

South Australia

**Passenger Transport (Proof of Entitlement)
Amendment Bill 2005**

A BILL FOR

An Act to amend the *Passenger Transport Act 1994*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Passenger Transport (Proof of Entitlement) Amendment Act 2005*.

5 2—Commencement

This Act will come into operation 1 month after assent.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

10 Part 2—Amendment of *Passenger Transport Act 1994*

4—Insertion of section 57A

After section 57 insert:

57A—Proof of entitlement

(1) If—

- 15 (a) a person who is travelling (or seeking to travel) on a vehicle that is providing a regular passenger service claims to be entitled to travel for free or at a reduced fare; and
- 20 (b) the person is unable to verify his or her claim at the time of travel (or at the time of seeking to travel) (including in a case where a pass or concession card appears to be defective, or where the person cannot produce a valid pass or concession card); and
- (c) there are reasonable grounds to believe that the person's claim is true,

the person must be given 48 hours to produce reasonable evidence that he or she is entitled to travel for free or at the reduced fare (as the case may be) (and the person must be permitted to undertake or complete his or her journey).

- 5 (2) The evidence—
- (a) must be produced in accordance with any requirement prescribed by the regulations; and
 - (b) must be produced at a place specified by the regulations for the purposes of this section.
- 10 (3) If a person produces the evidence contemplated by subsection (1) in accordance with that subsection and in accordance with any requirement that applies under subsection (2), no action may be taken against the person by virtue of the fact—
- (a) that he or she did not pay the full fare for the relevant travel; or
 - (b) that he or she did not present a valid pass or card at the time of travel.
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