

# NORTHERN TERRITORY OF AUSTRALIA

## COMMERCIAL PASSENGER (ROAD) TRANSPORT ACT 1991

As in force at 21 January 2026

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 21 January 2026

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## COMMERCIAL PASSENGER (ROAD) TRANSPORT ACT 1991

**An Act to regulate the carrying of passengers in motor vehicles for hire or reward, and for related purposes**

### **Part 1                      Preliminary**

#### **1                      Short title**

This Act may be cited as the *Commercial Passenger (Road) Transport Act 1991*.

#### **2                      Commencement**

The provisions of this Act shall come into operation on such date or dates as is or are fixed by the Administrator by notice in the *Gazette*.

#### **3                      Interpretation**

(1) In this Act:

***accredited*** means accredited under Part 3.

***affected person***, see section 77(2).

***approved*** means approved by the Director.

***approved form*** means a form approved under section 86A.

***approved standard*** means a standard approved under section 86B.

***bus stop*** means an area of a public street that is marked off by:

- (a) a part of the kerb of the street that is between a traffic sign bearing an arrow and the words "BUS STOP" erected on or near the kerb and another traffic sign on the same side of the street nearest in the direction indicated by the arrow; or

- (b) markings on the pavement of the street adjacent to:
  - (i) a traffic sign bearing the words "BUS STOP", "BUSES ONLY" or "BUSES EXCEPTED"; or
  - (ii) the words "BUS STOP" marked on the pavement.

**commercial passenger vehicle** means a taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus, tourist vehicle or special passenger vehicle.

**courtesy vehicle** means an approved motor vehicle (not being a motor vehicle operated as a taxi, private hire car, limousine, special function vehicle, minibus, motor omnibus, tourist vehicle or special passenger vehicle) used, with the services of a driver, to carry passengers for hire or reward where the carriage:

- (a) is offered as an inducement in respect of an agreement for the provision of accommodation or activities for recreation or pleasure; and
- (b) is provided to passengers without payment of a fare.

**Director** means the Director of Commercial Passenger (Road) Transport appointed under section 5(1).

**disqualifying offence** means:

- (a) an offence against a law of the Territory prescribed by the Regulations; or
- (b) an offence against a law, or a repealed law, of the Territory or another jurisdiction (including a jurisdiction outside Australia) that substantially corresponds to an offence referred to in paragraph (a).

**inspector** means a person appointed or declared as such under section 64, and includes the Director.

**licence** means a licence granted or renewed under this Act.

**limousine** means an approved motor vehicle that:

- (a) is used, with the services of a driver, to carry passengers for hire or reward on pre-booked journeys at pre-arranged fares;
- (b) is not fitted with a meter that either calculates or indicates the fare payable; and
- (c) does not stand or ply for hire.



**minibus** means an approved motor vehicle that:

- (a) is fitted, equipped or constructed to carry more than 8 passengers but not more than 15 passengers;
- (b) is used to carry passengers for hire or reward, including by responding to ad hoc hailings or by pre-booked journeys, for a fare (including a pre-arranged fare) determined in accordance with a rate of hire calculated by reference to the period of time the vehicle is hired or to the distance to be travelled;
- (c) is not fitted with a meter that either calculates or indicates the fare payable; and
- (d) is licensed to stand and ply for hire only at a minibus rank or at an approved place.

**minibus area** means an area declared under section 38 to be a minibus area for the purposes of this Act.

**minibus rank** means an area identified by signs as a minibus rank, where minibuses may stand or ply for hire, set aside for that purpose by a competent authority (as defined in the *Traffic Act 1987*).

**motor omnibus** means an approved motor vehicle that is licenced under Part 6 to carry passengers for hire or reward.

**motor vehicle** means any motor car, motor carriage, motor cycle, goods vehicle, motor omnibus, motor tractor, or other vehicle propelled upon a road wholly or partly by any volatile spirit or by steam, gas, oil, or electricity, or by any means other than human or animal power, and includes a trailer at any time attached to a motor vehicle but does not include any vehicle used on a railway or a powered cycle.

**operate**, in relation to a commercial passenger vehicle, means:

- (a) to drive or use; or
- (b) to cause or employ another person to drive or use,

that vehicle to carry passengers for hire or reward, otherwise than only in the capacity of an employee or a volunteer.

**private hire car** means an approved motor vehicle that:

- (a) is used, with the services of a driver, to carry passengers for hire or reward on pre-booked journeys at pre-arranged fares determined in accordance with a rate of hire calculated by

reference to the period of time the vehicle is hired or by reference to the distance to be travelled in the vehicle;

- (b) is not fitted with a meter that either calculates or indicates the fare payable; and
- (c) does not stand or ply for hire except in accordance with section 37B.

**Registrar of Motor Vehicles** means the Registrar of Motor Vehicles appointed under the *Motor Vehicles Act 1949*.

**responsible person**, for Part 3, see section 6E.

**reviewable decision**, see section 77(1).

**route service**, in relation to the operation of a motor omnibus, means a motor omnibus service which is, or is advertised or held out to be, on a scheduled route basis having a regular timetable and having a fare structure related to the carriage of passengers over sectors of the scheduled route.

**route service hours**, in relation to an urban service area, means the hours of a day declared by the Director to be the hours of operation of route services in the urban service area.

**special function vehicle** means an approved motor vehicle (not being a motor vehicle operated as a taxi, private hire car, limousine, minibus, courtesy vehicle, motor omnibus, tourist vehicle or special passenger vehicle) that:

- (a) is a distinctive or unusual make or model or has a distinctive or unusual external appearance; and
- (b) is used, with the services of a driver, to carry passengers for hire or reward on pre-booked journeys for a pre-determined fee where the purpose of the journey is to transport the passengers in connection with an approved function or event or an approved class of functions or events.

**special passenger vehicle** means a motor vehicle (not being a motor vehicle operated as a taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus or tourist vehicle) used to carry passengers for hire or reward, being a motor vehicle declared by the Director, either generally as a class, or specifically, to be a special passenger vehicle for the purposes of this Act.

**substitute minibus licence** means a licence issued under section 38DA.

***substitute taxi*** means an approved motor vehicle licensed by the Director under Division 2 of Part 4 and fitted out as a taxi, being a motor vehicle that is operated as a substitute for a taxi during those periods when that taxi is being serviced, maintained or repaired or is for any other reason unavailable for use as a taxi.

***taxi*** means an approved motor vehicle fitted with an approved meter which is equipped or constructed to carry not more than 15 passengers and is used for the purpose of:

- (a) standing or plying for hire; and
- (b) carrying passengers for hire or reward, including by responding to ad hoc hailings or by pre-booked journeys, for a fare (including a pre-arranged fare) determined in accordance with a rate of hire calculated primarily by reference to distance travelled that, unless exempted by the Director in respect of particular types of hire, is indicated by the meter.

***this Act*** includes regulations made under this Act.

***tour package*** means a holiday, sightseeing or recreational tour undertaken by a tourist pursuant to an agreement entered into with a travel agency or company or person offering such tours, being a tour which includes travel segments and accommodation, and, if part of the agreement, the transfer of the tourist between transport terminals and that accommodation.

***tourist*** means a person travelling from one place to another principally for the purposes of recreation or pleasure.

***tourist vehicle*** means an approved motor vehicle (not being a motor vehicle operated as a taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus or special passenger vehicle) used for the carriage of tourists for hire or reward:

- (a) pursuant to pre-arranged bookings, outside the environs of a municipality;
- (b) within the environs of a municipality if that carriage is part of a tour package; or
- (c) on a tour of an approved type within the environs of a municipality.

**urban service area** means a motor omnibus urban route service area declared by notice under section 47.

*Note for subsection (1)*

*The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.*

- (2) For the purposes of this Act, **to carry passengers for hire or reward** includes any case where the operator or driver of a motor vehicle used:
- (a) offers the carriage as an inducement in respect of an agreement for the provision of other services or goods; or
  - (b) receives consideration for an arrangement whereby the carriage is affected or to which the carriage is related.
- (3) For the purposes of this Act and of any contract of insurance, a motor vehicle is deemed not to be used to carry passengers for hire or reward if the carriage is pursuant to a motor vehicle pooling arrangement, being an arrangement whereby the carriage:
- (a) is incidental to the main purpose of the journey;
  - (b) is not the result of touting for passengers by the driver or any other person on any road or because of being, or being part of, any commercial operation; and
  - (c) is undertaken for a consideration limited to:
    - (i) an undertaking by or on behalf of the passenger to carry the driver or a member of the driver's family on a similar journey; or
    - (ii) the payment of an amount which does not contain any element of profit in respect of the operation of the motor vehicle or of a motor vehicle pool or any recompense for the time of the driver.
- (4) A reference in this Act to the holder of a licence includes a reference to a person permitted by the holder of the licence to operate a commercial passenger vehicle under the licence.

#### **4 Act binds the Crown**

This Act binds the Crown not only in right of the Territory but, to the extent that the legislative power of the Legislative Assembly so permits, in all its other capacities.

## **Part 2                      Administration**

### **5                      Director**

- (1) The Minister may, by notice in writing, appoint a Chief Executive Officer or employee, as defined in the *Public Sector Employment and Management Act 1993*, to be the Director of Commercial Passenger (Road) Transport.
- (2) Subject to this Act, the Director has power to do all things necessary or convenient to be done for or in connection with, or incidental to, the performance of the Director's functions under this Act.

### **5A                      Directions of Minister**

- (1) In exercising a power or performing a function under this Act, the Director is subject to the directions of the Minister.
- (2) Without limiting subsection (1), the Minister may give the Director a direction about controlling in the public interest the number of licences in force for a class of commercial passenger vehicle.
- (3) Despite anything to the contrary in this Act or the Regulations, the Director must not grant a licence if to do so would be inconsistent with a direction under subsection (2).

### **6                      Delegation**

- (1) The Director may, by notice in writing, delegate:
  - (a) to the Registrar of Motor Vehicles; or
  - (b) to a person,any of the powers and functions of the Director under this Act other than, subject to subsection (4), this power of delegation.
- (2) A power or function delegated under this section, when exercised or performed by the delegate, shall, for the purposes of this Act, be deemed to have been exercised or performed by the Director.
- (3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Director.
- (4) A delegation under subsection (1) to the Registrar of Motor Vehicles may, notwithstanding the exception in that subsection, include a power of delegation of the powers and functions by the Registrar, but the exercise of that power shall not include a power of further delegation.

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## Part 3                      Accreditation

### 6E                      Definition

In this Part:

***responsible person***, for a body corporate, means:

- (a) a person employed in the position of director, manager or officer of the body corporate; or
- (b) a person employed in any other position, however designated, if it is an executive position of the body corporate; or
- (c) a person who is concerned, or takes part in, the management of the affairs of the body corporate; or
- (d) a person in accordance with whose directions or instructions the body corporate is accustomed to act; or
- (e) a person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the body corporate.

### 7                      Purpose of Part

The purpose of this Part is to require the operator of a commercial passenger vehicle to be accredited, where accreditation indicates:

- (a) that the accredited operator is (or, in the case of an accredited operator that is a body corporate, a responsible person for the body corporate is) considered to be of good repute and in all other respects fit and proper to be responsible for the operation of a commercial passenger vehicle; and
- (b) that the accredited operator has demonstrated the capacity to meet the required standards of safety of passengers and the public to the degree and in the manner required in respect of the operations and in accordance with the conditions specified in the operator's accreditation.

### 8                      Operator to be accredited

A person must not operate a commercial passenger vehicle, either alone or as part of or in connection with any other business, unless the person is accredited under this Part or has an exemption under section 15(1).

Maximum penalty:            85 penalty units.

**8A Application for accreditation**

- (1) A person may apply to the Director for accreditation.
- (2) The application must:
  - (a) be in the approved form; and
  - (b) contain the information that the Director requires to be provided; and
  - (c) if the applicant is a body corporate – specify each responsible person for the body corporate; and
  - (d) be accompanied by any prescribed fee.

**9 Consideration of application**

- (1) The Director must consider an application made under section 8A and may, subject to this Act:
  - (a) grant the accreditation to the applicant; or
  - (b) allow the applicant to amend the application and grant the accreditation to the applicant on receipt of the amended application; or
  - (c) refuse to grant the accreditation to the applicant.
- (2) For the purposes of subsection (1), the Director may require an applicant to provide such further information as the Director may require.
- (3) The Director must not accredit, or renew the accreditation of, the following:
  - (a) a person who:
    - (i) is bankrupt; or
    - (ii) has applied to take the benefit of any law for the relief of bankrupt or insolvent debtors; or
    - (iii) has compounded with the person's creditors or made an assignment of the person's remuneration for the benefit of the person's creditors;
  - (b) a person who:
    - (i) has been convicted of a disqualifying offence; or

- (ii) is otherwise considered by the Director not to be a fit and proper person to hold, or continue to hold, an accreditation;
  - (c) a body corporate if a responsible person for the body corporate:
    - (i) has been convicted of a disqualifying offence; or
    - (ii) subject to subsection (4), is otherwise considered by the Director not to be a fit and proper person for the purposes of the accreditation, or renewal of the accreditation, of the body corporate;
  - (d) a body corporate:
    - (i) unless the body corporate is authorised by its constitution, objects, purposes or rules to carry on the business associated with the accreditation; and
    - (ii) if a liquidator, receiver, receiver and manager or official manager has been appointed under the *Corporations Act 2001* (Cth) – unless in the particular circumstances it would, in the opinion of the Director, be inequitable not to accredit or renew the accreditation.
- (3A) Subsection (3)(b) and (c):
- (a) apply regardless of when the offence was committed; but
  - (b) do not apply if:
    - (i) the person's or the responsible person for the body corporate's criminal record for the conviction is a spent record within the meaning of the *Criminal Records (Spent Convictions) Act 1992*; or
    - (ii) the person or the responsible person for the body corporate was discharged without any penalty being imposed for the conviction.
- (3B) Subsection (3)(b) and (c) do not apply to the renewal of a person's accreditation in relation to the person's conviction (or, if the person is a body corporate, in relation to the conviction of a responsible person for the body corporate) of a disqualifying offence if:
- (a) the Chief Executive Officer has previously decided under this Act the person may hold, or continue to hold, the accreditation despite the conviction; or



- (b) NTCAT has previously decided under this Act that the person may hold, or continue to hold, the accreditation despite the conviction.
- (3C) The Director must have regard to the following in considering whether the person is fit and proper for subsection (3)(b)(ii) and (c)(ii):
  - (a) whether or not the person has shown a pattern of committing offences;
  - (b) any other circumstances concerning the person that the Director considers relevant.
- (4) The Director may exempt a responsible person for a body corporate from the requirement to be a fit and proper person for the purposes of accreditation, or renewal of accreditation, of the body corporate.
- (4A) If the Director exempts a responsible person for a body corporate under subsection (4), the Director may place conditions on the exemption.
- (4B) Despite subsection (4), the Director must not exempt a responsible person for a body corporate from the requirement to be a fit and proper person for the purposes of the accreditation, or renewal of the accreditation, of the body corporate, if the responsible person is the only responsible person for the body corporate.
- (5) The Director must give written notice of a decision under this section to the applicant for the accreditation or renewal of accreditation.

## **10 Conditions of accreditation**

- (1) An operator's accreditation shall be subject to such conditions, if any, as are prescribed and to such other conditions, if any, as the Director thinks fit and specifies in relation to the accreditation.
- (2) The Director may from time to time, by written notice to an accredited operator, amend or revoke the conditions of accreditation or add new conditions.
- (3) The conditions referred to in this section shall be substantially the same for all operations of a similar nature unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.

**11 Register of accredited operators**

- (1) The Director shall set up and maintain, or cause to be set up and maintained, whether by electronic means or otherwise, a register of accredited operators.
- (2) The register shall have entered in it the name of each person who has been accepted as an accredited operator, any conditions to which the accreditation is subject, the nature of any licences or authorizations held under this Act and any conditions subject to which they are held.
- (3) Except as provided in subsection (2), all other information obtained by the Director for the purposes of this Part shall be kept confidential and not disclosed to any person other than for the proper administration of this Act.
- (4) A member of the public may, during periods determined by the Director and upon payment of the prescribed fee (if any), search, or take or be provided with extracts from, any entry in the register.
- (5) The Director shall issue each person entered in the register as an accredited operator with a certificate of accreditation which, without proof to the contrary, is evidence, for all purposes, that the person is accredited under this Part.
- (6) The Director may require the holder of a certificate of accreditation to return it to the Director for a replacement certificate to be issued specifying new or amended conditions.

**12 Period of accreditation, renewal**

- (1) An accreditation is effective, unless sooner cancelled or suspended under this Act, for 5 years from the day of its registration, but may be renewed by the Director upon application made in that behalf in the approved form accompanied by payment of the prescribed fee (if any).
- (2) Where an application for renewal is made but is not determined before the date on which the accreditation to which it relates expires, the accreditation shall remain effective until the application is determined.
- (4) In considering an application for renewal under subsection (1), the Director shall take into account the matters that would be taken into account if the application were for a new accreditation.

**13 Effect of accreditation**

An accredited operator may:

- (a) apply for a licence under this Act; and
- (b) operate a motor vehicle or carry out an action licensed under this Act in accordance with the conditions specified in relation to the accreditation or the licence.

**14 Operator's accreditation not transferable**

An operator's accreditation is not transferable.

**15 Director may grant exemption**

- (1) Notwithstanding section 8(1) but subject to the Regulations, the Director may in the special circumstances of the case, by notice in writing, exempt a person proposing to apply for a commercial passenger vehicle licence or other licence from the requirement of first being accredited under this Part.
- (2) The Director may, in a notice under subsection (1), impose such conditions on any exemption granted as the Director thinks fit.
- (3) The Director may, by notice in writing to the operator of a commercial passenger vehicle or other person exempted under subsection (1), lift the exemption granted and require the operator to be accredited on the expiry of a period of 3 months or such longer period as may be specified in the notice, commencing with the day the notice was given.
- (4) The Director shall cause a copy of any notice given under subsection (1) or (3) to be published in the *Gazette*.
- (5) The Director may, by notice in the *Gazette* and subject to such conditions as may be specified, exempt any class or classes of operators of commercial passenger vehicle operations using commercial passenger vehicles from the requirement of first being accredited under this Part.
- (6) The Director may, by notice in the *Gazette* and subject to such conditions as may be specified, lift any exemption granted under subsection (5) on the expiry of such period, being not less than 3 months from the date of the notice, as is specified.

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**15A Changes to responsible persons for body corporate**

- (1) An accredited operator that is a body corporate must give written notice to the Director when a person ceases to be a responsible person for the body corporate within 14 days of the person ceasing to be a responsible person.
- (2) Despite the time period mentioned in subsection (1), if a person ceases to be a responsible person for a body corporate and the body corporate no longer has a responsible person because section 9(3)(c) applies to each responsible person for the body corporate, the body corporate must, as soon as practicable, notify the Director.

*Note for subsection (2)*

*Under section 75(3A), the Director must suspend the accreditation of the body corporate if the body corporate does not have any responsible persons because section 9(3)(c) applies to the responsible persons of the body corporate.*

- (3) An accredited operator that is a body corporate must give written notice to the Director when a person becomes a responsible person for the body corporate within 3 days of the person becoming a responsible person.
- (4) It is a condition of the accreditation of a body corporate that the body corporate complies with subsections (1), (2) and (3).
- (5) The Director may require the responsible person mentioned in subsection (3) to provide the Director with sufficient evidence, within the period specified by the Director, that section 9(3)(c) does not apply to the responsible person.

*Note for subsection (5)*

*Under section 9(4), the Director may exempt a responsible person for a body corporate from the requirement to be a fit and proper person for the purposes of accreditation, or renewal of accreditation, of the body corporate.*

- (6) The Director may suspend the accreditation of an accredited operator until the Director is satisfied that section 9(3)(c) does not apply to the responsible person mentioned in subsection (5).

*Note for subsection (6)*

*The Director may make inquiries about a responsible person for a body corporate to decide whether the responsible person is a fit and proper person for the purposes of accreditation, or renewal of accreditation, of the body corporate.*

## **Part 4           Taxis**

### **Division 1       Taxi licence**

#### **16           Taxi areas**

The Minister may, by notice in the *Gazette*, declare an area to be a taxi area for the purposes of this Act.

#### **17           Taxi licence**

- (1) Subject to this Act, a person who proposes to operate a taxi must hold a taxi licence for a taxi before commencing the operation.

Maximum penalty:       85 penalty units.

- (2) An application for a taxi licence is to be made on an approved form accompanied by the prescribed fee.

#### **18           Consideration of application**

- (1) The Director must consider an application made under section 17(2) and may, subject to this Act:

- (a) refuse it;
- (b) grant it; or
- (c) allow the applicant to amend it, and grant it as amended.

- (2) For the purposes of subsection (1), the Director may require an applicant to provide further information.

- (3) The Director must not issue a taxi licence to a person who is not accredited at the time the licence is granted.

- (4) The Director must not grant a taxi licence to a person unless, at the time the licence is granted, the taxi endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the person.

#### **19           Registration number to be endorsed on licence**

A taxi licence is to have endorsed on it the registration number of the taxi as contained on the number plates issued under the *Motor Vehicles Act 1949*.

## **20           Conditions of taxi licence**

- (1) A taxi licence is subject to the conditions that the Director thinks fit and specifies in the licence.
- (2) The Director may, from time to time, by written notice to a taxi licence holder, amend or revoke the conditions of the licence or add new conditions.
- (3) The conditions of a taxi licence are to be substantially the same for all taxi licences unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.
- (4) The Director may require the holder of a taxi licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.
- (5) The Director may require the holder of a taxi licence to join a communications or dispatch network approved under section 71.
- (6) It is a condition of a taxi licence that the taxi endorsed on the licence is used as a taxi and is maintained to the approved standard.
- (8) It is a condition of a taxi licence that the taxi endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the taxi licence holder.
- (9) It is a condition of a taxi licence that the holder of the licence is to ensure that any injury to a person arising out of or in the course of the person's engagement to drive the taxi endorsed on the licence is covered by a policy of insurance.

## **21           Taxi to operate in taxi area**

- (1) The Director must specify in a taxi licence the taxi area within which the holder of the licence may operate the taxi endorsed on the licence.
- (2) A person must not operate a taxi within a taxi area that is not specified in the taxi licence.
- (3) Despite subsection (2), a person may operate a taxi within a taxi area that is not specified in the taxi licence if the passengers are driven:
  - (a) into the taxi area from a place outside the taxi area; or

- (b) from within the taxi area to a place outside the taxi area on the return journey by a direct route to the place from which the passengers were driven into the taxi area.

## **22           Effect of taxi licence**

A taxi licence authorises the holder to operate the taxi endorsed on the licence in accordance with the conditions specified in the licence and the holder's accreditation.

## **23           Term of taxi licence**

- (1) A taxi licence remains in force, unless sooner surrendered, cancelled or suspended under this Act:
  - (a) for 12 months from the day it is granted; or
  - (b) for 12 months from the day it is renewed or for a shorter period (of not less than 3 months) that the Director approves.
- (2) If the Director approves a period under subsection (1)(b), the fee that is to be paid for the renewal of the licence is to be a pro rata fee based on the fee that is otherwise prescribed for the renewal of the licence.

## **23A          Renewal of taxi licence**

- (1) A taxi licence may be renewed by the Director on application made on an approved form accompanied by the prescribed fee.
- (2) In considering an application for renewal, the Director must take into account the matters that would be taken into account if the application were for a new taxi licence.

## **24           Surrender of taxi licence**

- (1) The holder of a taxi licence may surrender the licence to the Director before the licence expires.
- (2) A person who surrenders a taxi licence is entitled to a refund of a proportionate amount of the fee paid at the time of the application for the grant or last renewal of the licence (as applicable) in respect of each day of the unexpired term of the licence but only if there are at least 7 days (not including the day of surrender) remaining in the unexpired term.

## **25           Director may grant exemption**

- (1) The Director may exempt a class of operators of taxis, or an operation using taxis, from the requirement to hold a taxi licence.

- (2) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;
  - (b) the period for which the exemption is granted; and
  - (c) any other condition the Director thinks fit.
- (3) The Director may require payment of the prescribed fee (if any) before granting an exemption.
- (4) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

## **26            Determination of fares and charges**

- (1) The Minister may, by notice in the *Gazette*, determine the maximum fares and charges that may be charged for the hire or use of a taxi.
- (2) A person who charges a fare or charge that is higher than the maximum determined under subsection (1) is guilty of an offence.

Maximum penalty:        40 penalty units.

## **26A          Taxis may use bus stops outside route service hours**

- (1) Despite anything to the contrary in this Act or the Regulations, the driver of a taxi that is available for hire may park or stand the taxi in a bus stop in an urban service area outside route service hours.
- (2) The driver of a taxi who parks or stands the taxi in a bus stop other than in accordance with subsection (1) commits an offence.

Maximum penalty:        15 penalty units.

## **Division 2            Substitute taxi licence**

### **27            Substitute taxi licence**

- (1) An accredited operator may apply to the Director for a substitute taxi licence.
- (2) An application under subsection (1) is to be on an approved form accompanied by the prescribed fee (if any).
- (3) The Director may require an applicant for a substitute taxi licence to provide further particulars.



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- (4) The Director must consider an application for a substitute taxi licence made under subsection (1) and may, subject to this Act:
- (a) grant the licence to the applicant; or
  - (b) allow the applicant to amend the application and grant the licence to the applicant on receipt of the amended application; or
  - (c) refuse to grant the licence to the applicant.

## **28 Conditions of substitute taxi licence**

- (1) A substitute taxi licence is subject to the conditions that the Director thinks fit and specifies in the licence.
- (2) It is a condition of every substitute taxi licence that, except as otherwise authorised by the Director, the motor vehicle in respect of which the licence was granted is not to be used as a taxi unless it has affixed to it the identification plate or plates approved by the Director for the purposes of this Act.

## **Part 5 Private hire cars**

### **30 Private hire car licence**

- (1) Subject to this Act, a person who proposes to operate a private hire car must hold a private hire car licence before commencing the operation.

Maximum penalty: 85 penalty units.

- (2) An application for a private hire car licence is to be made on an approved form accompanied by the prescribed fee.

### **31 Consideration of application**

- (1) The Director must consider an application made under section 30(2) and may, subject to this Act:
  - (a) refuse it;
  - (b) grant it; or
  - (c) allow the applicant to amend it, and grant it as amended.
- (2) For the purposes of subsection (1), the Director may require an applicant to provide further information.

- (3) The Director must not grant a private hire car licence if the applicant was not accredited at the time of the application.
- (4) The Director must not grant a private hire car licence to a person unless, at the time the licence is granted, the private hire car endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the person.

### **32 Registration number to be endorsed on licence**

A private hire car licence is to have endorsed on it the registration number of the private hire car as contained on the number plates issued under the *Motor Vehicles Act 1949*.

### **33 Conditions of private hire car licence**

- (1) A private hire car licence is subject to the conditions that the Director thinks fit and specifies in the licence.
- (2) The Director may, from time to time, by written notice to a private hire car licence holder, amend or revoke the conditions of the licence or add new conditions.
- (3) The conditions of a private hire car licence are to be substantially the same for all private hire car licences unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.
- (4) The Director may require the holder of a private hire car licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.
- (5) It is a condition of a private hire car licence that the private hire car endorsed on the licence be used as a private hire car and is maintained to an approved standard.
- (6) It is a condition of a private hire car licence that the private hire car endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the holder of the licence.

### **34 Effect of private hire car licence**

A private hire car licence authorises the holder to operate the private hire car endorsed on the licence in accordance with the conditions specified in the licence and the holder's accreditation.

**35 Term of private hire car licence**

- (1) A private hire car licence remains in force, unless sooner surrendered, cancelled or suspended under this Act:
  - (a) for 12 months from the day it is granted; or
  - (b) for 12 months from the day it is renewed or for a shorter period (of not less than 3 months) that the Director approves.
- (2) If the Director approves a period under subsection (1)(b), the fee that is to be paid for the renewal of the licence is to be a pro rata fee based on the fee that is otherwise prescribed for the renewal of the licence.

**35A Renewal of private hire car licence**

- (1) A private hire car licence may be renewed by the Director on application made on an approved form accompanied by the prescribed fee.
- (2) In considering an application for renewal, the Director must take into account the matters that would be taken into account if the application were for a new private hire car licence.

**36 Surrender of private hire car licence**

- (1) The holder of a private hire car licence may surrender the licence to the Director before it expires.
- (2) A person who surrenders a private hire car licence is entitled to a refund of a proportionate amount of the fee paid at the time of the application for the grant or last renewal of the licence (as applicable) in respect of each day of the unexpired term of the licence but only if there are at least 7 days (not including the day of surrender) remaining in the unexpired term.

**37 Director may grant exemption**

- (1) The Director may exempt a person proposing to operate a private hire car from the requirement to hold a private hire car licence.
- (2) The Director may exempt a class of operators of private hire cars, or an operation using private hire cars, from the requirement to hold a private hire car licence.
- (3) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;

- (b) the period for which the exemption is granted; and
- (c) any other condition the Director thinks fit.
- (4) The Director may require payment of the prescribed fee (if any) before granting an exemption.
- (5) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

**37A      Determination of fares and charges**

- (1) The Minister may, by notice in the *Gazette*, determine:
  - (a) a fare or charge to be charged for the hire or use of a private hire car; or
  - (b) the method to be used to calculate such a fare or charge.
- (2) A person must not charge a fare or charge for the hire or use of a private hire car except in accordance with subsection (1).

Maximum penalty:      8 penalty units.

**37B      Ranking for approved functions or events**

- (1) Despite anything to the contrary in this Act or the Regulations, the driver of a private hire car may park or stand the private hire car for hire to transport passengers at an approved function or event, or an approved class of functions or events, in accordance with the approved conditions.
- (2) The driver of a private hire car who parks, stands or plys a private hire car for hire other than in accordance with subsection (1) commits an offence.

Maximum penalty:      25 penalty units.

**Part 5AA      Limousines**

**37C      Limousine licence**

- (1) Subject to this Act, a person who proposes to operate a limousine must hold a limousine licence before commencing the operation.

Maximum penalty:      85 penalty units.
- (2) An application for a limousine licence is to be made on an approved form accompanied by the prescribed fee.

**37D Consideration of application**

- (1) The Director must consider an application made under section 37C(2) and may, subject to this Act:
  - (a) refuse it;
  - (b) grant it; or
  - (c) allow the applicant to amend it, and grant it as amended.
- (2) For the purposes of subsection (1), the Director may require an applicant to provide further information.
- (3) The Director must not grant a limousine licence if the applicant was not accredited at the time of the application.
- (4) The Director must not grant a limousine licence to a person unless, at the time the licence is granted, the limousine endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the person.

**37E Registration number to be endorsed on licence**

A limousine licence is to have endorsed on it the registration number of the limousine as contained on the number plates issued under the *Motor Vehicles Act 1949*.

**37F Conditions of limousine licence**

- (1) A limousine licence is subject to the conditions that the Director thinks fit and specifies in the licence.
- (2) The Director may, from time to time, by written notice to the holder of a limousine licence, amend or revoke the conditions of the licence or add new conditions.
- (3) The conditions of a limousine licence are to be substantially the same for all limousine licences unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.
- (4) The Director may require the holder of a limousine licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.
- (5) It is a condition of a limousine licence that the limousine endorsed on the licence be used as a limousine and is maintained to an approved standard.

- (6) It is a condition of a limousine licence that the limousine endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the holder of the licence.

**37G Effect of limousine licence**

A limousine licence authorises the holder to operate the limousine endorsed on the licence in accordance with the conditions specified in the licence and the holder's accreditation.

**37H Term of limousine licence**

- (1) A limousine licence remains in force, unless sooner surrendered, cancelled or suspended under this Act:
- (a) for 12 months from the day it is granted; or
  - (b) for 12 months from the day it is renewed or for a shorter period (of not less than 3 months) that the Director approves.
- (2) If the Director approves a period under subsection (1)(b), the fee that is to be paid for the renewal of the licence is to be a pro rata fee based on the fee that is otherwise prescribed for the renewal of the licence.

**37J Renewal of limousine licence**

- (1) A limousine licence may be renewed by the Director on application made on an approved form accompanied by the prescribed fee.
- (2) In considering an application for renewal, the Director must take into account the matters that would be taken into account if the application were for a new limousine licence.

**37K Surrender of limousine licence**

- (1) The holder of a limousine licence may surrender the licence to the Director before it expires.
- (2) A person who surrenders a limousine licence is entitled to a refund of a proportionate amount of the fee paid at the time of the application for the grant or last renewal of the licence (as applicable) in respect of each day of the unexpired term of the licence but only if there are at least 7 days (not including the day of surrender) remaining in the unexpired term.

**37L Director may grant exemption**

- (1) The Director may exempt a person proposing to operate a limousine from the requirement to hold a limousine licence.

- (2) The Director may exempt a class of operators of limousines, or an operation using limousines, from the requirement to hold a limousine licence.
- (3) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;
  - (b) the period for which the exemption is granted; and
  - (c) any other condition the Director thinks fit.
- (4) The Director may require payment of the prescribed fee (if any) before granting an exemption.
- (5) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

### **37M Determination of fares and charges**

- (1) The Minister may, by notice in the *Gazette*, determine:
  - (a) a fare or charge to be charged for the hire or use of a limousine; or
  - (b) the method to be used to calculate such a fare or charge.
- (2) A person must not charge a fare or charge for the hire or use of a limousine except in accordance with subsection (1).

Maximum penalty: 8 penalty units.

## **Part 5AB Special function vehicles**

### **37N Special function vehicle licence**

- (1) Subject to this Act, a person who proposes to operate a special function vehicle must hold a special function vehicle licence before commencing the operation.

Maximum penalty: 85 penalty units.

- (2) An application for a special function vehicle licence is to be made on an approved form.

**37P Consideration of application**

- (1) The Director must consider an application made under section 37N(2) and may, subject to this Act:
  - (a) refuse it;
  - (b) grant it; or
  - (c) allow the applicant to amend it, and grant it as amended.
- (2) For subsection (1), the Director may require an applicant to provide further information.
- (3) The Director must not grant a special function vehicle licence to a person who is not accredited at the time the licence is granted.
- (4) The Director must not grant a special function vehicle licence to a person unless, at the time the licence is granted, the special function vehicle endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the person.

**37Q Registration number to be endorsed on licence**

A special function vehicle licence is to have endorsed on it the registration number of the special function vehicle as contained on the number plates issued under the *Motor Vehicles Act 1949*.

**37R Conditions of special function vehicle licence**

- (1) A special function vehicle licence is subject to the conditions that the Director thinks fit and specifies in the licence.
- (2) The Director may, from time to time, by written notice to the holder of a special function vehicle licence, amend or revoke the conditions of the licence or add new conditions.
- (3) The conditions of a special function vehicle licence are to be substantially the same for all special function vehicle licences unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.
- (4) The Director may require the holder of a special function vehicle licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.
- (5) It is a condition of a special function vehicle licence that the special function vehicle endorsed on the licence be used as a special function vehicle and is maintained to an approved standard.



- (6) It is a condition of a special function vehicle licence that the special function vehicle endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the holder of the licence.

**37S Effect of special function vehicle licence**

A special function vehicle licence authorises the holder to operate the special function vehicle endorsed on the licence in accordance with the conditions specified in the licence and the holder's accreditation.

**37T Term of special function vehicle licence**

A special function vehicle licence remains in force, unless sooner surrendered, cancelled or suspended under this Act, for 12 months from the day it is granted or renewed.

**37U Renewal of special function vehicle licence**

- (1) A special function vehicle licence may be renewed by the Director on application made on an approved form accompanied by the prescribed fee (if any).
- (2) In considering an application for renewal, the Director must take into account the matters that would be taken into account if the application were for a new special function vehicle licence.

**37V Surrender of special function vehicle licence**

- (1) The holder of a special function vehicle licence may surrender the licence to the Director before it expires.
- (2) A person who surrenders a special function vehicle licence is entitled to a refund of a proportionate amount of the fee the person paid when applying for the grant or renewal of the licence (as applicable) in respect of each complete month in the unexpired term of the licence.

**37W Director may grant exemption**

- (1) The Director may exempt a person proposing to operate a special function vehicle from the requirement to hold a special function vehicle licence.
- (2) The Director may exempt a class of operators of special function vehicles, or an operation using special function vehicles, from the requirement to hold a special function vehicle licence.

- (3) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;
  - (b) the period for which the exemption is granted; and
  - (c) any other condition the Director thinks fit.
- (4) The Director may require payment of the prescribed fee (if any) before granting an exemption.
- (5) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

## **Part 5A            Minibuses**

### **38            Minibus areas**

The Minister may, by notice in the *Gazette*, declare an area to be a minibus area for the purposes of this Act.

### **38A          Minibus licence**

- (1) Subject to this Act, a person who proposes to operate a minibus must hold a minibus licence before commencing the operation.

Maximum penalty:        85 penalty units.

- (2) An application for a minibus licence is to be made on an approved form accompanied by the prescribed fee.

### **38B          Consideration of application**

- (1) The Director must consider an application made under section 38A and may, subject to this Act:
  - (a) refuse it;
  - (b) grant it; or
  - (c) allow the applicant to amend it, and grant it as amended.
- (2) For the purposes of subsection (1), the Director may require an applicant to provide further information.
- (3) The Director must not issue a minibus licence to a person who is not accredited at the time the licence is granted.

- (4) The Director must not grant a minibus licence to a person unless, at the time the licence is granted, the minibus endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the person.

**38C      Registration number to be endorsed on licence**

A minibus licence is to have endorsed on it the registration number as contained on the number plates issued under the *Motor Vehicles Act 1949*.

**38D      Conditions of minibus licence**

- (1) A minibus licence is subject to the conditions that the Director thinks fit and specifies in the licence.
- (2) The Director may, from time to time, by written notice to a minibus licence holder, amend or revoke the conditions of the licence or add new conditions.
- (3) The conditions of a minibus licence are to be substantially the same for all minibus licences unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.
- (4) The Director may require the holder of a minibus licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.
- (5) The Director may require the holder of a minibus licence to join a communications or dispatch network approved under section 71.
- (6) It is a condition of a minibus licence that the minibus endorsed on the licence is used as a minibus and is maintained to the approved standard.
- (7) It is a condition of a minibus licence that the minibus endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the minibus licence holder.
- (8) It is a condition of a minibus licence that the holder of the licence is to ensure that any injury to a person arising out of or in the course of the person's engagement to drive the minibus endorsed on the licence is covered by a policy of insurance.

**38DA      Substitute minibus licence**

- (1) An accredited operator of a minibus licence may apply to the Director for a substitute minibus licence for an approved motor vehicle to be used as a minibus during periods when the licensed

minibus is being serviced, maintained or repaired or is for any other reason unavailable for use.

- (2) An application under subsection (1) must be in the approved form and accompanied by the prescribed fee (if any).
- (3) The Director may require an applicant for a substitute minibus licence to provide further information.
- (4) The Director may issue a substitute minibus licence, subject to subsection (5) and any other conditions the Director considers appropriate.
- (5) It is a condition of every substitute minibus licence that, except as otherwise authorised by the Director, the motor vehicle in respect of which the licence is granted is not to be used as a minibus unless it has affixed to it the identification plate or plates approved by the Director under this Act.

### **38E Minibus to operate in minibus area**

- (1) The Director must specify in a minibus licence the minibus area within which the holder of the licence may operate the minibus endorsed on the licence.
- (2) A person must not operate a minibus within a minibus area that is not specified in the minibus licence.
- (3) Despite subsection (2), a person may operate a minibus within a minibus area that is not specified in the minibus licence if the passengers are driven:
  - (a) into the minibus area from a place outside the minibus area; or
  - (b) from within the minibus area to a place outside the minibus area on the return journey by a direct route to the place from which the passengers were driven into the minibus area.

### **38F Effect of minibus licence**

A minibus licence authorises the holder, subject to the conditions specified in the licence and the holder's accreditation, to operate a minibus:

- (a) subject to paragraph (b) and section 38E(3), within the minibus area specified in the licence and in any other place in the Territory that is outside other minibus areas; and
- (b) anywhere in the Territory for pre-booked charters or tours.

**38G Term of minibus licence**

- (1) A minibus licence remains in force, unless sooner surrendered, cancelled or suspended under this Act:
  - (a) for 12 months from the day it is granted; or
  - (b) for 12 months from the day it is renewed or for a shorter period (of not less than 3 months) that the Director approves.
- (2) If the Director approves a period under subsection (1)(b), the fee that is to be paid for the renewal of the licence is to be a pro rata fee based on the fee that is otherwise prescribed for the renewal of the licence.

**38GA Renewal of minibus licence**

- (1) A minibus licence may be renewed by the Director on application made on an approved form accompanied by the prescribed fee.
- (2) In considering an application for renewal, the Director must take into account the matters that would be taken into account if the application were for a new minibus licence.

**38H Surrender of minibus licence**

- (1) The holder of a minibus licence may surrender the licence to the Director before the licence expires.
- (2) A person who surrenders a minibus licence is entitled to a refund of a proportionate amount of the fee paid at the time of the application for the grant or last renewal of the licence (as applicable) in respect of each day of the unexpired term of the licence but only if there are at least 7 days (not including the day of surrender) remaining in the unexpired term.

**38J Director may grant exemption**

- (1) The Director may exempt a class of operators of minibuses, or an operation using minibuses, from the requirement to hold a minibus licence.
- (2) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;
  - (b) the period for which the exemption is granted; and
  - (c) any other condition the Director thinks fit.

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- (3) The Director may require payment of the prescribed fee (if any) before granting an exemption.
  - (4) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

**38K Minibuses may use bus stops outside route service hours**

- (1) Despite anything to the contrary in this Act or the Regulations, the driver of a minibus that is available for hire may park or stand the minibus in a bus stop in an urban service area outside route service hours.
- (2) The driver of a minibus who parks or stands the minibus in a bus stop other than in accordance with subsection (1) commits an offence.

Maximum penalty: 15 penalty units.

**Part 5B Courtesy vehicles**

**38L Courtesy vehicle licence**

- (1) Subject to this Act, a person who proposes to operate a courtesy vehicle must hold a courtesy vehicle licence before commencing the operation.

Maximum penalty: 85 penalty units.

- (2) An application for a courtesy vehicle licence is to be made on an approved form.

**38M Consideration of application**

- (1) The Director must consider an application made under section 38L(2) and may, subject to this Act:
  - (a) refuse it;
  - (b) grant it; or
  - (c) allow the applicant to amend it, and grant it as amended.
- (2) For subsection (1), the Director may require an applicant to provide further information.
- (3) The Director must not grant a courtesy vehicle licence to a person who is not accredited at the time the licence is granted.

- (4) The Director must not grant a courtesy vehicle licence to a person unless, at the time the licence is granted, the courtesy vehicle endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the person.

**38N Registration number to be endorsed on licence**

A courtesy vehicle licence is to have endorsed on it the registration number of the courtesy vehicle as contained on the number plates issued under the *Motor Vehicles Act 1949*.

**38P Conditions of courtesy vehicle licence**

- (1) A courtesy vehicle licence is subject to the conditions that the Director thinks fit and specifies in the licence.
- (2) The Director may, from time to time, by written notice to the holder of a courtesy vehicle licence, amend or revoke the conditions of the licence or add new conditions.
- (3) The conditions of a courtesy vehicle licence are to be substantially the same for all courtesy vehicle licences unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.
- (4) The Director may require the holder of a courtesy vehicle licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.
- (5) It is a condition of a courtesy vehicle licence that the courtesy vehicle endorsed on the licence be used as a courtesy vehicle and is maintained to an approved standard.
- (6) It is a condition of a courtesy vehicle licence that the courtesy vehicle endorsed on the licence is registered under the *Motor Vehicles Act 1949* in the name of the holder of the licence.

**38Q Effect of courtesy vehicle licence**

A courtesy vehicle licence authorises the holder to operate the courtesy vehicle endorsed on the licence in accordance with the conditions specified in the licence and the holder's accreditation.

**38R Term of courtesy vehicle licence**

A courtesy vehicle licence remains in force, unless sooner cancelled or suspended under this Act, for 12 months from the day it is granted or renewed.

**38S      Renewal of courtesy vehicle licence**

- (1) A courtesy vehicle licence may be renewed by the Director on application made on an approved form accompanied by the prescribed fee (if any).
- (2) In considering an application for renewal, the Director must take into account the matters that would be taken into account if the application were for a new courtesy vehicle licence.

**38T      Director may grant exemption**

- (1) The Director may exempt a person proposing to operate a courtesy vehicle from the requirement to hold a courtesy vehicle licence.
- (2) The Director may exempt a class of operators of courtesy vehicles, or an operation using courtesy vehicles, from the requirement to hold a courtesy vehicle licence.
- (3) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;
  - (b) the period for which the exemption is granted; and
  - (c) any other condition the Director thinks fit.
- (4) The Director may require payment of the prescribed fee (if any) before granting an exemption.
- (5) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

**Part 6                      Motor omnibuses****39                      Motor omnibus licence**

- (1) Subject to this Act, a person who proposes to operate a motor omnibus shall, before commencing the operation, hold a motor omnibus licence.

Maximum penalty:      85 penalty units.

- (2) An application for a motor omnibus licence shall be made on an approved form accompanied by the prescribed fee (if any).



**40 Consideration of application**

- (1) The Director shall consider an application made under section 39 and may, subject to this Act:
  - (a) refuse it;
  - (b) grant it; or
  - (c) allow the applicant to amend it, and grant it as amended.
- (2) For the purposes of subsection (1) the Director may require an applicant to provide such further information as the Director may require.
- (3) The Director shall not issue a motor omnibus licence pursuant to this section if, at the time of its grant, the proposed grantee is not accredited.

**40A Registration numbers to be endorsed on licence**

A motor omnibus licence is to have endorsed on it the registration number of each motor omnibus to which the licence relates as contained on the number plates issued under the *Motor Vehicles Act 1949*.

**41 Conditions of motor omnibus licence**

- (1) A motor omnibus licence shall be subject to such conditions, if any, as the Director thinks fit and specifies in the licence.
- (2) The Director may from time to time, by written notice to a licence holder, amend or revoke the conditions of the licence or add new conditions.
- (3) The Director may require the holder of a licence to return it to the Director for a replacement certificate to be issued specifying new or amended conditions.
- (4) Without limiting subsection (1), the Director may impose conditions relating to any of the following:
  - (a) the safety of vehicles operating under the licence;
  - (b) notification, display and publication of fares;
  - (c) relief requirements in the event of disruption of services.

**42 Effect of motor omnibus licence**

A motor omnibus licence authorises the holder, subject to the conditions specified in the licence and in relation to the holder's accreditation:

- (a) to operate a motor omnibus anywhere in the Territory for pre-booked charters and tours;
- (b) to operate a motor omnibus route service anywhere in the Territory except:
  - (i) on or in relation to a route declared under section 46 to be a pioneer route; or
  - (ii) subject to section 47(2), in an urban service area;
- (c) to stand and ply for hire only as part of a motor omnibus route service;
- (d) to ply for hire at any place outside a taxi area or minibus area in accordance with the Regulations; and
- (e) to ply for hire in a prescribed taxi area in accordance with the Regulations.

**43 Term of motor omnibus licence, renewal**

- (1) A motor omnibus licence remains in force, unless sooner cancelled or suspended under this Act, for a period of 3 years from the day of its grant, but may be renewed by the Director upon application made in that behalf in the approved form accompanied by payment of the prescribed fee (if any).
- (2) In considering an application for renewal under subsection (1), the Director shall take into account the matters that would be taken into account if the application were for a new motor omnibus licence.

**44 Director may grant exemption**

- (1) The Director may exempt a class of operators of motor omnibuses, or an operation using omnibuses, from the requirement to hold a motor omnibus licence.
- (2) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;
  - (b) the period for which the exemption is granted; and
  - (c) any other condition the Director thinks fit.

- (3) The Director may require payment of the prescribed fee (if any) before granting an exemption.
- (4) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

**45 Director may amend route, &c.**

- (1) Where, in relation to a motor omnibus operation advertised or held out to provide a regular passenger service, the Director considers that a route, timetable or practice of the operation may adversely affect the safety of a person or the safety of a vehicle, the Director may, by notice in writing, order the operator of the service to amend the route, timetable or practice in accordance with any requirements specified in the notice.
- (2) An operator to which subsection (1) applies shall comply with and not contravene an order of the Director under that subsection.

Maximum penalty: 40 penalty units.

**46 Pioneer routes**

- (1) Where the Director is satisfied that, without protection under this section:
  - (a) a motor omnibus route service (being a route service that has been in operation for less than 12 months) is unlikely to be continued; or
  - (b) a proposed motor omnibus route service for an unserved route is unlikely to be proceeded with,the Director may, by notice in the *Gazette*, declare the route to be a pioneer route.
- (2) A declaration under subsection (1) gives the operator or proposed operator of the route service on the pioneer route exclusive rights of route service operation on that route in the same manner and to the same extent as exist or are proposed at the date the declaration is made, subject to such conditions as are specified in the notice, for a period of 12 months commencing with the day of publication of the notice.
- (3) If, on application made in that behalf before the expiry of the 12 month period specified in subsection (2), the Director, after a review of the operations of the operator of the route service on a pioneer route, is satisfied that protection is still needed to maintain the route service, the Director may extend, by notice in the *Gazette*, the protection under subsection (2) for one further consecutive

period not exceeding 12 months.

#### **47 Urban service areas**

- (1) The Director may, by notice in the *Gazette*, declare an area specified in the notice, being an area wholly or partly urban, to be a motor omnibus urban route service area (in this Act referred to as an urban service area).
- (2) The Director may, in a notice under subsection (1), declare that a route or service specified in the notice is excluded from the urban service area.
- (3) A person shall not operate a motor omnibus route service in an urban service area without first holding an urban service area licence issued under section 48.

#### **48 Application for urban service area licence**

- (1) A person may apply to the Director for an urban service area licence in respect of a route service in an urban service area.
- (2) An application under subsection (1) shall contain such information as the Director may require and shall be accompanied by the prescribed fee (if any).
- (3) The Director may, on receiving an application under subsection (1), and subject to this section, grant or refuse the application.
- (4) The Director shall not grant an application under subsection (3) for a pioneer route declared within an urban service area.
- (5) In considering an application under this section for an urban service area licence in respect of a route (not being a pioneer route) where another urban service area licence is in force, the Director shall, before granting the application, take into account the possible effects the additional service could have on the existing operation.

#### **49 Director may prohibit or restrict other services in urban service area, recovery of loss**

- (1) Where a person commences a motor omnibus service (not being a route service) wholly or partly on a route in an urban service area for which an urban service area licence is in force, the Director may, if satisfied that the service affects or is likely to affect the licensed route service, direct the person, by notice in writing, to cease or restrict the service within such time and on such conditions as may be specified in the notice.

Maximum penalty: 40 penalty units.

- (2) A person found guilty of an offence under subsection (1) of failing to comply with a direction of the Director shall, whether a conviction is entered or penalty imposed in respect of the offence or not, be liable to pay to the operator of the route service affected any financial loss on the service caused or likely to have been caused by the failure to comply, which loss shall be assessed by the court before which the defendant appears and recovered in a like manner to a monetary penalty.

**50            Conditions of urban service area licence**

- (1) An urban service area licence is subject to such conditions, if any, as the Director thinks fit and specifies in the licence.
- (2) The Director may from time to time, by written notice to a licence holder, amend or revoke the conditions of the licence or add new conditions.
- (3) The Director may require the holder of a licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.
- (4) Without limiting the generality of subsection (1), the Director may impose conditions relating to:
- (a) the safety of vehicles operating under the licence;
  - (b) notification, display and publication of fares; and
  - (c) relief requirements, in the event of disruption of services.

**51            Director may delegate management of motor omnibus urban route service area**

- (1) The Director may, subject to such terms and conditions as may be agreed, delegate to a person all or any of the powers and functions of the Director in relation to motor omnibuses or motor omnibus services in an urban service area.
- (2) A delegation under subsection (1) may be revoked by the Director by agreement, or after the expiration of a period of no less than 12 months commencing with the day on which notice in writing of the proposed revocation is given to the delegate.

## **Part 7                      Tourist vehicles**

### **52                      Tourist vehicle licence**

- (1) Subject to this Act, a person who proposes to operate a motor vehicle as a tourist vehicle shall, before commencing the operation, hold a tourist vehicle licence.

Maximum penalty:        85 penalty units.

- (2) An application for a tourist vehicle licence shall be made on an approved form accompanied by the prescribed fee (if any).

### **53                      Consideration of application**

- (1) The Director shall consider an application made under section 52 and may, subject to this Act:
  - (a) refuse it;
  - (b) grant it; or
  - (c) allow the applicant to amend it, and grant it as amended.
- (2) For the purposes of subsection (1), the Director may require an applicant to provide such further information as the Director may require.
- (3) The Director shall not issue a tourist vehicle licence pursuant to this section if, at the time of its grant, the proposed grantee is not accredited.

### **53A                    Registration numbers to be endorsed on licence**

A tourist vehicle licence is to have endorsed on it the registration number of each tourist vehicle to which the licence relates as contained on the number plates issued under the *Motor Vehicles Act 1949*.

### **54                      Conditions of tourist vehicle licence**

- (1) A tourist vehicle licence shall be subject to such conditions, if any, as the Director thinks fit and specifies in the licence.
- (2) The Director may from time to time, by written notice to a licence holder, amend or revoke the conditions of the licence or add new conditions.

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- (3) The conditions referred to in this section shall be substantially the same for all tourist vehicle licences unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.
  - (4) The Director may require the holder of a licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.

## **55 Effect of tourist vehicle licence**

A tourist vehicle licence authorises the holder to operate a tourist vehicle in accordance with the conditions specified in the licence and in relation to the holder's accreditation.

## **56 Term of tourist vehicle licence, renewal**

- (1) A tourist vehicle licence remains in force, unless sooner cancelled or suspended under this Act, for 3 years from the day of its grant, but may be renewed by the Director on application made in the approved form accompanied by payment of the prescribed fee (if any).
- (2) In considering an application for renewal under subsection (1), the Director shall take into account the matters that would be taken into account if the application were for a new tourist vehicle licence.

## **57 Director may grant exemption**

- (1) The Director may exempt a class of operators of tourist vehicles, or an operation using tourist vehicles, from the requirement to hold a tourist vehicle licence.
- (2) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;
  - (b) the period for which the exemption is granted; and
  - (c) any other condition the Director thinks fit.
- (3) The Director may require payment of the prescribed fee (if any) before granting an exemption.
- (4) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

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## **Part 8                      Special passenger vehicles**

### **58                      Special passenger vehicle licences**

- (1) Subject to this Act, a person who proposes to operate a special passenger vehicle shall, before commencing the operation, hold a special passenger vehicle licence.

Maximum penalty:        85 penalty units.

- (2) An application for a special passenger vehicle licence shall be made on an approved form accompanied by the prescribed fee (if any).

### **59                      Consideration of application**

- (1) The Director shall consider an application made under section 58 and may, subject to this Act:
  - (a) refuse it;
  - (b) grant it; or
  - (c) allow the applicant to amend it, and grant it as amended.
- (2) For the purposes of subsection (1), the Director may require an applicant to provide such further information as the Director may require.
- (3) The Director shall not issue a special passenger vehicle licence pursuant to this section if, at the time of its grant, the proposed grantee is not accredited.

### **59A                    Registration numbers to be endorsed on licence**

A special passenger vehicle licence is to have endorsed on it the registration number of each special passenger vehicle to which the licence relates as contained on the number plates issued under the *Motor Vehicles Act 1949*.

### **60                      Conditions of special passenger vehicle licence**

- (1) A special passenger vehicle licence shall be subject to such conditions, if any, as the Director thinks fit and specifies in the licence.
- (2) The Director may from time to time, by written notice to a licence holder, amend or revoke the conditions of the licence or add new conditions.



- (3) The conditions referred to in this section shall be substantially the same for all special passenger vehicle licences unless the Director is satisfied, on stated grounds in a particular case, that different conditions are reasonable.
- (4) The Director may require the holder of a licence to return it to the Director for a replacement licence to be issued specifying new or amended conditions.

#### **61 Effect of special passenger vehicle licence**

A special passenger vehicle licence authorises the holder to operate a special passenger vehicle in accordance with the conditions specified in the licence and in relation to the holder's accreditation.

#### **62 Term of special passenger vehicle licence, renewal**

- (1) A special passenger vehicle licence remains in force, unless sooner cancelled or suspended under this Act, for 12 months from the day of its grant, but may be renewed by the Director on application made in the approved form accompanied by payment of the prescribed fee (if any).
- (2) In considering an application for renewal under subsection (1), the Director shall take into account the matters that would be taken into account if the application were for a new special passenger vehicle licence.

#### **63 Director may grant exemption**

- (1) The Director may exempt a class of operators of special passenger vehicles, or an operation using special passenger vehicles, from the requirement to hold a special passenger vehicle licence.
- (2) An exemption is to be in writing and may specify:
  - (a) the motor vehicle to which the exemption relates;
  - (b) the period for which the exemption is granted; and
  - (c) any other condition the Director thinks fit.
- (3) The Director may require payment of the prescribed fee (if any) before granting an exemption.
- (4) A person is not guilty of an offence under section 79A(1) in respect of anything done in accordance with an exemption.

## **Part 9                    Inspectors and inspections**

### **64                    Appointment of inspectors**

- (1) The Director may, by notice in writing, appoint a person to be an inspector for the purposes of this Act.
- (2) A member of the Police Force is an inspector.
- (3) An inspector under this section shall have and may exercise such powers and perform such functions as the Director determines either generally for a class or classes of inspectors or specifically in a particular case.
- (4) The Director shall issue to each inspector appointed under subsection (1) an identity card containing a passport-type photograph and the signature of the inspector verified by the signature of the Director.

### **65                    Inspection of premises**

- (1) An inspector may enter, at all reasonable times, premises used by the holder of an operator's accreditation or licence as the place from which the business authorised by the accreditation or licence is conducted or where any records relating to the business are kept, and:
  - (a) inspect the premises and any motor vehicle found there;
  - (b) require any person there to answer questions (but not if the answer might tend to incriminate the person) or produce records under the person's control concerning any business apparently carried on there;
  - (c) make copies of or take extracts from records so produced;
  - (d) make such examination and inquiry as the inspector considers necessary to ascertain whether the provisions of this Act or the Regulations are being or have been complied with; and
  - (e) take such photographs as the inspector considers necessary in connection with the administration of this Act.
- (2) An inspector is not entitled to enter:
  - (a) any premises other than at the times specified in subsection (1); or
  - (b) a room used solely for residential purposes,

except with the consent of the occupier or where accompanied by a member of the Police Force acting under the authority of a search warrant.

- (3) An inspector shall not prevent or hinder the occupier of any premises, or the occupier's delegate, from accompanying the inspector when exercising a function under this Act on those premises.

## **66 Inspection of motor vehicles**

Where an inspector has reason to believe that a motor vehicle is being used to carry passengers for hire or reward, the inspector may:

- (a) stop the vehicle;
- (b) direct the driver to produce for inspection any licence or other document granted under this Act;
- (c) direct any person to alight from, or not to enter, the vehicle;
- (d) require information as to the use of the vehicle from the operator or any hirer or passenger, and require any such person to furnish particulars of the person's name and address;
- (e) require any person there to answer questions (but not if the answer might tend to incriminate the person); and
- (f) inspect the vehicle.

## **67 Inspector to produce identity card**

An inspector, on first entering premises under section 65 or on stopping or first entering a motor vehicle under section 66 shall, if requested to do so, produce the inspector's identity card or, where the inspector is a member of the Police Force but is not in uniform, evidence of membership of the Police Force to the occupier of the premises or, as the case may be, driver of the motor vehicle.

## **68 Inspector may require defects to be remedied or dangerous practices to cease**

- (1) Where, after inspecting any premises or motor vehicle, an inspector considers that any matter or thing or practice connected with the business carried out by the holder of an operator's accreditation or licence is defective or unnecessarily dangerous so that, in the opinion of the inspector, it is likely to endanger public safety or the safety of any person or to endanger any property, the inspector (or

any other inspector) may require the person carrying out that practice or the agent of that person to remedy the defect or cease the practice within such time as is specified in writing, but where, in the opinion of the inspector, the defect or practice is likely to be of immediate danger, the inspector may require the person responsible to remedy the defect or cease the practice forthwith.

- (2) The Director may exercise the powers conferred by subsection (1) whether an inspection of any premises or motor vehicle has been made or not.
- (3) Where an inspector has required any person to remedy any defect or to cease any practice within a time specified in writing and that person has failed to comply with that requirement, then, if the inspector is satisfied that steps have been taken to comply but that person has been prevented by reasonable cause from completing the necessary action within the time specified, the inspector may extend the time specified for such further period as the inspector thinks fit.

## **69 Offences relating to inspectors**

A person who:

- (a) contravenes or fails to comply with a direction or requirement of an inspector; or
- (b) furnishes false information or wilfully hinders or obstructs, misleads, intimidates or threatens an inspector exercising the powers of an inspector,

is guilty of an offence.

Maximum penalty: 85 penalty units.

## **Part 10 General**

### **Division 1 Miscellaneous matters**

#### **69A Licence not transferable**

A licence is not transferable by the holder of the licence.

**70            Driver to be licensed under *Motor Vehicles Act 1949***

A person shall not drive a motor vehicle while it is being used to carry passengers for hire or reward unless the person:

- (a) is licensed under the *Motor Vehicles Act 1949* to drive the motor vehicle; or
- (b) is a person to whom section 32 of the *Traffic Act 1987* applies.

Maximum penalty:        15 penalty units.

**71            Communications and dispatch networks**

- (1) A person who proposes to operate a communications or dispatch network may apply in writing to the Director for approval of the network.
- (2) An application under subsection (1) must:
  - (a) contain the information required by the Director; and
  - (b) be accompanied by the prescribed fee (if any).
- (3) The Director must consider an application under subsection (1) and may:
  - (a) approve the network; or
  - (b) allow the applicant to amend the application and approve the network on receipt of the amended application; or
  - (c) refuse to approve the network.
- (4) The Director may require the applicant to provide further information for the purposes of considering the applicant's application.
- (5) The Director may:
  - (a) approve a network under subsection (3) subject to the conditions the Director thinks appropriate; or
  - (b) from time to time, by written notice to the operator of an approved network, amend or revoke the conditions of the approval or add new conditions.
- (6) The Director may suspend or revoke the approval of a communications or dispatch network.

(6A) A person commits an offence if:

- (a) the person operates a communications or dispatch network;  
and
- (b) the network is not an approved network.

Maximum penalty:      85 penalty units.

(6B) A person commits an offence if the person:

- (a) is the operator of an approved network; and
- (b) contravenes or fails to comply with a condition of the network approval.

Maximum penalty:      40 penalty units.

(7) The Director may, from time to time, require the operator of an approved network to provide the Director with any information required by the Director in relation to:

- (a) the operation of the network; or
- (b) the terms and conditions under which the network is made available to the operators of commercial passenger vehicles.

(7A) A person:

- (a) must comply with a requirement under subsection (7); and
- (b) must not, in purported compliance with a requirement under subsection (7), provide the Director with information that the person knows is false or materially misleading.

Maximum penalty:      40 penalty units.

(8) It is a condition of every approval given under this section that, if requested by the Director in relation to a specified holder of a licence, the operator of the communications or dispatch network requested will allow that holder to participate in the use of the network on the same terms and conditions as other users notwithstanding any rule of the operator of the network which would otherwise preclude the holder from participating.

(8A) A person must comply with a request by the Director referred to in subsection (8).

Maximum penalty:      40 penalty units.

- (9) A person must not interfere with a communications or dispatch network.

Maximum penalty:        40 penalty units.

- (10) In this section:

**approved network** means a communications or dispatch network approved by the Director under subsection (3).

**communications or dispatch network** means a network for:

- (a) communicating with, controlling or coordinating commercial passenger vehicles used to carry passengers for hire or reward; or
- (b) accepting bookings for the use of commercial passenger vehicles for hire or reward or allocating commercial passenger vehicles for hire or reward on pre-booked journeys.

**operator**, of a communications or dispatch network, means the person who maintains or provides the network or makes the network available to others for use.

## **72            Codes of conduct**

- (1) The Director may approve codes of conduct to apply to and in relation to the driver, owner or operator of a commercial passenger vehicle, to a passenger on such a vehicle or the operator of a communications or dispatch network approved under section 71.
- (2) If a code of conduct is approved under subsection (1), a driver, owner or operator of a commercial passenger vehicle or an operator of a communications or dispatch network approved under section 71 who contravenes or fails to comply with the code is guilty of an offence.

Maximum penalty:        15 penalty units.

## **73            Conditions relating to carriage of passengers**

- (1) The Director may approve, generally in relation to all operators of a commercial passenger vehicle, or a class of operators or operations, or specifically in relation to an operator or an operation, conditions under which the operator will accept a passenger in the commercial passenger vehicle to which the conditions relate.

- (2) Without limiting the generality of subsection (1), conditions may be imposed which relate to:
- (a) the cleanliness;
  - (b) the dress;
  - (c) the sobriety; or
  - (d) the general behaviour,  
of a passenger; or
  - (e) passengers suffering from an infectious disease.

**74            Driver must hold identity card or approved form of identification**

- (1) A person must not drive a commercial passenger vehicle of a class prescribed by regulation unless the person holds:
- (a) an identity card issued by the Director for that class of vehicle;  
or
  - (b) another form of identification approved by the Director under subsection (10).

Maximum penalty:        15 penalty units.

- (2) The Director may, on application, issue a person with an identity card for a class of commercial passenger vehicle if the Director is satisfied that the person:
- (a) holds a licence under the *Motor Vehicles Act 1949* to drive a commercial passenger vehicle of that class;
  - (b) is a fit and proper person to drive a commercial passenger vehicle of that class; and
  - (c) has paid the prescribed fee (if any).
- (3) For subsection (2)(b), the Director may approve training standards and other matters required to be met by an applicant for an identity card.
- (4) An identity card remains in force, unless sooner surrendered, cancelled or suspended under this section, for the period the Director approves.



- (5) The Director may, on application, renew a person's identity card for the period the Director approves if satisfied:
  - (a) that, if the person were applying for the issue of the identity card, the Director would grant the application; and
  - (b) that the person has paid the prescribed fee (if any).
- (6) A person who holds an identity card issued under subsection (2) may surrender the identity card to the Director.
- (7) If the Director is satisfied that a person who holds an identity card issued under subsection (2) is not a fit and proper person to drive a commercial passenger vehicle of the class for which the identity card is issued, the Director may:
  - (a) cancel the identity card; or
  - (b) suspend the identity card for the period the Director thinks fit.
- (8) For subsection (7), a person who holds an identity card issued under subsection (2) is not a fit and proper person if, were the person applying for the issue of the identity card, the Director would refuse the application.
- (9) If a person's identity card is lost or destroyed, the Director must issue the person with a replacement on payment of the prescribed fee (if any).
- (10) Despite anything to the contrary in this section, the Director may, in writing, approve other forms of identification to be used by a person instead of an identity card issued under subsection (2).

**74A            Director may prohibit use of place to stand or ply for hire**

The Director may, by notice in the *Gazette*, declare that a class of commercial passenger vehicle is prohibited from using a specified place to stand or ply for hire, whether or not the use of the place for that purpose was previously authorised under this Act.

**Division 2            Accreditation and licence matters**

**74B            Offence to contravene licence conditions**

A person commits an offence if the person:

- (a) is the holder of a licence; and

- (b) contravenes or fails to comply with a condition of the licence.

Maximum penalty:        40 penalty units.

## **75            Cancellation or suspension of accreditation or licence**

- (1) Where the Director is satisfied that:

- (a) an accredited operator has contravened or failed to comply with a condition of his or her accreditation; or
- (b) a commercial passenger vehicle is being or has been operated in contravention of or otherwise than in accordance with a licence; or
- (ba) a person or responsible person for a body corporate has failed to comply with a request from the Director under section 75D(5) or (6);

the Director may:

- (c) cancel the accreditation and/or licence; or
  - (d) suspend the accreditation and/or licence for such period, being not longer than 4 weeks, as the Director thinks fit.
- (2) Where the Director is satisfied that an accredited operator or the holder of a licence is not a fit and proper person to be accredited or hold a licence, the Director may:
    - (a) cancel the accreditation or licence; or
    - (b) suspend the accreditation or licence for such period as the Director thinks fit.
  - (3) For the purposes of subsection (2), an accredited operator or the holder of a licence is not a fit and proper person to be accredited or to hold the licence in any case where, if the operator or holder of the licence were to apply for accreditation or the licence at the time the Director was considering the matter, the application would be refused.
  - (3A) If the Director is satisfied that a responsible person for a body corporate that is an accredited operator is not a fit and proper person for the purposes of accreditation of the body corporate, the Director may:
    - (a) cancel the accreditation of the body corporate; or

- (b) suspend the accreditation of the body corporate for such a period as the Director thinks fit.
- (3B) For the purposes of subsection (3A), the responsible person for a body corporate that is an accredited operator is not a fit and proper person if the responsible person were to apply for accreditation as an individual and the application would be refused.
- (3C) In addition to subsections (2) and (3A), the Director must have regard to the following in considering whether the accredited operator, holder of a licence or a responsible person for a body corporate that is an accredited operator is fit and proper under subsection (2) or (3A):
  - (a) whether the operator, holder of the licence or responsible person has shown a pattern of committing offences;
  - (b) any other circumstances concerning the operator, holder of the licence or responsible person the Director considers relevant.
- (3D) The Director must suspend the accreditation of an accredited operator that is a body corporate if the body corporate ceases to have any responsible persons because section 9(3)(c) applies to each responsible person for the body corporate.
- (3E) The Director must revoke the suspension under subsection (3D) when a responsible person for the body corporate satisfies the Director that section 9(3)(c) does not apply to the responsible person.
- (3F) A reasonable period after suspending the accreditation of a body corporate under subsection (3D), the Director may cancel the accreditation of the body corporate if the body corporate does not have any responsible persons because section 9(3)(c) applies to each responsible person for the body corporate.
- (4) The Director may cancel a licence where, in accordance with this Act, the application for the grant, renewal or transfer of the licence is accompanied by a means of payment (other than money) as payment of the prescribed fee for the application and the means of payment is dishonoured when duly presented for payment.
- (5) The Director shall cancel a taxi licence where:
  - (a) a taxi has not been endorsed on the licence and operated as such for any continuous period of more than 3 months; or

- (b) the holder, being an individual, has not been ordinarily resident in the Territory for more than 6 months or, being a body corporate, has ceased for more than 6 months to have its principal place of business in the Territory.
- (6) A cancellation or suspension under this section takes effect 7 days after the day of the decision of the cancellation or suspension.
- (7) The Director must give written notice of a decision under this section to the person for whom the decision is made.
- (8) The Territory is not liable for any loss or damage suffered by a person because of a decision under this section.

#### **75A        Cancellation of accreditation for disqualifying offence**

- (1) The Director must cancel the accreditation of an accredited operator if the Director becomes aware that:
  - (a) the operator has been convicted of a disqualifying offence, regardless of when the conviction occurred; or
  - (b) if the operator is a body corporate – a responsible person for the body corporate has been convicted of a disqualifying offence, regardless of when the conviction occurred.
- (2) Subsection (1) does not apply in relation to a conviction for a disqualifying offence if:
  - (a) the accredited operator's criminal record for the conviction is a spent record as defined in section 3(1) of the *Criminal Records (Spent Convictions) Act 1992*; or
  - (b) the accredited operator was discharged without any penalty being imposed for the conviction; or
  - (c) the Chief Executive Officer has decided under section 76 that the accredited operator may hold, or continue to hold, the accreditation despite the conviction; or
  - (d) NTCAT has decided, on review of a decision mentioned in section 76(1), that the accredited operator may hold, or continue to hold, the accreditation despite the conviction.
- (5) The Director must give written notice to the accredited operator of the decision.
- (6) The cancellation takes effect 7 days after the day of the decision.

- (7) Subject to subsection (8), the lodging of an appeal against the conviction does not affect the operation of this section.
- (8) If the appeal is successful, the accredited operator's accreditation is taken to be in force again on the decision on the appeal.
- (9) The Territory is not liable for any loss or damage suffered by the accredited operator because of the decision.
- (10) This section applies despite section 75.

**75B        Suspension of accreditation for disqualifying offence**

- (1) If an accredited operator (or, if the accredited operator is a body corporate, the responsible person for the body corporate) is charged with a disqualifying offence, the Director may suspend the accreditation for the period the Director considers appropriate.
- (2) The Director must give written notice to the accredited operator of the decision.
- (3) The suspension takes effect 7 days after the day of the decision.
- (4) If the accredited operator (or, if the accredited operator is a body corporate, the responsible person for the body corporate) is not convicted of the disqualifying offence, the operator's accreditation is taken to be in force again on the decision on the charge.
- (5) The Territory is not liable for any loss or damage suffered by the accredited operator because of the decision.
- (6) This section applies despite section 75.

**75C        Notification about charge for disqualifying offence**

- (1) The following persons must immediately give written notice to the Director if the person is charged with a disqualifying offence:
  - (a) an accredited operator;
  - (b) a responsible person for a body corporate that is an accredited operator.

Maximum penalty:        100 penalty units.

- (2) Immediately after a court has dealt with the charge mentioned in subsection (1), the person mentioned in subsection (1) must give written notice to the Director of the outcome of the charge.

Maximum penalty:        100 penalty units.

- (3) In addition to notifying the Director under subsection (1), if a responsible person for a body corporate that is an accredited operator is charged with a disqualifying offence, the responsible person must immediately give written notice to the body corporate.

Maximum penalty:        100 penalty units.

- (4) If an accredited operator that is a body corporate becomes aware that a responsible person for the body corporate is charged with a disqualifying offence, the body corporate must immediately give written notice to the Director.

Maximum penalty:        100 penalty units.

#### **75D        Inquiries about fitness to hold accreditation**

- (1) The Director may make inquiries about a person for deciding whether the person is fit and proper to hold, or continue to hold, an accreditation.

- (1A) The Director may make inquiries about a responsible person for a body corporate to decide whether the responsible person is a fit and proper person for the purposes of accreditation, or renewal of accreditation, of the body corporate.

- (2) For subsections (1) and (1A), the Director may request the Commissioner of Police to provide the Director with the following:

- (a) a written report of the criminal history for the person or responsible person;
- (b) other evidence in relation to the character of the person or responsible person.

- (3) Subject to other laws in force in the Territory, the Commissioner of Police must comply with the request.

- (4) For subsection (2)(a), the criminal history of a person or responsible person is that which is:

- (a) in the possession of the Commissioner of Police; or
- (b) ordinarily accessible to the Commissioner through arrangements with the police service of another jurisdiction, including a jurisdiction outside Australia.

- (5) Without limiting subsection (1), the Director may request, in writing, the person to provide the Director with sufficient evidence that the person is a fit and proper person to hold, or continue to hold, an accreditation.

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- (6) Without limiting subsection (1A), the Director may request, in writing, the responsible person for a body corporate to provide the Director with sufficient evidence that the responsible person is a fit and proper person for the purposes of accreditation, or renewal or accreditation of the body corporate.

## **Part 11                      Review of decisions**

### **76                      Internal reviews by Chief Executive Officer for disqualifying offences**

- (1) This section applies to a person if:
- (a) under section 9, the Director refuses the person's application for an accreditation or the renewal of an accreditation because the person (or a responsible person for a body corporate) has been convicted of a disqualifying offence; or
  - (b) under section 75A, the Director cancels the person's accreditation because the person (or a responsible person for a body corporate) has been convicted of a disqualifying offence; or
  - (c) under section 75B, the Director suspends the person's accreditation because the person (or a responsible person for a body corporate) has been charged with a disqualifying offence.
- (2) The person may request the Chief Executive Officer to conduct an internal review of the decision and determine whether there are any exceptional circumstances that warrant the person holding, or continuing to hold, an accreditation despite the conviction or charge.
- (3) The request must:
- (a) be made within 28 days after the person receives notice of the Director's decision; and
  - (b) state the circumstances the person considers to be exceptional as referred to in subsection (2).
- (4) On the internal review, the Chief Executive Officer must:
- (a) confirm the Director's decision; or
  - (b) revoke the Director's decision.

- (5) The Chief Executive Officer must give the person written notice of the Chief Executive Officer's decision and the reasons for it.
- (6) A decision of the Chief Executive Officer under subsection (4)(b) is taken to be part of the decision made by the Director for the purposes of:
  - (a) an application to NTCAT under section 77(3) for review of the Director's decision; and
  - (b) the application of the provisions of the *Northern Territory Civil and Administrative Tribunal Act 2014* on a review of the Director's decision.
- (8) On and after the revocation of the cancellation or suspension by the Chief Executive Officer, the person's accreditation is taken to be in force again.
- (9) If the Chief Executive Officer acts with reasonable timeliness in relation to the internal review of the cancellation or suspension of a person's accreditation, the Territory is not liable for any loss or damage suffered by the person because of the cancellation or suspension.
- (10) If:
  - (a) the Chief Executive Officer revokes the Director's decision to refuse an application referred to in subsection (1)(a); and
  - (b) the Director did not refuse the application under section 9(3)(a), (b)(ii), (c)(ii) or (d);the Chief Executive Officer must substitute the Director's decision for the application and direct the Director to accredit the person or renew the person's accreditation (as the case requires).
- (11) The Director must comply with the request as soon as possible.
- (12) The Chief Executive Officer may make procedural guidelines for internal reviews under this section.

## **77 Review by NTCAT**

- (1) NTCAT has jurisdiction to review a decision (a **reviewable decision**) specified in the Schedule.
- (2) An **affected person**, for a reviewable decision, is a person specified in the Schedule for the decision.



- (3) An affected person for a reviewable decision may apply to NTCAT for review of the decision.
- (4) If an affected person for a reviewable decision made by the Director is entitled to request an internal review of the decision, or part of the decision, by the Chief Executive Officer under section 76(2), the affected person cannot apply to NTCAT under subsection (3) for review of the Director's decision unless:
  - (a) the person has requested the Chief Executive Officer to conduct an internal review of the Director's decision; and
  - (b) the Chief Executive Officer has made a decision on the internal review in accordance with section 76(4).
- (5) An application for review under subsection (3) must be made:
  - (a) for a reviewable decision to which subsection (4) is applicable – within 28 days after the day on which notice of the Chief Executive Officer's decision was given to the affected person; or
  - (b) in any other case – within 28 days after the day on which notice of the reviewable decision was given to the affected person.

*Note for section 77*

*The Northern Territory Civil and Administrative Tribunal Act 2014 sets out the procedure for applying to NTCAT for review and other relevant matters in relation to reviews.*

## **Part 12                      Miscellaneous**

### **79A                      Offence – unauthorised operation of commercial passenger vehicle**

- (1) A person shall not:
  - (a) operate; or
  - (b) cause, employ or permit another person to drive or operate, a motor vehicle for the purpose of the carriage of passengers for hire or reward, unless the first-mentioned person:
  - (c) is accredited under Part 3;
  - (d) holds a licence under this Act; and

- (e) operates, or causes, employs or permits the other person to drive or operate, the motor vehicle for that purpose under and in accordance with the licence.

Maximum penalty: 85 penalty units.

- (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that he or she had no interest in the operation of the motor vehicle other than as its driver.
- (3) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that the conduct constituting the offence was engaged in without the defendant's express or implied authority.

## **79B Court order for payment of annual fee**

- (1) If:

- (a) a person operates, or causes or employs another person to drive or operate, a motor vehicle for the purpose of the carriage of passengers for hire or reward as if the person held a licence to operate the motor vehicle as a commercial passenger vehicle of a particular class; and

- (b) a court finds the person guilty of an offence in that respect,

the court must order the person to pay to the Director an amount equal to the prescribed annual fee that the person would have been required to pay for a licence in respect of a commercial passenger vehicle of that class.

- (2) If:

- (a) a person operates a commercial passenger vehicle in contravention of this Act as if it were of another class of commercial passenger vehicle; and

- (b) a court finds the person guilty of an offence in that respect,

the court must order the person to pay to the Director an amount equal to the prescribed annual fee that the person would have been required to pay for a licence in respect of a commercial passenger vehicle of that other class.

- (3) An order made under this section is in addition to the imposition of the penalty prescribed for the relevant offence.

**80 General penalties**

A person who contravenes or fails to comply with a provision of this Act in respect of which no penalty is imposed, other than that provided by this section, is liable on being found guilty to a maximum penalty of 85 penalty units.

**82 Regulatory offences**

- (1) An offence against this Act is a regulatory offence.
- (2) It is a defence to a prosecution for an offence referred to in subsection (1) if the defendant proves on the balance of probabilities that:
  - (a) any contravention or failure to comply constituting the offence occurred in an emergency and was necessary to preserve life or prevent injury or to protect property;
  - (b) the defendant did not intend to commit the offence, and that:
    - (i) in any case where it is alleged that anything required to be done was not done, the defendant took all reasonable steps to ensure that it was done; or
    - (ii) in any case where it is alleged that anything prohibited was done, that the defendant took all reasonable steps to ensure that it was not done; and
  - (c) any contravention or failure to comply constituting the offence was authorised by being:
    - (i) in the exercise of a right granted or recognised by law;
    - (ii) in execution of the law or in obedience to, or in conformity with, the law;
    - (iii) in obedience to the order of a competent authority whom the defendant is bound by law to obey unless the order is manifestly unlawful (the determination of which is a matter of law); or
    - (iv) pursuant to an authority, permission, or licence lawfully granted.

**83 Vehicle may be forfeited**

- (1) In addition to the penalty prescribed for an offence against a provision of this Act, the court on finding a person guilty of an offence against that provision may, where the person has

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previously been found guilty of an offence against that provision, order that a vehicle used in the commission of the offence is forfeited to the Territory.

- (2) A vehicle forfeited to the Territory under subsection (1) may be dealt with or disposed of as the Minister thinks fit.

#### **84       Averments**

An extract from, or copy of, an entry in a register or record purported to be certified by the Director shall, in all courts and upon all occasions, be sufficient evidence of:

- (a) all particulars contained in the entry without requiring the production of any books, registers, licences, authorisations or other documents upon which the entry was founded; and
- (b) the signature of the Director.

#### **85       Arrangements with states**

- (1) The Minister may make arrangements with a State or another Territory having provisions in its law relating to commercial passenger vehicles and to the transport of passengers by road, being provisions of a similar nature to any or all of those contained in this Act, for the reciprocal recognition, enforcement or granting of exemptions from all or any of the provisions of this Act or those similar provisions.
- (2) The Minister may include in any arrangements under subsection (1) such matters as the Minister thinks fit, notwithstanding anything to the contrary in this Act, and every such arrangement shall have effect according to its tenor.
- (3) Notice of every arrangement under subsection (1) shall be published in the *Gazette* within 60 days after the date of its being made.

#### **85A      Refund, remission or credit arrangement**

- (1) The Director may refund, in full or part, money paid under this Act if:
  - (a) a person has paid more than the fee or amount required;
  - (b) an application accompanied by a fee is refused; or
  - (c) the Director is satisfied that the circumstances require it.

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- (2) If the Director considers it appropriate, the Director may remit, in full or part, a fee, levy or charge that is otherwise payable under this Act.
  - (3) If a person has paid more money than is required in respect of a matter under this Act, the Director may approve a credit arrangement by which the person may use the excess money as payment or part payment of another fee or charge that is payable, or is expected to become payable, by the person.
  - (4) The Regulations may prescribe all matters in respect of refunds, remissions or credit arrangements under this Act.

## **86 Acquisition on just terms**

If the operation of this Act would, apart from this section, result in an acquisition of property from a person otherwise than on just terms:

- (a) the person is entitled to receive from the Territory the compensation necessary to ensure the acquisition is on just terms; and
- (b) a court of competent jurisdiction may decide the amount of compensation or make the orders it considers necessary to ensure the acquisition is on just terms.

### **86A Approved forms**

The Director may approve forms for this Act.

### **86B Approved standards**

The Director may approve standards for this Act.

## **87 Regulations**

The Administrator may make regulations, not inconsistent with this Act, prescribing all matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act,

and, in particular:

- (c) prescribing the conditions to apply to and in relation to accreditation or to licences;

- (d) regulating all matters relating to the transport of passengers for hire or reward by commercial passenger vehicles and all matters relating to those vehicles and including accreditation and licensing;
- (e) prescribing fees or charges for, or levies to be imposed in relation to, any matter or thing done or to be done in connection with this Act, or authorising the Director to fix any fees, charges or levies in respect of prescribed matters;
- (ea) providing for matters in relation to the inspection or testing of commercial passenger vehicles, including the appointment of persons to carry out inspections or tests;
- (eb) authorising the Director to exempt a person or vehicle, or a class of persons or vehicles, from the operation of the regulations or a specified provision of the regulations;
- (f) prescribing the qualifications required for persons working on or in relation to a commercial passenger vehicle;
- (g) regulating, restricting or prohibiting the form, construction and equipment of a commercial passenger vehicle;
- (h) providing for a taxi licence to be used as security for a loan or liability;
- (j) prescribing infringement offences and infringement fees;
- (k) relating to the behaviour, rights and obligations of passengers, drivers and operators of commercial passenger vehicles;
- (m) providing for the collection, holding and disposal of property left, lost or abandoned by persons using commercial passenger vehicles; or
- (n) prescribing offences in respect of contravention of or non-compliance with any regulations made under this Act or any notice, requirement or direction given pursuant to any such regulations, and prescribing maximum penalties of 85 penalty units in respect of any offence.

## **Part 13                    Transitional matters**

### **Division 1                Transitional matters for Commercial Passenger                                  (Road) Transport Act 1991**

#### **88                        Savings and transitional**

- (1) Any regulations made under the *Motor Vehicles Act 1949* which relate to commercial passenger vehicles, the use of commercial passenger vehicles as security for loans, or to persons who operate or work on or in relation to commercial passenger vehicles, being regulations which, on the commencement of the *Motor Vehicles Amendment Act 1991*, could probably be no longer made under the *Motor Vehicles Act 1949*, shall:
  - (a) continue to exist as regulations under this Act; and
  - (b) be capable of being amended or repealed by regulations made under this Act.
- (2) Where a reference in a regulation saved under subsection (1) is to a provision in the *Motor Vehicles Act 1949* that has been repealed by the *Motor Vehicles Amendment Act 1991*, that reference shall be construed, where possible, as a reference to an appropriate or relevant provision in this Act.
- (3) An action, prosecution or other proceeding begun under the *Motor Vehicles Act 1949* as then in force before the commencement of this Act may be continued as if this Act had never commenced, and an action, prosecution or other proceeding in respect of a thing done or omitted to be done under the *Motor Vehicles Act 1949* as then in force before the commencement of this Act may be brought, taken and prosecuted in the same manner as if this Act had never commenced.
- (4) Where, immediately before the commencement of this Act, a person had under the *Motor Vehicles Act 1949* as then in force a licence, certificate or other authority relating to the use, possession or operation of a commercial passenger vehicle, that person is, on the commencement of this Act, authorised to use, possess or operate the commercial passenger vehicle until such time as the licence, certificate or other authority would otherwise have expired under the *Motor Vehicles Act 1949*.
- (5) Where, immediately before the commencement of this Act, a person or body corporate had under the *Motor Vehicles Act 1949* as then in force a public hire car licence, the person or body corporate may be granted a taxi licence on the expiration of the public hire car licence in accordance with subsection (4)

notwithstanding that the person or body corporate is not eligible under section 20(1) to be granted the taxi licence, and section 20(2) does not apply to and in relation to such a person or body corporate to whom a taxi licence is granted until the person's or body corporate's accreditation is renewed under this Act.

- (6) The Director may, if it is considered administratively expedient for the purposes of the transition of requirements relating to commercial passenger vehicles under the *Motor Vehicles Act 1949* to the requirements under this Act, extend, on payment of an appropriate fee determined by the Director, the authorisation given under subsection (4) for one further period not exceeding 12 months and may also, notwithstanding anything to the contrary in this Act, take such actions and impose such conditions (including the payment of appropriate fees) as is thought necessary for the purposes of the transitions.

## Division 2 Transitional matters for Statute Law Amendment (Territory Economic Reconstruction) Act 2022

### 89 Offence provisions – before and after commencement

- (1) The offence provisions, as amended by the *Statute Law Amendment (Territory Economic Reconstruction) Act 2022*, apply only in relation to offences committed after the commencement of Part 5 that Act (the **commencement**).
- (2) The offence provisions, as in force before the commencement, continue to apply in relation to offences committed before the commencement.
- (3) For this section, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.
- (4) In this section:  
  
**offence provisions** means the provisions of this Act that create or relate to offences (including in relation to criminal responsibility, defences and penalties).



## **Division 3            Transitional matters for Transport Legislation Amendment Act 2025**

### **90            Definitions**

In this Part:

***amending Act*** means the *Transport Legislation Amendment Act 2025*.

***commencement*** means the commencement of section **Error! Reference source not found.** of the amending Act.

### **91            NTCAT review limited to decisions made after commencement**

Section 77, as inserted by section **Error! Reference source not found.** of the amending Act, applies only in relation to a reviewable decision that is made after the commencement.

### **92            Appeals not commenced before commencement**

- (1) This section applies to a person if, immediately before the commencement, the person:
  - (a) was entitled to appeal to the Local Court against a decision of the Director or the Chief Executive Officer under section 77 as in force before the commencement; and
  - (b) had not yet commenced an appeal against the decision.
- (2) The person may appeal to the Local Court against the decision in accordance with section 77 as in force before the commencement.
- (3) The Local Court must hear and determine the person's appeal in accordance with section 77 as in force before the commencement.

### **93            Appeals not determined before commencement**

- (1) Subsection (2) applies in relation to an appeal to the Local Court that:
  - (a) was commenced by a person under section 77 as in force before the commencement; and
  - (b) had not been finally determined by the Local Court before the commencement.
- (2) The Local Court must continue to hear and determine the person's appeal in accordance with section 77 as in force before the commencement.

**94 Reference to NTCAT includes Local Court**

- (1) Subsection (2) applies in relation to a decision of the Local Court made under this Act during the relevant period that:
  - (a) a person may hold, or continue to hold, accreditation despite being convicted of a disqualifying offence; or
  - (b) a body corporate may hold, or continue to hold, accreditation despite a responsible person for the body being convicted of a disqualifying offence.
- (2) The decision of the Local Court is taken to be a decision of NTCAT for sections 9(3B)(b) and 75A(2)(d).
- (3) For this section, a decision of the Local Court made after the commencement to which section 92 or 93 applies is taken to have been made during the relevant period.
- (4) In this section:

***relevant period*** means the period commencing on 8 March 2006 and ending immediately before the commencement.

**95 Infringement notices**

- (1) This section applies in relation to an infringement notice if:
  - (a) the notice was issued under section 81 before the commencement; and
  - (b) immediately before the commencement, the penalty amount specified in the notice had not been paid and the notice had not been withdrawn.
- (2) The notice is taken to have been issued under regulation 3 of the *Commercial Passenger (Road) Transport (Miscellaneous) Regulations 1992* as in force after the commencement.

## Schedule Reviewable decisions

section 77

Item	Reviewable decision	Affected person
1	A decision of the Director under section 9(1) to refuse to grant an accreditation	The person who applied for the accreditation
2	A decision of the Director under section 10(1) to specify conditions in relation to an accreditation	The holder of the accreditation
3	A decision of the Director under section 10(2) to amend the conditions of an accreditation or add new conditions	The holder of the accreditation
4	A decision of the Director under section 12(1) to refuse to renew an accreditation	The person who applied for the renewal
5	A decision of the Director under section 18(1) to refuse to grant a taxi licence	The person who applied for the licence
6	A decision of the Director under section 20(1) to specify conditions in a taxi licence	The holder of the licence
7	A decision of the Director under section 20(2) to amend the conditions of a taxi licence or add new conditions	The holder of the licence
8	A decision of the Director under section 23A(1) to refuse to renew a taxi licence	The person who applied for the renewal
9	A decision of the Director under section 27(4) to refuse to grant a substitute taxi licence	The person who applied for the licence
10	A decision of the Director under section 28(1) to specify conditions in a substitute taxi licence	The holder of the licence

<b>Item</b>	<b>Reviewable decision</b>	<b>Affected person</b>
11	A decision of the Director under section 31(1) to refuse to grant a private hire car licence	The person who applied for the licence
12	A decision of the Director under section 33(1) to specify conditions in a private hire car licence	The holder of the licence
13	A decision of the Director under section 33(2) to amend the conditions of a private hire car licence or add new conditions	The holder of the licence
14	A decision of the Director under section 35A(1) to refuse to renew a private hire car licence	The person who applied for the renewal
15	A decision of the Director under section 37D(1) to refuse to grant a limousine licence	The person who applied for the licence
16	A decision of the Director under section 37F(1) to specify conditions in a limousine licence	The holder of the licence
17	A decision of the Director under section 37F(2) to amend the conditions of a limousine licence or add new conditions	The holder of the licence
18	A decision of the Director under section 37J(1) to refuse to renew a limousine licence	The person who applied for the renewal
19	A decision of the Director under section 37P(1) to refuse to grant a special function vehicle licence	The person who applied for the licence
20	A decision of the Director under section 37R(1) to specify conditions in a special function vehicle licence	The holder of the licence
21	A decision of the Director under section 37R(2) to amend the conditions of a special function vehicle licence or add new conditions	The holder of the licence

<b>Item</b>	<b>Reviewable decision</b>	<b>Affected person</b>
22	A decision of the Director under section 37U(1) to refuse to renew a special function vehicle licence	The person who applied for the renewal
23	A decision of the Director under section 38B(1) to refuse to grant a minibus licence	The person who applied for the licence
24	A decision of the Director under section 38D(1) to specify conditions in a minibus licence	The holder of the licence
25	A decision of the Director under section 38D(2) to amend the conditions of a minibus licence or add new conditions	The holder of the licence
26	A decision of the Director under section 38DA(4) to refuse to issue a substitute minibus licence	The person who applied for the licence
27	A decision of the Director under section 38DA(4) to impose conditions on a substitute minibus licence	The holder of the licence
28	A decision of the Director under section 38GA(1) to refuse to renew a minibus licence	The person who applied for the renewal
29	A decision of the Director under section 38M(1) to refuse to grant a courtesy vehicle licence	The person who applied for the licence
30	A decision of the Director under section 38P(1) to specify conditions in a courtesy vehicle licence	The holder of the licence
31	A decision of the Director under section 38P(2) to amend the conditions of a courtesy vehicle licence or add new conditions	The holder of the licence
32	A decision of the Director under section 38S(1) to refuse to renew a courtesy vehicle licence	The person who applied for the renewal

<b>Item</b>	<b>Reviewable decision</b>	<b>Affected person</b>
33	A decision of the Director under section 40(1) to refuse to grant a motor omnibus licence	The person who applied for the licence
34	A decision of the Director under section 41(1) to specify conditions in a minibus licence	The holder of the licence
35	A decision of the Director under section 41(2) to amend the conditions of a motor omnibus licence or add new conditions	The holder of the licence
36	A decision of the Director under section 43(1) to refuse to renew a motor omnibus licence	The person who applied for the renewal
37	A decision of the Director under section 48(3) to refuse to grant a urban service area licence	The person who applied for the licence
38	A decision of the Director under section 50(1) to specify conditions in an urban service area licence	The holder of the licence
39	A decision of the Director under section 50(2) to amend the conditions of an urban service area licence or add new conditions	The holder of the licence
40	A decision of the Director under section 53(1) to refuse to grant a tourist vehicle licence	The person who applied for the licence
41	A decision of the Director under section 54(1) to specify conditions in a tourist vehicle licence	The holder of the licence
42	A decision of the Director under section 54(2) to amend the conditions of a tourist vehicle licence or add new conditions	The holder of the licence
43	A decision of the Director under section 56(1) to refuse to renew a tourist vehicle licence	The person who applied for the renewal

<b>Item</b>	<b>Reviewable decision</b>	<b>Affected person</b>
44	A decision of the Director under section 59(1) to refuse to grant a special passenger vehicle licence	The person who applied for the licence
45	A decision of the Director under section 60(1) to specify conditions in a special passenger vehicle licence	The holder of the licence
46	A decision of the Director under section 60(2) to amend the conditions of a special passenger licence or add new conditions	The holder of the licence
47	A decision of the Director under section 62(1) to refuse to renew a special passenger vehicle licence	The person who applied for the renewal
48	A decision of the Director under section 71(3) to refuse to approve a communications or dispatch network	The person who applied for the approval
49	A decision of the Director under section 71(5)(a) to approve a communication or dispatch network subject to conditions	The person who applied for the approval
50	A decision of the Director under section 71(5)(b) to amend the conditions of approval of a communications or dispatch network or add new conditions	The operator of the network
51	A decision of the Director under section 71(6) to suspend or revoke approval of a communications or dispatch network	The operator of the network
52	A decision of the Director under section 73(1) to approve conditions under which an operator or operators will accept passengers	An operator to whom the condition applies
53	A decision of the Director under section 75, other than a decision under section 75(1)(d), to cancel or suspend an accreditation or licence	The person whose accreditation or licence is cancelled or suspended

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<b>Item</b>	<b>Reviewable decision</b>	<b>Affected person</b>
54	A decision of the Director under section 75A(1) to cancel an accreditation	The person whose accreditation is cancelled
55	A decision of the Director under section 75B(1) to suspend an accreditation	The person whose accreditation is suspended

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## ENDNOTES

### 1 KEY

Key to abbreviations

<b>amd</b> = amended	<b>od</b> = order
<b>app</b> = appendix	<b>om</b> = omitted
<b>bl</b> = by-law	<b>pt</b> = Part
<b>ch</b> = Chapter	<b>r</b> = regulation/rule
<b>cl</b> = clause	<b>rem</b> = remainder
<b>div</b> = Division	<b>renum</b> = renumbered
<b>exp</b> = expires/expired	<b>rep</b> = repealed
<b>f</b> = forms	<b>s</b> = section
<b>Gaz</b> = <i>Gazette</i>	<b>sch</b> = Schedule
<b>hdg</b> = heading	<b>sdiv</b> = Subdivision
<b>ins</b> = inserted	<b>SL</b> = Subordinate Legislation
<b>lt</b> = long title	<b>sub</b> = substituted
<b>nc</b> = not commenced	

### 2 LIST OF LEGISLATION

***Commercial Passenger (Road) Transport Act 1991 (Act No. 34, 1991)***

Assent date	27 June 1991
Commenced	27 October 1992 ( <i>Gaz</i> G42, 21 October 1992, p 2)

***Commercial Passenger (Road) Transport Amendment Act 1992 (Act No. 29, 1992)***

Assent date	9 June 1992
Commenced	9 June 1992

***Commercial Passenger (Road) Transport Amendment Act 1992 (Act No. 59, 1992)***

Assent date	22 October 1992
Commenced	22 October 1992

***Public Sector Employment and Management (Consequential Amendments) Act 1993 (Act No. 28, 1993)***

Assent date	30 June 1993
Commenced	1 July 1993 (s 2, s 2 <i>Public Sector Employment and Management Act 1993</i> (Act No. 11, 1993) and <i>Gaz</i> S53, 29 June 1993)

***Statute Law Revision Act 1994 (Act No. 50, 1994)***

Assent date	20 September 1994
Commenced	20 September 1994

***Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)***

Assent date	19 April 1996
Commenced	1 July 1996 (s 2, s 2 <i>Sentencing Act 1995</i> (Act No. 39, 1995) and <i>Gaz</i> S15, 13 June 1996)

***Commercial Passenger (Road) Transport Amendment Act 1998 (Act No. 83, 1998)***

Assent date	7 December 1998
Commenced	1 January 1999 (s 2)

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**Statute Law Revision Act (No. 2) 1999 (Act No. 48, 1999)**

Assent date 10 November 1999  
Commenced 10 November 1999

**Commercial Passenger (Road) Transport Amendment Act 2000 (Act No. 5, 2000)**

Assent date 14 March 2000  
Commenced 1 January 2000 (s 2)

**Statute Law Revision Act 2000 (Act No. 19, 2000)**

Assent date 6 June 2000  
Commenced s 6: 4 December 1999; rem: 12 July 2000 (s 2 and Gaz G27, 12 July 2000, p 2)

**Corporations Reform (Consequential Amendments NT) Act 2001 (Act No. 17, 2001)**

Assent date 29 June 2001  
Commenced 15 July 2001 (s 2, s 2 Corporations Act 2001 (Cth Act No. 50, 2001) and Cth Gaz S285, 13 July 2001)

**Fines and Penalties (Recovery) (Consequential Amendments) Act 2001 (Act No. 60, 2001)**

Assent date 11 December 2001  
Commenced 1 January 2002 (s 2, s 2 Fines and Penalties (Recovery) Act 2001 (Act No. 59, 2001) and Gaz G50, 19 December 2001, p 3)

**Commercial Passenger (Road) Transport Amendment Act 2003 (Act No. 1, 2003)**

Assent date 27 February 2003  
Commenced 1 March 2003 (Gaz S3, 28 February 2003)

**Commercial Passenger (Road) Transport Amendment Act (No. 2) 2003 (Act No. 40, 2003)**

Assent date 7 July 2003  
Commenced ss 22 (to ext it ins s 37V(2): 10 January 2007 (Gaz G2, 10 January 2007, p 4); s 26: 1 October 2003 (Gaz G38, 24 September 2003, p 2); rem: 1 August 2003 (Gaz G30, 30 July 2003, p 13)

**Statute Law Revision Act (No. 2) 2004 (Act No. 54, 2004)**

Assent date 15 September 2004  
Commenced 27 October 2004 (Gaz G43, 27 October 2004, p 3)

**Commercial Passenger Vehicles Legislation Amendment Act 2006 (Act No. 3, 2006)**

Assent date 8 March 2006  
Commenced 8 March 2006

**Local Government (Consequential Amendments) Act 2008 (Act No. 28, 2008)**

Assent date 14 November 2008  
Commenced 1 July 2008 (s 2)

**Personal Property Securities (National Uniform Legislation) Implementation Act 2010 (Act No. 30, 2010)**

Assent date 9 September 2010  
Commenced ss 58 to 60: 30 January 2012 (Gaz S2, 24 January 2012); rem: 25 November 2011 (Gaz S68, 25 November 2011)

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***Penalties Amendment (Miscellaneous) Act 2013 (Act No. 23, 2013)***

Assent date 12 July 2013  
Commenced 28 August 2013 (*Gaz* G35, 28 August 2013, p 2)

***Statute Law Revision Act 2014 (Act No. 38, 2014)***

Assent date 13 November 2014  
Commenced 13 November 2014

***Statute Law Revision Act 2018 (Act No. 10, 2018)***

Assent date 23 May 2018  
Commenced 20 June 2018 (*Gaz* S41, 20 June 2018)

***Local Government Act 2019 (Act No. 39, 2019)***

Assent date 13 December 2019  
Commenced pt 8.6: 1 July 2022; rem: 1 July 2021 (*Gaz* S27, 30 June 2021)

**Amending Legislation**

***Statute Law Revision Act 2020 (Act No. 26, 2020)***

Assent date 19 November 2020  
Commenced 20 November 2020 (s 2)

***Local Government Amendment Act 2021 (Act No. 15, 2021)***

Assent date 25 May 2021  
Commenced 26 May 2021 (s 2)

***Statute Law Amendment (Territory Economic Reconstruction) Act 2021 (Act No. 19, 2021)***

Assent date 31 August 2021  
Commenced pt 6: 2 October 2021; rem: 29 September 2021 (*Gaz* G39, 29 September 2021, p 1)

***Statute Law Amendment (Territory Economic Reconstruction) Act 2022 (Act No. 5, 2022)***

Assent date 14 April 2022  
Commenced pt 7: 25 May 2023 (*Gaz* G11, 25 May 2023, p 2);  
rem: 25 May 2022 (*Gaz* G21, 25 May 2022, p 1)

***Transport Legislation Amendment Act 2025 (Act No. 23, 2025)***

Assent date 12 September 2025  
Commenced pts 2, 4, 5 and 6: 21 January 2026 (*Gaz* S5, 19 January 2026); rem: 18 November 2025 (*Gaz* S69, 17 November 2025)

**3**

**SAVINGS AND TRANSITIONAL PROVISIONS**

s 23 and sch *Commercial Passenger (Road) Transport Amendment Act 1998*  
(Act No. 83, 1998)

s 16 *Commercial Passenger (Road) Transport Amendment Act 2003* (Act  
No. 1, 2003)

pt 3 *Commercial Passenger (Road) Transport Amendment Act (No. 2) 2003*  
(Act No. 40, 2003)

## 4 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: ss 1, 3, 5, 9, 18, 19, 20, 31, 32, 33, 37D, 37E, 37F, 37P, 37Q, 37R, 38B, 38C, 38D, 38M, 38N, 38P, 40A, 53A, 59A, 70, 74, 75A, 81 and 88.

## 5 LIST OF AMENDMENTS

s 3	amd No. 59, 1992, s 2; No. 50, 1994, s 4; No. 83, 1998, s 4; No. 1, 2003, s 4; No. 40, 2003, s 4; No. 3, 2006, s 3; No. 28, 2008, s 3; No. 10, 2018, s 6; No. 39, 2019, s 370; No. 19, 2021, s 7; No. 5, 2022, s 44; No. 23, 2025, s 17
pt 2	
div 1 hdg	ins No. 1, 2003, s 5 om No. 23, 2025, s 17
s 5	amd No. 28, 1993, s 3; No. 40, 2003, s 5
s 5A	ins No. 40, 2003, s 6
pt 2	
div 2 hdg	ins No. 1, 2003, s 6 rep No. 23, 2025, s 4
ss 6A – 6C	ins No. 1, 2003, s 6 rep No. 23, 2025, s 4
s 6D	ins No. 40, 2003, s 7 rep No. 23, 2025, s 4
s 6E	ins No. 5, 2022, s 45
s 7	amd No. 5, 2022, s 46
s 8	amd No. 23, 2013, s 4 sub No. 5, 2022, s 47
s 8A	ins No. 5, 2022, s 47
s 9	amd No. 29, 1992, s 3; No. 17, 1996, s 6; No. 83, 1998, s 5; No. 48, 1999, s 3; No. 17, 2001, s 21; No. 3, 2006, s 4; No. 5, 2022, s 48; No. 23, 2025, s 5
s 11	amd No. 83, 1998, s 6; No. 5, 2022, s 49
s 12	amd No. 83, 1998, s 7
s 15A	ins No. 5, 2022, s 50
pt IV hdg	sub No. 83, 1998, s 8
pt IV	
div 1 hdg	ins No. 83, 1998, s 8
s 16	sub No. 83, 1998, s 8
s 17	sub No. 83, 1998, s 8 amd No. 1, 2003, s 7; No. 40, 2003, s 8; No. 23, 2013, s 4
s 18	sub No. 83, 1998, s 8 amd No. 1, 2003, s 8
s 18A	ins No. 40, 2003, s 9 rep No. 5, 2022, s 51
s 19	sub No. 83, 1998, s 8
s 20	sub No. 83, 1998, s 8 amd No. 1, 2003, s 9; No. 40, 2003, s 10
ss 21 – 22	sub No. 83, 1998, s 8
s 23	sub No. 83, 1998, s 8; No. 5, 2000, s 4 amd No. 1, 2003, s 10
s 23A	ins No. 5, 2000, s 4
s 24	sub No. 83, 1998, s 8 amd No. 40, 2003, s 11
s 25	sub No. 83, 1998, s 8

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s 26	sub No. 83, 1998, s 8 amd No. 1, 2003, s 11; No. 40, 2003, s 12; No. 23, 2013, s 4; No. 23, 2025, s 6
s 26A	ins No. 40, 2003, s 13 amd No. 23, 2013, s 4
pt IV	
div 2 hdg	ins No. 83, 1998, s 8
s 27	sub No. 83, 1998, s 8 amd No. 23, 2025, s 7
s 28	sub No. 83, 1998, s 8
pt IV	
div 3 hdg	ins No. 83, 1998, s 8
s 29	rep No. 40, 2003, s 14 sub No. 83, 1998, s 8 rep No. 40, 2003, s 14
pt V hdg	sub No. 83, 1998, s 8
s 30	sub No. 83, 1998, s 8; No. 40, 2003, s 15 amd No. 23, 2013, s 4
s 31	sub No. 83, 1998, s 8 amd No. 40, 2003, s 16
s 32	sub No. 83, 1998, s 8
s 33	sub No. 83, 1998, s 8 amd No. 40, 2003, s 17
s 34	sub No. 83, 1998, s 8
s 35	sub No. 83, 1998, s 8; No. 5, 2000, s 5 amd No. 40, 2003, s 18
s 35A	ins No. 5, 2000, s 5
s 36	sub No. 83, 1998, s 8; No. 40, 2003, s 19
s 37	sub No. 83, 1998, s 8 amd No. 40, 2003, s 20
ss 37A – 37B	ins No. 40, 2003, s 21 amd No. 23, 2013, s 4
pt 5AA hdg	ins No. 40, 2003, s 22
s 37C	ins No. 40, 2003, s 22 amd No. 23, 2013, s 4
ss 37D – 37H	ins No. 40, 2003, s 22
s 37J	ins No. 40, 2003, s 22 amd No. 54, 2004, s 7
ss 37K – 37L	ins No. 40, 2003, s 22
s 37M	ins No. 40, 2003, s 22 amd No. 23, 2013, s 4
pt 5AB hdg	ins No. 40, 2003, s 22
s 37N	ins No. 40, 2003, s 22 amd No. 23, 2013, s 4
ss 37P – 37W	ins No. 40, 2003, s 22
pt VA hdg	ins No. 83, 1998, s 8
s 38	sub No. 83, 1998, s 8
s 38A	ins No. 83, 1998, s 8 amd No. 23, 2013, s 4
s 38B	ins No. 83, 1998, s 8 amd No. 1, 2003, s 12
s 38C	ins No. 83, 1998, s 8
s 38D	ins No. 83, 1998, s 8 amd No. 40, 2003, s 23
s 38DA	ins No. 19, 2021, s 8
ss 38E – 38F	ins No. 83, 1998, s 8

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s 38G	ins No. 83, 1998, s 8 sub No. 5, 2000, s 6 amd No. 1, 2003, s 14
s 38GA	ins No. 5, 2000, s 6
s 38H	ins No. 83, 1998, s 8 amd No. 40, 2003, s 24
s 38J	ins No. 83, 1998, s 8
s 38K	ins No. 40, 2003, s 25 amd No. 23, 2013, s 4
pt 5B hdg	ins No. 40, 2003, s 26
ss 38L – 38T	ins No. 40, 2003, s 26
s 39	amd No. 23, 2013, s 4
s 40A	ins No. 83, 1998, s 9
s 41	amd No. 83, 1998, s 10; No. 23, 2025, s 17
s 42	amd No. 83, 1998, s 11
s 44	sub No. 83, 1998, s 12
s 45	amd No. 23, 2013, s 4
s 49	amd No. 23, 2013, s 4
s 50	amd No. 83, 1998, s 13; No. 23, 2025, s 17
s 52	amd No. 23, 2013, s 4
s 53A	ins No. 83, 1998, s 14
s 54	amd No. 83, 1998, s 15
s 57	sub No. 83, 1998, s 16
s 58	amd No. 23, 2013, s 4
s 59A	ins No. 83, 1998, s 17
s 60	amd No. 83, 1998, s 18
s 63	amd No. 50, 1994, s 4 sub No. 83, 1998, s 19
s 69	amd No. 23, 2013, s 4
pt 10	
div 1 hdg	ins No. 5, 2022, s 52
s 69A	ins No. 30, 2010, s 29
s 70	amd No. 23, 2013, s 4
s 71	amd No. 40, 2003, s 27; No. 23, 2013, s 4; No. 23, 2025, s 8
s 72	amd No. 40, 2003, s 28; No. 23, 2013, s 4; No. 23, 2025, s 17
s 74	ins No. 1, 2003, s 15 amd No. 40, 2003, s 29; No. 23, 2013, s 4; No. 5, 2022, s 53
s 74A	ins No. 83, 1998, s 20
pt 10	
div 2 hdg	ins No. 5, 2022, s 54
s 74B	ins No. 23, 2025, s 9
s 75	amd No. 59, 1992, s 3; No. 3, 2006, s 5; No. 5, 2022, s 55
s 75A	ins No. 3, 2006, s 6 amd No. 5, 2022, s 56; No. 23, 2025, s 10
s 75B	ins No. 3, 2006, s 6 amd No. 5, 2022, s 57
s 75C	ins No. 3, 2006, s 6 amd No. 23, 2013, s 4 sub No. 5, 2022, s 58
s 75D	ins No. 3, 2006, s 6 amd No. 5, 2022, s 59
pt 11 hdg	amd No. 23, 2025, s 17
s 76	sub No. 3, 2006, s 7 amd No. 5, 2022, s 60; No. 23, 2025, s 11
s 77	amd No. 19, 2000, s 9; No. 3, 2006, s 8; No. 5, 2022, s 61 sub No. 23, 2025, s 12
s 78	rep No. 5, 2022, s 62
s 79	rep No. 23, 2025, s 12

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s 79A	ins No. 59, 1992, s 4 amd No. 40, 2003, s 30; No. 23, 2013, s 4
s 79B	ins No. 83, 1998, s 21
s 80	amd No. 17, 1996, s 6; No. 23, 2013, s 4
s 81	amd No. 60, 2001, s 5 rep No. 23, 2025, s 13
s 83	amd No. 17, 1996, s 6
s 85A	ins No. 83, 1998, s 22 amd No. 23, 2025, s 17
s 86	sub No. 23, 2025, s 14
ss 86A – 86B	ins No. 5, 2022, s 63
s 87	amd No. 29, 1992, s 4; No. 23, 2013, s 4; No. 38, 2014, s 2; No. 23, 2025, s 15
pt 13	
div 1 hdg	ins No. 5, 2022, s 64
pt 13	
div 2 hdg	ins No. 5, 2022, s 65
s 89	rep No. 29, 1992, s 5 ins No. 5, 2022, s 65
pt 13	
div 3 hdg	ins No. 23, 2025, s 16
ss 90 – 95	ins No. 23, 2025, s 16
sch	ins No. 23, 2025, s 16
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