

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1998, No. 62*

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

I, NEIL RAYMOND CONN, 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 17 December 1998.

N R CONN
Administrator

COMMERCIAL PASSENGER VEHICLES (CANCELLED LICENCES)
REGULATIONS

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

* Notified in the *Northern Territory Government Gazette* on 23 November 1998.

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"repealed Part 4" has the same meaning as in the Schedule to the *Commercial Passenger (Road) Transport Amendment Act 1998*;

"transfer" means the transfer of a taxi licence under repealed Part 4.

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.

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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.

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PART 3 — EXPIRY OF REGULATIONS

9. EXPIRY OF REGULATIONS

These Regulations expire on 1 March 2001.
