



ANNO SEXTO

**ELIZABETHAE II REGINAE**

A.D. 1957.

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**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 :

Short titles.

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".

Incorporation.

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

Amendment of principal Act, s. 34—

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 Section 34 of the principal Act is repealed and the following section inserted in lieu thereof—

Provision as to fees paid under existing licences and permits.

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 :—

Amendment of  
principal Act,  
s. 35—

Power to make  
regulations.

IIA. Controlling stands for taxi-cabs within the metropolitan 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 Section 36 of the principal Act is repealed and the following section inserted in lieu thereof :—

Amendment of  
principal Act,  
s. 36—

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.

Operation of  
taxi-stand  
by-laws and  
resolutions,  
made by  
councils.

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

(3) Notwithstanding the provisions of section 370, subparagraph II of paragraph (17) of section 669 and subparagraph 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.

Enactment of  
new section  
37a—

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

Registration of  
taxi-cabs.

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.