

Passed by both Houses



New South Wales

Passenger Transport Amendment Bill 2006

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2006*



New South Wales

Passenger Transport Amendment Bill 2006

Act No , 2006

An Act to amend the *Passenger Transport Act 1990* to make further provision with respect to the accreditation of operators of public passenger services; and for other purposes.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Passenger Transport Amendment Act 2006*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Passenger Transport Act 1990 No 39

The *Passenger Transport Act 1990* is amended as set out in Schedule 1.

4 Repeal of Act

- (1) This Act is repealed on the day following the day on which this Act commences.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

Schedule 1 Amendments

(Section 3)

[1] Section 3 Definitions

Insert in alphabetical order in section 3 (1):

corporation means any incorporated body of the kind referred to in section 5A (1) (c).

[2] Section 5A

Insert after section 5:

5A Persons who may be accredited

- (1) For the purposes of this Act, the following are eligible to be accredited to carry on a public passenger service:
 - (a) a single individual,
 - (b) two or more individuals carrying or proposing to carry on the service jointly under a partnership or other agreement or arrangement,
 - (c) a body incorporated by or under the law of this or any other jurisdiction (including the *Corporations Act 2001* of the Commonwealth, the *Associations Incorporation Act 1984* or the *Co-operatives Act 1992*).
- (2) If 2 or more individuals are jointly accredited and any one of them dies or ceases to jointly carry on the service:
 - (a) the accreditation is automatically suspended on the expiration of 21 days after the death or cessation if the Director-General has not been notified before that time of the death or cessation, and
 - (b) the accreditation may be cancelled, suspended or varied under this Act because of the death or cessation (whether before or after any such notification).
- (3) If 2 or more individuals are jointly accredited to carry on a public passenger service, each of those individuals has the obligations imposed on accredited operators of any such service under this Act.

[3] Schedule 3 Savings and transitional provisions

Insert at the end of clause 2 (1):

Passenger Transport Amendment Act 2006

[4] Schedule 3

Insert at the end of the Schedule with appropriate Part and clause numbers:

**Part Provisions consequent on enactment of
Passenger Transport Amendment Act 2006**

Definition

In this Part:

the amending Act means the *Passenger Transport Amendment Act 2006*.

Validation of accreditation, contracts and other matters

- (1) This clause applies to:
 - (a) any accreditation purportedly issued or renewed under this Act, or
 - (b) any service contract purportedly entered into under this Act, or
 - (c) any other act or thing purportedly done or omitted under this Act or under any such accreditation or contract,
at any time before the commencement of the amending Act.
- (2) Any such accreditation, contract, act or thing that would have been validly issued, renewed, entered into, done or omitted if the amending Act had been in force at that time is taken to be (and always to have been) validly issued, renewed, entered into, done or omitted.