



AUSTRALIAN
CAPITAL TERRITORY

SPECIAL

GAZETTE

No. S228, Friday 4 December 1992

MOTOR OMNIBUS SERVICES ACT 1955

REVOCATION AND DETERMINATION OF CHARGES

NO. 172 OF 1992

Under Section 27 of the Interpretation Act 1967 I revoke the determination No 99 of 1992 notice of which was published in the Gazette No S104 of 30 June 1992. Under Section 4 of the Motor Omnibus Services Act 1955 I determine that the charges for the purpose of the Act shall be in accordance with the schedule.

COMMENCEMENT

1. With respect to the charges listed in the Schedule, this revocation and determination commences on 1 December 1992.

*implied repeal
by 1993-78
1/7/93*

PLEASE NOTE:

Special Gazette No. 228, will now super-seed the
Motor Omnibus Services Act 1955,
previously gazetted in Special Gazette No. 221

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INTERPRETATION

2. In this Determination, unless the contrary intention appears:

"Blind person" means a person who is totally blind or seriously visually impaired;

"Commuter Express service" means a motor omnibus service bearing a route number in the range 710 to 749 inclusive;

"Concession-group member" means:

(a) a person who is:

- (i) a dependent spouse;
- (ii) an immigrant student;
- (iii) a school student;
- (iv) a special beneficiary;
- (v) a student nurse;
- (vi) a tertiary student;
- (vii) a sickness beneficiary; or
- (viii) a war or defence widow;

and, who is in possession of and, who produces to the driver or an inspector, written evidence, of a kind approved by the General Manager, ACTION, identifying the person as such a person; and

(b) a person who is a child;

"Dependent spouse" means the dependent spouse of a person to whom there is being paid a benefit under parts 2.11 or 2.12 of the Social Security Act 1991 of the Commonwealth;

"Driver" means the driver of an omnibus;

"Employee's spouse" means the spouse of a person who has been, or who had been at the time of his or her death, for a continuous period of, or for periods totalling, not less than fifteen years paid remuneration from the Australian Capital Territory Transport Trust Account being a trust account established under section 62A of the Audit Act 1901 of the Commonwealth prior to Self Government Day and thereafter as provided by the Audit Act 1989 of the Australian Capital Territory;

"Ex-employee" means a person who was, for a continuous period of, or for periods totalling, not less than fifteen years paid remuneration from the Australian Capital Territory Transport Trust Account being a trust account established under section 62A of the Audit Act 1901 of the Commonwealth prior to Self Government Day and thereafter as provided by the Audit Act 1989 of the Australian Capital Territory;

"Ex-employee's spouse" means the spouse of a person who was, for a continuous period of, or for periods totalling, not less than fifteen years paid remuneration from the Australian

Capital Territory Transport Trust Account being a trust account established under section 62A of the Audit Act 1908 of the Commonwealth prior to Self Government Day and thereafter as provided by the Audit Act 1989 of the Australian Capital Territory;

The definition of an "Employee's spouse" and "Ex-employee's spouse" shall include a person who is, or was at the time of the employee's or ex-employees's death, living with the employee or ex-employee as the employee's or ex-employee's spouse on a permanent and bona fide basis although not legally married to the employee or ex-employee.

For the purposes of the definitions of "Employee's spouse" and "Ex-employee" and "Ex-employee's spouse", a period of one year or less immediately before and after which a person was, but during which a person was not, paid remuneration from the Australian Capital Territory Transport Trust Account is to be regarded as a period during which the person was paid such remuneration.

"Exempt person" means:

- (a) a person who has not attained the age of five years and, is not occupying a seat in the omnibus and, is in the care and custody of a person apparently over the age of eight years, who assures the driver or inspector that the first mentioned person has not attained the age of five years;
 - (b) a person who is:
 - (i) an incapacitated returned veteran and, where that person (being a totally and permanently incapacitated returned veteran) is accompanied by an attendant, the attendant;
 - (ii) a blind person and, where the blind person is accompanied by an attendant, the attendant;
 - (iii) an ex-employee or an ex-employees's or an employee's spouse;
 - (iv) a World War 1 veteran or a World War 1 veteran's spouse;
- if the person, or if the attendant to the person, produces to the driver or an inspector written evidence, of a kind approved by the General Manager, ACTION, identifying him or her as such a person; or
- (c) a person who is a member of the Australian Federal Police, or a person employed by ACTION and who is in uniform or holds written evidence, of a kind approved by the General Manager, ACTION, identifying him or her as such a person;

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"Holiday" means a day which is observed as a public holiday in the Territory in accordance with the Holidays Act 1958;

"Immigrant student" means a full time student, other than a school student, attending a course of instruction that is an approved course of instruction within the meaning of the Immigration (Education) Act 1971 of the Commonwealth;

"Incapacitated returned veteran" means a person to whom a pension is payable, under part II or IV of the Veterans' Entitlements Act 1986 of the Commonwealth, at the maximum general rate under section 22 of that Act or a higher rate;

"Long distance sightseeing service" means a motor omnibus service provided by an omnibus bearing route number 905, 907, 909 or 911;

"Peak period journey" means:

- (a) a journey commencing not later than 9.00am on a day other than a Saturday, Sunday or holiday; or
- (b) a journey commencing at 4.30pm or after 4.30pm but not later than 6.00pm on a day other than a Saturday, Sunday or holiday;

"Pensioner" means a person who is the holder of a card issued by the Commonwealth Department of Social Security and commonly known as a "Transport Concession Card";

"Repatriation Act" means the Repatriation Act 1920 of the Commonwealth as in force on 1 May 1986;

"Senior" means a person who is an ACT resident and has attained the age of 60 years;

"Sickness beneficiary" means a person to whom there is being paid a sickness benefit under part 2.14 of the Social Security Act 1991 of the Commonwealth;

"Special beneficiary" means a person to whom there is being paid a special benefit under part 2.15 of the Social Security Act 1991 of the Commonwealth;

"Student nurse" means a full time student attending a nursing course conducted by the Australian Capital Territory Department of Health;

"Sightseeing service" means a motor omnibus service provided by an omnibus bearing route number 904 or 906;

"Special service" means a sightseeing service or a long distance sightseeing service;

"Tertiary education institution" has the same meaning as in the Student Assistance Act 1973 of the Commonwealth;

"Tertiary student" means a person, other than a person who is a member of the Defence Force, who is a full time student attending a course of study or instruction at a tertiary education institution;

"the Schedule" means the Schedule attached to this instrument;

"Ticket-holder" means a person who has purchased a ticket in accordance with an arrangement made by the Minister under section 4B of the Motor Omnibus Services Act 1955 and who produces, or tenders, that ticket to the driver, and if so required by an inspector to the inspector;

"Totally and permanently incapacitated returned veteran" means a person to whom a pension is payable under the Veterans' Entitlements Act 1986 of the Commonwealth in accordance with section 24 or any of the first 6 items of the table in section 27 of that Act;

"Unemployed person" means a person to whom there is being paid:

- (a) a job search or new start allowance under part 2.11 or 2.12 of the Social Security Act 1991 of the Commonwealth; or
- (b) a formal training allowance by the Commonwealth Department of Employment, Education and Training;

"War or defence widow" means a person entitled to a War Widow Dependant Treatment Entitlement Card issued by the Commonwealth Department of Veterans' Affairs, other than a World War I veteran's spouse;

"World War 1 Veteran" means:

- (a) a member of the Forces within the meaning of section 23 of the Repatriation Act;
- (b) a person who was a member of the Forces of a Commonwealth country within the meaning of Division 5A of the Repatriation Act whose service in a theatre of war for the purposes of that Division occurred during the war that commenced on 4 August 1914;
- (c) a person who was a member of the Forces of an allied country within the meaning of Division 5B of the Repatriation Act, whose service in a theatre of war for the purposes of that Division occurred during the war that commenced on 4 August 1914;

"World War I Veteran's spouse" means a person who:

- (a) was at the time of the veteran's death, the veteran's spouse; or

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- (b) is, or was, at the time of the veteran's death, living with the veteran as the veteran's spouse on a permanent and bona fide basis although not legally married to the veteran;

3. For the purposes of this Determination, where a passenger in an omnibus travels to the terminus of a route and returns on the same omnibus without alighting from it, he or she shall be deemed to have ended a journey upon the arrival of the omnibus, at the terminus and to have commenced another journey upon its departure from the terminus.

4. Where on account of floods or other special circumstances an omnibus deviates from its usual route, the fare to be charged in respect of a journey by a passenger in the omnibus, being a journey that commences and ends at places on the usual route, is the fare that would have been charged if no deviation from that route had occurred.

5. For the purposes of this Determination, for travel on a Commuter Express service the fares payable shall be as follows:

- (a) where the fare is paid in cash, the fare specified in item 1 of the Schedule multiplied by 2; or
- (b) where the fare is paid by the tender of tickets from a book of 10 tickets as provided for in item 7 of the Schedule, the tender of two tickets; or
- (c) where the fare is paid by the use of a daily, weekly, monthly or quarterly ticket, as provided for in items 2, 4, 5 and 6 of the Schedule, the tender of that ticket.

6. For the purposes of this Determination, no fare shall be chargeable for travel on a service known as the Downtowner service.

SCHEDULE

Service or matter in respect of which a charge is payable	Fee payable (\$)
General fares	
1. Travel by a person, other than an exempt person or a ticket-holder, on a motor omnibus service, other than a special service (for each journey) where the person is:	
(a) an unemployed person or a pensioner	0.50
(b) a concession group member	0.90
(c) a senior	
(i) in the case of a peak period journey	1.80
(ii) in any other case	0.50
(d) any other person	1.80
Daily tickets	
2. Purchase of a ticket which entitles a person to travel on a motor omnibus service, other than a long distance sightseeing service, during a day where the ticket is expressed to be applicable, where the person is:	
(a) a concession group member, a pensioner or an unemployed person	2.40
(b) a senior	
(i) in the case of a peak period journey	4.80
(ii) in any other case	2.40
(c) any other person (other than an exempt person)	4.80
Long distance fares	
3. Purchase of a ticket which entitles a person to travel on a long distance sightseeing service during a day to which the ticket is expressed to be applicable, where the person is:	
(a) a concession group member, a pensioner or an unemployed person	4.80
(b) a senior	
(i) in the case of a peak period journey	9.60

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| (ii) in any other case | 4.80 |
| (c) any other person (other than an exempt person) | 9.60 |

Weekly tickets

4. Purchase of a weekly ticket which entitles a person to travel on a motor omnibus service, other than a special service, during a period of 7 days, commencing on a Monday, to which the ticket is expressed to be applicable, where the person is:

- | | |
|--|-------|
| (a) a concession group member, a pensioner or an unemployed person | 8.50 |
| (b) a senior | |
| (i) in the case of a peak period journey | 17.00 |
| (ii) in any other case | 8.50 |
| (c) any other person (other than an exempt person) | 17.00 |

Monthly tickets

5. Purchase of a ticket which entitles a person to travel on a motor omnibus service, other than a special service, during a month of a particular year to which the ticket is expressed to be applicable, where the person is:

- | | |
|--|-------|
| (a) a concession group member, a pensioner or an unemployed person | 32.00 |
| (b) a senior | |
| (i) in the case of a peak period journey | 64.00 |
| (ii) in any other case | 32.00 |
| (c) any other person (other than an exempt person) | 64.00 |

Quarterly tickets

6. Purchase of a ticket which entitles a person to travel on a motor omnibus, other than a special service, during the period to which the ticket is expressed to be applicable, being a period of three months commencing on the first day of January, April July or October in a particular year, where the person is:

- | | |
|--|-------|
| (a) a concession group member, a pensioner or an unemployed person | 75.00 |
|--|-------|

(b) a senior

(i) in the case of a peak period journey not applicable

(ii) in any other case 75.00

Book of Tickets

7. Purchase of a book of 10 tickets, the tender of any one of which entitles a person to travel on a motor omnibus service, other than a special service, where the person is:

(a) a concession group member, a pensioner or an unemployed person 5.00

(b) a senior


(i) in the case of a peak period journey 10.00

(ii) in any other case 5.00

(c) any other person (other than an exempt person) 10.00

Date

26 NOV 1992


TERENCE CONNOLLY
Minister for Urban Services