



ANNO TRICESIMO OCTAVO

**ELIZABETHAE II REGINAE**

**A.D. 1989**

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**No. 32 of 1989**

**An Act to amend the Metropolitan Taxi-Cab Act, 1956.**

[Assented to 4 May 1989]

The Parliament of South Australia enacts as follows:

**Short title**

1. (1) This Act may be cited as the *Metropolitan Taxi-Cab Act Amendment Act, 1989*.
- (2) The *Metropolitan Taxi-Cab Act, 1956*, is referred to in this Act as "the principal Act".

**Commencement**

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

**Interpretation**

3. Section 2 of the principal Act is amended by inserting after the definition of "councillor" in subsection (1) the following definition:

"the Fund" means the Metropolitan Taxi-Cab Industry Research and Development Fund established by section 24a.

**Substitution of s. 17**

4. Section 17 of the principal Act is repealed and the following section is substituted:

**Receipt of fees and costs of administration**

17. (1) Subject to subsection (2), the board must receive and recover all fees and other amounts payable under this Act and must, out of that money, pay the costs of administration of this Act.

(2) The board must pay to the Minister for the credit of the Fund all amounts received in respect of taxi-cab licences issued according to a special licence allocation procedure specified in the regulations.

**Insertion of s. 24a**

5. The following section is inserted after section 24 of the principal Act:

**Metropolitan Taxi-Cab Industry Research and Development Fund**

24a. (1) The *Metropolitan Taxi-Cab Industry Research and Development Fund* is established.

(2) The Minister is responsible for the administration of the Fund in consultation with the board.

- (3) The Fund consists of—
- (a) amounts paid in respect of taxi-cab licences issued according to a special licence allocation procedure specified in the regulations;
- and
- (b) income paid to the Fund under this section.
- (4) The Fund must be kept in a separate account at the Treasury.
- (5) The Fund may be applied by the Minister—
- (a) for the purpose of carrying out research into the metropolitan taxi-cab industry;
  - (b) for the purpose of promoting the metropolitan taxi-cab industry;
- or
- (c) for any other purpose beneficial to the metropolitan taxi-cab industry.
- (6) Any money standing to the credit of the Fund that is not for the time being required for the purposes referred to in subsection (5) may be invested by the Treasurer.
- (7) Income from investment of the Fund must, at the direction of the Treasurer, be paid into the Fund.

#### **Substitution of s. 30**

6. Section 30 of the principal Act is repealed and the following sections are substituted:

##### **Taxi-cab licences**

30. (1) The board may, in accordance with the regulations, issue a taxi-cab licence to any fit and proper person who complies with the prescribed conditions.
- (2) A taxi-cab licence authorizes the holder of the licence to use a taxi-cab for the purpose of carrying passengers for hire or reward in the metropolitan area.
- (3) A taxi-cab licence—
- (a) is subject to such conditions as are prescribed;
- and
- (b) remains in force for such term as is prescribed or determined by the board.
- (4) The board may, from time to time, after consultation with the Minister—
- (a) determine the maximum number of taxi-cab licences to be issued by the board in any given period;
  - (b) determine that particular taxi-cab licences will be issued according to a special licence allocation procedure specified in the regulations.
- (5) The Board may, as required for the issue of particular taxi-cab licences according to a special licence allocation procedure specified in the regulations, determine—
- (a) the term for which the licences remain in force;
  - (b) any amount or amounts to be paid in respect of the licences.

##### **Taxi-cab driver's licences**

- 30a. (1) The board may issue a taxi-cab driver's licence to any fit and proper person who—
- (a) complies with the prescribed conditions;
- and

(b) pays the prescribed fee.

(2) A taxi-cab driver's licence authorizes the holder of the licence to drive a taxi-cab within the metropolitan area for the purpose of carrying passengers for hire or reward.

(3) A taxi-cab driver's licence—

(a) is subject to such conditions as are prescribed;

and

(b) remains in force for such term as is prescribed.

#### Regulations

7. Section 35 of the principal Act is amended by inserting after paragraph 1 of subsection (1) the following paragraphs:

- ia. Prescribing a procedure involving competitive tendering or ballots or any other process as a special licence allocation procedure which may, pursuant to a determination of the board, be used for the issuing of taxi-cab licences:
- iab. Providing for the recovery by the board of any amount payable in respect of a taxi-cab licence issued pursuant to a special licence allocation procedure referred to in paragraph ia.:

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor