

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the Passenger Transport Act 1990 (the Principal Act) so as to make it clear:

- (a) that 2 or more individuals may carry on bus or other public passenger services in partnership or under other arrangements, and
- (b) that any kind of corporate body (including incorporated associations and co-operatives) may carry on bus or other public passenger services.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision that gives effect to the amendments to the Passenger Transport Act 1990 set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the Interpretation Act 1987 provides that the repeal of an amending Act does not affect the amendments made by that Act.

Schedule 1 Amendments

Schedule 1 [1] amends section 3 of the Principal Act to provide a definition of corporation for the purposes of the Principal Act that includes any kind of corporate body (including an incorporated association and a co-operative).

Schedule 1 [2] inserts section 5A into the Principal Act to clarify that the following persons may be accredited to carry on a public passenger service:

- (a) a single individual,
- (b) 2 or more individuals jointly,
- (c) a corporation.

Where accreditation is issued to 2 or more individuals jointly, the proposed section authorises the accreditation to be cancelled, suspended or varied should any one of the individuals die or cease to jointly carry on the service. The proposed section also ensures that once 2 or more individuals have been accredited jointly, they are each subject to the obligations imposed on accredited public passenger service operators under the Principal Act.

Schedule 1 [3] amends Schedule 3 to the Principal Act to enable regulations of a savings or transitional nature to be made as a consequence of the enactment of the proposed Act.

Schedule 1 [4] amends Schedule 3 to the Principal Act to validate accreditations, contracts and other acts or things that were purportedly issued, renewed, entered into or done or omitted prior to the commencement of the proposed Act that would have been valid had the proposed Act been in force at the relevant time.