L.N. 242 of 1997

TRAFFIC REGULATION ORDINANCE (CAP. 65) PUBLIC TRANSPORT AUTHORITY ACT (CAP. 332)

Public Transport (Scheduled and Unscheduled Transport Services) Regulations, 1997

IN exercise of the powers conferred by section 17 of the Traffic Regulation Ordinance and by section 27 of the Public Transport Authority Act, the Chairman of the Public Transport Authority, with the consent of the Minister for Transport and Ports, has made the following regulations:—

Citation.

1. These regulations may be cited as the Public Transport (Scheduled and Unscheduled Transport Services) Regulations, 1997.

Interpretation.

2. In these regulations, unless the context otherwise requires —

"motor coach" means any motor vehicle which is licensed and/or registered to carry more than thirty persons, excluding the driver;

"motor route bus" means any motor vehicle which is licensed and/or registered to carry more than fourteen persons, excluding the driver;

"motor minibus" means any motor vehicle which is licensed and/or registered to carry from ten to fourteen persons, excluding the driver, used for the conveyance of passengers;

"parastatal body" means any body established by any law and includes a partnership or other body in which the Government of Malta or any such body as aforesaid have a controlling interest or over which they have effective control.

Central Office for Scheduled Bus Transport Services.

3. (1) There shall be constituted a Central Office for Scheduled Bus Transport Services which shall be, in addition to the duties contemplated in regulation 4 hereunder, in charge of the distribution and allocation of all scheduled services.

(2) The Central Office shall keep a register of its members and motor route buses and enter therein the following particulars:

(a) the names, addresses and identification tag number of each member and of each person in the said member's employment;

(b) the date on which each person was entered in the register as a member, and the date of commencement of employment of each employee;

(c) the date on which any person ceased to be a member, and the date of termination of employment of each employee;

(d) the registration number, chassis number and year of manufacture of any motor route bus owned by each member;

(e) details of any trading licences in respect of any motor route bus owned by each member.

(3) The Public Transport Authority shall have the power to inspect the Register of Members and to control the activities of the said Central Office.

(4) The day to day administration of the Central Office and the relative expenditure shall be at the charge of the members of the Central Office.

(5) Notwithstanding any provision of these regulations, no licensee of any motor route bus authorised to operate any scheduled transport service may operate any scheduled, unscheduled or tourist service, even if licensed to operate such service, except through the Central Office for Scheduled Bus Transport Services, with which such licensee is registered as a member.

Scheduled transport service.

4. (1) Each licensee of a motor route bus authorised to operate any scheduled transport service shall do so in accordance with a roster prepared by the Central Office for Scheduled Bus Transport Services.

L.N. 128 of 1994.

(2) Without prejudice to the provisions of regulation 146 of the Motor Vehicles Regulations, 1994, it shall be the duty of the said Central Office to operate (subject to the approval of the Public Transport Authority) the roster of the motor route buses performing scheduled services on the various routes; the said roster is to be distributed among all members and affixed in a conspicuous place inside the said Office.

(3) The licensee of every motor route bus performing a scheduled transport service shall purchase at face value his ticket requirements from the said Central Office.

(4) The said Central Office shall every fifteen days distribute among the various licensees the share due to them from the sale of tickets and other income, after deducting therefrom the expenses incurred in the running of the said Central Office and adding thereto any amounts in respect of any disciplinary penalties levied.

(5) The distribution referred to in paragraph (4) of this rgulation shall be made in the proportion of the number of days worked and/or the number of trips performed by each motor route bus and of the number of seats allowed on each motor route bus.

(6) The said Central Office may levy appropriate disciplinary penalties, to be approved by the Public Transport Authority for the proper administration and running of the service. The said Central Office may deduct any such disciplinary penalties from the payment due to each licensee.

(7) Where a motor route bus, licensed to be used on any scheduled and unscheduled transport service, is not required on any particular day to perform any scheduled service in accordance with a roster prepared and approved under paragraph (2) of this regulation, the licensee of such motor route bus may cause, allow or permit the said motor route bus to operate any unscheduled transport service, provided that no licensee of any such motor route bus shall do so except through the Central Office for Scheduled Bus Transport Services in accordance with the provisions of regulation 6 hereunder.

Tourist services.

5. Any person requesting a transport service for tourists or unscheduled, may put such a request directly through the licensed operator of a motor coach, a motor minibus or any other vehicle having a licence to operate the said tourist or unscheduled service, as the case may be, in terms of the Police Licences Regulations, 1949. G.N. 846 of 1949.

Unscheduled services by motor route buses.

6. (1) Any person requiring the services of any motor route bus for the performance of any unscheduled transport service, shall hire or engage such service directly through the Central Office constituted under regulation 3 of these regulations, with which the said motor route bus is registered.

(2) It shall be the duty of such Central Office to allocate, among its members, on a roster system, unscheduled transport services, so as to ensure a fair distribution of the gross takings derived therefrom keeping in view the facilities provided by the motor route bus.

(3) The said Central Office shall every fifteen days distribute among the various licenses the share due to them out of the payments made in respect of unsceduled transport services, after deducting from the total takings the expenses incurred in the running of the said Central Office in respect of the said services and adding thereto any amount in respect of the disciplinary penalties levied.

(4) The distribution referred to in paragraph (3) of this regulation shall be in proportion to the service performed by each motor route bus, including the frequency, seating capacity and length and duration of journeys performed.

Transport of Government school children.

7. (1) When the Director of Education makes provision that certain routes for the transport of Government school children be serviced by motor route buses, such routes shall be allocated to the Central Office for Scheduled Bus Transport Services to be serviced exclusively by motor route buses which on the particular day are not detailed for work on roster by the said Central Office.

(2) The provisions of this regulation shall apply, *mutatis mutandis*, in the case of any transport services organised by any Governmental department or parastatal body.

Repeals L.N. 144 of 1991.

8. The Public Transport (Scheduled, Tourist, Minibus and Unscheduled Transport Services) Regulations, 1991, are hereby being repealed.

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