

2019-11-18

OBJECTS AND REASONS

This Bill would amend certain enactments consequent upon the commencement of the *Transport Authority Regulations, 2019*.

Arrangement of Sections

1. Short title
2. Amendment of enactments in Schedule

SCHEDULE

CONSEQUENTIAL AMENDMENTS

BARBADOS

A Bill entitled

An Act to amend certain enactments consequent upon the commencement of the *Transport Authority Regulations, 2019* (S.I. 2019 No.).

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Public Transport (Miscellaneous Provisions) Act, 2020*.

Amendment of enactments in Schedule

2. *The enactments set out in Column 1 of the Schedule are amended in the manner specified in Column 2 of the Schedule.*

SCHEDULE

(Section 2)

CONSEQUENTIAL AMENDMENTS

Column 1	Column 2
<i>Enactments</i>	<i>Amendments</i>
1. <i>Road Traffic Act</i> , Cap. 295.	<p>Delete section 106.</p> <p>Delete section 106A.</p> <p>In section 107,</p> <p style="padding-left: 40px;">(a) delete the words "public service vehicles," in subsection (1); and</p> <p style="padding-left: 40px;">(b) delete the words "public service vehicle," wherever they appear in subsection (2).</p>
2. <i>Transport Authority Act</i> , Cap. 295A	<p>Insert immediately after section 2, the following:</p> <p style="text-align: center;">"Construction</p> <p style="padding-left: 40px;">2A. Where a conflict arises between an enactment, with the exception of the <i>Constitution</i>, and the provisions of this Act, this Act and any subsidiary legislation made under this Act shall prevail."</p> <p>Insert immediately after section 23, the following:</p> <p style="text-align: center;">"Subsequent convictions</p> <p style="padding-left: 40px;">"23A. (1) The Authority may suspend the licence of a driver or a conductor where that driver or conductor is subsequently convicted pursuant to section 27(1)(b).</p> <p style="padding-left: 40px;">(2) The Authority may suspend the permit of the owner or operator of vehicle who is subsequently convicted pursuant to section 27(2)(b)."</p>

Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - (Cont'd)

Column 1	Column 2
<i>Enactments</i>	<i>Amendments</i>
2. <i>Transport Authority Act, Cap. 295A - (Cont'd)</i>	<p>Insert immediately after section 24, the following:</p> <p style="text-align: center;">"Appointment of stands for public service vehicles</p> <p style="text-align: center;">24A. The Transport Authority may, subject to the approval of the Minister and by notice published in the <i>Official Gazette</i>, designate stands and parking places for use exclusively by public service vehicles plying or standing for hire, and inform the Commissioner of Police accordingly in writing."</p> <p>Delete section 27 and substitute the following:</p> <p style="text-align: center;">"Special offences in respect of public service vehicles</p> <p style="text-align: center;">27. (1) Any person who drives or conducts a public service vehicle in respect of which there is not in existence a valid permit issued under this Act is guilty of an offence and is liable on summary conviction,</p> <p style="text-align: center;">(a) in the case of a first conviction, to a fine of \$1 000; and</p> <p style="text-align: center;">(b) in the case of a second or subsequent conviction, to a fine of \$2 000.</p> <p style="text-align: center;">(2) Any owner or operator of a vehicle who uses or permits a vehicle to be used as a public service vehicle</p>

Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - (Cont'd)

Column 1	Column 2
<i>Enactments</i>	<i>Amendments</i>
2. <i>Transport Authority Act, Cap. 295A - (Concl'd)</i>	<p>on a road in contravention of this Act or the regulations is guilty of an offence and is liable on summary conviction,</p> <p style="padding-left: 40px;">(a) in the case of a first conviction, to a fine of \$1 000; and</p> <p style="padding-left: 40px;">(b) in the case of a second or subsequent conviction, to a fine of \$2 000."</p> <p>Delete section 28.</p> <p>In section 29, delete subsection (2).</p>
3. <i>Road Traffic Regulations, 1984 (S.I. 1984 No. 141)</i>	<p>In regulation 13, delete the words "public service vehicle,".</p> <p>In regulation 14, delete the words "public service vehicle," wherever they appear.</p> <p>In the <i>First Schedule</i>,</p> <p style="padding-left: 40px;">(a) delete Form E; and</p> <p style="padding-left: 40px;">(b) in Form F, delete the words "Motor Omnibus No." and the words "Public Service Vehicle No.".</p> <p>In Part I of the <i>Fifth Schedule</i>,</p> <p style="padding-left: 40px;">(a) delete paragraph 5 and all the words appearing opposite thereto in the columns marked "Description of Examination" and "Amount of Fees" respectively;</p>

Schedule - (Concl'd)

CONSEQUENTIAL AMENDMENTS - (Concl'd)

Column 1	Column 2
<i>Enactments</i>	<i>Amendments</i>
<p>3. <i>Road Traffic Regulations, 1984</i> (S.I. 1984 No. 141) - (Concl'd)</p>	<p>(b) in paragraph 8, delete the words "4, 5 and 6" and substitute the words "4 and 6"; and</p> <p>(c) in paragraph 10, delete the words "4, 5 and 6" and substitute the words "4 and 6".</p>

In the *Eleventh Schedule*,

- (a) delete paragraphs 1, 2 and 3 and all the words appearing opposite thereto in the columns marked "Description" and "Amount of Fees" respectively;
- (b) in paragraph 4(1), delete sub-subparagraphs (e), (f) and (g) and all of the words appearing opposite thereto in the columns marked "Description" and "Amount of Fees" respectively; and
- (c) in paragraph 4(2) delete all of the words appearing in the column marked "Description" and substitute the words "Duplicate licence for classes (a) to (d)".

Read three times and passed the House of Assembly this
day of _____, 2020.

Speaker

Read three times and passed the Senate this _____ day of
, 2020.

President