



Australian Capital Territory

Regulations 1990 No. 16¹

Taxi and Private Hire Car Regulations² (Amendment)

The Australian Capital Territory Executive hereby makes the following Regulations under the *Motor Traffic Act 1936*.

Dated 8 November 1990.

CRAIG DUBY
Minister

BERNARD COLLAERY
Minister

Principal Regulations

1. In these Regulations, “Principal Regulations” means the Taxi and Private Hire Car Regulations.

Interpretation

2. Regulation 4 of the Principal Regulations is amended by adding at the end the following subregulation:

“(4) In these Regulations a reference to the holder of a taxi or private hire car licence (however described) includes a reference to a person referred to in paragraph 31 (3) (b) of the Act.”.

Substitution

3. Regulation 9 of the Principal Regulations is repealed and the following regulation substituted:

Taxis not to be driven by unauthorised persons

“9. (1) The licensee or driver of a taxi or private hire car shall not permit a person who is not licensed to drive a vehicle of that class to act as the driver of the vehicle in a public street.

“(2) The driver of a taxi or private hire car shall not, without the consent of the licensee, permit a person to act in his or her stead as the driver of the vehicle in a public street.”.

Licensees to produce licences to Registrar

4. Regulation 40 of the Principal Regulations is amended—

- (a) by omitting from subregulation (1) “owner” and substituting “licensee”;
- (b) by omitting from subregulation (2) “An owner” and substituting “A licensee”; and
- (c) by adding at the end the following subregulation:

“(3) In this regulation—

‘licensee’ does not include a person referred to in paragraph 31 (3) (b) of the Act.”.

Production of certificates or licences to employees

5. Regulation 41 of the Principal Regulations is amended by adding at the end “or a copy of the notice referred to in paragraph 31 (3) (b) of the Act”.

Labels to be affixed to vehicles not registered under Act

6. Regulation 43 of the Principal Regulations is amended by omitting from subregulation (2) “owner” and substituting “person to whom the label was issued”.

Taking charge of vehicle where driver arrested

7. Regulation 44 of the Principal Regulations is amended by adding at the end “or licensee”.

Further amendments

8. The Principal Regulations are amended as set out in Schedule 1.

Formal amendments relating to gender

9. The provisions of the Principal Regulations specified in Schedule 2 are amended—

- (a) by inserting “or her” after “his” (wherever occurring);
 - (b) by inserting “or herself” after “himself” (wherever occurring);
 - (c) by inserting “or her” after “him” (wherever occurring); and
 - (d) by inserting “or she” after “he” (wherever occurring).
-

SCHEDULE 1

Regulation 8

FURTHER AMENDMENTS**Regulation 25—**

Omit “the owner or the”, substitute “a person who is the licensee or”.

Subregulations 37 (1) and (3)—

Omit “The driver or owner”, substitute “A person who is the licensee or driver”.

Regulation 42—

Omit “The driver or owner”, substitute “A person who is the licensee or driver”.

SCHEDULE 2

Regulation 9

Paragraphs 5 (a) and 6 (b), subregulations 13 (1) and (2), paragraph 14 (1) (a), subregulations 16 (2), 18 (2) and 19A (1) and (4), paragraphs 24 (7) (a) and (b), subregulations 24 (8) and 28 (1), paragraph 28 (1) (a), subregulations 28 (2), 29 (1), (2), (3) and (4) and 31 (2), paragraph 39 (b), subregulations 40 (1) and (2), regulations 41 and 45, paragraph 46 (a) and regulation 51.

NOTES

1. Notified in the ACT Gazette on 15 November 1990.
2. Regulations 1956 No. 2 as amended to date. For previous amendments see Note 2 to Regulations 1990 No. 7 and see also 1990 No. 7.