

AUSTRALIAN CAPITAL TERRITORY

COMMONWEALTH MOTOR OMNIBUS SERVICES ORDINANCE 1964

EXPLANATORY MEMORANDUM

No. 21 of 1964

The legislative scheme relating to the operation of motor omnibus services within the Australian Capital Territory consists of the Commonwealth Motor Omnibus Services Ordinance 1955-1959 and the Fares Regulations and Services Regulations made pursuant to the Ordinance.

The Fares Regulations currently set out the amounts of fares payable and the physical location of section stops. This system of detailed description of section stops by Regulation is administratively inconvenient in view of frequent extensions and alterations of omnibus routes arising from the rapid development of Canberra. The Minister for the Interior has accordingly approved amendment of the existing provisions to permit the location of section stops to be determined by him from time to time without amendment to the Regulations being involved.

Section 7 of the Ordinance empowers the Minister to prescribe generally matters relating to the fares to be charged on a motor omnibus service and section 4 provides expressly that the fares to be charged shall be as prescribed by the Regulations. It is considered that, if section 4 remains in the Ordinance, the validity of a Regulation purporting to authorise the Minister to determine what constitutes a section, without specifically describing its physical location in the Regulations, would be seriously in doubt.

It has been decided, therefore, that it is desirable to repeal section 4 of the Ordinance to make way for the proposed amendment to the Fares Regulations.