



Queensland

Transport Operations Legislation Amendment Bill 2007



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13	Amendment of s 131A (Removing absolute disqualification imposed before 13/3/2)	8

2007

A Bill

for

An Act to amend the *Transport Operations (Passenger Transport) Act 1994*, and for other purposes

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2007*

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Transport Operations Legislation
Amendment Act 2007*. 4
5

Clause 2 Commencement 6

Part 2 commences on a day to be fixed by proclamation. 7

**Part 2 Amendment of Transport
Operations (Passenger
Transport) Act 1994** 8
9
10

Clause 3 Act amended in pt 2 11

This part amends the *Transport Operations (Passenger
Transport) Act 1994*. 12
13

**Clause 4 Amendment of s 70 (Requirement for taxi service
licences)** 14
15

Section 70, after the penalty— 16

insert— 17

‘(2) Subsection (1) does not apply to a person providing a taxi
service prescribed under a regulation as a taxi service to
which this section does not apply.’. 18
19
20

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Clause 5	Amendment of s 74AA (Notice to be kept in taxi)	1
	Section 74AA, after ‘a taxi service’—	2
	<i>insert—</i>	3
	‘for which a taxi service licence is required’.	4
 Clause 6	 Insertion of new ss 80A and 80B	 5
	Chapter 7, after section 80—	6
	<i>insert—</i>	7
	‘80A Annual taxi industry security levy payable	8
	‘(1) A person who holds a taxi service licence for a taxi service area prescribed under a regulation (the <i>licence holder</i>) must pay a taxi industry security levy (the <i>annual levy</i>) in relation to the licence to the chief executive for each financial year.	9 10 11 12
	‘(2) The annual levy is the amount prescribed under a regulation.	13
	‘(3) However, for the financial year starting on 1 July 2007, the annual levy is \$300.	14 15
	‘(4) A regulation must not increase the annual levy for a financial year by more than the CPI percentage increase for the financial year.	16 17 18
	‘(5) If a regulation prescribing the annual levy for a later financial year has not been notified in the gazette on or before 31 May in the preceding financial year, the annual levy for the later financial year is the same amount as the annual levy for the preceding financial year.	19 20 21 22 23
	‘(6) The chief executive must give the licence holder written notice of the amount of the levy.	24 25
	‘(7) The licence holder must pay the levy on or before the date shown in the notice as the date for payment.	26 27
	‘(8) A levy amount not paid to the chief executive on or before the date for payment may be recovered by the chief executive as a debt.	28 29 30

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‘(9) In this section—	1
<i>CPI</i> means the all groups consumer price index for Brisbane published by the Australian statistician.	2 3
<i>CPI percentage increase</i> , for a financial year, means the percentage increase between—	4 5
(a) the CPI published for the quarter ending immediately before the start of the financial year; and	6 7
(b) the CPI published for the quarter ending immediately before the end of the financial year.	8 9
<i>preceding financial year</i> , in relation to a later financial year, means the financial year immediately preceding the later financial year.	10 11 12
‘80B Taxi Industry Security Fund	13
‘(1) The Taxi Industry Security Fund (the <i>fund</i>) is established.	14
‘(2) The <i>Financial Administration and Audit Act 1977</i> applies to the fund.	15 16
‘(3) Accounts for the fund must be kept as part of the departmental accounts of the department.	17 18
‘(4) Amounts received for the fund must be deposited in a departmental financial-institution account of the department but may be deposited in an account used for depositing other amounts of the department.	19 20 21 22
‘(5) Amounts received for the fund must be recorded in the department’s controlled statement of financial position.	23 24
‘(6) Amounts received for the fund include taxi industry security levies.	25 26
‘(7) Amounts may be paid out of the fund for the costs of improving the security of taxi services, including, for example, the costs of engaging rank marshals and security guards at taxi ranks.	27 28 29 30
‘(8) If there is a surplus in the fund at the end of a financial year, the surplus must remain in the fund.	31 32

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- ‘(9) In this section— 1
- controlled statement of financial position* has the meaning 2
given in the *Financial Administration and Audit Act 1977*, 3
section 4(4). 4
- departmental accounts*, of a department, means the accounts 5
of the department under the *Financial Administration and* 6
Audit Act 1977, section 12. 7
- departmental financial-institution account*, of a department, 8
means an account of the department kept under the *Financial* 9
Administration and Audit Act 1977, section 18. 10
- other amounts*, of a department, means amounts received by 11
the department other than amounts received for the fund.’. 12

- Clause 7** **Amendment of s 143AJ (Person given direction to be told 13
particular things)** 14
- Section 143AJ, ‘this part’— 15
- omit, insert*— 16
- ‘this chapter’. 17

- Clause 8** **Amendment of sch 3 (Dictionary)** 18
- Schedule 3— 19
- insert*— 20
- ‘*taxi industry security levy* see section 80A.’. 21

Part 3 **Amendment of Transport 22
Operations (Marine Safety) Act 23
1994** 24

- Clause 9** **Act amended in pt 3** 25
- This part amends the *Transport Operations (Marine Safety)* 26
Act 1994. 27

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Clause 10	Amendment of s 125 (Marine incidents must be reported)	1
	(1) Section 125(1)—	2
	<i>insert</i> —	3
	‘Maximum penalty—40 penalty units.’	4
	(2) Section 125(2)—	5
	<i>insert</i> —	6
	‘Maximum penalty—40 penalty units.’	7
Part 4	Amendment of Transport Operations (Road Use Management) Act 1995	8
		9
		10
Clause 11	Act amended in pt 4	11
	This part amends the <i>Transport Operations (Road Use Management) Act 1995</i> .	12
		13
Clause 12	Amendment of s 33 (Power to require vehicles to be moved)	14
	Section 33(2), ‘move to’—	15
	<i>omit, insert</i> —	16
	‘move it to’.	17
		18
Clause 13	Amendment of s 131A (Removing absolute disqualification imposed before 13/3/2)	19
	Section 131A, heading ‘13/3/2’—	20
	<i>omit, insert</i> —	21
	‘13 March 2002’.	22
		23

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