



Queensland

Transport Operations Legislation Amendment Regulation (No. 1) 2007

Subordinate Legislation 2007 No. 307

made under the

Transport Operations (Marine Safety) Act 1994

Transport Operations (Passenger Transport) Act 1994

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Regulation (No. 1) 2007

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Operations Legislation Amendment Regulation (No. 1) 2007*.

2 Commencement

This regulation commences on 4 February 2008.

Part 2 Amendment of Transport Operations (Marine Safety) Regulation 2004

3 Regulation amended in pt 2

This part amends the *Transport Operations (Marine Safety) Regulation 2004*.

4 Insertion of new ss 225A and 225B

Part 10, division 1, after section 225—

insert—

‘225A Waiver of additional application fee for application for training approval

‘The chief executive or the general manager may waive the payment of an additional application fee payable under schedule 10, section 17 for a person.

‘225B Refund of fees relating to additional application fee for application for training approval

‘(1) This section applies if the number of persons in relation to whom an additional application fee has been paid under

schedule 10, section 17 (the ***proposed number***) is more than the number of persons about whom the chief executive or the general manager asks the commissioner of the police service for a written report about the person's criminal history (the ***actual number***).

- '(2) The difference between the proposed number and the actual number multiplied by the amount of the fee payable under schedule 10, section 17(3)(a) must be refunded to the applicant.'

5 Replacement of sch 10, s 17 (Training approval)

Schedule 10, section 17—

omit, insert—

'17 Training approval

- '(1) This section sets the fee payable for an application for approval of an entity to provide training programs in the operation of ships.
- '(2) The fee is the total of the following—
- (a) \$367.70;
 - (b) the additional application fee payable under subsection (3).
- '(3) The additional application fee is—
- (a) if the applicant is an individual—\$30.60; or
 - (b) if the applicant is an unincorporated body—\$30.60 for each nominee of the body when the application is made; or
 - (c) if the applicant is a corporation—\$30.60 for each nominee, or executive officer, of the corporation when the application is made.
- '(4) However, an additional application fee is payable only if the individual, nominee or executive officer is a person about whom the chief executive or the general manager proposes to ask the commissioner of the police service for a written report about the person's criminal history for the application.'

6 Amendment of sch 15 (Dictionary)

Schedule 15, definition *aquatic event*, ‘section 217(a) to (e)’—

omit, insert—

‘section 217(1)(a) to (e)’.

Part 3 Amendment of Transport Operations (Passenger Transport) Regulation 2005

7 Regulation amended in pt 3

This part amends the *Transport Operations (Passenger Transport) Regulation 2005*.

8 Amendment of s 145 (Fees and related expenses)

(1) Section 145(2) to (6)—

renumber as section 145(5) to (9).

(2) Section 145(1)—

omit, insert—

‘(1) The fees payable under the Act are stated in schedule 9.

‘(2) However, if the chief executive grants provisional operator accreditation to an applicant for operator accreditation, the fee payable by the applicant under schedule 9, item 5(a) must be adjusted in proportion to the number of months for which the provisional operator accreditation is granted.

‘(3) For adjusting the fee for subsection (2), the fee payable under schedule 9, item 5(a) is taken to be for 1 year.

‘(4) Also, if the term for which operator accreditation is renewed is not 1 year or a number of whole years, the fee for renewal of the operator accreditation must be adjusted in proportion to the number of months in the term.’

- (3) Section 145(5), as renumbered—

insert—

‘(c) if the fee is an additional application fee for driver authorisation or operator accreditation—when the application is made.’.

- (4) Section 145(7), as renumbered, ‘subsection (2)(b)’—

omit, insert—

‘subsection (5)(b)’.

9 Insertion of new ss 145A and 145B

After section 145—

insert—

‘145A Refund of fee for application for driver authorisation other than for a taxi or limousine

- ‘(1) This section applies if—

- (a) an application is made for driver authorisation other than for a taxi or limousine; and
- (b) the chief executive does not ask the commissioner of the police service for a written report about the applicant’s criminal history.

- ‘(2) The fee paid under schedule 9, item 9 for the application must be refunded to the applicant.

‘145B Refund of additional application fee

- ‘(1) This section applies if the number of persons in relation to whom an additional application fee has been paid under schedule 9, item 10 (the *proposed number*) is more than the number of persons about whom the chief executive asks the commissioner of the police service for a written report about the person’s criminal history (the *actual number*).

- ‘(2) The difference between the proposed number and the actual number multiplied by the amount of the fee payable under schedule 9, item 10(a) must be refunded to the applicant.’.

10 Replacement of sch 9 (Fees)

Schedule 9—

omit, insert—

‘Schedule 9 Fees

section 145

\$

- 1 Service contract, or renewal of a service contract, for each year the contract is in force—
 - (a) if, under the contract, the holder of the contract is remunerated from revenue generated by passenger fares—
 - (i) 1 to 10 vehicles 127.95
 - (ii) 11 to 20 vehicles 319.90
 - (iii) 21 to 50 vehicles 639.80
 - (iv) more than 50 vehicles 1 279.65
 - (b) for the administration of taxi services—
 - (i) 1 to 50 vehicles 127.95
 - (ii) 51 to 100 vehicles 319.90
 - (iii) 101 to 200 vehicles 639.80
 - (iv) more than 200 vehicles 1 279.65
- 2 Taxi service licence, or renewal of a taxi service licence, for an exempted taxi, for each year of the licence. 64.00
- 3 Taxi service licence, or renewal of a taxi service licence, other than for an exempted taxi, for each year of the licence 127.95
- 4 Limousine service licence, or renewal of a limousine service licence, for each year of the licence 127.95
- 5 Application for operator accreditation to provide a service mentioned in item 6—the total of the following—
 - (a) an amount equal to the fee payable under whichever of item 6(a), (b), (c), (d), (e), (f) or (g) mentions the service;
 - (b) the additional application fee payable under item 10.

		\$
6	Renewal of operator accreditation after the first year’s accreditation to provide the following, for each year of accreditation—	
	(a) 1 or more scheduled passenger services, other than accreditation under which only a restricted school service may be operated	127.60
	(b) a community transport service.	127.60
	(c) a courtesy transport service	127.60
	(d) a limousine service	127.60
	(e) a taxi service under which only an exempted taxi may be used to provide the service	64.25
	(f) a taxi service, other than a taxi service mentioned in paragraph (e)	127.60
	(g) a service for which no fee is provided under paragraphs (a) to (f), for each service—	
	(i) accreditation under which 1 to 10 vehicles may be used to provide the service	255.65
	(ii) accreditation under which more than 10 vehicles may be used to provide the service	1 279.65
7	Application for driver authorisation for a taxi or limousine—the total of the following—	
	(a) the fee payable under this paragraph	53.75
	(b) the additional application fee payable under item 10.	
8	Renewal of driver authorisation, for a taxi or limousine, after the first year’s authorisation, for each year of authorisation	53.75
9	Application for driver authorisation other than for a taxi or limousine	30.60
10	Additional application fee for item 5(b) or 7(b) if the individual, partner or executive officer mentioned in paragraph (a), (b) or (c) is a person about whom the chief executive proposes to ask the commissioner of the police service for a written report about the person’s criminal history for the application—	
	(a) if the applicant is an individual and paragraph (b) does not apply	30.60

	\$
(b) if the applicant is a partner, for each partner of the partnership when the application is made	30.60
(c) if the applicant is a corporation, for each executive officer of the corporation when the application is made	30.60 ¹ .

ENDNOTES

- 1 Made by the Governor in Council on 6 December 2007.
- 2 Notified in the gazette on 7 December 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport.