

NORTHERN TERRITORY OF AUSTRALIA

COMMERCIAL PASSENGER (MISCELLANEOUS) REGULATIONS

As in force at 1 January 1999

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 January 1999

COMMERCIAL PASSENGER (MISCELLANEOUS) REGULATIONS

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

1 Citation

These regulations may be cited as the *Commercial Passenger (Miscellaneous) Regulations*.

2 Infringement offences prescribed

(1) In this regulation:

column means a column in Schedule 1.

(2) An offence against a provision of the Act or the regulations, as the case may be, specified in column 2 and briefly described in column 3 is prescribed as infringement offence for the purposes of section 81 of the Act.

(3) The penalty payable in relation to an infringement offence referred to in columns 2 and 3 is the amount specified opposite and corresponding to that offence in column 4.

3 Service

An infringement notice may be served on the alleged offender:

- (a) by serving it personally on the alleged offender;
- (b) by posting it to the alleged offender at his or her last known address which may be ascertained from any identification produced to the inspector or from any register maintained by the Registrar of Motor Vehicles; or
- (c) by leaving it for the alleged offender at his or her last known place of residence or business with some other person apparently resident or employed there and apparently not less than 16 years of age.

4 Payment by cheque

Where a person tenders a cheque in payment of a prescribed penalty payment shall be deemed not to have been made unless the cheque is honoured on presentation.

5 Withdrawal of infringement notice

- (1) An infringement notice may be withdrawn at any time within 28 days after service of the infringement notice but before payment of the penalty specified in the infringement notice by serving on the alleged offender a notice:
 - (a) signed by the Director or a person authorized by the Director; and
 - (b) stating that the infringement notice is withdrawn.
- (2) A notice of withdrawal of an infringement notice referred to in subregulation (1) may be served on the alleged offender:
 - (a) by serving it personally on him or her;
 - (b) by posting it to the alleged offender at his or her last known address which may be ascertained from any identification produced by the alleged offender or from any register maintained by the Registrar of Motor Vehicles; or
 - (c) by leaving it for the alleged offender at his or her last known place of residence or business with some other person apparently resident or employed there and apparently not less than 16 years of age.

6 Fees

The fees set out in Schedule 2 are payable in relation to the matter specified in that Schedule.

Schedule 1

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
THE ACT			\$
1.	Section 21(2)	Operating a taxi within a taxi area not specified in licence	100
2.	Section 26(2)	Charging a fare or charge greater than that determined under determination in force	100
3.	Section 38E	Operating a minibus in a minibus area not specified in licence	100
4.	Section 45(2)	Failing to comply with a route service order	100
5.	Section 47(3)	Operating a motor omnibus in an urban service area without a licence	100
6.	Section 71(9)(a)	Using or permitting the use of a communication network without approval	100
7.	Section 71(9)(b)	Using communication network not in accordance with approved condition	100
8.	Section 71(9)(c)	Failing to provide information	100
9.	Section 71(9)(d)	Interfering with transmission or reception of communication network	100
10.	Section 71(9)(e)	Failing to allow the holder of a licence to participate in network	100
11.	Section 72(2)	Failure to comply with code of conduct	50
TAXI REGULATIONS			
12.	Reg 4	Failing to maintain records	100

12A.	Reg 4A	Failing to maintain taxi to minimum standard	100
13.	Reg 5(2)	Failing to display identity	50
14.	Reg 7(1)	Touting or soliciting for passengers	100
15.	Reg 7(2)	Preventing another taxi driver from obtaining a hiring	100
16.	Reg 9	Demanding separate fares when not on multiple hiring	100
17.	Reg 10	Refusing a hiring involving a guide dog or companion dog	100
18.	Reg 13	Refusing passengers to be carried when within the seating capacity of a taxi	50
19.	Reg 15	Failing to notify hirer of arrival for hiring	50
20.	Reg 16(1)	Failing to take shortest practicable route	100
21.	Reg 16(2)	Failing to give correct information relating to fare payable	50
22.	Reg 16(6)	Failing to calculate fare payable in accordance with determination	100
23.	Reg 20(a)	Parking taxi in a taxi rank when not available for hire	50
24.	Reg 20(b)	Failing to remain in vicinity of taxi when parked in taxi rank	50
25.	Reg 20(e)	Refusing hiring when parked in a taxi rank	100
26.	Reg 21	Parking taxi available for hire in a road or place outside a taxi rank	100
27.	Reg 23	Driving taxi without a taximeter	100

28.	Reg 24	Setting a taximeter to operate before hiring commences	50
29.	Reg 25	Failing to keep taximeter in working order	100
30.	Reg 26	Failing to make taxi available for inspection and testing of taximeter	100
31.	Reg 28	Smoking or consuming intoxicating liquor in a taxi	50
32.	Reg 29	Accepting a hiring for the purchase of intoxicating liquor or purchasing intoxicating liquor for passenger	100
33.	Reg 32	Operating taxi without roof signs or without the correct lights	100
34.	Reg 34	Failing to supply information to Director	100

PRIVATE HIRE CAR REGULATIONS

35.	Reg 5	Standing or plying a private hire car for hire or reward	100
36.	Reg 6	Offering or accepting the hire of a private hire car in a road or public place without prior contract	100
37.	Reg 7	Touting or soliciting for passengers	100
38.	Reg 8	Failing to return to approved place	100
39.	Reg 9	Standing or parking a private hire car in a road or public place or on a lot off a road that is not approved	100

40.	Reg 11	Accepting a hiring for the purchase of intoxicating liquor or purchasing liquor for a passenger	100
41.	Reg 12	Failing to supply information on request by Director	100
42.	Reg 13	Operating a private hire car bearing advertisement that is not approved	100

TOURIST VEHICLES REGULATIONS

42A.	Reg 4	Failing to maintain records	100
43.	Reg 6	Failing to maintain vehicle to minimum standard	100
44.	Reg 12	Smoking; consuming intoxicating liquor, etc. in a tourist vehicle	50

PASSENGER BUS REGULATIONS

44A.	Reg 4	Failing to maintain records	100
45.	Reg 5	Failing to maintain vehicle to minimum standard	100
46.	Reg 8(a)	Permitting passengers to be carried in excess of capacity of bus	100
47.	Reg 13	Smoking, consuming intoxicating liquor etc on a bus	50
48.	Reg 14	Travelling on a bus without a valid ticket	50
49.	Reg 15	Failing to produce ticket on demand	50
50.	Reg 19	Failing to give name and address to an inspector	50

MINIBUS REGULATIONS

51.	Reg 4	Failing to display identity	50
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52.	Reg 5	Failing to maintain records	100
53.	Reg 6	Failing to maintain minibus to minimum standard	100
54.	Reg 9	Touting or soliciting for passengers	100
55.	Reg 11(a)	Parking minibus in a minibus rank when not available for hire	50
56.	Reg 11(b)	Failing to remain in vicinity of minibus when parked in minibus rank	50
57.	Reg 12	Parking minibus available for hire in a road or place outside a minibus rank	100
58.	Reg 14	Permitting passengers to be carried in excess of capacity of minibus	100
59.	Reg 16(1)	Refusing a hiring involving a guide dog or companion dog	100
60.	Reg 17(1)	Smoking, consuming intoxicating liquor, &c., in a minibus	50
61.	Reg 23	Failing to supply information to Director	100
62.	Reg 24	Failing to give name and address to an inspector	50

PRIVATE HIRE CAR REGULATIONS

63.	Reg 4	Failing to maintain records	100
64.	Reg 4A	Failing to maintain private hire car to minimum standard	100

Schedule 2 Fees

	regulation 6
	\$
Application for accreditation or renewal of accreditation	100
Approval of communication network	30
Grant or renewal of licence for special passenger vehicle:	
(a) grant or renewal of one licence	150
(b) grant or renewal of second or subsequent licence	25

ENDNOTES

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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

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LIST OF LEGISLATION

Commercial Passenger (Miscellaneous) Regulations 1992 (SL No. 60, 1992)

Notified	29 October 1992
Commenced	29 October 1992

Amendment of Commercial Passenger (Miscellaneous) Regulations (SL No. 22, 1994)

Notified	10 August 1994
Commenced	10 August 1994

Amendments of Commercial Passenger (Miscellaneous) Regulations (SL No. 57, 1998)

Notified	23 December 1998
Commenced	1 January 1999 (r 1 and s 2 <i>Commercial Passenger (Road) Transport Amendment Act 1998</i> (Act No. 83, 1998))

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LIST OF AMENDMENTS

sch 1	amd No. 57, 1998, r 2
sch 2	amd No. 22, 1994