



Australian Capital Territory

## **Motor Omnibus Services Regulations (Amendment)**

**Subordinate Law No. 31 of 1995**

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## SCHEDULE

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## FORMAL AMENDMENTS



Australian Capital Territory

## **Motor Omnibus Services Regulations<sup>1</sup> (Amendment)**

**Subordinate Law No. 31 of 1995<sup>2</sup>**

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The Australian Capital Territory Executive makes the following Regulations under the *Motor Omnibus Services Act 1955*.

Dated 4 August 1995.

TONY DE DOMENICO  
Minister

BILL STEFANIAK  
Minister

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**Commencement**

1. These Regulations commence on the day on which they are notified in the Gazette.

**Principal Regulations**

2. In these Regulations, “Principal Regulations” means the Motor Omnibus Services Regulations.

**Interpretation**

3. Regulation 3 of the Principal Regulations is amended by omitting from subsection (1) the definitions of “authorized officer”, “blind person”, “conductor”, “inspector” and “police officer”.

**Repeal**

4. Regulation 3A of the Principal Regulations is repealed.

**Heading to Part II**

5. The heading to Part II of the Principal Regulations is amended by omitting “AND CONDUCTORS”.

**Fare to be demanded**

6. Regulation 4 of the Principal Regulations is amended by omitting “A conductor” and substituting “The driver of an omnibus or an authorised officer”.

**Substitution**

7. Regulation 5 of the Principal Regulations is repealed and the following regulation substituted:

**Re-starting omnibus**

“5. Where an omnibus has stopped for the purpose of taking up or setting down passengers, the driver shall not cause the omnibus to move unless it is safe to do so.”.

**Moving an omnibus while passengers entering or alighting**

8. Regulation 6 of the Principal Regulations is amended by omitting “or conductor of the omnibus shall not negligently or wilfully start the omnibus or cause it to start” and substituting “shall not negligently or wilfully cause the omnibus to move”.

**Stopping omnibus when signalled**

9. Regulation 7 of the Principal Regulations is amended by omitting “and conductor” and “or cause it to stop”.

### **Alighting of passengers**

**10.** Regulation 8 of the Principal Regulations is amended—

- (a) by omitting “or conductor” (wherever occurring); and
- (b) by omitting from paragraph (a) “or cause the omnibus to be brought” and substituting “the omnibus”.

### **Driver not to moisten fingers with saliva**

**11.** Regulation 10 of the Principal Regulations is amended by omitting “A conductor” and substituting “The driver of an omnibus or an authorised officer”.

### **Unlicensed drivers**

**12.** Regulation 11 of the Principal Regulations is repealed.

### **Driver not to permit carriage of certain persons**

**13.** Regulation 13 of the Principal Regulations is amended by omitting from subregulation (1) “conductor of an omnibus” and substituting “driver of an omnibus or an authorised officer”.

### **Driver not to permit carriage of offensive substances etc.**

**14.** Regulation 14 of the Principal Regulations is amended by omitting “conductor of an omnibus” and substituting “driver of an omnibus or an authorised officer”.

### **Repeal**

**15.** Regulations 15 and 17 of the Principal Regulations are repealed.

### **Luggage**

**16.** Regulation 21 of the Principal Regulations is amended by omitting from paragraph (b) “conductor” and substituting “driver or an authorised officer”.

### **Intoxicated persons**

**17.** Regulation 23 of the Principal Regulations is amended—

- (a) by omitting from subregulation (2) “conductor” (first occurring) and substituting “driver, an authorised officer”;
- (b) by omitting from subregulation (2) “conductor” (last occurring) and substituting “driver, authorised officer”;
- (c) by omitting from subregulation (3) “conductor of an omnibus” and substituting “driver of an omnibus, an authorised officer”; and
- (d) by omitting from subregulation (3) “conductor” (second and last occurring) and substituting “driver, authorised officer”.

**Offensive persons**

**18.** Regulation 25 of the Principal Regulations is amended—

- (a) by omitting from paragraphs (1) (a) and (b) “conductor” and substituting “driver of an omnibus, an authorised officer”;
- (b) by omitting from subregulation (2) “conductor of an omnibus” (first occurring) and substituting “driver of an omnibus, an authorised officer”; and
- (c) by omitting from subregulation (2) “conductor” (last occurring) and substituting “driver, authorised officer”.

**Passengers not to ride on step etc.**

**19.** Regulation 26 of the Principal Regulations is amended by omitting from subregulation (2) “or conductor, or by an inspector,” and substituting “, an authorised officer or an inspector”.

**Certain articles not to be taken onto omnibuses**

**20.** Regulation 27 of the Principal Regulations is amended by omitting from paragraph (d) “conductor” and substituting “driver, an authorised officer”.

**Boarding full omnibuses**

**21.** Regulation 33 of the Principal Regulations is amended—

- (a) by omitting from subregulation (1) “conductor” and substituting “driver, an authorised officer”;
- (b) by omitting from subregulation (2) “conductor” (first occurring) and substituting “driver, an authorised officer”; and
- (c) by omitting from subregulation (2) “conductor” (last occurring) and substituting “driver, authorised officer”.

**Repeal**

**22.** Regulations 34, 35 and 35A of the Principal Regulations are repealed.

**Children may be required to surrender seats**

**23.** Regulation 36 of the Principal Regulations is amended—

- (a) by omitting from subregulation (1) “A conductor” and substituting “The driver of an omnibus, an inspector or an authorised officer”;
- (b) by omitting from paragraph (1) (a) “an” and substituting “the”; and
- (c) by omitting from subregulation (2) “a conductor” and substituting “the driver of an omnibus, an inspector or an authorised officer”.

**Removal etc. of zone sign**

**24.** Regulation 36A of the Principal Regulations is amended by omitting “section” and substituting “zone”.

**Substitution**

**25.** Regulations 37 and 38 of the Principal Regulations are repealed and the following regulation is substituted:

**Prescribed offences and prescribed penalties**

“37. For the purposes of section 12 of the Act—

(a) a prescribed offence is—

- (i) an offence under a provision of the Act specified in Column 1 of Part I of the Schedule; or
- (ii) an offence under a provision of these Regulations specified in Column 1 of Part II of the Schedule; and

(b) in relation to a prescribed offence—the prescribed penalty is the penalty specified in Column 3 of a Part of the Schedule opposite the reference to the relevant provision.”.

**Schedule**

**26.** The Principal Regulations are amended by adding at the end the Schedule set out in Schedule 1 to these Regulations.

**Formal amendments**

**27.** The Principal Regulations are further amended as set out in Schedule 2.

**SCHEDULE 1**

Regulation 26

**SCHEDULE**

Regulation 37

**PRESCRIBED OFFENCES AND PRESCRIBED PENALTIES****PART I—PROVISIONS OF THE ACT**

Column 1 Provision	Column 2 Description	Column 3 Penalty
Section 4C	failing to validate a ticket or to purchase a ticket	\$50
Subsection 7 (2)	failing to produce a ticket or a concession card for inspection	\$50

**PART II—PROVISIONS OF THE REGULATIONS**

Column 1	Column 2	Column 3
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**SCHEDULE 2**—continued

Provision	Description	Penalty
Regulation 18	spitting or expectorating	\$25
Regulation 19	standing on a seat	\$25
Regulation 24	drinking intoxicating liquor	\$25
Regulation 25A	smoking on an omnibus	\$25
Regulation 26	riding on omnibus steps	\$25
Regulation 29	interfering with an omnibus	\$50
Regulation 30	damaging an omnibus	\$50
Regulation 33	boarding an overcrowded omnibus	\$25
Regulation 36A	removing a zone sign	\$50

**SCHEDULE 2**

Regulation 27

**FORMAL AMENDMENTS****Regulation 8—**

Insert “or her” after “his”.

**Regulation 10—**

Insert “or her” after “his”.

**Regulation 18—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Regulation 19—**

(a) Insert “or her” after “him”.

(b) Insert “or her” after “his”.

(c) Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Regulation 20—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Regulation 21—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.



**Regulation 22—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Subregulation 23 (2)—**

Insert “or her” after “his”.

**Subregulation 23 (3)—**

Insert “or her” after “him”.

**Regulation 23—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Regulation 24—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Subregulation 25 (2)—**

Insert “or her” after “him”.

**Regulation 25—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Regulation 26—**

Add at the foot the following penalty provision:

“Penalty: 2 penalty units.”.

**Regulation 27—**

Add at the foot the following penalty provision:

“Penalty: 2 penalty units.”.

**Regulation 27A—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Paragraph 28 (e)—**

Insert “or her” after “his”.

**SCHEDULE 2**—continued**Regulation 28—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Regulation 29—**

(a) Omit “to do”, substitute “or do”.

(b) Add at the foot the following penalty provision:

“Penalty: 5 penalty units.”.

**Regulation 30—**

Add at the foot the following penalty provision:

“Penalty: 5 penalty units.”.

**Subregulation 31 (1)—**

(a) Omit “(1)”.

(b) Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Paragraph 32 (a)—**

Insert “or she” after “he”.

**Regulation 32—**

Add at the foot the following penalty provision:

“Penalty: 1 penalty unit.”.

**Subregulation 33 (2)—**

Insert “or her” after “his”.

**Regulation 33—**

Add at the foot the following penalty provision:

“Penalty: 2 penalty units.”.

**Paragraph 36 (1) (b)—**

Insert “or she” after “he”.

**Regulation 36A—**

Add at the foot the following penalty provision:

“Penalty: 5 penalty units.”.

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**NOTES**

**Principal Regulations**

1. Reprinted as at 31 October 1991. See also Act No. 38, 1994.

**Notification**

2. Notified in the ACT Gazette on 8 August 1995.

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