

No. 22 of 1978

AN ORDINANCE

To amend the *Motor Omnibus Services Ordinance 1955*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated this fourteenth day of August 1978.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

R. ELLICOTT
Minister of State for the Capital Territory

MOTOR OMNIBUS SERVICES (AMENDMENT) ORDINANCE 1978

1. This Ordinance may be cited as the *Motor Omnibus Services (Amendment) Ordinance 1978*.^{*} Short title

2. In this Ordinance, "Principal Ordinance" means the *Motor Omnibus Services Ordinance 1955*.[†] Principal Ordinance

3. (1) Subject to sub-section (2), this Ordinance shall come into operation on the date on which it is notified in the *Gazette*. Commence-
ment

(2) Sections 5 and 6, sub-section 7 (2) and section 8 shall come into operation on 1 September 1978.

4. Section 2 of the Principal Ordinance is amended— Interpret-
ation
(a) by inserting after the definition of "bus stop sign" the following definition:

"'child' means a person who has not attained the age of 15 years;" and

^{*} Notified in the *Commonwealth of Australia Gazette* on 16 August 1978.

[†] Ordinance No. 12, 1955 as amended by No. 21, 1959; No. 21, 1964; No. 19, 1966; No. 42, 1970; No. 32, 1972; No. 52, 1973; No. 11, 1974; No. 42, 1975; No. 41, 1976; and Nos. 2 and 25, 1977.

- (b) by inserting after the definition of “motor omnibus” or “omnibus” the following definition:

“‘pensioner’ has the same meaning as in the *National Health Act 1953*.”.

5. Section 4BA of the Principal Ordinance is repealed and the following section substituted:

Daily
tickets

“4BA. (1) The Minister may make such arrangements as he considers necessary for the sale of daily tickets for use on motor omnibus services.

“ (2) The price payable for a daily ticket, other than a daily ticket referred to in sub-section (3), is that specified in the regulations for the purpose of this sub-section.

“ (3) The price payable for a daily ticket purchased by a person included in a class of persons prescribed for the purpose of this sub-section is the price prescribed in relation to that class of persons.

“ (4) A person by whom a daily ticket has been purchased is, on production of that ticket to the driver or conductor of an omnibus, entitled, at any time during the day to which the ticket is expressed to be applicable, to travel without payment of a fare.

“ (5) A person who, for the purpose of avoiding payment of the fare for a journey on an omnibus—

- (a) produces to the driver or conductor of the omnibus a daily ticket on a day other than the day to which the ticket is expressed to be applicable; or
- (b) produces to the driver or conductor of the omnibus a daily ticket, not being a ticket purchased by the person,

is guilty of an offence and punishable, on conviction, by a fine not exceeding \$50.”.

Monthly
tickets

6. Section 4C of the Principal Ordinance is amended by omitting sub-section (2A) and substituting the following sub-section:

“ (2A) The price payable for a monthly ticket purchased by a person included in a class of persons prescribed for the purpose of this sub-section is the price prescribed in relation to that class of persons.”.

7. (1) Section 4CA of the Principal Ordinance is repealed and the following section substituted:

Books of
tickets

“4CA. (1) The Minister may make such arrangements as he considers necessary for the sale of books of tickets for use on motor omnibus services.

“(2) Subject to sub-section (3), the prices payable for books of tickets are those specified in the regulations for the purpose of this sub-section.

“(3) The price payable for a book of tickets purchased by a person included in a class of persons prescribed for the purpose of this sub-section is the price prescribed in relation to that class of persons.

“(4) Subject to sub-section (5), a person who has purchased a book of tickets is, on tendering to the driver or conductor of an omnibus, a ticket or tickets taken from that book, entitled to travel on that omnibus for a journey consisting of a number of sections equal to the number of tickets so tendered without payment of a fare.

“(5) Sub-section (4) does not apply in relation to the tender, by a person who has attained the age of 15 years, of a ticket or tickets taken from a book of tickets purchased at a price prescribed for the purpose of sub-section (3).

“(6) A person who, for the purpose of avoiding payment of the fare for a journey on an omnibus, tenders to the driver or conductor of the omnibus a ticket taken from a book of tickets, not being a book of tickets purchased by the person, is guilty of an offence and punishable, on conviction, by a fine not exceeding \$50.

“(7) A book of tickets shall be so prepared that, for each ticket taken from the book, a counterfoil remains in the book.”.

(2) Section 4CB of the Principal Ordinance is repealed and the following section substituted:

“4CB. (1) The Minister may make such arrangements as he considers necessary for the sale of quarterly tickets for use on motor omnibus services by—

- (a) children;
- (b) school students; and
- (c) pensioners.

“(2) The prices payable for quarterly tickets are those specified in the regulations.

“(3) A person who has purchased a quarterly ticket is, on production of the ticket to the driver or conductor of an omnibus, entitled, at any time during the period to which the ticket is expressed to be applicable, to travel on that omnibus without payment of a fare.

“(4) A person who, for the purpose of avoiding payment of the fare for a journey on an omnibus—

- (a) produces to the driver or conductor of the omnibus a quarterly ticket on a day that is not within the period to which the ticket is expressed to be applicable; or

- (b) produces to the driver or conductor of the omnibus a quarterly ticket, not being a ticket purchased by the person,

is guilty of an offence and punishable, on conviction, by a fine not exceeding \$50.

“(5) A quarterly ticket shall be expressed to be applicable to a period of three months, being a period commencing on the first day of a month.”.

**Student
cards**

8. Section 4CC of the Principal Ordinance is amended—

- (a) by omitting paragraphs (2) (a) and (2) (b) and substituting the following paragraphs:

“(a) monthly tickets at a price prescribed for the purpose of sub-section 4C (2A); or

(b) quarterly tickets;” and

- (b) by omitting paragraph (3) (a) and substituting the following paragraph:

“(a) for the purpose of purchasing a monthly ticket at a price prescribed for the purpose of sub-section 4C (2A) or a quarterly ticket; or ”.

**Transitional
provisions**

9. (1) A daily, monthly or quarterly ticket expressed to be applicable to a day, month or period that is, or commences, on or after 1 September 1978 may be sold before that date as if the provisions specified in sub-section 3 (2) were in operation.

(2) A daily, monthly or quarterly ticket expressed to be applicable to a day, month or period that is, or commences, on or after 1 September 1978 shall not be sold before that date except in accordance with the Principal Ordinance, as amended by this Ordinance.

(3) Expressions used in sub-section (1) or (2) have the same respective meanings as the same expressions have when used in the Principal Ordinance, as amended by this Ordinance.

Regulations

10. (1) Notwithstanding sub-section 3 (2), regulations may be made for the purposes of the Principal Ordinance, as amended by sections 5 and 6, sub-section 7 (2) and section 8 of this Ordinance, at any time after the commencement of this section.

(2) Regulations made by virtue of sub-section (1) shall not be expressed to come into operation on a date earlier than 1 September 1978.