

# AUSTRALIAN CAPITAL TERRITORY.

No. 12 of 1955.

## AN ORDINANCE

### Relating to Commonwealth Motor Omnibus Services.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government (Administration) Act 1910-1947*, as follows:—

1. This Ordinance may be cited as the *Commonwealth Motor Omnibus Services Ordinance 1955*.<sup>\*</sup> Short title.

2. In this Ordinance, unless the contrary intention appears— Definitions.

“Commonwealth motor omnibus service” means a motor omnibus service established or deemed to have been established under this Ordinance;

“the Minister” means the Minister of State for the Interior.

3.—(1.) The Minister may establish, maintain and conduct such motor omnibus services within the Australian Capital Territory as he deems necessary. Minister may establish motor omnibus services.

(2.) The motor omnibus services maintained and conducted by the Minister at the commencement of this Ordinance shall be deemed to have been established under this Ordinance.

4.—(1.) Subject to the next succeeding sub-section, the fares to be charged on a Commonwealth motor omnibus service shall be as prescribed by the regulations. Fares.

(2.) Until regulations are made prescribing the fares to be charged on a motor omnibus service referred to in sub-section (2.) of the last preceding section, the fares chargeable on that service immediately before the commencement of this Ordinance shall continue to be the fares chargeable on that service.

5.—(1.) The Minister may appoint such inspectors as he thinks necessary for the purposes of this Ordinance. Appointment of inspectors.

(2.) An inspector appointed under the last preceding sub-section has, and may exercise and perform, the powers and functions conferred on an inspector by the regulations.

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<sup>\*</sup> Notified in the *Commonwealth Gazette* on 15th December, 1955.  
1359/53.—PRICE 3d.

**Limitation  
of actions.**

**6.—**(1.) Subject to this section, an action against the Commonwealth, the Minister or a servant or employee of the Commonwealth to recover damages or compensation in respect of—

- (a) personal injury by accident arising out of the operation of a Commonwealth motor omnibus service; or
- (b) loss of, or damage to, property caused by accident arising out of the operation of such an omnibus service,

is not maintainable unless notice in writing of intention to commence the action has, before the action is commenced and not later than six months after the date upon which the liability arose, been served on the Crown Solicitor for the Commonwealth and, if the action is brought against a servant or employee of the Commonwealth either alone or as a joint defendant, also on that servant or employee.

(2.) The notice shall state—

- (a) the cause of action;
- (b) the time and place at which the injury, loss or damage was sustained; and
- (c) the name and place of abode or business of the intended plaintiff and of his solicitor (if any).

(3.) The notice may be served upon a person by sending it by registered post addressed to him at his usual or last known place of abode or business.

(4.) Where the notice required by this section has not been served within the period specified in sub-section (1.) of this section, a Court may, in relation to an action sought to be commenced in that Court, if it is satisfied that, having regard to all the circumstances of the case, it would be reasonable to do so, permit the notice to be served within such further period as the Court thinks fit.

(5.) The provisions of this section are in addition to, and do not derogate from the operation of, any other law relating to the limitation of actions.

**Regulations.**

**7.** The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters which are by this Ordinance required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and in particular for prescribing matters for or in relation to—

- (a) the fares to be charged on a Commonwealth motor omnibus service;
- (b) the conduct of drivers and conductors employed on a Commonwealth motor omnibus service;

- (c) the conditions under which passengers are carried on any such service; and
- (d) the imposition of penalties not exceeding Fifty pounds for breaches of the regulations.

Dated this twenty-third day of November, 1955.

W. J. SLIM

Governor-General.

By His Excellency's Command,

W. S. KENT HUGHES

Minister of State for the Interior.

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By Authority: A. J. ARTHUR, Commonwealth Government Printer, Canberra.