



New South Wales

Passenger Transport Amendment (Driver Indemnification) Regulation 2016

under the

Passenger Transport Act 1990

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

ANDREW CONSTANCE, MP
Minister for Transport and Infrastructure

Explanatory note

Clause 131 of the *Passenger Transport Regulation 2007* provides that the operator of a taxi-cab must maintain one or more insurance policies to indemnify the driver of a taxi-cab in relation to any damage arising out of the use of the taxi-cab.

The object of this Regulation is to clarify that an operator may enter into an agreement or other arrangement with the driver requiring the driver to pay the whole or part of any excess payable on an insurance claim if the claim arises out of the driver's conduct.

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

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1 Name of Regulation

This Regulation is the *Passenger Transport Amendment (Driver Indemnification) Regulation 2016*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Passenger Transport Regulation 2007

Clause 131 Driver to be indemnified

Insert after clause 131 (2):

- (2A) To avoid doubt, the operator may enter into an agreement or other arrangement with the driver requiring the driver to pay the whole or part of any excess payable on a claim, if the claim arises out of the driver's conduct.