

Legislative Council—No 3

As introduced and read a first time, 6 May 2026

South Australia

**Passenger Transport (Free Public Transport)
Amendment Bill 2026**

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 (Free Public Transport) Amendment Act 2026*.

2—Commencement

This Act comes into operation on the day on which it is assented to by, or on behalf of, the Crown.

Part 2—Amendment of *Passenger Transport Act 1994*

3—Insertion of Part 2

After section 5 insert:

Part 2—Free public transport

6—Application and expiry of Part

- (1) This Part applies despite any other provision of this Act, the regulations under this Act or any other Act or law.
- (2) This Part will expire—
 - (a) on a day fixed by proclamation (being a day not earlier than 6 months after the day on which this section comes into operation); or
 - (b) if such a proclamation is not made within 6 months after the day on which this section comes into operation—6 months after the day on which this section comes into operation.

7—Passenger transport services to which Part applies

- (1) This Part applies to the following passenger transport services:
- (a) a regular passenger service consisting of the carriage of passengers by train;
 - (b) a regular passenger service consisting of the carriage of passengers by tram;
 - (c) a regular passenger service consisting of the carriage of passengers by bus operated pursuant to a service contract (including, to avoid doubt, the O-bahn busway, a regional bus service or a train or tram replacement bus service);
 - (d) a passenger transport service providing services that are subsidised under the South Australian Transport Subsidy Scheme;
 - (e) any other passenger transport service, or class of passenger transport services, prescribed by the regulations.
- (2) However, this Part does not apply to the following passenger transport services:
- (a) a train service provided by, or on behalf of, an entity other than Adelaide Metro;
 - (b) a bus service that is not operated pursuant to a service contract;
 - (c) a taxi service that is not a service referred to in subsection (1)(d),
- whether or not the service is a regular passenger service.

- (3) In this section—

bus has the same meaning as in the *Road Traffic Act 1961*.

8—Passenger transport services to which Part applies to be provided at no cost

- (1) A passenger transport service to which this Part applies must be provided by the operator of the service at no cost to users of the service.
- (2) This section has effect despite a determination of the Minister of a fare, charge, arrangement or rate that would, but for this section, be payable by a person for a service of the relevant kind (and such a determination is, to the extent that it is inconsistent with this section, of no effect for as long as this Part remains in operation).

Note—

See regulations 155 and 156 of the *Passenger Transport Regulations 2024*.

- (3) The Minister must take such steps as may be reasonably necessary to give effect to this section.

(4) A contravention of this section by an accredited operator of a passenger transport service will, for the purposes of section 36, be taken to be proper cause for disciplinary action against the operator.

(5) A person who uses a passenger transport service to which this Part incurs no criminal or civil liability in relation to the non-payment of a fare or charge that would, but for this section, be payable.

9—No compensation payable in respect of Part

(1) Despite a provision of this or any other Act or law, no compensation or other payment is payable to an operator of a passenger transport service in respect of the operation of this Part.

(2) However, nothing in subsection (1) prevents the Minister from entering an arrangement with the operator of passenger transport service to which this Part applies in relation to indemnifying the operator in respects to costs or losses reasonably incurred in complying with this section.