SPECIAL GAZETTE

PROCLAMATION

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Transport (Road Passenger Services) Act 2018

Transport (Road Passenger Services) Act 2018 Commencement Proclamation 2019

Made under the Transport (Road Passenger Services) Act 2018 section 2(b) by the Governor in Executive Council.

1. Citation

This proclamation is the Transport (Road Passenger Services) Act 2018 Commencement Proclamation 2019.

2. Commencement

The Transport (Road Passenger Services) Act 2018 comes into operation as follows —

(a) the following provisions come into operation on 28 February 2019 —

   (i) Part 2;
   (ii) Part 3 (other than sections 27(1) and (2) and 28);
   (iii) Parts 7 and 8;
   (iv) Part 9 Division 1 (other than sections 230 and 236) and Division 3;
   (v) Parts 10 and 11;
   (vi) Part 12 (other than Division 3);
   (vii) Part 13;
   (viii) Part 14 Division 1 (other than section 303) and Division 2 (other than Subdivisions 1, 2, 3, 8 and 10 and section 327(1));
Transport (Road Passenger Services) Act 2018 Commencement Proclamation 2019

(b) the following provisions come into operation on 1 April 2019 —
   (i) sections 27(1) and (2) and 28;
   (ii) Part 9 Division 2;
   (iii) Part 14 Division 2 Subdivision 8.

K. BEAZLEY, Governor.                             L.S.

R. SAFFIOTI, Minister for Transport.

Notes:

1. The Transport (Road Passenger Services) Regulations 2019 come into operation as follows —
   (a) Part 4 Division 7 and Part 7 Division 2 — on the day on which the Transport (Road Passenger Services) Act 2018 Part 9 Division 2 comes into operation;
   (b) the rest of the regulations — on the day on which the Transport (Road Passenger Services) Act 2018 section 265 comes into operation.

2. The Transport Regulations Amendment (Road Passenger Services) Regulations 2019 come into operation as follows —
   (a) Part 2 — on the day on which the Transport (Road Passenger Services) Act 2018 section 302 comes into operation;
   (b) regulations other than Parts 1 and 2 — on the day on which the Transport (Road Passenger Services) Act 2018 Part 9 Division 2 comes into operation.

3. The Taxation Administration Amendment Regulations (No. 2) 2019 come into operation on the day on which the Transport (Road Passenger Services) Act 2018 section 329 comes into operation.
Taxi Act 1994
Transport Co-ordination Act 1966

Transport Regulations Amendment (Road Passenger Services) Regulations 2019

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the Transport Regulations Amendment (Road Passenger Services) Regulations 2019.

2. Commencement

These regulations come into operation as follows —

(a) Part 1 — on the day on which these regulations are published in the Gazette;

(b) Part 2 — on the day on which the Transport (Road Passenger Services) Act 2018 section 302 comes into operation;

(c) the rest of the regulations — on the day on which the Transport (Road Passenger Services) Act 2018 Part 9 Division 2 comes into operation.
Transport Regulations Amendment (Road Passenger Services) Regulations 2019

Part 2 Amendments relating to taxi dispatch services

3. Regulations amended
   This Part amends the Taxi Regulations 1995.

4. Regulation 19A deleted
   Delete regulation 19A.

5. Schedule 1 amended
   Delete Schedule 1 items 6 and 7.
Transport Regulations Amendment (Road Passenger Services) Regulations 2019

Amendments relating to on-demand passenger transport levy Part 3
Taxi Regulations 1995 amended Division 1
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Part 3 — Amendments relating to on-demand passenger transport levy

Division 1 — Taxi Regulations 1995 amended

6. Regulations amended

This Division amends the Taxi Regulations 1995.

7. Regulation 3 amended

(1) In regulation 3 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 3 in the definition of **Schedule 3 fare** delete “and includes any surcharge or fee of a kind set out in Schedule 3 for the hire;” and insert:

and includes —

(a) any surcharge or fee of a kind set out in Schedule 3 for the hire; and

(b) any amount charged under regulation 6(1A) in respect of the hire;

8. Regulation 6 amended

(1) After regulation 6(1) insert:

(1A) 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, the
following may also be charged for the hire of the taxi —

(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).

(1B) An amount charged under subregulation (1A)(a) must not exceed the lesser of —

(a) 10% of the sum of the amounts charged for the hire of the taxi 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 6(3) delete “and (2)” and insert:

to (2)

9. **Regulation 6A amended**

In regulation 6A(2):

(a) after “voucher” insert:

(as defined in regulation 8(1))

(b) delete “(as calculated in accordance with the appropriate tariff set out in Schedule 3)” and insert:

(as determined in accordance with regulation 6)
Regulation 7 amended

After regulation 7(1) insert:

(1A) If any amounts under regulation 6(1A) are to be paid in relation to the hire of the taxi, the schedule displayed under subregulation (1) 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.

Regulation 10 amended

Delete regulation 10(3) and insert:

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

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

Regulations amended

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

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;
Transport Regulations Amendment (Road Passenger Services) Regulations 2019

Part 3 Amendments relating to on-demand passenger transport levy

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

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.
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Transport Regulations Amendment (Road Passenger Services) Regulations 2019

Amendments relating to on-demand passenger transport levy

Transport (Country Taxi-cars Fares) Regulations 1991 amended

Part 3
Division 2

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(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
Transport Regulations Amendment (Road Passenger Services) Regulations 2019

Part 3 Amendments relating to on-demand passenger transport levy
Division 2 Transport (Country Taxi-cars Fares) Regulations 1991 amended
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fare allocated for the levy and an amount for the GST on that additional amount may be charged.

R. NEILSON, Clerk of the Executive Council.
1. **Citation**

These regulations are the *Taxation Administration Amendment Regulations (No. 2) 2019*.

2. **Commencement**

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day on which the *Transport (Road Passenger Services) Act 2018* section 329 comes into operation.

3. **Regulations amended**

These regulations amend the *Taxation Administration Regulations 2003*.

4. **Regulation 9 amended**

In regulation 9(1):

(a) in paragraph (d) delete “2008.” and insert:

2008; or
Taxation Administration Amendment Regulations (No. 2) 2019

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(b) after paragraph (d) insert:

(e) the *Transport (Road Passenger Services)* Act 2018 Part 9 Division 2.

R. NEILSON, Clerk of the Executive Council.