



Victoria Government Gazette

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Transport (Compliance and Miscellaneous) Act 1983

ORDER MADE UNDER SECTION 143A OF THE TRANSPORT (COMPLIANCE AND MISCELLANEOUS) ACT 1983

Order for the Granting of Taxi-Cab Licences in Taxi-Cab Zones (Amendment) Order 2014

I, the Hon. Terry Mulder MP, Minister for Public Transport and Minister for Roads, make the following order to amend the Order for the Granting of Taxi-Cab Licences in Taxi-Cab Zones dated 17 June 2010 and published in the Victoria Government Gazette on 28 June 2010 (2010 Order):

1. Title

This Order may be cited as the Order for the Granting of Taxi-Cab Licences in Taxi-Cab Zones (Amendment) Order 2014.

2. Authorising provision

This Order is made under section 143A of the **Transport (Compliance and Miscellaneous) Act 1983** (Transport Act).

3. Definitions

Unless otherwise specified in this Order, capitalised terms have the meanings given in the 2010 Order.

4. Objective

The objective of this Order is to amend the 2010 Order to fix and reduce the amount of the licence fee payable for a WAT Fixed-Term Licence.

5. Effect

This Order is deemed to have effect on and from 10 November 2012.

6. Amendments

6.1 Paragraph 5 of the Order is deleted and replaced with the following:

‘specify that the licence fee to be paid for each Conventional Fixed-Term Licence is to be determined by tender, in accordance with Part C of the Rules;’

6.2 A new paragraph 5A is inserted into the Order as follows:

‘specify that the licence fee to be paid for each WAT Fixed-Term Licence is a fixed fee, being the aggregate total of the following amounts:

(5A.1) *first instalment*: the WAT First Instalment (as defined in the Rules) (being \$26,400);

(5A.2) *second instalment*: a further WAT First Instalment (as defined in the Rules) indexed in accordance with movement in the CPI (as defined in the Rules) with the change to be effective from 1 September 2011 (being \$27,350.40);

(5A.3) *third instalment*: \$18,400 less the amount of the appropriate annual licence fee payable by the licence holder under section 147A(1) of the Transport Act in the year that the instalment is payable;

(5A.4) *fourth instalment*: \$18,400 less the amount of the appropriate annual licence fee payable by the licence holder under section 147A(1) of the Transport Act in the year that the instalment is payable;

(5A.5) *fifth instalment*: the amount of the annual licence fee payable by the holder of a new taxi-cab licence in accordance with section 147A(2B) of the Transport Act (as varied in accordance with sections 147A(4) to (7) and published in the Government Gazette by the Minister under section 147A(8)) as at the date that the fifth instalment becomes payable in accordance with Rule 15.3.2;

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- (5A.6) *sixth instalment*: the amount of the annual licence fee payable by the holder of a new taxi-cab licence in accordance with section 147A(2B) of the Transport Act (as varied in accordance with sections 147A(4) to (7) and published in the Government Gazette by the Minister under section 147A(8)) as at the date that the sixth instalment becomes payable in accordance with Rule 15.3.2;
- (5A.7) *seventh instalment*: the amount of the annual licence fee payable by the holder of a new taxi-cab licence in accordance with section 147A(2B) of the Transport Act (as varied in accordance with sections 147A(4) to (7) and published in the Government Gazette by the Minister under section 147A(8)) as at the date that the seventh instalment becomes payable in accordance with Rule 15.3.2;
- (5A.8i) *eighth instalment*: the amount of the annual licence fee payable by the holder of a new taxi-cab licence in accordance with section 147A(2B) of the Transport Act (as varied in accordance with sections 147A(4) to (7) and published in the Government Gazette by the Minister under section 147A(8)) as at the date that the eighth instalment becomes payable in accordance with Rule 15.3.2;
- (5A.9) *ninth instalment*: the amount of the annual licence fee payable by the holder of a new taxi-cab licence in accordance with section 147A(2B) of the Transport Act (as varied in accordance with sections 147A(4) to (7) and published in the Government Gazette by the Minister under section 147A(8)) as at the date that the ninth instalment becomes payable in accordance with Rule 15.3.2;
- (5A.10) *tenth instalment*: the amount of the annual licence fee payable by the holder of a new taxi-cab licence in accordance with section 147A(2B) of the Transport Act (as varied in accordance with sections 147A(4) to (7) and published in the Government Gazette by the Minister under section 147A(8)) as at the date that the tenth instalment becomes payable in accordance with Rule 15.3.2.

Note:

Where relevant, sections of the Transport Act referred to in this Order are as inserted (or to be inserted) by the **Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013**.

The licence fee for a WAT Fixed-Term Licence is payable in 10 annual instalments. Except for the first instalment, all instalments are payable on the anniversary of the date the WAT Fixed-Term Licence was granted by the licensing authority. The licensing authority may allow a licence fee to be paid by instalments and may cancel or suspend a licence if the instalment is not paid by the due date (see sections 143A(10) and (11) of the Transport Act). Licence holders are required to pay the appropriate annual licence fee payable under section 147A(1) of the Transport Act each year in addition to the amount of the above instalments.

7. 2010 Order otherwise confirmed

Except as amended by this Order, the 2010 Order remains in full force and effect.

Dated 16 February 2014

HON. TERRY MULDER MP
Minister for Public Transport
Minister for Roads

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