

COMMONWEALTH MOTOR OMNIBUS SERVICES

No. 42 of 1970

An Ordinance to amend the *Commonwealth Motor Omnibus Services Ordinance 1955-1966*.

1.—(1.) This Ordinance may be cited as the *Commonwealth Motor Omnibus Services Ordinance 1970*.*

Short title
and citation.

(2.) The *Commonwealth Motor Omnibus Services Ordinance 1955-1966*† is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Commonwealth Motor Omnibus Services Ordinance 1955-1970*.

2.—(1.) Sections 1, 2 and 6 of this Ordinance shall come into operation on the day on which the notification of the making of this Ordinance is published in the *Gazette*.

Commence-
ment.

(2.) The remaining provisions of this Ordinance shall come into operation on a date to be fixed by the Minister by notice published in the *Gazette*.‡

3. Section 2 of the Principal Ordinance is amended by inserting after the definition of “Commonwealth Motor Omnibus Service” the following definitions:—

Definitions.

“ ‘motor omnibus’ or ‘omnibus’ means a motor omnibus employed in a Commonwealth Motor Omnibus Service;

‘section sign’ means a sign the painting or marking of which has been, or is to be deemed to have been, authorized under paragraph (a) of sub-section (1.) of section 4A of this Ordinance;

‘stopping place’ means a place at which there is a sign the painting or marking of which has been, or is to be deemed to have been, authorized under paragraph (b) of sub-section (1.) of section 4A of this Ordinance. ”.

* Made on 22 October 1970; notified in the *Commonwealth Gazette* on 29 October 1970.

† Ordinance No. 12, 1955, as amended by No. 21, 1959; No. 21, 1964; and No. 19, 1966.

‡ The date fixed was 16 November 1970; see *Commonwealth Gazette* 12 November 1970, p. 7530.

4. After section 3 of the Principal Ordinance the following sections are inserted:—

Fares.

“ 4.—(1.) The regulations may make provisions for or in relation to the fares to be charged on a Commonwealth motor omnibus service.

“ (2.) Without limiting the generality of the last preceding subsection, the regulations may—

(a) provide that—

(i) the fare to be charged in respect of a journey on a Commonwealth motor omnibus service is a fare based on the number of sections of which the journey consists; or

(ii) the fare to be charged in respect of a journey on a specified Commonwealth motor omnibus service is a fare specified in, or ascertained in accordance with, the regulations;

(b) provide that the fare to be charged in respect of a journey on a Commonwealth motor omnibus service by a person having a specified description is a fare specified in, or ascertained in accordance with, the regulations being a fare that is less than the fare otherwise payable; and

(c) provide that persons included in a specified class of persons are, in accordance with specified conditions, exempt from the payment of fares.

Section signs
and stopping
places.

“ 4A.—(1.) The Minister may, for the purposes of this Ordinance—

(a) authorize the painting or marking on a shed, post or notice board placed, by the authority of the Minister, at the side of a road on a route taken by an omnibus of a sign, in a form approved by the Minister, consisting of the word ‘ Section ’; and

(b) authorize the painting or marking on a shed, post or notice board placed, by the authority of the Minister, at the side of a road on a route taken by an omnibus of a sign, in a form approved by the Minister, consisting of the words ‘ Bus Stop ’ or ‘ Signal Bus ’.

“ (2.) Where—

(a) immediately, before the commencement of this section, a sign consisting of the word ‘ Section ’ is painted or marked on a shed, post or notice board placed at the side of a road on a route taken by an omnibus; and

(b) the sign is in a form approved by the Minister for the purposes of paragraph (a) of the last preceding subsection,

the painting or marking of the sign shall be deemed to have been authorized by the Minister under that paragraph.

“(3.) Where—

- (a) immediately before the commencement of this section, a sign consisting of the words ‘Bus Stop’ or ‘Signal Bus’ is painted or marked on a shed, post or road on a route taken by an omnibus; and
- (b) the sign is in a form approved by the Minister for the purposes of paragraph (b) of sub-section (1.) of this section,

the painting or marking of the sign shall be deemed to have been authorized by the Minister under that paragraph.

“(4.) Subject to the next succeeding sub-section, the Minister shall not authorize the placing of any two successive section signs on any route taken by an omnibus if the distance between them will be less than one mile.

“(5.) The last preceding sub-section does not prevent the Minister giving an authority that any two successive section signs on any one route taken by an omnibus be so placed that the distance between them is less than one mile if—

(a) the distance between—

- (i) the first of those two successive section signs; and
- (ii) the first succeeding section sign placed after the second of those two successive section signs; or

(b) the distance between—

- (i) the last preceding section sign placed before the first of those two successive section signs; and
 - (ii) the second of those two successive section signs,
- is not less than two miles.

“(6.) Except on a road, or part of a road, specified in the regulations, the Minister shall not give an authority for the placing of a section sign elsewhere than at a stopping place.

“(7.) Where a road or part of a road forms part of a route taken by two or more omnibuses, the Minister may, in giving an authority for the placing of a section sign on that road or part of that road, direct that the section sign shall include an indication with respect to the route or routes for which it is a section sign and, where a section sign includes such an indication, the section sign is a section sign only for the route or routes so indicated.

“4B.—(1.) For the purposes of this Ordinance, the number of sections of which the journey on an omnibus consists is—

Number of sections in a journey.

- (a) where the omnibus does not, during the journey, pass any section sign—one; and
- (b) in any other case—the number of section signs passed by the omnibus during the journey plus one.

“(2.) Where a passenger commences or ends a journey at a bus stop at which there is a section sign, that section sign shall not be taken into account in determining the number of sections of which the journey consists.

Monthly tickets.

“4c.—(1.) The Minister may make such arrangements as he considers necessary for the sale of monthly tickets for use on Commonwealth motor omnibus services.

“(2.) The price payable for a monthly ticket is that specified in the regulations.

“(3.) A person who has purchased a monthly ticket is, on production of that ticket to the driver or conductor of an omnibus, entitled, at any time during the month of the year to which the ticket is expressed to be applicable, to travel without payment of the fare otherwise applicable.

“(4.) A person shall not for the purposes of avoiding payment of the fare for a journey on an omnibus use a monthly ticket not being a monthly ticket purchased by him.

Penalty: Fifty dollars.

Sections signs and bus stops deemed to have been erected with authority.

“4d. Unless the contrary is proved—

- (a) evidence in any proceedings that a sign consisting of a word ‘Section’ is painted or marked on a shed, post or notice board placed at the side of a road on a route taken by an omnibus is evidence that the sign is a section stop, that the section sign is in a form approved by the Minister and that the shed, post or notice board on which it is placed has been placed by the authority of the Minister; and
- (b) evidence in any proceeding that a sign consisting of the words ‘Bus Stop’ or the words ‘Signal Bus’ painted or marked on a shed, post or notice board placed at the side of a road on a route taken by an omnibus is evidence that the sign is a stopping place, that the sign is in a form approved by the Minister and that the shed, post or notice board was placed at the place at which it is by the authority of the Minister.”.

Regulations.

5. Section 7 of the Principal Ordinance is amended by omitting paragraph (a).

6. At any time after the notification of the making of this Ordinance is published in the *Gazette* and before the date fixed under sub-section (2.) of section 2 of this Ordinance, regulations may be made under the Principal Ordinance as amended by this Ordinance as if the provisions of this Ordinance referred to in that sub-section had come into operation on the date on which notification of the making of this Ordinance is published in the *Gazette*, but regulations so made shall not come into operation before the date fixed under that sub-section.

Making of regulations.