



Queensland

Transport Operations (Passenger Transport) and Other Legislation Amendment Bill 2012



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2012

A Bill

for

An Act to repeal the *Transport Operations (TransLink Transit Authority) Act 2008*, to amend the *Transport Operations (Passenger Transport) Act 1994* and to make consequential or minor amendments of other Acts mentioned in the schedule, for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Transport Operations (Passenger Transport) and Other Legislation Amendment Act 2012*. 4
5

Clause 2 Commencement 6

The following provisions commence on a day to be fixed by proclamation— 7
8

(a) sections 4, 5, 7 to 9, 11 to 17, 29, 30 and 31(2) and (4); 9

(b) parts 3 and 4; 10

(c) schedule. 11

Part 2 Amendment of Transport Operations (Passenger Transport) Act 1994 12
13
14

Clause 3 Act amended 15

This part amends the *Transport Operations (Passenger Transport) Act 1994*. 16
17

Note— 18

See also the amendments in the schedule. 19

Clause 4	Amendment of s 6 (Contents of passenger transport strategies)	1 2
	Section 6(4)—	3
	<i>omit, insert—</i>	4
	‘(4) If there is an integrated regional transport plan under the <i>Transport Planning and Coordination Act 1994</i> for an area, the passenger transport strategies for the area must not be inconsistent with, and must give effect to, the plan.’	5 6 7 8
Clause 5	Amendment of s 43 (Obligation to hold service contracts)	9
	(1) Section 43(1)(a) and (b)—	10
	<i>omit, insert—</i>	11
	‘(a) a service contract; or	12
	(b) a written agreement with the chief executive; or	13
	(c) with the chief executive’s approval, a written agreement with the holder of a service contract.’	14 15
	(2) Section 43(1), penalty, paragraph (b), ‘TransLink area’—	16
	<i>omit, insert—</i>	17
	‘integrated mass transit area’.	18
	(3) Section 43(2), words before paragraph (a)—	19
	<i>omit, insert—</i>	20
	‘For a service contract area or route that is not in the integrated mass transit area, a written agreement with the chief executive mentioned in subsection (1)(b) may be made only if—’.	21 22 23 24
Clause 6	Amendment of s 48C (Term of emergency service contract)	25 26
	Section 48C(2), ‘6 months’—	27
	<i>omit, insert—</i>	28
	‘12 months’.	29

[s 7]

Clause 7	Amendment of s 52 (Approval of basis for funding or other financial assistance by State)	1 2
	Section 52(3)(a), ‘, other than a service contract for the TransLink area,’—	3 4
	<i>omit.</i>	5
Clause 8	Insertion of new s 62AAA	6
	Chapter 6, part 2, division 2AA, before section 62AAB—	7
	<i>insert—</i>	8
	‘62AAA What is the <i>integrated mass transit area</i>	9
	‘(1) The <i>integrated mass transit area</i> is—	10
	(a) the service contract areas or routes mentioned in schedule 1B; and	11 12
	(b) another service contract area or route in the SEQ area, as prescribed under a regulation.	13 14
	‘(2) In this section—	15
	<i>SEQ area</i> means the combined local government areas of the following local governments under the <i>Local Government Act 1993</i> as that Act was in force immediately before 15 March 2008—	16 17 18 19
	(a) the cities of Brisbane, Caloundra, Gold Coast, Ipswich, Logan, Redcliffe and Toowoomba;	20 21
	(b) the shires of Beaudesert, Boonah, Caboolture, Esk, Gatton, Kilcoy, Laidley, Maroochy, Noosa, Pine Rivers and Redland.’.	22 23 24
Clause 9	Amendment of s 62AAC (What is a TransLink service contract)	25 26
	(1) Section 62AAC, heading, ‘a TransLink service contract’—	27
	<i>omit, insert—</i>	28
	‘an <i>integrated mass transit service contract</i>’.	29

	(2) Section 62AAC(1), words before paragraph (a)—	1
	<i>omit, insert—</i>	2
	‘An <i>integrated mass transit service contract</i> is a service	3
	contract for a general route service in the integrated mass	4
	transit area, under which contract’.	5
	(3) Section 62AAC(2), ‘A TransLink’—	6
	<i>omit, insert—</i>	7
	‘An integrated mass transit’.	8
Clause 10	Amendment of s 62AAG (Service contract for amended service contract area or route)	9
	Section 62AAG(6), definition <i>specified kind</i> , ‘42A’—	10
	<i>omit, insert—</i>	11
	‘42’.	12
Clause 11	Omission of ch 6, pt 4, div 1 (Special events in TransLink area)	13
	Chapter 6, part 4, division 1—	14
	<i>omit.</i>	15
Clause 12	Omission of ch 6, pt 4, div 2, hdg (Special events in non-TransLink area)	16
	Chapter 6, part 4, division 2, heading—	17
	<i>omit.</i>	18
Clause 13	Insertion of new s 67B	19
	Chapter 6, part 4—	20
	<i>insert—</i>	21
‘67B	Definition for pt 4	22
	‘In this part—	23
		24
		25
		26

[s 14]

non-integrated mass transit area means an area other than
the integrated mass transit area.’. 1
2

- Clause 14 Amendment and renumbering of s 67F (Declaration of special event)** 3
4
- (1) Section 67F(1), ‘in a non-TransLink area’— 5
omit. 6
- (2) Section 67F(4), from ‘generally’— 7
omit, insert— 8
‘generally— 9
- (a) if the event or events the subject of the declaration are to 10
be carried out in the integrated mass transit area—in the 11
integrated mass transit area; or 12
- (b) otherwise—in the non-integrated mass transit area.’. 13
- (3) Section 67F(5), ‘circulating in the non-TransLink area.’— 14
omit, insert— 15
‘circulating— 16
- (a) if the event or events the subject of the declaration are to 17
be carried out in the integrated mass transit area—in the 18
integrated mass transit area; or 19
- (b) otherwise—in the non-integrated mass transit area.’. 20
- (4) Section 67F— 21
renumber as section 67C. 22

- Clause 15 Amendment and renumbering of s 67G (Coordination power for scheduled passenger services to special events)** 23
24
25
- (1) Section 67G, ‘in a non-TransLink area’— 26
omit. 27
- (2) Section 67G— 28

renumber as section 67D.

1

Clause 16 **Amendment and renumbering of s 67H (Chief executive's approval required for special event services)**

2

3

(1) Section 67H(1), 'in a non-TransLink area'—

4

omit.

5

(2) Section 67H(1), note—

6

omit.

7

(3) Section 67H—

8

renumber as section 67E.

9

Clause 17 **Amendment and renumbering of s 67I (Special event approvals)**

10

11

(1) Section 67I(1), '67H(1)'—

12

omit, insert—

13

'67E(1)'.

14

(2) Section 67I(2), 'circulating in the non-TransLink area.'—

15

omit, insert—

16

'circulating—

17

(a) if a special event the subject of the approval is to be carried out in the integrated mass transit area—in the integrated mass transit area; or

18

19

20

(b) otherwise—in the non-integrated mass transit area.'.

21

(3) Section 67I—

22

renumber as section 67F.

23

Clause 18 **Insertion of new s 74AC**

24

After section 74AB—

25

insert—

26

[s 19]

‘74AC Fitting or using taximeter prohibited	1
‘(1) The operator of a public passenger service must not equip a vehicle that is used, or intended to be used, to provide the service, other than a taxi, with a taximeter or a similar instrument.	2 3 4 5
Maximum penalty—160 penalty units.	6
‘(2) The operator of a public passenger service must not require or allow the driver of a vehicle being used to provide the service, other than a taxi, to use a taximeter or a similar instrument to calculate, during or after a journey, the amount of the fare for hiring the vehicle for the journey.	7 8 9 10 11
Maximum penalty—160 penalty units.	12
‘(3) This section does not apply to the operator of a cross-border taxi service.	13 14
‘(4) In this section—	15
<i>hiring a vehicle</i> , for a journey, includes hiring a vehicle for the journey, hiring a driver for the journey or hiring both a vehicle and a driver for the journey.	16 17 18
<i>similar instrument</i> means an instrument designed to calculate the amount of a fare for hiring a vehicle for a journey during or after the journey by reference to the time or distance travelled or another matter relating to the journey.’.	19 20 21 22
Clause 19 Amendment of s 129E (Period of detention)	23
(1) Section 129E(1), ‘to arrange for the delivery of the person to a police officer’—	24 25
<i>omit, insert—</i>	26
‘in relation to the detention of the person’.	27
(2) Section 129E(2)—	28
<i>omit.</i>	29
(3) Section 129E(4), ‘or (3)’—	30
<i>omit.</i>	31

	(4) Section 129E(4), examples, ‘(4)’—	1
	<i>omit, insert</i> —	2
	‘(3)’.	3
	(5) Section 129E(3) to (5)—	4
	<i>renumber</i> as section 129E(2) to (4).	5
Clause 20	Replacement of s 129G (Written report to be given to police officer)	6
	Section 129G—	7
	<i>omit, insert</i> —	8
	‘129G Written report to be given to police officer	9
	‘(1) This section applies if a police officer takes a person detained by a transit officer under this part into the police officer’s custody.	10
	‘(2) The transit officer must give a written report for the detention to the police officer when, or immediately after, the police officer takes the person into the police officer’s custody.’.	11
		12
		13
		14
		15
		16
Clause 21	Amendment of s 129I (Requirements for written report given under this division)	17
	(1) Section 129I(2)(j)—	18
	<i>omit, insert</i> —	19
	‘(j) if the detained person is detained until a police officer arrives to deal with the person under section 129E—	20
	(i) the name and rank of the police officer; and	21
	(ii) when the police officer arrived to deal with the detained person; and	22
	(iii) if the police officer took the detained person into the police officer’s custody—when the police officer took the detained person into the police officer’s custody;’.	23
		24
		25
		26
		27
		28
		29

[s 22]

- (2) Section 129I(2)(k)(ii), ‘and’— 1
omit. 2

Clause 22 Amendment of s 129L (Responsible person to be notified of detention) 3
4

- (1) Section 129L(1)(a)— 5
omit, insert— 6
‘(a) under this part, a transit officer is detaining a person at a 7
place until a police officer arrives; and 8
(aa) the detained person is a child or a person with impaired 9
capacity; and’.
- (2) Section 129L(1)(aa) and (b)— 11
renumber as 129L(1)(b) and (c). 12
- (3) Section 129L(2)— 13
omit, insert— 14
- ‘(2) The transit officer must, as soon as practicable, advise the 15
responsible person for the child or person of the detention and 16
the place where the child or person is being detained.’. 17

Clause 23 Amendment of s 129ZL (Application for a civil banning order) 18
19

- (1) Section 129ZL(1)(c), after ‘or (2)’— 20
insert— 21
‘(a) to (f)’.
- (2) Section 129ZL— 23
insert— 24
- ‘(1A) The application must state that, if the respondent would like 25
the court hearing the application to consider a matter 26
mentioned in section 129ZO(2)(g) to (i), the respondent must 27
provide information about the matter to the court.’. 28

-
- (3) Section 129ZL(1A) to (3)— 1
renumber as 129ZL(2) to (4). 2

Clause 24 Amendment of s 129ZO (Making a civil banning order) 3

- (1) Section 129ZO, ‘, part 3’— 4
omit. 5
- (2) Section 129ZO(1)(a)— 6
omit, insert— 7
‘(a) either— 8
- (i) within 12 months before the date of the application 9
for the civil banning order, the respondent 10
committed a relevant act of violence; or 11
 - (ii) within any 12-month period occurring in the 2 12
years before the date of the application for the civil 13
banning order, the respondent was served 10 or 14
more infringement notices for a relevant offence or 15
relevant offences; and’. 16
- (3) Section 129ZO(7), definition *dealt with*, paragraph (d)— 17
omit, insert— 18
‘(d) an order has been made against the respondent for the 19
relevant offence under section 38 of that Act.’. 20

Clause 25 Amendment of s 129ZS (Orders must be explained) 21

- (1) Section 129ZS, heading, after ‘must be’— 22
insert— 23
‘**served and**’. 24
- (2) Section 129ZS, before subsection (1)— 25
insert— 26
- ‘(1A) If a court makes a civil banning order or interim civil banning 27
order for a respondent, the order must be served on the 28
respondent.’. 29

[s 26]

- (3) Section 129ZS(1), ‘(2)’— 1
omit, insert— 2
‘(3)’. 3
- (4) Section 129ZS(1) and (3), after ‘a respondent’— 4
insert— 5
‘or a legal or other representative of the respondent’. 6
- (5) Section 129ZS(3), ‘(4)’— 7
omit, insert— 8
‘(5)’. 9
- (6) Section 129ZS(5), ‘(2) or (4)’— 10
omit, insert— 11
‘(3) or (5)’. 12
- (7) Section 129ZS(1A) to (6)— 13
renumber as section 129ZS(1) to (7). 14

Clause 26 Omission of s 129ZT (Civil banning order to be given to interested persons) 15
16
Section 129ZT— 17
omit. 18

Clause 27 Amendment of s 143AHB (Power to require person to leave or not enter public transport infrastructure if person contravening exclusion order) 19
20
21

(1) Section 143AHB, heading, ‘exclusion’— 22
omit. 23

(2) Section 143AHB(1), after ‘an exclusion order’— 24
insert— 25
‘or a civil banning order’. 26

(3) Section 143AHB(3), from ‘mentioned in’— 27

omit, insert— 1

‘for contravening the order.’. 2

(4) Section 143AHB— 3

insert— 4

‘(4) For subsection (3), a person has a reasonable excuse for
contravening the order if— 5 6

(a) for an exclusion order—the person has a reasonable
excuse mentioned in section 129ZG(2); or 7 8

(b) for a civil banning order—the person has a reasonable
excuse mentioned in section 129ZZ(2).’ 9 10

Clause 28 Insertion of new ch 13, pt 13 11

Chapter 13— 12

insert— 13

**‘Part 13 Transitional and declaratory
provisions for Transport
Operations (Passenger
Transport) and Other
Legislation Amendment Act
2012** 14 15 16 17 18 19

‘193 Definitions for pt 13 20

‘In this part— 21

repealed Act means the *Transport Operations (TransLink
Transit Authority) Act 2008*. 22 23

transfer day means the day on which the *Transport
Operations (Passenger Transport) and Other Legislation
Amendment Act 2012*, section 32 commences. 24 25 26

TransLink means either of the following entities established
under the repealed Act— 27 28

[s 29]

- (a) the TransLink Transit Authority; 1
- (b) the TransLink Transit Authority Employing Office. 2

‘194 Declaratory provision for s 62AAG(6) 3

‘It is declared that section 62AAG(6), definition *specified kind*, as inserted in this Act by the *Transport Operations (TransLink Transit Authority) Act 2008*, section 93, is taken 4
always to have referred to section 42.’. 5
6
7

Clause 29 Insertion of new ss 195 to 202 8

After section 194— 9

insert— 10

‘195 Novation of TransLink contracts to the State 11

‘(1) This section applies to a contract— 12

(a) to which, immediately before the transfer day, 13
TransLink is a party; and 14

(b) that is not a service contract, work performance 15
arrangement or contract of employment. 16

‘(2) The following apply despite any provision of the contract— 17

(a) the State is taken to be a party to the contract instead of 18
TransLink; 19

(b) the State assumes TransLink’s liabilities and rights 20
under the contract; 21

(c) a reference in the contract to TransLink is taken to be a 22
reference to the State; 23

(d) changes to the contract that are necessary for, or 24
incidental to, the matters in paragraphs (a) to (c) are 25
taken to have been made. 26

‘(3) Subsection (2), or any thing done under it, does not— 27

(a) discharge or otherwise affect the contract or the 28
performance of the contract by another party to it; or 29

(b)	fulfil a condition allowing a person to terminate the contract or be released, wholly or partly, from the contract or a liability under it.	1 2 3
‘(4)	If the advice or consent of, or giving notice to, a person would be necessary to give effect to any matter under subsection (2)—	4 5 6
(a)	the advice is taken to have been obtained; and	7
(b)	the consent or notice is taken to have been given.	8
‘(5)	In this section—	9
	<i>contract</i> includes a deed or other instrument, whether or not for consideration.	10 11
‘196	Existing service contracts not affected	12
‘(1)	To remove any doubt, it is declared that, subject to subsection (2), the repeal of the repealed Act does not, of itself, alter or in any way affect a service contract.	13 14 15
‘(2)	A service contract that, immediately before the transfer day, was a TransLink service contract is taken to be an integrated mass transit service contract.	16 17 18
‘(3)	In this section—	19
	<i>TransLink service contract</i> see section 62AAC as in force immediately before the transfer day.	20 21
‘197	Transfer of TransLink assets and liabilities to the State	22
‘(1)	At the beginning of the day on the transfer day—	23
(a)	TransLink is divested of all TransLink assets and released from all TransLink liabilities; and	24 25
(b)	TransLink assets become the assets of the State; and	26
(c)	TransLink liabilities are assumed by the State.	27
‘(2)	This section does not limit or otherwise affect section 195(2)(b).	28 29

[s 29]

‘(3) In this section—	1
<i>TransLink asset</i> means an asset that, immediately before the transfer day, is an asset of TransLink.	2 3
<i>TransLink liability</i> means a liability that, immediately before the transfer day, is a liability of TransLink.	4 5
‘198 Successor in law	6
‘(1) The State is the successor in law of TransLink.	7
‘(2) Without limiting subsection (1), proceedings by or against TransLink, or that could have been started by or against TransLink before the transfer day, may be continued or started by or against the State.	8 9 10 11
‘199 Registration of transferred assets	12
‘(1) This section applies to the registrar of titles or other person responsible for keeping a register for dealings about an asset that, under section 197(1)(b), becomes an asset of the State.	13 14 15
‘(2) The registrar or person must, if asked by the State in the appropriate form, and on payment of any fee, record a transfer of the asset to the State.	16 17 18
‘(3) In this section—	19
<i>registrar of titles</i> means a public official or authority responsible for registering title to land and dealings affecting land.	20 21 22
‘200 References to former body known as TransLink	23
‘(1) A reference in a document to TransLink is, if the context permits, taken to be a reference to the State.	24 25
‘(2) This section does not apply to an industrial instrument.	26

‘201	Preservation of rights of employees	1
‘(1)	An employee of TransLink, other than the chief executive officer of TransLink, is transferred to the department.	2 3
‘(2)	On the transfer mentioned in subsection (1)—	4
(a)	the employee retains and is entitled to all rights that have accrued to the employee because of the person’s employment with TransLink; and	5 6 7
(b)	the employee’s service as an employee of TransLink is taken to be service of a like nature in the public service for deciding the employee’s rights as a public service employee; and	8 9 10 11
(c)	the employee’s continuity of service is not broken.	12
‘202	Special event declarations	13
‘(1)	A special event declaration made under the previous declaration provisions and in effect immediately before the transfer day has effect from the transfer day as if it were a declaration made under section 67C.	14 15 16 17
‘(2)	A written approval given under the previous approval provisions and in effect before the transfer day has effect from the transfer day as if it were the chief executive’s written approval given under section 67E.	18 19 20 21
‘(3)	In this section—	22
	<i>previous approval provisions</i> means sections 67D and 67H as in force before the transfer day.	23 24
	<i>previous declaration provisions</i> means sections 67B and 67F as in force before the transfer day.’.	25 26
Clause 30	Insertion of new sch 1B	27
	After schedule 1A—	28
	<i>insert—</i>	29

[s 30]

‘Schedule 1B	Integrated mass transit area	1
	section 62AAA	2
•	Arana Hills, Albany Creek and Dayboro–Petrie service contract area/route	3 4
•	Bribie Island and Bribie Island–Caboolture service contract area/route	5 6
•	Brisbane service contract area/route	7
•	Burbank/McKenzie service contract area/route	8
•	Caboolture service contract area/route	9
•	Camira/Springfield and Wacol Railway Station to Inala Plaza via Carole Park, Ellengrove, Forest Lake and Doolandalla service contract area/route	10 11 12
•	Cleveland/Redland Bay service contract area/route	13
•	Dakabin/Mango Hill (North Lakes) service contract area	14
•	Deception Bay/Narangba service contract area/route	15
•	Gold Coast service contract area	16
•	Gold Coast–Coomera service contract area	17
•	Ipswich/Goodna service contract area	18
•	Logan service contract area	19
•	Park Ridge and Beaudesert–Brisbane service contract area/route	20 21
•	Ormeau–Beenleigh service contract route	22
•	Redcliffe, Kallangur, Petrie and Redcliffe–Brisbane service contract area/route	23 24
•	Samford Valley–Ferny Grove service contract route	25
•	Strathpine and Murrumba Downs service contract area/route	26 27

- Sunshine Coast service contract area 1
- Sunshine Coast service contract area no. 2'. 2

Clause 31	Amendment of sch 3 (Dictionary)	3
(1)	Schedule 3, definition <i>public transport infrastructure</i> —	4
	<i>omit.</i>	5
(2)	Schedule 3, definitions <i>non-TransLink area</i> , <i>special event</i> , <i>TransLink</i> , <i>TransLink area</i> and <i>TransLink service contract</i> —	6
	<i>omit.</i>	7
(3)	Schedule 3—	8
	<i>insert</i> —	9
	'cross-border taxi rank means a taxi rank identified, by a sign	10
	erected or placed by the chief executive at the taxi rank, as a	11
	taxi rank where a NSW taxi can ply or stand for hire by a	12
	person intending to make a journey to New South Wales.	13
	cross-border taxi service means a taxi service that is	14
	provided—	15
	(a) by using a NSW taxi; and	16
	(b) for only 1 or more of the following journeys—	17
	(i) a journey that starts in New South Wales and ends	18
	in Queensland;	19
	(ii) a journey that starts at a cross-border taxi rank and	20
	ends in New South Wales and is not pre-booked;	21
	(iii) a single passenger journey that starts and ends in	22
	New South Wales.	23
	<i>Example of a single passenger journey</i> —	24
	A passenger is picked up in Tweed Heads and is taken to	25
	Coolangatta. The taxi waits for the passenger at	26
	Coolangatta and then takes the passenger to Kirra and	27
	waits again before returning the passenger to Tweed	28
	Heads.	29
		30

[s 31]

- NSW taxi* means a motor vehicle licensed as a taxi-cab under the *Passenger Transport Act 1990* (NSW), part 4, division 4. 1 2
- public transport infrastructure* means any of the following— 3
- (a) a railway; 4
 - (b) a train or other passenger vehicle being operated by a railway manager or railway operator; 5 6
 - (c) a light rail; 7
 - (d) a light rail vehicle or other public passenger vehicle being operated by a light rail manager, or light rail operator, for a light rail; 8 9 10
 - (e) a bus or other motor vehicle being used for a general route service; 11 12
 - (f) a busway as defined under the *Transport Infrastructure Act 1994*; 13 14
 - (g) a ferry being used for a general route service; 15
 - (h) a station, platform or other structure or place for the taking on and letting off of passengers of a vehicle mentioned in paragraph (b), (d), (e) or (g), including the following— 16 17 18 19
 - (i) a railway station or platform; 20
 - (ii) a light rail station or platform; 21
 - (iii) facilities for passengers to interchange between the same or different modes of transport; 22 23
- Examples—* 24
- Cannon Hill bus interchange 25
 - Roma Street busway/railway interchange 26
- (iv) a bus station; 27
 - (v) a bus stop, including the area in the immediate vicinity of the bus stop; 28 29
 - (vi) a jetty or other structure at which a ferry makes a scheduled stop for a ferry service, and any associated structure; 30 31 32

-
- (vii) landscaping associated with a station, platform or other structure or place; 1
2
- (i) car parking and set down facilities for intending passengers of a vehicle mentioned in paragraph (b), (d), (e) or (g), including the following— 3
4
5
- (i) a car park under the control of a railway manager or railway operator; 6
7
- (ii) a car park under the control of a light rail manager, or light rail operator; 8
9
- (iii) a car park associated with a busway; 10
- (j) any other structure or facilities for the use or convenience of passengers of a vehicle mentioned in paragraph (b), (d), (e) or (g). 11
12
13
- Examples of other structures or facilities—* 14
- overhead or underground walkways between railway platforms, footpaths, seating, ticketing machines, public toilets, signage 15
16
- taximeter*** means an instrument that is designed— 17
- (a) to record fares for individual and multiple hiring of a taxi; and 18
19
- (b) to show the fare for each hiring.’. 20
- (4) Schedule 3— 21
- insert—* 22
- ‘integrated mass transit area*** see section 62AAA. 23
- integrated mass transit service contract*** see section 62AAC. 24
- non-integrated mass transit area***, for chapter 6, part 4, see section 67B. 25
26
- special event***, for chapter 6, part 4, means an event the subject of a declaration under section 67C.’. 27
28

[s 32]

Part 3 **Repeal** 1

Clause 32 **Repeal** 2

The Transport Operations (TransLink Transit Authority) Act
2008, No. 32 is repealed. 3
4

Part 4 **Minor and consequential
amendments** 5
6

Clause 33 **Acts amended** 7

The schedule amends the Acts it mentions. 8

Schedule	Acts amended	1
	section 33	2
Integrity Act 2009		3
1	Schedule 1, entry for the chief executive officer of the TransLink Transit Authority—	4
	<i>omit.</i>	5
		6
Public Service Act 2008		7
1	Schedule 1, entry for the TransLink Transit Authority Employing Office—	8
	<i>omit.</i>	9
		10
Transport Infrastructure Act 1994		11
1	Section 6(4)—	12
	<i>omit, insert—</i>	13
	‘(4) If there is an integrated regional transport plan under the <i>Transport Planning and Coordination Act 1994</i> for an area, the transport infrastructure strategies for the area must not be inconsistent with, and must give effect to, the plan.’	14
		15
		16
		17
2	Section 20(1), ‘and any network plan under the <i>Transport Operations (TransLink Transit Authority) Act 2008</i>—	18
	<i>omit.</i>	19
		20

Transport Operations (Passenger Transport) Act 1994	1
1 Section 26, editor’s note, ‘Editor’s note’—	2
<i>omit, insert—</i>	3
‘ <i>Note</i> ’.	4
2 Amendment of various sections	5
Each of the following provisions is amended by omitting ‘a TransLink service contract’ and inserting ‘an integrated mass transit service contract’—	6
• section 46(1B) and (7A)	9
• section 51(2)	10
• section 62AACA, heading, (1)(b) and (4)	11
• section 62AAD(1)(a)	12
• section 62AAE(1)(a), (1)(b) and (2)	13
• section 62AAF	14
• section 62AAG(1)(b), (4) and (6) definition <i>affected operator</i> , paragraph (a)	15
• section 62AAH(1)(b)	17
• section 62AAI(1) and (3)(a).	18
3 Amendment of various sections	19
Each of the following provisions is amended by omitting ‘TransLink service contracts’ and inserting ‘integrated mass transit service contracts’—	20
• section 54A	23
• section 62AACA(2)(b)	24
• section 62AAD(3)	25
• section 62AAE, heading	26
• section 62AAG(2)(b)	27

	• section 62AAI(2)(a).	1
4	Chapter 6, part 2, division 2AA, heading, ‘TransLink’—	2
	<i>omit, insert—</i>	3
	‘Integrated mass transit’.	4
5	Section 62AAD, heading, ‘TransLink’—	5
	<i>omit, insert—</i>	6
	‘integrated mass transit’.	7
6	Section 62AAD, ‘new TransLink’—	8
	<i>omit, insert—</i>	9
	‘new integrated mass transit’.	10
7	Section 62AAF, heading, ‘TransLink’—	11
	<i>omit, insert—</i>	12
	‘integrated mass transit’.	13
8	Section 62AAI, heading, ‘TransLink’—	14
	<i>omit, insert—</i>	15
	‘integrated mass transit’.	16
9	Section 62AAI, ‘the TransLink’—	17
	<i>omit, insert—</i>	18
	‘the integrated mass transit’.	19

Transport Operations (Road Use Management) Act 1995	1 2
1 Section 8(4)—	3
<i>omit, insert—</i>	4
‘(4) If there is an integrated regional transport plan under the <i>Transport Planning and Coordination Act 1994</i> for an area, a road use management strategy for the area must not be inconsistent with, and must give effect to, the plan.’	5 6 7 8
Transport Planning and Coordination Act 1994	9
1 Section 3, definition <i>transport Act</i>, ‘and the <i>Transport Operations (TransLink Transit Authority) Act 2008</i>’—	10 11
<i>omit.</i>	12