

# METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST.

No. 93 of 1973.

AN ACT to amend the Metropolitan (Perth)  
Passenger Transport Trust Act, 1957-1966.

[Assented to 27th December, 1973.]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Metropolitan (Perth) Passenger Transport Trust Act Amendment Act, 1973.*

Short title  
and citation.

(2) In this Act the Metropolitan (Perth) Passenger Transport Trust Act, 1957-1966, is referred to as the principal Act.

Act No. 71  
of 1957 as  
amended by  
Acts Nos.  
11 of 1960,  
9 of 1961,  
113 of 1965,  
and  
52 of 1966.

(3) The principal Act as amended by this Act may be cited as the Metropolitan (Perth) Passenger Transport Trust Act, 1957-1973.

No. 93.]                      *Metropolitan (Perth)*                      [1973.  
   *Passenger Transport Trust.*

Commence-  
ment.

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

Amendment  
to long title.

3. The long title of the principal Act is amended by adding before the word "in", in line seven, the passage "and of Providing Efficient Suburban Railway Passenger Services,".

Amendment  
to section 4.  
(Interpreta-  
tion.)

4. Section 4 of the principal Act is amended—

(a) by adding before the interpretation "functions" interpretations as follows—

"Commission" means the body corporate by the name of The Western Australian Government Railways Commission, constituted under the Government Railways Act, 1904;

"Commissioner" means the Commissioner of the Western Australian Government Railways for the time being in office under the Government Railways Act, 1904; ;

(b) by adding before the interpretation "Trust" interpretations as follows—

"railway" has the same meaning as it has in and for the purposes of the Government Railways Act, 1904;

"suburban railway passenger services" means passenger services on railways within the metropolitan area by means of rail conveyances travelling only between places in that area; .

Amendment  
to section 7.  
(Offices of  
the Trust.)

5. Section 7 of the principal Act is amended by adding after the word "members", in line two, the passage ", as the three appointed members, and the Commissioner by virtue of his office under the Government Railways Act, 1904".

6. Section 8 of the principal Act is amended—

Amendment  
to section 8.  
(Appoint-  
ments to  
offices.)

- (a) by adding before the word “members”, in line two of subsection (1), the word “appointed”; and
- (b) by adding before the word “member”, in line two of subsection (3), the words “an appointed”.

7. Section 9 of the principal Act is amended—

Amendment  
to section 9.  
(Deputies.)

- (a) by adding before the word “members”, in line two of subsection (1), the word “appointed”;
- (b) by substituting for the words “a member”, in line one of subsection (2), the words “an appointed member”; and
- (c) by adding subsections as follows—

(3) The person appointed as deputy of the Commissioner under the Government Railways Act, 1904, is his deputy as a member of the Trust.

(4) During the absence of the Commissioner as a member of the Trust his deputy is authorised to exercise any power, and to carry out any duty, which the Commissioner if present could exercise, or would be required to carry out under this Act.

8. Subsection (1) of section 10 of the principal Act is amended by deleting the words “when making appointments to the respective offices and thereafter”, in the second last and last lines.

Amendment  
to section 10.  
(Salaries of  
members of  
the Trust.)

9. Section 11 of the principal Act is amended by deleting the words “when making appointments to the respective offices and thereafter”, in the second last and last lines.

Amendment  
to section 11.  
(Conditions  
of service of  
members of  
the Trust.)

Amendment  
to section 12.  
(Remunera-  
tion and  
conditions  
of service of  
deputies.)

10. Section 12 of the principal Act is amended by substituting for the words "appointed to act", in lines two and three, the word "acting".

Amendment  
to section 13.  
(Preserva-  
tion of  
existing  
rights.)

11. Section 13 of the principal Act is amended—

(a) by substituting for the words "A member", being the first two words in the section, the words "An appointed member"; and

(b) by adding after the word "for", in line one, the word "such".

Amendment  
to section 14.  
(Suspension  
and removal  
of members  
of the Trust.)

12. Subsection (1) of section 14 of the principal Act is amended by substituting for the words "A member", being the first two words in the subsection, the words "An appointed member".

Amendment  
to section 15.  
(Gazettal of  
appoint-  
ments of  
members.)

13. Subsection (1) of section 15 of the principal Act is amended by adding before the word "members", in line two, the word "appointed".

Amendment  
to section 17.  
(Quorum.)

14. Section 17 of the principal Act is amended—

(a) by substituting for the passage "two, whether both are members or both are deputies, or one is a member and one is a deputy," in lines five, six and seven, a passage as follows—"three, whether members or deputies,"; and

(b) by deleting the word "appointed", in the second last line.

Repeal and  
re-enactment  
of section 23.  
(Functions  
of the  
Trust.)

15. Section 23 of the principal Act is repealed and re-enacted as follows—

23. (1) The functions of the Trust are—

(a) to provide, maintain, protect, and manage, in accordance with, and subject to, the provisions of this Act,

efficient passenger transport facilities by vehicular service along routes over streets in the metropolitan area, and if necessary by ferry services on ferry service routes in that area, and to carry out works, and carry on undertakings, necessary and incidental thereto;

- (b) to provide through the Commission, in accordance with, and subject to, the provisions of this Act, efficient suburban railway passenger services, and to carry on undertakings necessary and incidental thereto; and
- (c) to give effect to the purposes of this Act generally.

(2) The Trust shall not acquire any railway.

(3) The Commission shall operate suburban railway passenger services on behalf of and at the direction of the Trust in accordance with, and subject to, the provisions of this Act, and the powers of the Commission under the Government Railways Act, 1904, in respect of those services are modified accordingly.

(4) The Trust shall pay to the Commission such amounts of money as are the total expenses, including debt charges, incurred by the Commission in operating, maintaining, managing, and protecting suburban railway passenger services, which amounts if there is no agreement thereon by the Trust and the Commission shall be determined by the Treasurer.

(5) All revenue from the operation of suburban railway passenger services shall be received on behalf of the Trust and shall be paid or credited to it accordingly. .