

NORTHERN TERRITORY OF AUSTRALIA
AMENDMENTS OF PRIVATE HIRE CAR REGULATIONS

Regulations 2003, No. 40

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NORTHERN TERRITORY OF AUSTRALIA

Regulations 2003, No. 40*

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

I, JOHN CHRISTOPHER ANICTOMATIS, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Commercial Passenger (Road) Transport Act*.

Dated 1 August 2003.

J. C. ANICTOMATIS
Administrator

By His Honour's Command

K. VATSKALIS
Minister for Transport and Infrastructure

* Notified in the *Northern Territory Government Gazette* on 1 August 2003.

AMENDMENTS OF PRIVATE HIRE CAR REGULATIONS

1. Commencement

These Regulations come into operation on the commencement of section 15 of the *Commercial Passenger (Road) Transport Amendment Act (No. 2) 2003*.

2. Principal Regulations

The Private Hire Car Regulations are in these Regulations referred to as the Principal Regulations.

3. Repeal and substitution

Regulations 5 and 6 of the Principal Regulations are repealed and the following substituted:

"5. Hiring to be pre-booked unless from a rank or approved

"A person must not use a private hire car (whether as a driver or a passenger) for a hiring unless –

- (a) the journey is pre-booked with the operator;
- (b) the journey is pre-booked with the driver over the driver's mobile telephone or by a passenger in the private hire car;
- (c) the private hire car is parked or standing in accordance with section 37B(1) of the Act; or
- (d) the hiring is approved by the Director.

"6. Operator or driver not required to accept hiring except at a rank

"(1) An operator is not compelled to accept a hiring.

"(2) A driver is not compelled to accept a hiring over the driver's mobile telephone or from a passenger in the private hire car.

"(3) A driver must accept a hiring if the private hire car is parked or standing in accordance with section 37B(1) of the Act unless the prospective passenger –

- (a) appears to be suffering from an infectious disease;
- (b) appears to be under the influence of drugs or intoxicating liquor;
- (c) is likely to soil or damage the private hire car;
- (d) is likely to cause a nuisance in the private hire car;

Private Hire Car Regulations

- (e) is carrying something that is likely to cause inconvenience to the driver or passengers;
- (f) is smoking;
- (g) is consuming intoxicating liquor; or
- (h) is using profane or objectionable language."

4. Repeal and substitution

Regulation 8 of the Principal Regulations is repealed and the following substituted:

"8. Driver to return to base

"A driver of a private hire car must, on completion of each pre-booked journey, return the private hire car to a place approved as a place from which the private hire car is to operate unless –

- (a) it is not reasonably practicable for the driver to do so before the next pre-booked journey; or
- (b) the driver parks or stands the private hire car in accordance with section 37B(1) of the Act."

5. Parking of private hire cars

Regulation 9 of the Principal Regulations is amended by omitting subregulation (2) and substituting the following:

- "(2) Subregulation (1) does not apply if the private hire car is –
- (a) parked on a lot approved in relation to the private hire car by the Director; or
 - (b) parked or standing in accordance with section 37B(1) of the Act."

6. New regulation

The Principal Regulations are amended by inserting after regulation 11 in Part 2 the following:

"11A. Identity card

"(1) For section 74 of the Act, a private hire car is a prescribed class of commercial passenger vehicle.

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"(2) An identity card issued under section 74 of the Act to a driver is to –

- (a) display the name of the driver;
- (b) display a recent photograph of the driver;
- (c) specify the expiry date of the card; and
- (d) indicate that the holder of the card is authorised to drive a private hire car.

"(3) A driver must display the driver's identity card issued under subregulation (2) in a conspicuous place in a private hire car while driving the private hire car."

7. Repeal and substitution

The Schedule to the Principal Regulations is repealed and the following substituted:

"SCHEDULE

Regulation 14

FEES

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1.	Annual fee for a private hire car licence granted before 1 August 2003 –	
	(a) on and from 1 August 2003	3 000
	(b) on and from 1 August 2004	4 500
	(c) on and from 1 August 2005	6 000
2.	Annual fee for a private hire car licence granted after 1 August 2003	6 000
3.	Application for a refund on surrender of a private hire car licence	20

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