



NORTHERN TERRITORY OF AUSTRALIA

No. 34 of 1986

AN ACT

to amend the *Motor Vehicles Act*

[Assented to 19 September 1986]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Motor Vehicles Amendment Act (No. 2) 1986*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. REPEAL

The *Motor Vehicles Amendment Act (No. 6) 1978* (No. 21 of 1979) is repealed.

4. PRINCIPAL ACT

The *Motor Vehicles Act* is in this Act referred to as the Principal Act.

5. GRANT OF PUBLIC AND PRIVATE HIRE CAR LICENCES

Section 27A(2) of the Principal Act is amended -

- (a) by omitting "The Registrar" and substituting "Except with the consent of the Minister, the Registrar";
- (b) by omitting from paragraph (c) "except with the consent of the Minister"; and

- (c) by omitting from paragraph (d) "5 years" and substituting "12 months".

6. TRANSFER OF PUBLIC AND PRIVATE HIRE CAR LICENCES

Section 27B of the Principal Act is amended -

- (a) by omitting subsections (1), (2) and (3) and substituting the following:

"(1) The Registrar may, in accordance with this section, on application by a person who holds a hire car licence which he has held for not less than 12 months, and on payment of the prescribed fee by that person to the Registrar, transfer the hire car licence.";

- (b) by omitting from subsection (4) "Notwithstanding sub-sections (2) and (3)," and inserting "Notwithstanding subsection (1)";

- (c) by omitting from subsection (5) "The Registrar" and substituting "Except with the consent of the Minister, the Registrar";

- (d) by omitting from subsection (5)(c) "except with the consent of the Minister,";

- (e) by omitting from subsection (5)(e) "5 years" and substituting "12 months"; and

- (f) by omitting subsection (10) and substituting the following:

"(10) The fee for the transfer of a hire car licence shall be 5% of the amount paid by the transferee in respect of the transfer.".

7. NEW SECTION

- (1) The Principal Act is amended by inserting before section 137B the following:

"137A. DETERMINATION OF FARES AND CHARGES

"(1) The Minister may, by notice in the *Gazette*, determine -

- (a) the maximum fares and charges that may be charged for the hire or use of a public motor vehicle plying for hire; and

- (b) the publication and payment of those fares.

"(2) A person who -

(a) charges a fare or charges for the hire or use of a public motor vehicle greater than that determined by the Minister under subsection (1)(a); or

(b) contravenes or fails to comply with a determination of the Minister under subsection (1)(b),

is guilty of a regulatory offence.

Penalty: \$1,000."

(2) Until such time as the Minister makes a determination under section 137A(1) of the Principal Act as inserted by subsection (1) -

(a) the fares and charges specified in Schedule 2; and

(b) the requirement in respect of the displaying of notices in regulation 36,

of the Motor Vehicle (Hire Car) Regulations, as in force immediately before the commencement of this Act, shall be deemed to be a determination of the Minister under that section.

8. REGULATIONS

Section 138 of the Principal Act is amended by omitting paragraphs (j), (k) and (l).

9. VALIDATION OF CERTAIN PUBLIC AND PRIVATE HIRE CAR LICENCES

(1) Subject to subsection (2), where before the commencement of this Act, the Registrar -

(a) granted, under section 27A of the Principal Act, a hire car licence to a person, that licence is declared to have been validly granted notwithstanding that that person may not have been eligible to be granted the licence by virtue of section 27A(2) of that Act; or

(b) transferred, under section 27B of the Principal Act, a hire car licence to a person, that licence is declared to have been validly transferred to the person notwithstanding that that person may not have been eligible to have the licence transferred to him by virtue of section 27B(5) of that Act.

Motor Vehicles Amendment (No. 2)

(2) Subsection (1) does not apply to or in relation to a hire car licence granted or transferred by the Registrar where the applicant for the licence or the person to whom the licence was transferred wilfully misled the Registrar in respect of any of the matters referred to in section 27A(2) or 27B(5) of the Principal Act, as the case may be.

(3) In this section "hire car licence" has the same meaning as in section 27A of the Principal Act.
