraph (d) by deleting “Act.” and substituting the following—

“ Act; and ”; and

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

“ (e) to the Main Roads Trust Fund kept under section 31 of the *Main Roads Act 1930*, such amounts as the Minister may from time to time approve. ”;

and

(b) by repealing subsection (4).

Second Schedule repealed

10. The Second Schedule to the principal Act is repealed.
