

# **NORTHERN TERRITORY OF AUSTRALIA**

## **COMMERCIAL PASSENGER VEHICLES (CANCELLED LICENCES) REGULATIONS**

As in force at 1 January 1999

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 January 1999

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## COMMERCIAL PASSENGER VEHICLES (CANCELLED LICENCES) REGULATIONS

Regulations under the *Commercial Passenger (Road) Transport Act*

### Part 1 Preliminary

#### 1 Citation

These Regulations may be cited as the *Commercial Passenger Vehicles (Cancelled Licences) Regulations*.

#### 2 Commencement

These Regulations come into operation on the date the *Commercial Passenger (Road) Transport Amendment Act 1998* commences.

#### 3 Definitions

In these Regulations, unless the contrary intention appears:

***cancelled taxi licence*** means a taxi licence cancelled under clause 3 of the Schedule to the *Commercial Passenger (Road) Transport Amendment Act 1998*.

***multiple purpose taxi*** means a taxi fitted to carry a passenger seated in a wheelchair and in respect of which the licence contains a condition that priority is to be given to carrying passengers in wheelchairs.

***repealed Part 4*** has the same meaning as in the Schedule to the *Commercial Passenger (Road) Transport Amendment Act 1998*.

***transfer*** means the transfer of a taxi licence under repealed Part 4.

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## **Part 2                      Determination of amount of compensation**

### **4                      Matters that Minister must have regard to in determining compensation**

The matters that the Minister must have regard to in determining the amount of compensation to be paid under clause 5(2)(a) of the Schedule to the *Commercial Passenger (Road) Transport Amendment Act 1998* are those matters specified in this Part.

### **5                      Taxis in Tennant Creek taxi area**

The amount of compensation to be paid for a cancelled taxi licence in respect of a taxi that was operated in the Tennant Creek taxi area is the amount last paid for the transfer of a taxi licence in the Tennant Creek taxi area escalated by the average percentage increase of taxi licences in the Darwin and Alice Springs taxi areas since the date of the transfer until 28 February 1998.

### **6                      Taxis in Gove taxi area**

The amount of compensation to be paid for a cancelled taxi licence in respect of a taxi that was operated in the Gove taxi area is the amount last paid at tender for a taxi licence in the Gove taxi area escalated by the average percentage increase of taxi licences in the Darwin and Alice Springs taxi areas since the date of the tender until 28 February 1998.

### **7                      Multiple purpose taxis in Alice Springs taxi area**

The amount of compensation to be paid for a cancelled taxi licence in respect of a multiple purpose taxi that was operated in the Alice Springs taxi area is the amount last paid for the transfer of a taxi licence in respect of a multiple purpose taxi operated in the Alice Springs taxi area, adjusted to reflect changes in the Consumer Price Index for the period since the date of the transfer until 28 February 1998.

### **8                      Taxis generally**

- (1) The amount of compensation to be paid for a cancelled taxi licence (other than a cancelled taxi licence referred to in regulations 5, 6 and 7) is:
  - (a) the amount that was paid at the last tender for the purchase of a taxi licence in respect of the same class of taxi to which the cancelled taxi licence relates, operated in the same taxi area as the taxi to which the cancelled taxi licence relates, adjusted to reflect changes in the Consumer Price Index during the period since the date of the tender until 28 February 1998; and

- (b) if subregulation (2) applies – the additional amount determined in accordance with subregulation (3).

(2) If:

- (a) the holder of a cancelled taxi licence purchased the licence as a transferee under section 26 of repealed Part 4;
- (b) the amount of compensation determined under subregulation (1)(a) is less than the amount declared to be the purchase price under section 26(10)(b) of repealed Part 4; and
- (c) the holder has applied for a taxi licence,

the holder is to be paid an additional amount of compensation by way of a remission of fees otherwise payable under the Act determined in accordance with subregulation (3).

(3) The additional amount is the difference between:

- (d) the amount of compensation referred to in subregulation (1)(a); and
- (e) the amount declared under section 26(10)(b) of repealed Part 4 to be the purchase price of the cancelled taxi licence plus an amount equal to the fee paid on lodging the application for the transfer of the licence.

## **Part 3                      Expiry of Regulations**

### **9                      Expiry of Regulations**

These Regulations expire on 1 March 2001.

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## ENDNOTES

### 1

#### KEY

Key to abbreviations

amd = amended  
app = appendix  
bl = by-law  
ch = Chapter  
cl = clause  
div = Division  
exp = expires/expired  
f = forms  
Gaz = Gazette  
hdg = heading  
ins = inserted  
lt = long title  
nc = not commenced

od = order  
om = omitted  
pt = Part  
r = regulation/rule  
rem = remainder  
renum = renumbered  
rep = repealed  
s = section  
sch = Schedule  
sdiv = Subdivision  
SL = Subordinate Legislation  
sub = substituted

### 2

#### LIST OF LEGISLATION

***Commercial Passenger Vehicles (Cancelled Licences) Regulations (SL No. 62, 1998)***

Notified	23 November 1998
Commenced	1 January 1999