ANNO SEXTO

ELIZABETHAE II REGINAE

A.D. 1957.

No. 25 of 1957.

An Act to amend the Metropolitan Taxi-Cab Act, 1956.

[Assented to 31st October, 1957.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the “Metropolitan Taxi-Cab Act Amendment Act, 1957”.

(2) The Metropolitan Taxi-Cab Act, 1956, as amended by this Act, may be cited as the “Metropolitan Taxi-Cab Act, 1956-1957”.

(3) The Metropolitan Taxi-Cab Act, 1956, is hereinafter referred to as “the principal Act”.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

3. Section 34 of the principal Act is repealed and the following section inserted in lieu thereof—

34. On and after the proclaimed day every licence or permit issued pursuant to a by-law or resolution made by a municipal or district council under which the licensee or permit holder is entitled to ply for hire for the carriage of passengers with a motor vehicle within any part of the metropolitan area, or to drive or keep or let a motor vehicle for hire for the carriage of passengers within any part of
the metropolitan area, or to ply for hire at or from any
taxi-cab stand within any part of the metropolitan area,
shall have no effect. If the term for which any such licence
or permit was granted extends beyond the proclaimed day,
the holder thereof shall be entitled to a refund from the
council which issued the licence or permit of a part of the
fee paid for the licence or permit proportionate to the
unexpired portion of the said term.

4. Section 35 of the principal Act is amended by inserting
the following paragraph after paragraph II:—

IIa. Controlling stands for taxi-cabs within the metro-
politan area (subject to the powers of municipal and
district councils to appoint and fix the location and
extent of such stands and to alter, vary, cancel or
remove such stands).

5. Section 36 of the principal Act is repealed and the following
section inserted in lieu thereof:—

36. (1) On and after the proclaimed day every by-law
made by a municipal council pursuant to subparagraphs
I, II, III, V to XXIII (both inclusive) of paragraph (17) of
section 669 of the Local Government Act, 1934-1957, or
by a district council pursuant to subparagraphs I and II
of paragraph (8) of section 670 of the said Act, and every
resolution of a municipal council pursuant to section 370 of
the said Act, to the extent that the by-law or resolution
relates to the licensing of taxi-cabs plying for hire or kept
or let for hire in the metropolitan area or to the licensing
of drivers thereof, or to the appointment or regulation of
stands therefor or otherwise relates to such taxi-cabs,
drivers or stands, shall have no force or effect, except
those by-laws or resolutions or portions of by-laws or
resolutions which appoint and fix the location and extent
of a taxi-cab stand.

(2) Notwithstanding this section any offence committed
against any such by-law or resolution before the pro-
claimed day may be adjudicated on and punished as if
this subsection had not been enacted.

(3) Notwithstanding the provisions of section 370, sub-
paragraph II of paragraph (17) of section 669 and sub-
paragraph II of paragraph (8) of section 670 of the Local
Government Act, 1934-1957, and subject to subsection (4)
hereof, a municipal or district council’s powers after the
proclaimed day in respect of taxi-cab stands within the
metropolitan area shall be limited to the power to appoint and fix the location and extent of such stands and to alter, vary, cancel or remove such stands.

6. The following section is enacted and inserted in the principal Act after section 37:

37a. Notwithstanding the provisions of the Road Traffic Act, 1934-1956, the following provisions shall apply in relation to licensed taxi-cabs:

(a) The Registrar of Motor Vehicles may register a taxi-cab for any period not less than one month and not more than twelve months:

(b) When a taxi-cab is registered for a period less than twelve months, the registration fee shall be one twelfth of the full annual registration fee multiplied by the number of months in the period for which registration is granted:

(c) On an application for registration of a vehicle which has been, but has ceased to be, a taxi-cab the Registrar of Motor Vehicles shall refuse to assign to the vehicle the registered number which the vehicle bore while it was a taxi-cab:

(d) The plates bearing the registered number assigned to a taxi-cab and the number on such plates may be of any colour approved by the Registrar of Motor Vehicles and the board, and may bear any additional design, letters or figures so approved, for the purpose of indicating that the vehicle is such a taxi-cab:

(e) The board may, upon payment of the prescribed fee, issue registration plates for a vehicle licensed under this Act, which said plates shall remain the property of the board. If any registration plate for a taxi-cab at any time ceases to be operative (whether by reason of cancellation, suspension, or expiry of the taxi-cab licence), the person to whom it was issued or transferred shall, on demand made by the board, return the plate to the board within three days thereafter, and if he fails to do so he shall be guilty of an offence and liable to a penalty of not more than fifty pounds:
(f) If the licence of a taxi-cab ceases to be in force (whether by reason of cancellation, suspension, expiry or other cause) and is not immediately renewed the registration of the taxi-cab shall thereupon become void:

(g) Unless satisfied that the applicant is the holder of a current and operative licence in respect of a taxi-cab the Registrar of Motor Vehicles shall not transfer the registration or issue a duplicate registration card in respect of any taxi-cab:

(h) An application for cancellation of the registration and payment or credit of the prescribed amount under section 21 of the Road Traffic Act, 1934-1956, may be made—

(i) where a vehicle becomes a taxi-cab and the owner wishes to cancel a previous registration in respect of that vehicle:

(ii) where the registration of the taxi-cab becomes void upon the licence thereof ceasing to be in force:

(i) Where the owner of a vehicle applies to register it as a taxi-cab and the previous registration of the vehicle is thereupon cancelled, the amount of the registration fee to be paid or credited to the owner shall include an amount in respect of the whole of the month in which the owner becomes entitled to such refund or credit:

(j) The provisions of sections 154 and 177 of the Road Traffic Act, 1934-1956, shall not apply to licensed taxi-cabs.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.