



New South Wales

Passenger Transport Amendment (Kings Cross Taxi Fare Pre-payment) Regulation 2012

under the

Passenger Transport Act 1990

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Passenger Transport Act 1990*.

GLADYS BEREJIKLIAN, MP
Minister for Transport

Explanatory note

The object of this Regulation is to amend the *Passenger Transport Regulation 2007* as follows:

- (a) to provide for a trial for 12 months of a taxi fare pre-payment scheme for taxi-cabs which are hired by passengers at specified taxi zones in Kings Cross on or after 9.00 pm on a Friday or Saturday night or other designated night and before 6.00 am the next morning,
- (b) to provide for offences, and penalty notices for offences, relating to payment of fares and deposits under that scheme,
- (c) to extend the Central Coast taxi fare pre-payment scheme for taxi-cabs until the end of the Kings Cross trial.

This Regulation is made under the *Passenger Transport Act 1990*, including sections 59 and 63 (the general regulation-making power).

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Clause 1 Passenger Transport Amendment (Kings Cross Taxi Fare Pre-payment)
Regulation 2012

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Fare Pre-payment) Regulation 2012**

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1 Name of Regulation

This Regulation is the *Passenger Transport Amendment (Kings Cross
Taxi Fare Pre-payment) Regulation 2012*.

2 Commencement

This Regulation commences on 12 October 2012 and is required to be
published on the NSW legislation website.

Schedule 1 Amendment of Passenger Transport Regulation 2007

[1] Clause 146 Driver of taxi-cab to accept hiring

Insert “or 163B” after “clause 163A” in clause 146 (2) (i).

[2] Clause 161 Operation of meter by taxi-cab driver

Insert “or 163B” after “clause 163A” in clause 161 (3).

[3] Clause 163A Central Coast pre-payment trial

Omit “on the first anniversary of the commencement of this clause” from clause 163A (11).

Insert instead “on 13 October 2013”.

[4] Clause 163B

Insert after clause 163A:

163B Kings Cross pre-payment trial

- (1) This clause applies to the hiring of a taxi-cab at the following taxi zones, if the hiring commences on or after 9.00 pm on a Friday or Saturday night or a designated night and before 6.00 am on the following day:
 - (a) the taxi zone adjacent to 28 Darlinghurst Road, Kings Cross,
 - (b) the taxi zone adjacent to 33 Bayswater Road, Rushcutters Bay.
- (2) The driver of a taxi-cab may, before a hiring starts or at any time during a hiring, require the hirer to pay a deposit of not more than an amount equal to the driver’s reasonable estimate of the authorised fare for the proposed journey or the agreed fare (if agreed in accordance with clause 163 (1)).
- (3) A driver who receives payment of a deposit or an agreed fare under this clause must, on the request of the hirer, give the hirer a receipt for the deposit.
Maximum penalty: 5 penalty units.

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- (4) A driver who receives payment of a deposit based on an estimate of the authorised fare under this clause must, on the termination of the hiring (or on the hirer leaving the taxi-cab in compliance with a direction to do so), refund to the hirer any amount by which the deposit exceeds the authorised fare for the journey.
Maximum penalty: 10 penalty units.
- (5) After the termination of a hiring (or on leaving the taxi-cab in compliance with a direction to do so), a hirer who paid a deposit based on an estimate of the authorised fare under this clause must pay to the driver of the taxi-cab the amount (if any) by which the authorised fare for the hiring exceeds the deposit.
Maximum penalty: 10 penalty units.
- (6) A driver of a taxi-cab must not require a deposit or an agreed fare to be paid before or during a hiring if the hirer informs the driver that payment of the fare is to be made partly by a voucher under the Taxi Transport Subsidy Scheme.
Maximum penalty: 10 penalty units.
- (7) Clause 163 (2) does not apply if a deposit is paid under this clause.
- (8) An authorised taxi-cab network provider or the operator of a taxi-cab must furnish to the Director-General such information as the Director-General may reasonably require for the purpose of monitoring or assessing the pre-payment trial established by this clause.
Maximum penalty: 5 penalty units.
- (9) In this clause:
designated night means any of the following:
- (a) Sunday 23 December 2012,
 - (b) Monday 24 December 2012,
 - (c) Sunday 30 December 2012,
 - (d) Monday 31 December 2012,
 - (e) Sunday 27 January 2013,
 - (f) Thursday 28 March 2013,
 - (g) Sunday 31 March 2013,
 - (h) Wednesday 24 April 2013,
 - (i) Thursday 25 April 2013,
 - (j) Sunday 9 June 2013,
 - (k) Sunday 6 October 2013.

- (10) This clause (other than subclause (8)) ceases to have effect on 13 October 2013.

[5] Schedule 3 Penalty notice offences

Insert in appropriate order in Columns 1 and 2, respectively, of Part 2:

Clause 163B (3)	\$100
Clause 163B (4)	\$200
Clause 163B (5)	\$300
Clause 163B (6)	\$200
Clause 163B (8)	\$100