

1961.

VICTORIA.



ANNO DECIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 6753.

An Act to make Provision with Respect to the Payment of Compensation to the Holders of Licences in Certain Circumstances.

[18th April, 1961.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. (1) This Act may be cited as the *Transport Regulation (Compensation) Act 1961*.

Principal Act.
No. 6400 as
amended by
No. 6458.

(2) In this Act the *Transport Regulation Act 1958* is called the Principal Act.

No. 6400,
new section,
s. 24A.
Compensation
to be payable
to holders of
existing licences
or certain
public
authorities
in certain
circumstances.

2. At the end of section twenty-four of the Principal Act there shall be inserted the following section:—

“ 24A. (1) Where the Board grants—

(a) an application for a new licence ;

(b) an application to extend the route or operating area of an existing licence ; or

(c) recommends

- (c) recommends pursuant to section thirty-three of this Act that the consent of the Governor in Council be given to the operation of a service by any public authority—

the Board may grant such application or make such recommendation subject to a condition that compensation shall be paid to the holder of an existing licence or to a public authority operating with the consent of the Governor in Council.

(2) In considering the terms of any such condition the Board shall have regard to the extent that the holder of an existing licence or a public authority is financially affected by such grant, extension or recommendation to operate, as the case may be.

(3) Where the Board determines that compensation shall be so payable, such compensation shall be paid in such manner as the Board directs, by—

- (a) the person to whom such a new licence is granted ;
- (b) the holder of an existing licence whose route or operating area is extended ; or
- (c) the public authority to which the consent to operate relates—

as the case requires.

(4) In default of agreement the amount of any such compensation shall be determined by arbitration under the *Arbitration Act 1958.*”
