

LEGISLATIVE COUNCIL

Passenger Transport Bill 2014

First print

Proposed amendments

No. 1 **Contract terms**

Page 16, clause 36 (5), line 17. Insert “(not exceeding 8 years)” after “term”.

No. 2 **Pricing of contracted services**

Page 40, clause 123. Insert after line 22:

- (2) The Minister must refer rail, bus or ferry services provided by the operator of a rail passenger service, bus service or ferry service under a passenger service contract to IPART for determination of the following:
 - (a) appropriate maximum fares for regular rail passenger services, regular bus services or regular ferry services supplied under the contract,
 - (b) a periodic review of fare pricing policies for those services.

No. 3 **Pricing of government monopoly services**

Page 40, clause 123. Insert after line 35:

- (7) This section does not apply to a service if IPART is required to make a determination about the pricing of that service in the exercise of its powers under the *Independent Pricing and Regulatory Tribunal Act 1992* relating to a government monopoly service.

No. 4 **Pricing of contracted services**

Page 40, clause 123. Insert before line 36:

- (8) In this section:
regular rail passenger service, regular bus service or regular ferry service means a service that is conducted according to regular routes and timetables or according to regular routes and at regular intervals.

No. 5 **Ecologically sustainable development**

Page 41, clause 124 (3). Insert after line 7:

- (d) the need to maintain ecologically sustainable development (within the meaning of section 6 of the *Protection of the Environment Administration Act 1991*) by appropriate pricing policies that take account of all of the feasible options to protect the environment,

-
- No. 6 **Pricing of government monopoly services**
Page 41, clause 125 (2), line 40. Insert “or under the *Independent Pricing and Regulatory Tribunal Act 1992*” after “this Part”.
- No. 7 **Pricing of government monopoly services**
Page 41, clause 125 (2), line 41. Insert “or under the *Independent Pricing and Regulatory Tribunal Act 1992*” after “this Part”.
- No. 8 **Pricing of government monopoly services**
Page 41, clause 125 (3), line 42. Insert “or under the *Independent Pricing and Regulatory Tribunal Act 1992*” after “this Part”.
- No. 9 **Pricing of contracted services**
Page 42, clause 125. Insert after line 5:
- (7) A passenger service contract referred to in section 123 (2) is taken to include a term to the effect that the contract holder must not charge a passenger of the service a fare that exceeds the amount of the fare determined for the service under a fares order.
 - (8) Any contravention of the term implied in a passenger service contract by subsection (7) may be remedied at law or in equity as though the term were an essential term to which the parties had by contract agreed.
- No. 10 **Pricing of government monopoly services**
Page 42, clause 125 (8), line 8. Insert “(other than a service that is a government monopoly service under the *Independent Pricing and Regulatory Tribunal Act 1992*)” after “public passenger service”.
- No. 11 **Pricing of government monopoly services**
Page 85, Schedule 4.5, lines 15 and 16. Omit all words on those lines. Insert instead:
- Omit the matter relating to Sydney Ferries. Insert instead:
 - Sydney Ferries (but excluding any services provided by Sydney Ferries under a passenger service contract under the *Passenger Transport Act 2014*)
 - Sydney Trains
 - NSW Trains