

AUSTRALIAN CAPITAL TERRITORY

Motor Omnibus Services (Amendment) Ordinance 1986

No. 48 of 1986

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 20 August 1986.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

G. SCHOLES
Minister of State for Territories

An Ordinance to amend the *Motor Omnibus Services Ordinance 1955*

Short title

1. This Ordinance may be cited as the *Motor Omnibus Services (Amendment) Ordinance 1986*.¹

Principal Ordinance

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

Interpretation

3. Section 2 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) the definitions of "blind person", "Department", "dependent spouse", "immigrant student", "peak-

period journey”, “pensioner”, “special beneficiary”, “student nurse”, “tertiary education institution”, “tertiary student” and “unemployed person”;

- (b) by inserting after the definition of “Director” in sub-section (1) the following definition:

“ ‘fare’ means a charge determined under sub-section 4 (1) for travel on a motor omnibus;”;

- (c) by inserting after the definition of “holiday” in sub-section (1) the following definitions:

“ ‘inspector’ means a person appointed as an inspector under section 5;

‘journey’ means a journey on an omnibus;”;

- (d) by adding at the end of sub-section (1) the following definition:

“ ‘ticket’ means a ticket issued pursuant to a determination made by the Minister under section 4.”; and

- (e) by omitting from sub-section (2) “and of the regulations made under this Ordinance” and substituting “, the regulations and a determination made by the Minister under section 4”.

4. Sections 3A and 4 of the Principal Ordinance are repealed and the following section is substituted:

Power of Minister to determine charges

“4. (1) The Minister may, by notice in writing published in the *Gazette*, determine charges for the purposes of this Ordinance.

“(2) Charges determined under sub-section (1) shall be charges for travel on a motor omnibus.

“(3) In a determination under sub-section (1) the Minister may determine different charges with respect to different classes of persons and different journeys or classes of journeys.”.

5. Sections 4B to 4CD (inclusive) are repealed and the following sections substituted:

Sale of tickets

“4B. The Minister may make arrangements for the sale of tickets for use in connection with motor omnibus services.

Offences—use of tickets

“4C. (1) A person shall not, for the purpose of avoiding payment of a fare for a journey, produce to the driver or inspector of the motor omnibus a ticket—

- (a) on a day—
 - (i) other than the day; or
 - (ii) that is not within the period,
to which the ticket is expressed to be applicable; or
- (b) not being a ticket purchased by the person.

Penalty: \$50.

“(2) A person shall not, for the purpose of avoiding payment of a fare for a journey, tender to the driver or inspector of the motor omnibus a ticket taken from a book of tickets, not being a book of tickets purchased by the person.

Penalty: \$50.”.

Refunds

6. Section 4E of the Principal Ordinance is amended by omitting from sub-section (1) the definition of “period ticket” and substituting the following definition:

“ ‘period ticket’ means a ticket sold pursuant to an arrangement made under section 4B, being a ticket that entitles a person to travel on a motor omnibus on a day or during a period to which the ticket is expressed to be applicable;”.

Appointment of inspectors

7. Section 5 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “he thinks” and substituting “are”;
and
- (b) by omitting sub-section (2) and substituting the following sub-section:

“(2) An inspector appointed under sub-section (1) has such powers and shall perform such functions as the Minister directs.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 22 August 1986.

2. No. 12, 1955 as amended by No. 21, 1959; No. 21, 1964; No. 19, 1966; No. 36, 1967; No. 42, 1970; No. 32, 1972; No. 52, 1973; No. 11, 1974; No. 42, 1975; No. 41, 1976; Nos. 2 and 25, 1977; No. 22, 1978; Nos. 17, 25 and 44, 1981; No. 13, 1983; Nos. 53, 54 and 66, 1985.