



New South Wales

# Passenger Transport Amendment (Passenger Service Contracts) Regulation 2016

under the

Passenger Transport Act 2014

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Passenger Transport Act 2014*.

ANDREW CONSTANCE, MP  
Minister for Transport and Infrastructure

## **Explanatory note**

The object of this Regulation is to amend the *Passenger Transport Regulation 2014* to make transitional provisions and other amendments consequent on the commencement of provisions relating to passenger service contracts.

This Regulation is made under the *Passenger Transport Act 2014*, including section 176 (the general regulation-making power) and clauses 1 and 15 of Schedule 3.

## **Passenger Transport Amendment (Passenger Service Contracts) Regulation 2016**

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### **1 Name of Regulation**

This Regulation is the *Passenger Transport Amendment (Passenger Service Contracts) Regulation 2016*.

### **2 Commencement**

This Regulation commences on 1 March 2016 and is required to be published on the NSW legislation website.

## **Schedule 1      Amendment of Passenger Transport Regulation 2014**

### **[1]    Clause 4**

Omit the clause. Insert instead:

#### **4    Transitional provisions—passenger service contracts**

- (1) For the purposes of the application of Part 3 of the Act, pending the repeal of the whole of the 1990 Act, clause 11 of Schedule 3 to the Act applies to an existing service contract as if the whole of the 1990 Act were repealed.
- (2) Division 2 of Part 7 of the *Passenger Transport Regulation 2007*, as in force immediately before the repeal of that Division, continues to apply to or in respect of an existing service contract to which that Division applied immediately before that repeal.
- (3) A reference in section 36 of the Act to or in respect of accreditation under the Act, including a reference to a person who is not required to be accredited under the Act, is taken to be a reference to or in respect of accreditation under the 1990 Act, including a person who is not required to be accredited under the 1990 Act.
- (4) A reference in the 1990 Act to a service contract is taken to be a reference to the following:
  - (a) a passenger service contract under the Act,
  - (b) an existing service contract referred to in clause 11 of Schedule 3 to the Act.
- (5) In this clause:  
*existing service contract* means a contract in force under Part 3 of the 1990 Act immediately before the commencement of Part 3 of the Act.

### **[2]    Clause 5 Exemption of high speed Manly ferry service**

Omit “, as applied by clause 4,” from clause 5 (1).

### **[3]    Clause 6 Exclusion of certain tourist services**

Omit “, as applied by clause 4,” from clause 6 (1). Insert instead “of the Act”.

### **[4]    Clause 7 Savings and transitional provisions**

Omit clause 7 (1) (d), (2) and (3).