



ANNO VICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1972

No. 45 of 1972

**An Act to amend the Metropolitan Taxi-Cab Act,
1956-1963.**

[Assented to 20th April, 1972]

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

Short title.

1. (1) This Act may be cited as the "Metropolitan Taxi-Cab Act Amendment Act, 1972".

(2) The Metropolitan Taxi-Cab Act, 1956-1963, as amended by this Act and by all other amendments amending the same prior to the commencement of this Act, may be cited as the "Metropolitan Taxi-Cab Act, 1956-1972".

(3) The Metropolitan Taxi-Cab Act, 1956-1963, is hereinafter referred to as "the principal Act".

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of
principal Act,
s. 4—
Constitution of
Board.

3. Section 4 of the principal Act is amended—

(a) by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) Until the appointed day, the board shall consist of twelve members and shall be constituted in the manner provided for by subsection (2) of section 4

of this Act as in force immediately before the commencement of the Metropolitan Taxi-Cab Act Amendment Act, 1972, and on the appointed day the members of the board in office immediately before that day shall vacate their respective offices and on and from that day the board shall consist of eight members who shall be elected or appointed as follows:—

- i. Two members shall, in the manner prescribed by regulation, be elected by the councillors holding office in the Adelaide City Council:
 - ii. Two members shall be appointed by the Governor—
 - (A) one on the nomination of the Local Government Association of South Australia Incorporated;
 - and
 - (B) one on the nomination of the Minister as being a person who in the opinion of the Minister has knowledge of and experience in matters relating to and affecting local government:
 - iii. Two members shall be appointed by the Governor on the nomination of the section of the South Australian Employers Federation known as the 'Taxi-Cab Operators' Association:
 - iv. One member shall be appointed by the Governor on the nomination of the Taxi Owner-Drivers section of the Transport Workers' Union:
 - v. One member shall be appointed by the Governor who shall be the Commissioner of Police or an officer of the Police Force.;
- (b) by inserting in subsection (5) after the passage "appointed as a member pursuant to" the passage "subparagraph (A) of";
- and
- (c) by inserting immediately after subsection (5) the following subsection:—
- (6) The Minister may by notice published in the *Gazette* appoint a day, in this section referred to as "the appointed day", to be the appointed day for the purposes of this section.

Amendment of
principal Act,
s. 6—
Casual
vacancies.

4. Section 6 of the principal Act is amended by inserting in paragraph (d) of subsection (1) after the passage “appointed pursuant to” the passage “subparagraph (A) of”.

Amendment of
principal Act,
s. 12—
Quorum and
presiding at
meetings.

5. Section 12 of the principal Act is amended—

(a) by striking out from subsection (1) the word “six” and inserting in lieu thereof the word “five”;

(b) by striking out from subsection (3) the word “only” and inserting in lieu thereof the passage “and in the event of an equality of votes shall have a second or casting vote”;

(c) by striking out subsection (4) and inserting in lieu thereof the following subsection:—

(4) A decision carried by a majority of the votes cast by the members present at a meeting of the board shall be the decision of the board.

Enactment of
s. 12a of
principal Act—

6. The following section is enacted and inserted in the principal Act immediately after section 12 thereof:—

Board subject
to directions of
the Minister.

12a. Notwithstanding any other provision of this Act or of any other Act the board is subject to the control of the Minister and in the exercise of the powers, functions, authorities and duties conferred or imposed on the board by or under this Act or any other Act, the board shall comply with the directions, if any, given by the Minister.

Amendment of
Principal Act,
s. 42—
Allegations in
complaint.

7. Section 42 of the principal Act is amended by inserting after paragraph (b) the word “or”.

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

M. L. OLIPHANT, Governor