

TRANSPORT (AMENDMENT) BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The following Bills are cognate with this Bill:

State Transport (Co-ordination) Amendment Bill 1987;

Transport (Division of Functions) Amendment Bill 1987.

The object of this Bill is to effect miscellaneous amendments to the Transport Act 1930, in so far as that Act regulates bus services within the Metropolitan, Newcastle and Wollongong Transport Districts established by that Act.

Clause 1 specifies the short title of the proposed Act.

Clause 2 gives effect to 2 Schedules of amendments to the Principal Act.

Schedule 1 (1) amends section 4 of the Principal Act in relation to the meaning of "public vehicle" for the purposes of the Act. The definition of that term, as substituted by Schedule 1 (1) (a)—

- (a) includes (in addition to vehicles already included in the definition) certain vehicles which, although not actually hired or chartered, are used to carry passengers in the course of trade or business; and
- (b) excludes vehicles of a class or description prescribed by the regulations.

In addition, proposed section 4 (3) is inserted to provide that a vehicle hired or otherwise used for a purpose such as the conveyance of goods does not become a public vehicle for the purposes of the Principal Act merely because it carries a passenger incidentally to the main purpose for which it is used.

Schedule 1 (2) omits section 12 (2) of the Principal Act as a consequence of the amendment made by Schedule 1 (4).

Schedule 1 (3) amends section 136 (4) of the Principal Act to make it clear that the holder of a provisional licence to operate a bus service does not have any right to the continuance of any benefit arising from that licence or any of its conditions.

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Schedule 1 (4) (a) amends section 137 of the Principal Act to provide that, of the matters to be taken into consideration by the Commissioner for Motor Transport in dealing with an application for a service licence, the public interest is to be paramount. The other matters to be considered are also specified in greater detail than they were previously (proposed section 137 (3)). In addition, section 137 (4) of the Principal Act is substituted so as to make clear—

- (a) the grounds on which an application for a service licence may be refused; and
- (b) that the Commissioner may, in a particular case, grant a provisional service licence to an applicant for a service licence.

Schedule 1 (4) (b) amends section 137 (5) of the Principal Act as a consequence of the substitution of section 137 (3).

Schedule 1 (4) (c) omits section 137 (6) of the Principal Act, the substance of which is now better stated in proposed section 137 (3) (g).

Schedule 1 (5) substitutes section 138 of the Principal Act and inserts a new section 138A. Under the substituted section 138—

- (a) the Commissioner—
 - (i) may, as part of the conditions of a service licence (and instead of or in addition to fixing fares in the usual way), allow the operator of a bus service to contract with a group of persons (e.g. the parents of school children) for regular conveyance; and
 - (ii) may, in the public interest, be a party to a contract of this sort with the operator of the service;
- (b) the Commissioner is required, in fixing fares (or approving any contractual arrangements) with respect to a service licence, to have regard to—
 - (i) the public interest;
 - (ii) the profitability of the operator's services as a whole (rather than the particular service concerned); and
 - (iii) the level of fares or rates prevailing in the industry; and
- (c) a licensee, as well as following the route described in the service licence, may make any departures or special journeys authorised by the Commissioner.

The new section 138A allows the Commissioner, in the public interest or at the request of the licensee, to vary the conditions of a current service licence.

Schedule 1 (6) amends section 142 of the Principal Act to enable a provisional service licence to be issued for any period up to 12 months, instead of the present maximum term of 6 months.

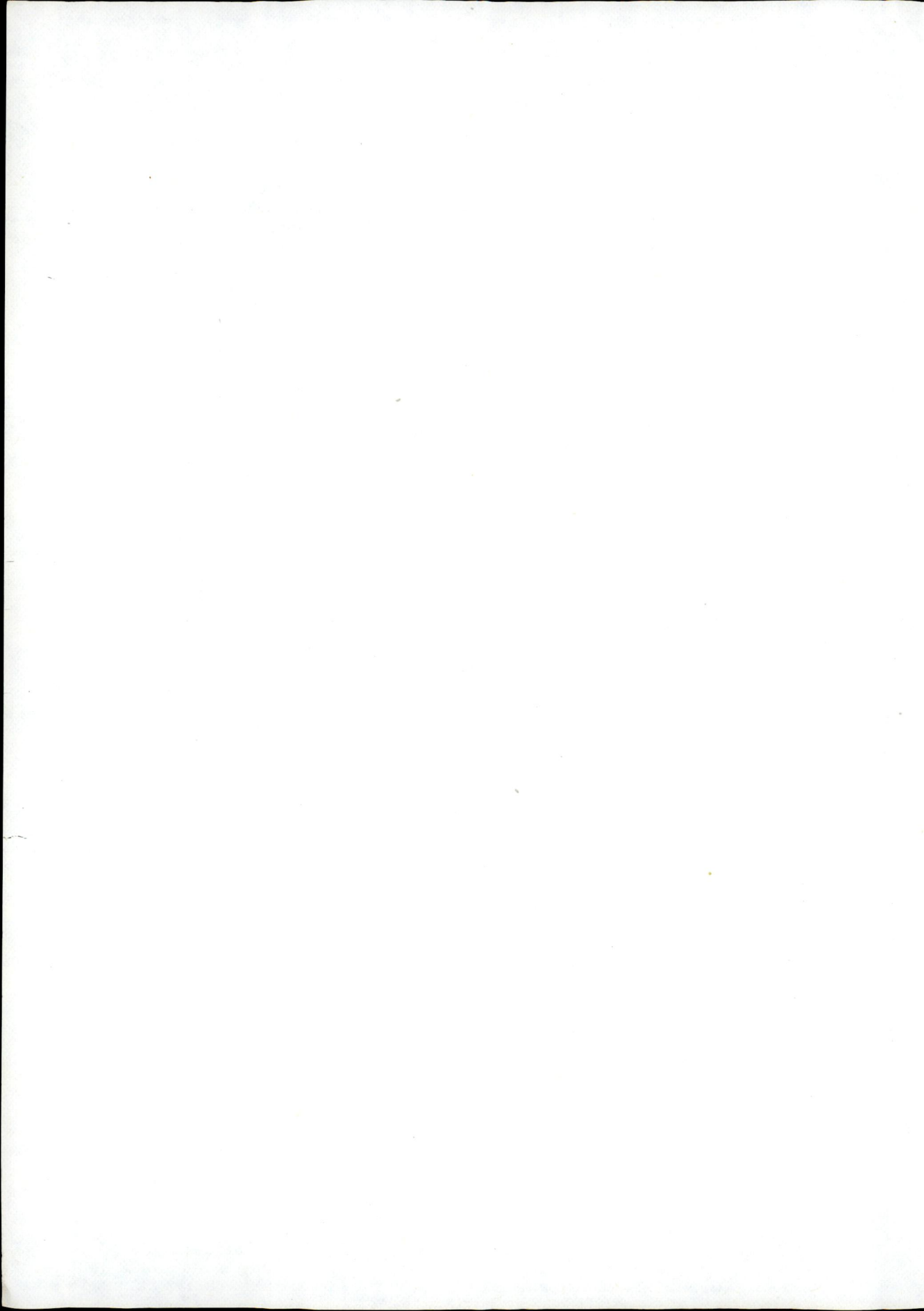
Schedule 1 (7) amends section 164 of the Principal Act in relation to the Commissioner's power to require information to be supplied by licensees or applicants for licences. The effect of the amendment is that, if the licensee or applicant operates or intends to operate several bus services, the information (particularly the financial information) required to be furnished to the Commissioner may be general (that is, relating to all the services) or particular (that is, relating to any one of them).

Schedule 1 (8) amends section 168 of the Principal Act to afford a right of appeal, to the Transport Appeal Court, to a licensee in the event that—

- (a) the conditions of a licence have been varied by the Commissioner; or
- (b) the Commissioner has refused to vary the conditions of a licence as requested by the licensee.

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Schedule 2 amends Part XIII of the Principal Act to delete references to the Transport Trusts, whose functions are now performed by the Commissioner, and (by Schedule 2 (9)) to repeal Division 5 of that Part, the provisions of which have ceased to have practical operation.



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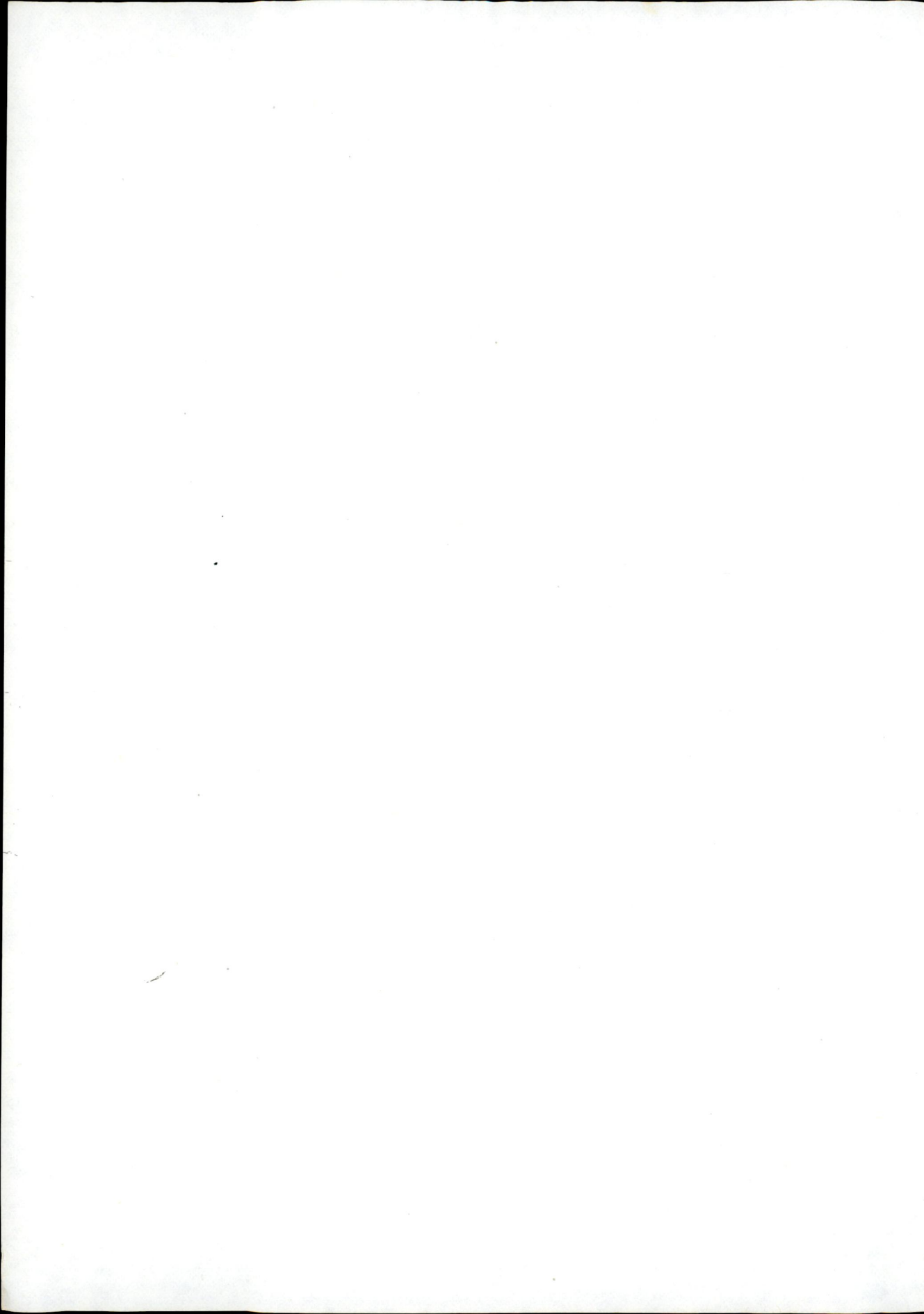


TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 18, 1930

SCHEDULE 1—AMENDMENTS RELATING TO SERVICE LICENCES

SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION



TRANSPORT (AMENDMENT) BILL 1987

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Transport Act 1930 with respect to the granting of service licences and the conditions to which those licences are subject.

See also State Transport (Co-ordination) Amendment Bill 1987; Transport (Division of Functions) Amendment Bill 1987.

*Transport (Amendment) 1987***The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Transport (Amendment) Act 1987.

Amendment of Act No. 18, 1930

2. The Transport Act 1930 is amended as set out in Schedules 1 and 2.

SCHEDULE 1—AMENDMENTS RELATING TO SERVICE LICENCES

(Sec. 2)

(1) Section 4 (Definitions)—

- (a) Section 4 (1), definition of “Public vehicle”—

Omit the definition, insert instead:

“Public vehicle” means a motor vehicle—

(a) used or let or intended to be used or let; or

(b) plying or travelling or standing in a public street,

for the conveyance of passengers for hire or for any consideration or in the course of any trade or business, but does not include a vehicle used or let as referred to in subsection (3) or a vehicle of any prescribed class or description.

- (b) Section 4 (3)—

After section 4 (2), insert:

(3) A vehicle which is used or let for hire or for any consideration for the conveyance of goods or for some other purpose is not, for the purposes of this Act, a public vehicle merely because, incidentally to the purpose for which it is used or let, it is used to convey any passenger.

(2) Section 12 (Supervision and regulation of road transport and bus services)—

Section 12 (2)—

Omit the subsection.

(3) Section 136 (Bus services)—

Section 136 (4)—

After “licence” where firstly and secondly occurring, insert “or provisional service licence”.

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SCHEDULE 1—AMENDMENTS RELATING TO SERVICE
LICENCES—*continued*

(4) Section 137 (**Service licence**)—

(a) Section 137 (3), (4)—

Omit the subsections, insert instead:

(3) In determining whether or not any application for a service licence should be granted, the Commissioner shall have regard primarily to the extent to which the service is necessary or desirable in the public interest, but shall also take into consideration (where applicable)—

(a) the suitability of the route on which a service may be provided under the licence;

(b) the extent, if any, to which the needs of the locality are already adequately served;

(c) the need to avoid unnecessary or wasteful competition or overlapping of services;

(d) the needs of the locality as a whole in relation to traffic and the co-ordination of all forms of transport, including transport by means other than by road;

(e) the condition and suitability of the roads to be traversed with regard to their capacity to carry the omnibuses involved in the service—

(i) without unreasonable damage to those roads;

(ii) without creating or intensifying conditions endangering the safety of persons or vehicles using those roads; and

(iii) without creating or intensifying conditions which interfere with the reasonable use of those roads by other traffic;

(f) the character, suitability and fitness of the applicant to hold the licence applied for;

(g) any directions given under section 38 of the Transport Authorities Act 1980; and

(h) any prescribed matters and any other matters the Commissioner considers relevant.

(4) The Commissioner—

(a) may refuse to grant a service licence pursuant to an application for such a licence if the Commissioner is of the opinion—

(i) that, having regard to such of the matters referred to in subsection (3) as appear relevant in relation to the application, a service licence should not be granted;

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 SCHEDULE 1—AMENDMENTS RELATING TO SERVICE LICENCES—*continued*

- (ii) that, in the public interest, a service licence in respect of the same or a similar route should be granted to another applicant; or
- 5 (iii) that, in the circumstances of the case, the application does not warrant investigation; or
- (b) may grant the applicant a provisional licence referred to in section 142, if for any reason the Commissioner is not satisfied that a service licence should be granted pursuant to the application.
- 10 (b) Section 137 (5)—
Omit “undue”, insert instead “unnecessary or wasteful”.
- (c) Section 137 (6)—
Omit the subsection.
- (5) Sections 138, 138A—
- 15 Omit section 138, insert instead:
Conditions of licence
138. (1) A service licence shall specify—
- (a) the route to be traversed;
- (b) the time-table to be observed;
- 20 (c) any fares to be charged or other arrangements for remuneration to be made; and
- (d) such other conditions as may be prescribed or as the Commissioner thinks fit to impose in the circumstances of the case.
- 25 (2) For the purpose of determining the fares to be charged, the Commissioner may divide a route into 2 or more sections and may, in the Commissioner’s discretion, determine through or minimum fares for the whole or any part of the journey.
- (3) For the purposes of subsection (1) (c), the Commissioner—
- 30 (a) may, instead of or in addition to determining fares, approve of an arrangement for the remuneration of the licensee, by passengers or by some person on their behalf, on a contractual basis that provides for—
- (i) a single payment in respect of the provision of a motor omnibus service to those passengers over a period or periods defined by the contract; or
- 35 (ii) periodic payments in respect of a service so provided; and

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 SCHEDULE 1—AMENDMENTS RELATING TO SERVICE LICENCES—*continued*

(b) may, if the Commissioner considers it to be in the public interest, be a party to such a contract with the licensee.

(4) The fares to be charged, or other arrangements for remuneration to be made, in respect of a route shall be determined by the Commissioner having regard to—

- (a) the public interest;
- (b) the operator's profitability in respect of the service and any other services in the same ownership; and
- (c) the general level of fares or other rates of remuneration applying to motor omnibus services.

(5) A service licence authorises traversal of the route specified in it and of—

(a) such extensions of or deviations from the route so specified; and

(b) such special journeys by any other route, as may be authorised from time to time by the Commissioner and notified in writing to the licensee.

Variation of conditions

138A. (1) If the Commissioner considers it to be in the public interest, the Commissioner may, by notice in writing to the licensee, vary the conditions of a service licence at any time during its currency.

(2) A licensee may, on application made in writing and accompanied by the determined fee (if any), request a variation of the conditions of the service licence, and the Commissioner—

- (a) may grant the variation and may endorse the licence accordingly; or
- (b) may refuse to grant the variation.

(3) The Commissioner shall not vary the conditions of a service licence in accordance with subsection (1) unless the Commissioner has afforded the licensee an opportunity to be heard as to any objection the licensee may have to the variation.

(4) The Commissioner shall not vary the conditions of a service licence in accordance with subsection (2) unless the Commissioner has first considered such of the matters referred to in section 137 (3) and (5) as may appear relevant.

(5) The conditions of a service licence may, for the purposes of this section, be varied by the addition, substitution or deletion of one or more conditions.

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 SCHEDULE 1—AMENDMENTS RELATING TO SERVICE LICENCES—*continued*
(6) Section 142 (**Provisional licences**)—

Section 142 (1)—

Omit “six”, insert instead “12”.

(7) Section 164 (**Inspection of plant etc.**)—

Section 164 (2)—

After “prescribed,” insert “in respect of all services provided or intended to be provided by the licensee or applicant (or, if the Commissioner so requires, in respect of any particular service)”.

(8) Section 168 (**Appeals from certain decisions of Commissioner**)—

Section 168 (1)—

Omit the subsection, insert instead:

(1) A licensee or an applicant for a licence who is aggrieved by any decision of the Commissioner with respect to—

(a) the issue, transfer, suspension, refusal, cancellation or revocation of a service licence;

(b) the amount of any annual service licence fee; or

(c) the conditions (other than any prescribed conditions) attached to a service licence, or any variation or proposed variation of them,

may appeal to the Transport Appeal Court.

SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION

(Sec. 2)

(1) Section 133 (2)—

Omit “Trust”, insert instead “Urban Transit Authority”.

(2) Section 134—

(a) Omit “A Trust constituted by or under this Act”, insert instead “The Commissioner”.

(b) Omit “the district of the Trust”, insert instead “any district”.

(c) Omit “the Trust” where secondly and thirdly occurring, insert instead “the Commissioner”.

(d) Omit “it”, insert instead “the Commissioner”.

(3) Section 136—

(a) Section 136 (2)—

Omit “Trust”, insert instead “Commissioner”.

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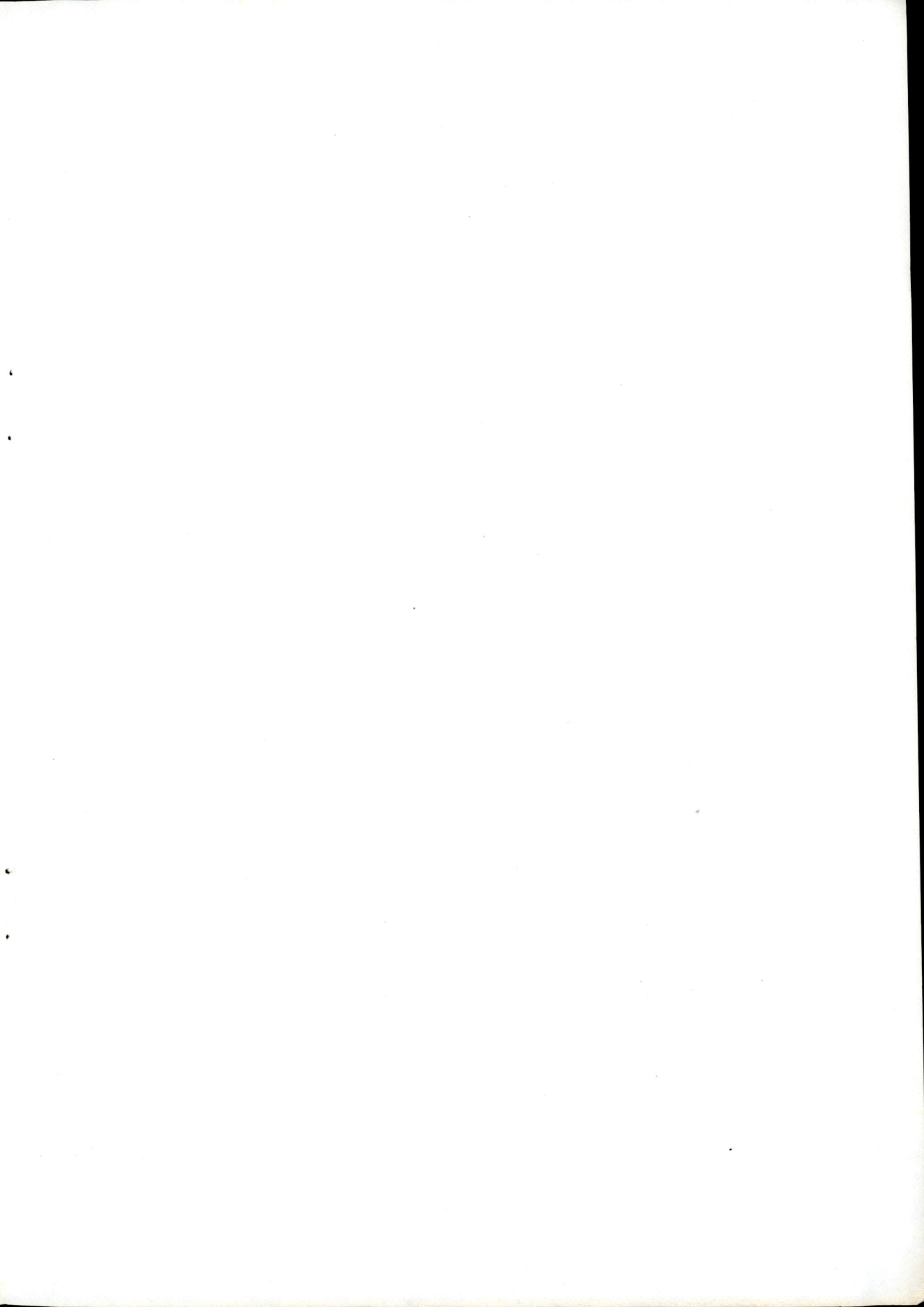
 SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION—
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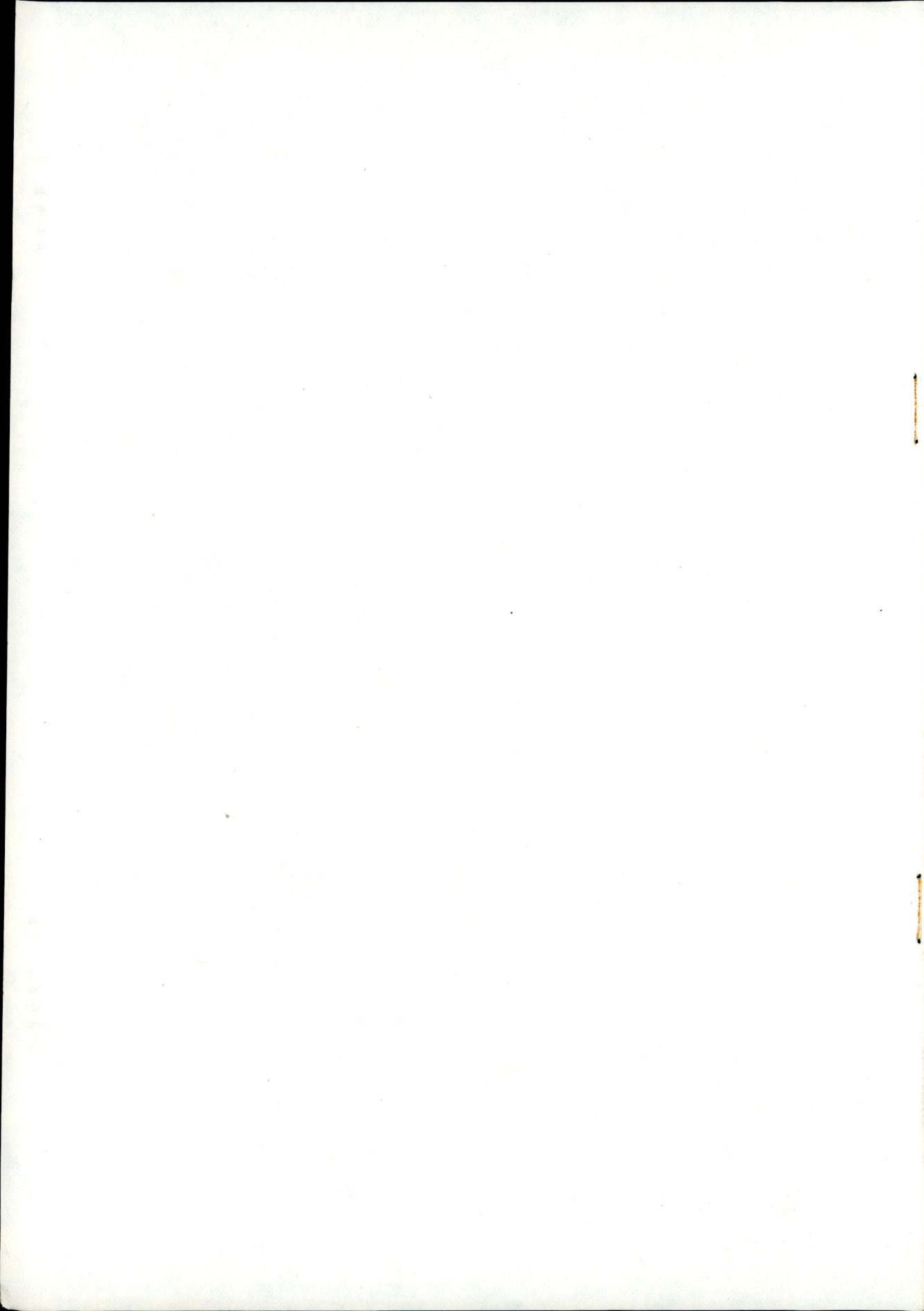
- (b) Section 136 (4)—
 Omit “Except to the extent provided in section 158, nothing”, insert instead “Nothing”.
- (4) Section 137—
- 5 (a) Section 137 (2), (5)—
 Omit “Trust” wherever occurring, insert instead “Commissioner”.
- (b) Section 137 (5)—
 Omit “Railway Commissioners and/or the Board, as the case may be”, insert instead “State Rail Authority or the Urban Transit Authority, as the case requires”.
- 10 (5) Sections 139–143, 145, 146—
 Omit “Trust” wherever occurring, insert instead “Commissioner”.
- (6) Section 142 (1)—
 Omit “its”, insert instead “the Commissioner’s”.
- 15 (7) Section 144—
 Omit “the district of a Trust”, insert instead “any district”.
- (8) Section 152—
- (a) Section 152 (1), (3), (6), (8), (11), (13)—
 Omit “Trust” wherever occurring, insert instead “Commissioner”.
- 20 (b) Section 152 (5)—
 Omit “a Trust”, insert instead “the Commissioner”.
- (c) Section 152 (5)—
 Omit “the district of the Trust”, insert instead “any district”.
- (d) Section 152 (6)—
 Omit “it”, insert instead “the Commissioner”.
- 25 (9) Part XIII, Division 5 (sections 157–163)—
 Omit the Division.
- (10) Section 164—
- (a) Section 164 (1)—
 Omit “A Trust, or any member thereof”, insert instead “The Commissioner”.
- 30 (b) Section 164 (1)—
 Omit “the district of the Trust”, insert instead “any district”.
- (c) Section 164 (1)—
 Omit “the Trust” where secondly and thirdly occurring, insert instead “the Commissioner”.
- 35 (d) Section 164 (2)—
 Omit “A Trust”, insert instead “The Commissioner”.
- (e) Section 164 (2)—
 Omit “its”, insert instead “the Commissioner’s”.

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SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION—
continued

- (f) Section 164 (2)—
Omit “the Trust” wherever occurring, insert instead “the Commissioner”.
- (11) Section 165—
 - (a) Omit “it”, insert instead “the Commissioner”.
 - 5 (b) Omit “a Trust”, insert instead “the Commissioner”.
 - (c) Omit “the Trust”, insert instead “the Commissioner”.
- (12) Section 166—
 - (a) Section 166 (1)—
Omit “A Trust”, insert instead “The Commissioner”.
 - 10 (b) Section 166 (1)—
Omit “its”, insert instead “a”.
- (13) Section 168 (5)—
Omit “Trust”, insert instead “Commissioner”.





TRANSPORT (AMENDMENT) ACT 1987 No. 296

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 18, 1930

SCHEDULE 1—AMENDMENTS RELATING TO SERVICE LICENCES

SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION

THE STATE OF TEXAS, COUNTY OF DALLAS

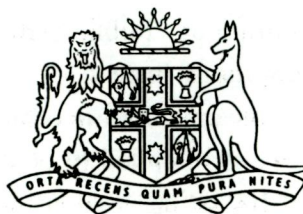
Know all men by these presents, that _____

of the County of Dallas, State of Texas, do hereby certify that _____

is the true and correct copy of the _____
as the same appears from the _____
of the _____
of the _____
of the _____

TRANSPORT (AMENDMENT) ACT 1987 No. 296

NEW SOUTH WALES



Act No. 296, 1987

An Act to amend the Transport Act 1930 with respect to the granting of service licences and the conditions to which those licences are subject.
[Assented to 16 December 1987]

See also State Transport (Co-ordination) Amendment Act 1987; Transport (Division of Functions) Amendment Act 1987.

Transport (Amendment) 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Transport (Amendment) Act 1987.

Amendment of Act No. 18, 1930

2. The Transport Act 1930 is amended as set out in Schedules 1 and 2.
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SCHEDULE 1—AMENDMENTS RELATING TO SERVICE LICENCES

(Sec. 2)

(1) Section 4 (**Definitions**)—

- (a) Section 4 (1), definition of “Public vehicle”—

Omit the definition, insert instead:

“Public vehicle” means a motor vehicle—

(a) used or let or intended to be used or let; or

(b) plying or travelling or standing in a public street,

for the conveyance of passengers for hire or for any consideration or in the course of any trade or business, but does not include a vehicle used or let as referred to in subsection (3) or a vehicle of any prescribed class or description.

- (b) Section 4 (3)—

After section 4 (2), insert:

(3) A vehicle which is used or let for hire or for any consideration for the conveyance of goods or for some other purpose is not, for the purposes of this Act, a public vehicle merely because, incidentally to the purpose for which it is used or let, it is used to convey any passenger.

- (2) Section 12 (**Supervision and regulation of road transport and bus services**)—

Section 12 (2)—

Omit the subsection.

- (3) Section 136 (**Bus services**)—

Section 136 (4)—

After “licence” where firstly and secondly occurring, insert “or provisional service licence”.

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SCHEDULE 1—AMENDMENTS RELATING TO SERVICE
LICENCES—*continued*

(4) Section 137 (**Service licence**)—

(a) Section 137 (3), (4)—

Omit the subsections, insert instead:

(3) In determining whether or not any application for a service licence should be granted, the Commissioner shall have regard primarily to the extent to which the service is necessary or desirable in the public interest, but shall also take into consideration (where applicable)—

- (a) the suitability of the route on which a service may be provided under the licence;
- (b) the extent, if any, to which the needs of the locality are already adequately served;
- (c) the need to avoid unnecessary or wasteful competition or overlapping of services;
- (d) the needs of the locality as a whole in relation to traffic and the co-ordination of all forms of transport, including transport by means other than by road;
- (e) the condition and suitability of the roads to be traversed with regard to their capacity to carry the omnibuses involved in the service—
 - (i) without unreasonable damage to those roads;
 - (ii) without creating or intensifying conditions endangering the safety of persons or vehicles using those roads; and
 - (iii) without creating or intensifying conditions which interfere with the reasonable use of those roads by other traffic;
- (f) the character, suitability and fitness of the applicant to hold the licence applied for;
- (g) any directions given under section 38 of the Transport Authorities Act 1980; and
- (h) any prescribed matters and any other matters the Commissioner considers relevant.

(4) The Commissioner—

- (a) may refuse to grant a service licence pursuant to an application for such a licence if the Commissioner is of the opinion—
 - (i) that, having regard to such of the matters referred to in subsection (3) as appear relevant in relation to the application, a service licence should not be granted;

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 SCHEDULE 1—AMENDMENTS RELATING TO SERVICE LICENCES—*continued*

- (ii) that, in the public interest, a service licence in respect of the same or a similar route should be granted to another applicant; or
 - (iii) that, in the circumstances of the case, the application does not warrant investigation; or
 - (b) may grant the applicant a provisional licence referred to in section 142, if for any reason the Commissioner is not satisfied that a service licence should be granted pursuant to the application.
- (b) Section 137 (5)—
Omit “undue”, insert instead “unnecessary or wasteful”.
- (c) Section 137 (6)—
Omit the subsection.
- (5) Sections 138, 138A—
Omit section 138, insert instead:

Conditions of licence

138. (1) A service licence shall specify—

 - (a) the route to be traversed;
 - (b) the time-table to be observed;
 - (c) any fares to be charged or other arrangements for remuneration to be made; and
 - (d) such other conditions as may be prescribed or as the Commissioner thinks fit to impose in the circumstances of the case.

(2) For the purpose of determining the fares to be charged, the Commissioner may divide a route into 2 or more sections and may, in the Commissioner’s discretion, determine through or minimum fares for the whole or any part of the journey.

(3) For the purposes of subsection (1) (c), the Commissioner—

 - (a) may, instead of or in addition to determining fares, approve of an arrangement for the remuneration of the licensee, by passengers or by some person on their behalf, on a contractual basis that provides for—
 - (i) a single payment in respect of the provision of a motor omnibus service to those passengers over a period or periods defined by the contract; or
 - (ii) periodic payments in respect of a service so provided; and

SCHEDULE 1—AMENDMENTS RELATING TO SERVICE
LICENCES—*continued*

- (b) may, if the Commissioner considers it to be in the public interest, be a party to such a contract with the licensee.
- (4) The fares to be charged, or other arrangements for remuneration to be made, in respect of a route shall be determined by the Commissioner having regard to—
 - (a) the public interest;
 - (b) the operator's profitability in respect of the service and any other services in the same ownership; and
 - (c) the general level of fares or other rates of remuneration applying to motor omnibus services.
- (5) A service licence authorises traversal of the route specified in it and of—
 - (a) such extensions of or deviations from the route so specified; and
 - (b) such special journeys by any other route,as may be authorised from time to time by the Commissioner and notified in writing to the licensee.

Variation of conditions

- 138A. (1) If the Commissioner considers it to be in the public interest, the Commissioner may, by notice in writing to the licensee, vary the conditions of a service licence at any time during its currency.
- (2) A licensee may, on application made in writing and accompanied by the determined fee (if any), request a variation of the conditions of the service licence, and the Commissioner—
 - (a) may grant the variation and may endorse the licence accordingly; or
 - (b) may refuse to grant the variation.
 - (3) The Commissioner shall not vary the conditions of a service licence in accordance with subsection (1) unless the Commissioner has afforded the licensee an opportunity to be heard as to any objection the licensee may have to the variation.
 - (4) The Commissioner shall not vary the conditions of a service licence in accordance with subsection (2) unless the Commissioner has first considered such of the matters referred to in section 137 (3) and (5) as may appear relevant.
 - (5) The conditions of a service licence may, for the purposes of this section, be varied by the addition, substitution or deletion of one or more conditions.

Transport (Amendment) 1987

SCHEDULE 1—AMENDMENTS RELATING TO SERVICE
LICENCES—*continued*

- (6) Section 142 (**Provisional licences**)—
Section 142 (1)—
Omit “six”, insert instead “12”.
- (7) Section 164 (**Inspection of plant etc.**)—
Section 164 (2)—
After “prescribed,”, insert “in respect of all services provided or intended to be provided by the licensee or applicant (or, if the Commissioner so requires, in respect of any particular service)”.
- (8) Section 168 (**Appeals from certain decisions of Commissioner**)—
Section 168 (1)—
Omit the subsection, insert instead:
- (1) A licensee or an applicant for a licence who is aggrieved by any decision of the Commissioner with respect to—
 - (a) the issue, transfer, suspension, refusal, cancellation or revocation of a service licence;
 - (b) the amount of any annual service licence fee; or
 - (c) the conditions (other than any prescribed conditions) attached to a service licence, or any variation or proposed variation of them,
 may appeal to the Transport Appeal Court.
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SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION

(Sec. 2)

- (1) Section 133 (2)—
Omit “Trust”, insert instead “Urban Transit Authority”.
- (2) Section 134—
- (a) Omit “A Trust constituted by or under this Act”, insert instead “The Commissioner”.
 - (b) Omit “the district of the Trust”, insert instead “any district”.
 - (c) Omit “the Trust” where secondly and thirdly occurring, insert instead “the Commissioner”.
 - (d) Omit “it”, insert instead “the Commissioner”.
- (3) Section 136—
- (a) Section 136 (2)—
Omit “Trust”, insert instead “Commissioner”.

Transport (Amendment) 1987

 SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION—
continued

- (b) Section 136 (4)—
Omit “Except to the extent provided in section 158, nothing”, insert instead “Nothing”.
- (4) Section 137—
 - (a) Section 137 (2), (5)—
Omit “Trust” wherever occurring, insert instead “Commissioner”.
 - (b) Section 137 (5)—
Omit “Railway Commissioners and/or the Board, as the case may be”, insert instead “State Rail Authority or the Urban Transit Authority, as the case requires”.
- (5) Sections 139–143, 145, 146—
Omit “Trust” wherever occurring, insert instead “Commissioner”.
- (6) Section 142 (1)—
Omit “its”, insert instead “the Commissioner’s”.
- (7) Section 144—
Omit “the district of a Trust”, insert instead “any district”.
- (8) Section 152—
 - (a) Section 152 (1), (3), (6), (8), (11), (13)—
Omit “Trust” wherever occurring, insert instead “Commissioner”.
 - (b) Section 152 (5)—
Omit “a Trust”, insert instead “the Commissioner”.
 - (c) Section 152 (5)—
Omit “the district of the Trust”, insert instead “any district”.
 - (d) Section 152 (6)—
Omit “it”, insert instead “the Commissioner”.
- (9) Part XIII, Division 5 (sections 157–163)—
Omit the Division.
- (10) Section 164—
 - (a) Section 164 (1)—
Omit “A Trust, or any member thereof”, insert instead “The Commissioner”.
 - (b) Section 164 (1)—
Omit “the district of the Trust”, insert instead “any district”.
 - (c) Section 164 (1)—
Omit “the Trust” where secondly and thirdly occurring, insert instead “the Commissioner”.
 - (d) Section 164 (2)—
Omit “A Trust”, insert instead “The Commissioner”.
 - (e) Section 164 (2)—
Omit “its”, insert instead “the Commissioner’s”.

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SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION—
continued

- (f) Section 164 (2)—
Omit “the Trust” wherever occurring, insert instead “the Commissioner”.
- (11) Section 165—
 - (a) Omit “it”, insert instead “the Commissioner”.
 - (b) Omit “a Trust”, insert instead “the Commissioner”.
 - (c) Omit “the Trust”, insert instead “the Commissioner”.
- (12) Section 166—
 - (a) Section 166 (1)—
Omit “A Trust”, insert instead “The Commissioner”.
 - (b) Section 166 (1)—
Omit “its”, insert instead “a”.
- (13) Section 168 (5)—
Omit “Trust”, insert instead “Commissioner”.

