



ANNO TRICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1986

No. 63 of 1986

An Act to amend the Metropolitan Taxi-Cab Act, 1956.

[Assented to 6 November 1986]

The Parliament of South Australia enacts as follows:

1. (1) This Act may be cited as the “Metropolitan Taxi-Cab Act Amendment Act, 1986”. Short title.

(2) The Metropolitan Taxi-Cab Act, 1956, is in this Act referred to as “the principal Act”.

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section 4 of the principal Act is amended by striking out subsections (2) to (6) and substituting the following subsections: Amendment of s. 4—
Constitution of board.

(2) The board shall consist of seven members, appointed by the Governor, of whom—

- (a) one shall be a councillor of the Adelaide City Council nominated at the request of the Minister by that council;
- (b) one shall be a councillor of a constituent council nominated at the request of the Minister by the Local Government Association of South Australia Incorporated;
- (c) two shall be persons (one of whom shall be the holder of a taxi-cab driver’s licence) nominated at the request of the Minister by a body or bodies representing the interests of persons engaged in the metropolitan taxi-cab industry;

and

(d) three shall be persons nominated by the Minister—

- (i) one of whom shall be a person who has, in the opinion of the Minister, appropriate knowledge and experience of the transport industry;

(ii) one of whom shall be a person who has, in the opinion of the Minister, appropriate knowledge and experience of the tourism industry;

and

(iii) one of whom shall be a person who has, in the opinion of the Minister, appropriate knowledge and experience of industrial relations.

(3) Where the Minister, by written notice, requests a body to make a nomination for the purposes of subsection (2) and the body fails to make a nomination within the time allowed by the Minister, the Minister may nominate a person for appointment to the board and such an appointment shall be deemed to have been made in accordance with subsection (2).

(4) The Governor may appoint a person to be a deputy of a member and the deputy may, in the absence of that member, act as a member of the board.

(5) The provisions of this section as to the qualifications and nominations required for the appointment of members extend to the appointment of deputies.

(6) On the commencement of the Metropolitan Taxi-Cab Act Amendment Act, 1986, all members of the board shall vacate their respective offices for the purpose of enabling new appointments to those offices to be made.

Repeal of s. 5 and substitution of new sections.

Responsibilities and functions of the board.

4. Section 5 of the principal Act is repealed and the following sections are substituted:

4a. The responsibilities and functions of the board are—

(a) to promote and control the metropolitan taxi-cab industry with a view to ensuring—

(i) the provision of an effective and efficient service to the public (in particular, in meeting the requirements of tourists);

and

(ii) the safety of the public and taxi-cab drivers,

and to encourage and assist any changes in the industry conducive to the achievement of those goals;

(b) to keep under review and to report to the Minister on the operation of the metropolitan taxi-cab industry (including the economic aspects of its operation and its relationship to other public transport services);

(c) to advise the Minister, of its own motion or at the request of the Minister, on any matter that relates to the metropolitan taxi-cab industry;

(d) to perform the functions assigned to it under this Act.

Term of office.

5. A member shall be appointed for such term not exceeding 4 years as the Governor determines and is, on the expiration of a term of appointment, eligible for reappointment.

5. Section 6 of the principal Act is amended—
- (a) by striking out paragraph (d) from subsection (1) and substituting the following paragraph:
- (d) if the member ceases to satisfy a qualification for nomination by virtue of which the member was appointed;;
- (b) by striking out from subsection (2) “elected or” wherever occurring.
6. Section 7 of the principal Act is amended—
- (a) by striking out “elected or”;
- (b) by striking out “paragraph I or II of subsection (2) of section 4” and substituting “section 4 (2) (a) or (b)”.
7. Section 8 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:
- (1) The Governor shall appoint a member of the board to be the chairman of the board.
8. Section 9 of the principal Act is amended—
- (a) by striking out from subsection (1) “elected or”;
- and
- (b) by striking out from subsection (2) “election or”.
9. Section 10 of the principal Act is repealed.
- Amendment of s. 6—
Casual vacancies.
- Amendment of s. 7—
Disqualification of certain members.
- Amendment of s. 8—
Chairman.
- Amendment of s. 9—
Notice of appointment.
- Repeal of s. 10.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor