



ANNO DECIMO OCTAVO

# GEORGI V REGIS.

## A.D. 1927.

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### No. 1826.

An Act to amend the Motor Omnibus Act, 1926.

[Assented to, December 23rd, 1927.]

**B**E 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 "Motor Omnibus Act Amendment Act, 1927." Short titles.
- (2) The Motor Omnibus Act, 1926 (which is hereinafter referred to as "the principal Act") and this Act may be cited together as the Motor Omnibus Acts, 1926 and 1927." No. 1776 of 1926.
2. This Act is incorporated with the principal Act, and that Act and this Act may be cited together as one Act. Incorporation.
3. The definition of "motor omnibus" in section 3 of the principal Act is amended by striking out all the words therein after the word "passenger" in the third line thereof. Amendment of principal Act, s. 3—  
Interpretation.
4. The principal Act is amended by inserting therein after section 4 the following section:— New section. 4A—
  - 4A. (1) This Act shall apply to and with respect to every motor omnibus which plies or (where the case so requires) is intended to be used for plying for hire within the portion of the State to which this Act applies; but in any proceedings for an offence against this Act in respect of any motor omnibus it shall be a defence to show that the motor omnibus on the occasion on which it was alleged that the offence was committed was engaged in Application of Act.

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in plying for hire at separate and distinct fares for each passenger of more than One Shilling and Six Pence for each single journey or Three Shillings for each return journey and not at lower fares.

(2) Without restricting the generality of the meaning of the expression “plying for hire” or any like expression, the expression “plying for hire” shall be deemed to include the conveying of persons from one place to another in the portion of the State to which this Act applies.

Amendment of  
principal Act, s. 25—  
Licensing of motor  
omnibuses.

5. (1) Subsection (1) of section 25 of the principal Act is amended by adding at the end thereof the following words:—“and no person shall drive or act as conductor of any motor omnibus plying for hire unless it is licensed pursuant to this Act.”

(2) The amendment made by this section shall be deemed not to limit the meaning of subsection (1) of section 25 of the principal Act as enacted at the commencement of the principal Act.

Amendment of  
principal Act, s. 36—

6. Section 36 of the principal Act is amended by inserting at the end thereof the following subsections:—

Offences.

(4) If any person is found guilty of the offence—

(a) of driving a motor omnibus plying for hire which is not licensed pursuant to this Act; or

(b) of being the owner of a motor omnibus which is not licensed pursuant to this Act in respect of which a person contravenes this Act by driving such motor omnibus when plying for hire,

such person shall for a first offence be liable to a penalty of not more than One Hundred Pounds, and for a second offence (whether committed in respect of the same or another motor omnibus, and whether committed before or after the conviction for the first offence) be liable to a penalty of not more than One Hundred and Fifty Pounds, and for a third or subsequent offence (whether committed in respect of the same or another motor omnibus, and whether committed before or after the convictions for the preceding offences), of not more than Two Hundred Pounds.

(5) If any person is found guilty of the offence of acting as conductor of a motor omnibus plying for hire which is not licensed pursuant to this Act such person shall for a first offence be liable to a penalty of not more than Twenty Pounds, and for a second or subsequent offence (whether committed in respect of the same or another motor omnibus and whether committed before or after the conviction for the first offence) be liable to a penalty of not more than Fifty Pounds.

7. The

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7. The principal Act is amended by inserting therein after section 37 the following section:—

37A. Notwithstanding any law or practice to the contrary, if at any time, whether before or after the passing of the Motor Omnibus Act Amendment Act, 1927, any fine or sum of money is adjudged to be paid by any person under a conviction for an offence against this Act, then the payment of such fine or sum of money may be enforced by any of the means provided by the Justices Act, 1921 and it shall be proper for any Justice to grant any warrant for that purpose notwithstanding the fact that the Court of Summary Jurisdiction in which the conviction was made has reserved a question of law arising out of the hearing or determination of the complaint for the consideration of the Supreme Court or that notice of appeal from the conviction has been given or that any stay of proceedings has been ordered.

Enforcing of  
penalties.

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

G. J. R. MURRAY, Lieutenant-Governor.