

PUBLIC TRANSPORTATION BOARD AMENDMENT ACT 2006



BERMUDA

2006 : 18

PUBLIC TRANSPORTATION BOARD AMENDMENT ACT 2006

Date of Assent: 26 June 2006

Operative Date: Notice in Gazette

ARRANGEMENT OF SECTIONS

1	Short title	8	Repeals sections 5A and 5B
2	Change of short title	9	Substitutes section 5C
3	Amends section 1	10	Amends section 6
4	Amends section 2	11	Amends section 9
5	Amends section 3	12	Amends section 11
6	Amends section 4	13	Commencement
7	Amends section 5		

WHEREAS it is expedient to amend the Public Transportation Board Act 1951:

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Short title

1 This Act may be cited as the Public Transportation Board Amendment Act 2006.

Change of Short title

2 The Public Transportation Board Act 1951 (in this Act referred to as "the principal Act") is renamed the "Public Transportation Act 1951".

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Amends section 1

3 Section 1 of the principal Act is amended by inserting the following definitions in their proper alphabetical positions —

- “Department” means the Department of Public Transportation;
- “Director” means the Director of the Department of Public Transportation;”.

Amends section 2

4 Section 2 of the principal Act is amended —

- (a) in subsection (1), by deleting “powers and” and substituting “power to”;
- (b) in subsection (2), by deleting “Governor” and “Governor’s” and substituting “Minister” and “Minister’s”, respectively;
- (c) by repealing subsection (3);
- (d) in subsection (4), by deleting “Governor” and “Governor’s” and substituting “Minister” and “Minister’s”, respectively;
- (e) in subsections (5) and (7), by deleting “Ministers” and substituting “members”;
- (f) in subsection (9), by inserting “with”, next after the word “accordance”; and
- (g) by repealing subsection (10).

Amends section 3

5 Section 3 of the principal Act is repealed and the following section is substituted—

“Appointment of officers

3 Appointment of officers of the Department of Public Transportation shall be subject to section 82 of the Constitution.”.

Amends section 4

6 Section 4 of the principal Act is amended by repealing subsection (4) and substituting the following subsection —

“(4) The report for any year made under subsection (3) shall set out any directions given by the Minister during the year.”.

Amends section 5

7 Section 5 of the principal Act is amended —

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- (a) in the headnote, by deleting “Board to operate” and substituting “Operation of”;
- (b) in subsection (1) —
 - (i) by deleting “Public Transportation Board” and substituting “Director of the Department of Public Transportation”; and
 - (ii) by deleting “or the time being” and substituting “or for the time being”;
- (c) by repealing subsections (2) and (3) and substituting the following subsections —

“(2) The Director shall, after consultation with the Board, institute and maintain such omnibus services as appear to him to be desirable for providing means of public transportation within Bermuda.

(3) The Director may, after consultation with the Board, operate Government omnibuses for purposes other than the provision of public transport, and, in connection with the operation of Government omnibuses for any such purposes, the Board may make such charges for each passenger carried thereon, as it may consider appropriate.”.

Repeals sections 5A and 5B

8 The principal Act is amended by repealing sections 5A and 5B.

Substitutes section 5C

9 The principal Act is amended by repealing section 5C and substituting the following section —

“Department, to meet expenses out of revenue

5C So far as is practicable, the Director shall administer the Department of Public Transportation and the Board shall levy such rents, fees, fares and other charges for services rendered by the Department as, together with such funds as may be appropriated by the Legislature for the purposes of public transportation, will result in the revenue of the Department being sufficient, to meet the expenditure and liabilities of the Department including allocations to reserve for replacement of plant and provision for depreciation of assets.”.

Amends section 6

10 Section 6 of the principal Act is amended in subsection (4) by deleting “Board” where it first occurs and substituting “Department of Public Transportation”.

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Amends section 9

11 Section 9 of the principal Act is amended —

(a) by deleting “Board” wherever it occurs and substituting “Minister”; and

(b) by inserting next after the word “may” where it first occurs, the following words —

“after consultation with the Board,”.

Amends section 11

12 Section 11 of the principal Act is amended in subsection (2) by deleting “Board” and substituting “Minister”.

Commencement

13 This Act shall come into force on such day as the Minister appoints, by Notice in the Gazette.