



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE

OF
THURSDAY, JULY 16, 1936.

Published by Authority.

WELLINGTON, SATURDAY, JULY 18, 1936.

Provisions relating to Passenger-services under the Transport Licensing Act, 1931.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 18th day of July, 1936.

Present :

THE RIGHT HONOURABLE M. J. SAVAGE PRESIDING IN COUNCIL.

PURSUANT to the Transport Licensing Act, 1931 (hereinafter referred to as "the said Act"), His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council,—

- (1) Doth hereby enact that this Order in Council may be cited as the Transport (Passenger) Order, 1936, and that the regulations set out in the Third Schedule hereto may be cited as the Transport Licensing (Passenger) Regulations, 1936 :
- (2) Doth hereby revoke the Orders in Council referred to in the First Schedule hereto :
- (3) (a) Doth hereby divide the mainland of the North and South Islands (exclusive of the areas comprised in the transport districts constituted by subsection one of section three of the said Act and subject to the alteration hereby effected of the boundaries of the Dunedin Transport District) into the transport districts set out in the First Part of the Second Schedule hereto :
- (b) Doth hereby assign to the transport districts hereby created the names set out in the First Part of the said Second Schedule :
- (c) Doth hereby declare that the transport districts hereby created shall comprise the respective areas described in the First Part of the said Second Schedule and have the boundaries therein indicated :
- (d) Doth hereby alter the boundaries of the Dunedin Transport District as constituted by the said Act so that the Dunedin Transport District shall be the area described in the Second Part of the said Second Schedule and have the boundaries therein indicated :
- (e) Doth hereby include in the said respective areas any islands which are specifically described as belonging to them or which form parts of the respective counties named in the said Second Schedule :
- (4) Being satisfied that persons are being carried by motor-vehicle to the extent hereinafter described in such a manner as in effect to constitute a regular public service, doth hereby declare the following manner of transport—that is to say, the carriage by motor-vehicle of patients to or from public or private hospitals in such a manner as in effect to constitute a regular public service, to be the carrying on of a passenger-service within the meaning of the said Act :
- (5) Doth hereby make the regulations set out in the Third Schedule hereto :
- (6) Doth hereby declare that this Order in Council shall take effect on the day of its publication in the *Gazette*.

FIRST SCHEDULE.

ORDERS IN COUNCIL REVOKED.

Short Title or Description.	Date of Enactment.	Date of Publication in <i>Gazette</i> .	Page.
Transport Licensing (Passenger-services) Regulations, 1933	10th April, 1933 ..	13th April, 1933 ..	737
Transport Licensing (Passenger-services) Amendment No. 1	4th September, 1933 ..	7th September, 1933 ..	2347
Transport Licensing (Passenger-services) Amendment No. 2	4th November, 1935 ..	7th November, 1935 ..	3060
Transport Licensing (Passenger-services) Amendment No. 3	11th March, 1936 ..	12th March, 1936 ..	461
Order in Council constituting Transport Districts	15th December, 1931 ..	17th December, 1931 ..	3492
Order in Council amending Transport Districts	10th February, 1932 ..	16th February, 1932 ..	301
Order in Council amending Transport Districts	10th February, 1932 ..	18th February, 1932 ..	321
Order in Council amending Transport Districts	19th June, 1933 ..	22nd June, 1933 ..	1641
Regulations relating to Accounts and Records	24th August, 1932 ..	25th August, 1932 ..	1926
Transport Licenses (Transfer) Regulations, 1934	9th July, 1934 ..	12th July, 1934 ..	2124
Transport Licenses (Transfer) Regulations, 1934, Amendment No. 1	3rd September, 1934 ..	6th September, 1934 ..	2807
Declaring Regular Carriage of Patients to Hospital to Constitute a Passenger-service	15th October, 1934 ..	18th October, 1934 ..	3329
Exemption of certain Types of Passenger-service Vehicles from Requirements as to Certificates of Fitness	3rd December, 1934 ..	6th December, 1934 ..	4121

SECOND SCHEDULE.

TRANSPORT DISTRICTS CONSTITUTED.

FIRST PART.

Number One Transport District.

All that area of the North Island bounded to the east, north, and west by the sea, and to the south by a line following the southern boundary of the Waitomo County from the sea to the western boundary of the Taupo County; thence by the western and southern boundary of the Taupo County to the south-western boundary of the Wairoa County; and thence by the south-western boundary of the Wairoa County to the sea, and including all the area of Great Barrier County and of Waiheke Island, but excluding all that area within the Auckland Transport District.

Number Two Transport District.

All that area of the North Island bounded to the east, south, and west by the sea and to the north by the southern boundary of the Number One Transport District hereinbefore defined, but excluding all that area within the Wellington Transport District.

Number Three Transport District.

All that area of the South Island bounded to the east, north, and west by the sea and to the south by a line following the southern and south-eastern boundary of the Westland County from the sea, to the western boundary of the Ashburton County; thence by the south-western boundary of the Ashburton County to the western boundary of the Geraldine County; thence by the western boundary of the Geraldine County to the northern boundary of the Levels County, thence by the northern, western, and south-western boundaries of the Levels County to the sea so as to include the Levels County, but excluding all that area within the Christchurch Transport District.

Number Four Transport District.

All that area of the South Island bounded to the east, south, and west by the sea, and to the north by the southern boundary of the Number Three Transport District hereinbefore defined, and all the area of the Stewart Island County, but excluding all that area within the Dunedin Transport District hereinafter defined.

SECOND PART.

Dunedin Transport District.

All that area situated within the boundaries of the Dunedin City, the boroughs of Green Island, Port Chalmers, West Harbour, and St. Kilda, the Peninsula County, and also the area of the No. 225 Main Highway from Dunedin to Port Chalmers.

THIRD SCHEDULE.

REGULATIONS ENACTED.

REGULATION 1.—PRELIMINARY.

- (1) These regulations may be cited as the Transport Licensing Passenger Regulations, 1936.
- (2) In these regulations, unless the context otherwise requires,—
- “The said Act” means the Transport Licensing Act, 1931, and includes the amendments thereof:
- “Enforcement officer” means any member of the Police Force or the Commissioner, or any person appointed by the Commissioner or a Metropolitan Authority in terms of section 54 of the said Act:
- “Fee” means the fee prescribed by Regulation 17 hereof:
- “In Form T.L.” (followed by a number) means in the form set out in the table of forms hereinafter contained and prefixed by such respective number or to the effect of that form:
- “License” means a license to carry on a passenger-service:
- “Licensing Authority,” in relation to a Transport District, means a Licensing Authority appointed therefor pursuant to the said Act, and includes a Metropolitan Authority:
- “Passenger,” in relation to a passenger-service vehicle, does not include the driver thereof:
- “Permit” means a permit issued under subsection (1) of section 38 of the said Act authorizing the use of a passenger-service vehicle without a certificate of fitness:
- “Variation,” in respect of a passenger-service license, includes any amendment or revocation of any of the terms or conditions of such license or any addition of new terms and conditions thereto pursuant to section 34 of the said Act.
- (3) All registers, appointments, licenses, certificates, permits, applications, notices, matters, and things which originated under the regulations hereby revoked and are effective on the coming into force of these regulations shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

REGULATION 2.—LICENSING AUTHORITIES PROCEDURE.

- (1) Any suitable officer of the Public Service may from time to time be appointed to be the Secretary of any Licensing Authority other than a Metropolitan Licensing Authority. A Metropolitan Licensing Authority may from time to time appoint any suitable person to be its Secretary for the purpose of these regulations.
- (2) The Licensing Authority may in its proceedings act upon such information as it thinks fit, whether such information would be evidence legally admissible in judicial proceedings or not.
- (3) Any person may be represented at the proceedings by counsel, solicitor, or other agent.
- (4) The Licensing Authority may require any person to transcribe or summarize in writing, either during or after the proceedings, any oral statement made by such person during the proceedings.
- (5) In any case when the consent of a Metropolitan Authority is required to the granting of a license in terms of subsection (4) of section 26 of the said Act, the Secretary of the Licensing Authority whose function it is to grant such license (hereinafter in this clause referred to as the “proper Licensing Authority”) shall, on receipt of the application for the license or variation thereof requiring such consent, send a copy of the application to the Metropolitan Authority. Upon arriving at its determination concerning the portion of the application which requires its consent the Metropolitan Authority shall forthwith send a copy of the determination, certified by its Secretary as correct, to the Secretary of the proper Licensing Authority, whereupon the latter may issue the license or variation of license in terms of such consent.

REGULATION 3.—CONTINUOUS AND SEASONAL PASSENGER-SERVICE LICENSES.

- (1) Every application for a license, other than for a renewal of such a license, and other than for a temporary license, shall be made in duplicate in form T.L. 1, and shall be accompanied by the respective fee.
- (2) A license other than a temporary license shall be in form T.L. 2.
- (3) It shall be a duty of each Secretary to forward without delay to the Commissioner a notification of every determination of the Licensing Authority in reference to a license and a copy of each license granted and of each variation, suspension, or revocation thereof.
- (4) The copies forwarded to the Commissioner in terms of the last preceding clause shall be recorded by the Commissioner, and that record shall be the register of licenses which is required to be kept by the Commissioner in terms of section 32 of the said Act.
- (5) A deviation from the prescribed route shall not be deemed a breach of the terms of the license if and so long as such deviation is for the reason that the prescribed route is under repair or is otherwise temporarily unsuitable for use.
- (6) At all times complete and correct lists of the time-tables and fares for the time being in force for the service in which any passenger-service vehicle is used shall, while the vehicle is so used, be displayed on the vehicle or be made immediately available for any passenger on request to the driver.

REGULATION 4.—TEMPORARY LICENSES.

- (1) Every application for a temporary license shall be made in form T.L. 3 to the Secretary of the Licensing Authority or to any other person appointed by the Licensing Authority for the purpose of dealing with temporary licenses:
- Provided that the Licensing Authority or the person appointed as above provided may dispense with the requirement of an application form either generally or in any particular case as may be deemed fit.
- (2) The application shall be made at least seven days before the date on which, if the application be granted, the applicant proposes to commence the temporary passenger-service to which the application relates:

Provided that this condition shall not be deemed to prohibit a Licensing Authority from dispensing with the foregoing requirement and dealing with any application for a temporary license at any time the Licensing Authority deems fit.

(3) If the application is granted, a separate license shall be issued in respect of every vehicle which it is proposed to use.

(4) A temporary license shall be in form T.L. 4.

(5) Prior to the delivery to the applicant or his agent of any temporary license, there shall be payable the respective fee.

(6) On each passenger-service vehicle while being used under the terms of a temporary license the licensee shall cause to be carried the appropriate license, and the said license shall be produced by the licensee or by the driver of the vehicle for inspection on demand by any Enforcement Officer.

REGULATION 5.—FARES AND TICKETS.

(1) It shall be a condition of every license (whether inserted therein or not) that the following provisions shall apply in respect of any fare paid by a passenger or prospective passenger who subsequently does not complete the full journey for which the fare is paid, and applies for a refund of the whole or portion of the fare :—

(a) Application for the refund shall be made to the licensee within three months after the date of payment of the fare, and any ticket issued to the passenger shall be surrendered on payment of the refund :

(b) Payment of the refund will not be obligatory if the amount of the refund would be less than 2s. 6d. when computed as hereinafter prescribed :

(c) Except when the claim for refund is due to the failure of the licensee to run a trip at the time prescribed by the license or to make room available for the passenger on a vehicle used in the service, the licensee may deduct from the amount computed as described in paragraph (d) hereof 10 per cent. of that amount :

(d) When application is made to a licensee for a refund of a fare or portion of a fare paid in respect of a journey which was not fully completed by the applicant, the amount to be refunded shall, subject to the provisions of paragraphs (a), (b), and (c) hereof, be computed as follows :—

(i) The full amount of the fare shall be refunded if no part of the respective journey was completed ; or

(ii) The full amount of the fare shall be refunded, less deduction of the regular authorized single fare for that portion of the respective journey which was completed.

(2) It may be made a condition of any license that the licensee shall cause to be issued to every passenger using his service a ticket bearing particulars of the place of commencement and of termination of the passenger's journey and the fare received from the passenger. If the license includes such a condition, a satisfactory record of each ticket issued shall be retained by the licensee for at least six months from the date of its issue, and shall during the period of its retention be produced on demand to the respective Licensing Authority or to any authorized person.

REGULATION 6.—RENEWAL OF CONTINUOUS AND SEASONAL PASSENGER-SERVICE LICENSES.

(1) Every application for renewal of a license shall be made in duplicate in form T.L. 5 and shall be accompanied by the respective fee.

(2) Every application for renewal of a license shall for all purposes of these regulations (other than the form of the application) be deemed an application for a new license.

(3) Every provision herein directed to be a condition of a license, whether inserted therein or not, shall be a condition of every license renewed after the coming into force of these regulations, whether or not it was a condition of the license prior to its renewal.

REGULATION 7.—AMENDMENT, REVOCATION, AND ABANDONMENT OF PASSENGER-SERVICE LICENSES.

(1) Every application under section 34 of the said Act by the licensee for the amendment or revocation of any of the terms or conditions of a license shall be in form T.L. 6 and shall be accompanied by the respective fee.

(2) The holder of any license which has expired or which is lawfully revoked, suspended, or amended, or of any license for a service authorized to be discontinued, shall, upon request by the Secretary of the Licensing Authority which issued it, return to him within three days of such request the license and any document or plate in evidence of its issue, and if the license is amended a new license incorporating the amendment shall be issued, or the original license with an amendment endorsed on it or incorporated in form T.L. 7 and duly signed shall be returned as soon as possible to the licensee.

(3) The revocation or suspension of a passenger-service license shall be in form T.L. 8.

(4) When a passenger-service has been abandoned by the licensee with the permission of the Licensing Authority duly obtained in terms of subsection (3) of section 31 of the said Act the relative license may be revoked by the Licensing Authority at any time after such permission has been given.

REGULATION 8.—TRANSFER OF LICENSES.

(1) Every application for transfer of a license in terms of section 20 of the Transport Law Amendment Act, 1933, shall be made in duplicate in form T.L. 9 and shall be accompanied by the respective fee.

(2) If transfer of a license is granted it shall be sufficient evidence of the fact for the purposes of the said Act, the Transport Law Amendment Act, 1933, and any regulations issued thereunder if the license relating thereto is endorsed to the following effect and the endorsement is signed by the Secretary or member of the respective Licensing Authority :—

Section 20 of the Transport Law Amendment Act, 1933.

This license is transferred to—

[Full name of transferee]

[Business address of transferee]

(For) the

Licensing Authority.

[Signature.]

Date of decision : / / 19 .

REGULATION 9.—INTERRUPTIONS IN SERVICE.

All interruptions of a passenger-service which are likely to continue for more than twenty-four hours shall be promptly reported by the licensee in writing to the Licensing Authority by which the relative license was granted, and shall be publicly notified by the licensee at least once in a newspaper circulating in the district served. Both notifications shall fully explain the cause of the interruption and state its probable duration.

REGULATION 10.—CERTIFICATES OF FITNESS AND PERMITS.

(1) Every application for a certificate of fitness or permit in respect of a passenger-service vehicle shall be made in duplicate to the Commissioner in form T.L. 10 or T.L. 11 respectively and shall be accompanied by the respective fee.

(2) Every certificate of fitness for a passenger-service vehicle shall be issued in form T.L. 12.

(3) Every permit shall be issued, if for a period not exceeding one month in form T.L. 13A, if for a period exceeding one month in form T.L. 13B: Provided that a permit temporarily issued as a substitute for a certificate of fitness as the result of an application for the latter shall be issued in form T.L. 13c.

(4) The holder thereof shall cause every certificate of fitness or permit for the time being in force in respect of any passenger-service vehicle to be displayed thereon in a conspicuous place at all times while the vehicle is in use, and to be kept in good and legible condition to the satisfaction of the Inspector.

(5) When a vehicle in respect of which a certificate of fitness or a permit has been issued and is in force is purchased or otherwise acquired by a person who proposes to use it as a passenger-service vehicle, such person shall, within seven days thereafter, notify to the Commissioner, in form T.L. 14, the fact of such acquisition, the name and address of the previous owner, and particulars as to the other matters set out in the said form.

REGULATION 11.—REVOCATION OR SUSPENSION OF CERTIFICATES OF FITNESS AND PERMITS.

(1) Any permit may at any time by notice in writing to the holder, but without any previous notice, be revoked by the Commissioner or an Inspector.

(2) Upon receiving notice of the revocation in terms of the said Act or these regulations of a certificate of fitness, or permit, for any passenger-service vehicle, the holder shall immediately forward the revoked certificate or permit to the Commissioner of Transport.

(3) Upon receiving notice of the suspension of the certificate of fitness for any vehicle the holder shall immediately forward the suspended certificate to the Inspector who suspended the certificate; but, unless the suspension is followed by revocation, the certificate shall be returned to the holder immediately the period of suspension expires.

(4) It shall be lawful for an Inspector to remove and take possession of any revoked or suspended certificate of fitness or revoked permit attached to a vehicle.

(5) The revocation or suspension of a certificate of fitness shall be in form T.L. 15.

(6) A permit temporarily issued in form T.L. 13c shall on the issue of a certificate of fitness for the same vehicle be deemed without notice to the holder to be revoked and the holder shall forthwith forward the same to the Commissioner of Transport.

REGULATION 12.—EXEMPTION FROM REQUIREMENT OF CERTIFICATE OF FITNESS.

(1) The following classes of passenger-service vehicles are hereby exempted from the requirements of section 38 of the said Act as to a certificate of fitness being in force with respect to such vehicles while the same are used in connection with a passenger-service:—

(a) Any passenger-service vehicle used as such solely for the carriage to or from school of school-children with or without their teachers.

(b) Any passenger-service vehicle which is both—

(i) Licensed pursuant to a by-law of a local authority made for the licensing or regulating of vehicles plying or otherwise available for hire for the carriage of passengers: and is

(ii) For the time being used in the course of a passenger-service carried on pursuant to a temporary license issued under the said Act.

REGULATION 13.—INSPECTION AFTER ACCIDENTS.

(1) It shall not be lawful for any person to use a vehicle for the purposes of a passenger-service after the happening thereto of any accident of such a nature as to cause or be likely to cause any structural damage thereto unless and until it has been re-submitted for inspection to an Inspector.

(2) In addition to the notice required by section 50 of the said Act to be given to the Commissioner, the licensee shall forthwith give to the Commissioner notice of every accident of such a nature as to cause or be likely to cause structural damage to any passenger-service vehicle.

REGULATION 14.—CONDITION OF PASSENGER-SERVICE VEHICLES.

(1) The owner of any passenger-service vehicle shall at all times while such vehicle is in use keep the same in a safe and suitable condition for the carriage of passengers, and in accordance with any regulations that may hereafter be made and may for the time being be in force under the said Act in relation to the construction and condition of passenger-service vehicles.

(2) The owner of any passenger-service vehicle shall submit the same to an Inspector for examination whenever required so to do by the Commissioner, the Licensing Authority, or an Inspector, and shall not use the same or permit the same to be used for the carriage of passengers at any time while the certificate is revoked by the Commissioner or suspended by the Commissioner or an Inspector.

REGULATION 15.—ALTERATION AND DUPLICATION OF DOCUMENTS.

(1) For the purpose of this regulation "document" means any passenger-service license or variation thereof, certificate of fitness or permit, and includes a duplicate of a document.

(2) No person shall—

(a) Save by direction of the Issuing Authority, alter or deface any document, and any document so altered or defaced shall be void; or

(b) Without authority of the Licensing Authority or the Commissioner, lend or part with any license issued to him.

(3) Upon the return of any document rendered illegible or spoilt by weather or other such cause, or upon proof to his satisfaction that a document has been destroyed, stolen, or lost, the Commissioner of Transport may, upon application of the person to whom the document was issued, and upon payment of the respective fee, issue a duplicate of such document. Every duplicate so issued shall have the word "Duplicate" written or printed thereon and verified by the signature of the Commissioner, and the production of a duplicate document shall be of the same effect as the production of the original document.

REGULATION 16.—APPEALS.

(1) Every appeal to the Minister from a decision of a Licensing Authority shall be commenced by petition in form T.L. 16 and shall, with the respective fee, be delivered to the Commissioner, in duplicate (either personally or by registered letter addressed to the Commissioner), within twenty-one days after the date of the determination appealed against. No appeal shall be deemed to have been duly lodged unless it is accompanied by the respective fee.

(2) A copy of any correspondence or other documents relating to the subject-matter of the appeal and in the possession of the appellant shall be attached to the petition.

(3) Notification of receipt of the petition shall be forwarded by the Commissioner to the Licensing Authority concerned, and the Licensing Authority shall thereupon cause to be forwarded to the Minister through the Commissioner a copy of any notes of evidence taken by the Authority in connection with the subject-matter of the appeal.

(4) The Commissioner shall forward the papers relative to the appeal to the Minister.

(5) The Minister or any person appointed by him to inquire into any appeal (hereinafter referred to as the Examiner) may, in the hearing of an appeal, accept such evidence as he thinks fit, whether such evidence would be legally admissible in judicial proceedings or not.

(6) Save as hereinbefore provided, the Minister and the Examiner respectively shall determine his procedure in such manner as he thinks fit.

(7) A copy of the proceedings on appeal and of the decision of the Minister thereon shall, as soon as possible after the determination of such proceedings, be sent by the Minister to the Commissioner, who shall thereupon notify the decision to the Licensing Authority concerned, and every other body or person who, in the opinion of the Commissioner, is directly interested therein.

REGULATION 17.—FEES.

(1) The fees payable under the said Act shall be as follows:—

Fees relating to Passenger-service Licenses.

1. Accompanying an application for a license or renewal of a license—	£	s.	d.
For a continuous passenger-service license	4	0	0
For a seasonal passenger-service license	3	0	0
For a temporary passenger-service license	No fee.		
Provided that the sum of one pound (£1) shall be refunded to the applicant if the application is withdrawn or refused:			
Provided also that, in the case of an application for a continuous or seasonal license or renewal of such a license lodged before the date of these regulations, and therefore accompanied by a fee of £3, a further fee of £1 shall be payable on the issue of the license.			
2. At the expiration of one year from the date of issue of—			
A continuous passenger-service license	4	0	0
A seasonal passenger-service license	3	0	0
3. At the expiration of two years from the date of issue of—			
A continuous passenger-service license, a further	4	0	0
A seasonal passenger-service license, a further	3	0	0
4. On the issue of every temporary passenger-service license	0	2	0
5. Accompanying every application for an amendment to a license under section 34 of the said Act	0	10	0
6. Accompanying every application for transfer of a continuous or seasonal passenger-service license	3	0	0
7. Accompanying every application for an extract from the register of licenses	0	1	0

Fees relating to Certificates of Fitness and Permits.

8. Accompanying every application for a certificate of fitness of a passenger-service vehicle	3	0	0
9. At the expiration of every successive year from the date of issue of the certificate of fitness a further	3	0	0
Provided that the further fee set out in this paragraph shall not be payable if, on request of the holder or in exercise of the powers provided to the Commissioner, the certificate of fitness has been duly revoked before the date herein prescribed for payment of such further fee.			
10. Accompanying every application for variation in the terms of a certificate of fitness	0	10	0
11. Accompanying every application for the examination of the plans or specifications of a passenger-service vehicle	0	15	0
12. Before the delivery to the applicant or his agent of every permit, if the permit is—			
(a) In form T.L. 13A	0	5	0
(b) In form T.L. 13B	0	10	0
(c) In form T.L. 13C	No fee.		

Fees for Duplicates of Documents.

13. Accompanying every application for the duplicate of—	£ s. d.
(i) A certificate of fitness	0 5 0
(ii) Every other document	0 2 6

Fees relating to Appeals.

14. Accompanying every appeal lodged with the Commissioner of Transport	3 0 0
15. For every copy of a Licensing Authority's entry in the minute-book in terms of section 3 of the Transport Licensing Amendment Act, 1936	0 1 0

(2) The prescribed fee if over £1 shall be paid on behalf of the person from whom it is due to the Reserve Bank of New Zealand or any branch of the Bank of New Zealand to the credit of the Public Account.

(3) In respect of every application for a passenger-service license or certificate of fitness the bank receipt shall accompany the application.

(4) Clauses (2) and (3) of this regulation shall not apply to any fee payable in respect of any decision of a Metropolitan Licensing Authority.

(5) Notwithstanding anything hereinbefore to the contrary, the whole or any portion of any fee payable under this regulation may, on the certificate of the Commissioner, be refunded or remitted on any of the following grounds, namely:—

- (a) That the application in respect of which the fee is payable has been withdrawn, or that other action in respect of the application has been nullified or curtailed, and that in consequence the work and expense of the Department or Minister or Authority has been reduced to an extent justifying the refund or remission; or
- (b) That the passenger-service or the vehicle in respect of which the fees are payable is used for only the occasional carriage of passengers, or is used for the carriage of passengers to such a limited extent that the full fee payable under this regulation would be disproportionate having regard to the amount of the passenger business.

REGULATION 18.—ACCOUNTS AND RETURNS.

The Commissioner may require any person or persons carrying on a passenger-service pursuant to a license under the said Act to keep such records and to maintain such an accounting system as will enable him to make on request of the Commissioner the statistical and financial returns described in form T.L. 17.

REGULATION 19.—ALLOWANCES FOR MEMBERS OF LICENSING AUTHORITIES.

(1) There shall be paid to each member of a Licensing Authority during his term of office an allowance at the rate of £600 (six hundred pounds) per annum.

(2) (i) In addition to the payments authorized by clause (1) of this regulation there shall be paid to each member of a Licensing Authority for every day or part of a day on which he is occupied or engaged on the business of the Authority, and while so occupied or engaged is absent from his usual place of residence, a further allowance by way of board and lodging expenses at the rate of £1 2s. 6d. for every such day or part of a day.

(ii) For the purpose of calculating this allowance, the term "day" shall be deemed to comprise twenty-four hours, and the day shall be deemed to commence at the hour of departure from the usual place of residence of the member.

(iii) Where a member of a Licensing Authority leaves and returns to his usual place of residence the same day actual and reasonable expenses only shall be paid.

(3) The allowances payable in terms of the foregoing clauses to members of Licensing Authorities shall be in addition to any locomotion expenses payable under section 13 of the said Act.

(4) No locomotion expenses or allowance by way of board and lodging expenses shall be paid in respect of any occasion or period on or for which payments of a similar nature are made to the member from any other person, body, corporation, public, or administrative body.

(5) No payment to any person of any sum under clauses (2) and (3) of this regulation shall be made until such person has signed a claim setting out particulars of the amounts payable, including the days or hours claimed for, and unless such claim is accompanied by the certificate of such person stating that on the days or hours claimed for he was engaged about the business of the Authority and incurred any expenses set out as such in the claim and further stating and undertaking that he has not already been paid any sum and will not claim or accept any sum by or from any other person, body, corporation, public, or administrative body in respect of locomotion expenses or allowances or board or lodging expenses or allowances or payments of a similar nature for the same occasion or period.

(6) The provisions of this regulation shall not apply to any member of a Metropolitan Authority.

(7) The provisions of this regulation shall not apply to any person who is an officer in the service of the Government, but any such person shall receive, while absent from his usual place of residence, the same travelling expenses and allowances as are paid in the like circumstances to such person as an officer of the Public Service or under the terms of his appointment.

REGULATION 20.—DRIVING-HOURS.

(1) It shall be a condition of every license (whether inserted therein or not) that, unless otherwise provided in the license, the licensee shall not drive or cause or permit any person employed by him or subject to his orders to drive any passenger-service vehicle used under the authority of a license:—

- (i) For any continuous period of more than five and one-half hours; or
- (ii) For continuous periods amounting in the aggregate to more than eleven hours in any period of twenty-four hours; or
- (iii) So that the driver has not at least ten consecutive hours for rest in any period of twenty-four hours; or
- (iv) So that the driver has not at least twenty-four consecutive hours for rest in any period of seven days.

For the purposes of this condition—

(a) Any two or more periods of time shall be deemed to be a continuous period unless separated by an interval of not less than half an hour in which the driver is able to obtain rest and refreshments; and

(b) Any time spent by a driver on other work in connection with a passenger-service vehicle or the load carried thereby shall be reckoned as time spent in driving: Provided that a licensee shall not be liable to be convicted for breach of this condition if he proves to the Court that the contravention was due to unavoidable delay in the completion of any journey arising out of circumstances which he could not reasonably have foreseen.

(2) It shall also be a condition of every license (whether inserted therein or not) that unless otherwise provided in the license a time-book in the form or to the effect of the form contained in clause (4) of this regulation, or a combination of time-books to the like effect, shall be kept in respect of every vehicle used under any license, and the hours at which every driver and other person employed on such vehicle (including the licensee) commence and end work on any day, and also the periods for which such drivers and other persons cease work for the purpose of rest and refreshment, shall be entered therein from day to day by every driver or other person aforesaid. At the end of each week the amount of wages paid in each case in respect of that week shall also be recorded in the place provided for that purpose. All time-books aforesaid shall be available for inspection by any Enforcement Officer at any reasonable time during a period of six months next ensuing upon the completion of the journey to which they refer.

(3) The time-book required to be kept under this regulation shall be as follows:—

TIME-BOOK.

Licensee's name :
 Address :
 Driver's name :
 Address :
 Week ending :
 Total hours worked during the week : hours.

Date.	Time and Place of starting Work.		Periods of Rest.				Time and Place of finishing Work.		Total Hours worked.	Signature.*
	Place.	Time.	From	To	From	To	Place.	Time.		

* The signature will be that of the licensee of the vehicle if he drives the vehicle himself, or of the driver or other person employed on the vehicle.

Total amount received for wages and overtime during week:—

	£	s.	d.
Wages
Overtime
Total

Signature of driver or other employee :
 Signature of licensee :

REGULATION 21.—WAGES.

It shall be a condition of every license (whether inserted therein or not) that the licensee shall pay every person employed by him to drive any passenger-service vehicle, used under the authority of such license, not less than the wages prescribed for such employee in any award or awards from time to time in force and made by order of the Arbitration Court under the Industrial Conciliation and Arbitration Act, 1925.

This condition shall apply in respect of all licenses, whether the licensees or their employees are parties to the said award or awards or not.

REGULATION 22.—OFFENCES AND PENALTIES.

(1) Every person who—

(a) Knowingly supplies any false or misleading information in or concerning any application made in terms of these regulations; or

(b) Omits or refuses to supply any information herein required

shall be deemed to have committed a breach of these regulations.

(2) Every person who—

(a) Fails to comply with any condition, duty, or obligation imposed by the said Act and for which no penalty is therein provided or imposed by these regulations, or imposed in any license under these regulations; or

(b) Offends against or fails to comply with or otherwise commits or permits a breach of any of these regulations shall be liable for every such breach to a fine not exceeding £10.

TABLE OF FORMS.

T.L. 1.

Transport Licensing Act, 1931.

APPLICATION FOR { CONTINUOUS } PASSENGER-SERVICE LICENSE.
 SEASONAL

A separate application must be supplied in duplicate in respect of each separate route (minor deviations not to be counted as a separate route).

To the COMMISSIONER OF TRANSPORT, Wellington, C. I.

Name of applicant : Business address :

QUESTION (or particulars required). ANSWER. (If there is no room on this form attach a separate signed sheet with answer number thereon.)

1. Points of commencement and termination of route.
2. Description of route, including all minor deviations.
[If a local service, include names of principal streets and roads traversed. In other cases give a clear description of the route, indicating the principal towns passed through.]
3. Total number of vehicles proposed to be used in the service, whether regularly or in reserve.
4. Proposed time-table
5. Proposed fares (including concessions)
6. Are goods (including mails) also proposed to be carried? If so, state nature, quantity, and proposed charges.
7. Do you wish to pick up passengers over your whole route? If not, state limitations.
8. Do you propose to carry any passengers whose journey begins and ends entirely within a "Metropolitan Transport District" (Auckland Transport District, Wellington City, Christchurch Tramway District, Dunedin City, and certain environs)?
9. Proposed date of commencement of service.
10. Schedule of vehicles proposed to be used.

1. From , to

No.	Class (e.g., Service-car, Omnibus).	Capacity.		
		Passengers.		Freight (lbs.).
		Seated No.	Standing No.	

Signature :
 Date :

Also applicant to fill in the particulars in paragraphs (1), (2), and (3) hereunder :—

- (1) Full name of applicant: [*In block letters; in case of a partnership, give full name of every partner, surnames last; in other cases of individuals, surname last.*]
- (2) Trade name: [*Here give firm name of a partnership; trade name (if any) of a service not carried on solely under the name of applicant.*]
- (3) Business address: [*In case of a registered company, &c., state registered office.*]

	Fees payable.				£	s.	d.
Application for seasonal license	3	0 0
Application for continuous license	4	0 0

No. .

Transport Licensing Act, 1931.

T.L. 2.

CONTINUOUS } PASSENGER-SERVICE LICENSE.
SEASONAL }

(NOTE.—This license is valid only for the route described hereunder.)

License Ref. / /

Name of licensee : . Business address of licensee :

THE above-named is hereby authorized to carry on, with (a) vehicle(s) complying with the description set out in Schedule A hereof, to the time-table and on the route respectively described in Schedule B hereof, and with the fares fixed in Schedule C hereof, a continuous/seasonal passenger-service (particulars of which are set out below) in accordance with the provisions of the above Act, and of the regulations for the time being in force thereunder, and subject to the special conditions herein set forth.

1. Points of commencement and termination of route :
2. Brief description of route and localities to be served (as more particularly described in Schedule B hereof, and delineated by plan attached) :
3. The service hereby licensed shall commence on the day of , 19 .
4. Season(s) of year for which license is valid (if a seasonal license) :
5. The licensee must not abandon or curtail the service without the consent of the Licensing Authority, to which must be given notice of such intention as directed by the Authority.
6. It is obligatory for the licensee to carry on the service authorized by this license in accordance with the time-table and fares shown in Schedules B and C hereof respectively, and he shall not carry on the said service otherwise than in accordance with that time-table and those fares.
7. Date of issue : / / .

This license *expires* on the day of , 19 .

(NOTE.—Renewal, if required, must be applied for on the appropriate form not less than fourteen and not more than twenty-eight days before the date of expiry shown above.)

Special Conditions.

[Set out any special conditions that the Licensing Authority may think fit to impose not inconsistent with the Act or Regulations.]

Signed at , this day of , 19 .
For the Licensing Authority.
[P.T.O.]

SCHEDULE A.

Particulars of Vehicles authorized to be used.

Number of Vehicles.	Seating-capacity per Vehicle.	Standing-capacity per Vehicle.	Class (e.g., Service-car, Omnibus).	Capacity for Freight (lbs.).

SCHEDULE B.

Particulars of Routes, Time-table, and Vehicles per Trip.

Day.	Time of Departure.	Times of Departure and Stopping-places.	Time of Arrival at Destination.
		Up : Down :	

SCHEDULE C.

Fare-table.

Name of Place.	Mileages— Single : Return : Single : Return :	£ s. d.			£ s. d.			£ s. d.		

Freight Charges.

--	--

T.L. 3.

(A temporary passenger-service license shall be carried on each vehicle in use as a passenger-service vehicle under temporary license in terms of the Transport Licensing Act, 1931. The fee payable prior to delivery of each such license is 2s.)

Transport Licensing Act, 1931.

APPLICATION FOR TEMPORARY PASSENGER-SERVICE LICENSE.

To the SECRETARY, Licensing Authority.

- 1. Full name of applicant 1.
- 2. Business address 2.
- 3. Points of commencement and termination of route. 3. From to .
- 4. Event or function to be served .. 4.
- 5. Proposed dates of commencement and termination of service. 5.
- 6. Proposed time-table 6.
- 7. Proposed fares 7. Single : ; return : .

SCHEDULE OF VEHICLES.

Current Registration-plate No. of Vehicle.	Passenger-capacity of Vehicle (not including Driver).	Is Vehicle, proposed to be used, licensed to ply for Hire by a Local Authority? And, if so, give Name of Local Authority.

Important.

Where the vehicle proposed to be used is not licensed to ply for hire under local plying-for-hire by-laws the vehicle must carry a current certificate of fitness or permit. Application forms for certificate of fitness or permit may be obtained from the Secretary of any District Transport Licensing Authority, or from the Commissioner of Transport, Wellington.

Signature of applicant :
Date :

T.L. 4.

Transport Licensing Act, 1931.

No. .

TEMPORARY PASSENGER-SERVICE LICENSE.

License fee, 2s.

- 1. Full name of licensee : .
- 2. Business address of licensee : .
- Points of commencement and termination of route : .
- Event or function to be served : .
- Dates of commencement and termination of service : .
- Fares--Single : ; return : .
- Particulars identifying vehicle : .
- *Maximum passenger-capacity : .

Special Conditions.

The above-named licensee is hereby licensed to carry out with the above-described vehicle the temporary passenger-service set out above to the time-table and on the route above described with the above-mentioned fares, subject to the conditions herein set forth.

This license is also a receipt for payment of the sum of two shillings paid in respect of this license.

Date of issue : .
Signed at , this day of , 19 .

For the Licensing Authority.

*NOTE—This must not exceed the number authorized by the certificate of fitness, permit, or by-law license.

T.L. 5.

Transport Licensing Act, 1931.

APPLICATION FOR RENEWAL OF { SEASONAL / CONTINUOUS } PASSENGER-SERVICE LICENSE.

To the COMMISSIONER OF TRANSPORT, Wellington, C. I.

- Name of licensee : . Business address : .
 - Route : From to . Reference No. of license : / / .
- Application is hereby made for renewal of the above-described license.

Details of Amendments sought to Existing License.

Time-table :
 Fares and charges :
 Vehicles :
 Other amendments (specify) :

Signature :
 Date :

Also the applicant is required to fill in the particulars in paragraphs (1), (2), and (3) hereunder.

- (1) Full name of applicant : [In block letters ; in case of a partnership, give full name of every partner, surnames last ; in other cases of individuals, surname last.]
- (2) Trade name : [Here give firm name of a partnership, trade-name (if any) of a service not carried on solely under the name of applicant.]
- (3) Business address : [In case of a registered company, &c., state registered office.]

	<i>Fees payable.</i>	£	s.	d.
Application for seasonal license	3	0
Application for continuous license	4	0

T.L. 6.

Transport Licensing Act, 1931.

APPLICATION FOR AMENDMENT OR REVOCATION OF THE TERMS OR CONDITIONS OF A PASSENGER-SERVICE LICENSE.

(A separate application must be supplied in duplicate in respect of each passenger-service license the terms or conditions of which it is desired to have amended or revoked.)

To the COMMISSIONER OF TRANSPORT, Wellington, C. I.

I, THE UNDERSIGNED, hereby apply for an amendment or revocation of the terms or conditions of the passenger-service license granted to me and described hereunder.

PARTICULARS required. ANSWER. (If there is no room on this form attach a separate signed sheet with answer number thereon.)

- 1. Particulars of route 1.
- 2. Description of alteration sought to license 2.

Signature of licensee :
 Date :

The applicant is required also to fill in the particulars in paragraphs (i) and (ii) hereunder :—

- (i) Name of licensee in full :
- (ii) Address of licensee :

FOR TRANSPORT DEPARTMENT'S USE ONLY.

Receiver's Fee Receipt No. , for £ : s. d. Fee payable, 10s.

Official receipts must be issued for the receipt of all public moneys. If you do not receive, within ten days, an official receipt for the fee enclosed with this application, please communicate with the Commissioner of Transport, Wellington, C. I.

T.L. 7.

Transport Licensing Act, 1931.

No. .

AMENDMENT UNDER SECTION 34.

License reference : .

- 1. Name of licensee : .
- 2. Business address : .
- 3. Points of commencement and termination of route : From to .
- 4. Place and date of Licensing Authority's decision : .
- 5. Date from which amendment is effective : .
- 6. Nature of amendment : .

For the Licensing Authority.
 Date :

NOTE.—This amendment becomes part of the license and should not be detached therefrom.

T.L. 8.

Transport Licensing Act, 1931.

REVOCATION OR SUSPENSION OF A PASSENGER-SERVICE LICENSE.

Name of licensee : . Business address of licensee : .

THE passenger-service license number , issued to the above-named by this Licensing Authority on the day of , 19 , for a service as described below, is hereby revoked (suspended until the day of , 19), all the statutory requirements precedent to such revocation (suspension) having been duly complied with.

Description of Service.

- 1. Points of commencement and termination of route :
 - 2. Description of route and localities to be served :
- Dated at , this day of , 19 .

For the Licensing Authority.

T.L. 9.

Transport Licensing Act, 1931.

APPLICATION FOR TRANSFER OF A PASSENGER-SERVICE LICENSE.

To the COMMISSIONER OF TRANSPORT, Wellington, C. 1.

I, THE UNDERSIGNED, hereby apply for transfer of the passenger-service license, particulars of which are given below, and I declare that to the best of my knowledge and belief the statements made herein are true, correct, and complete in every particular.

Usual signature of transferee :
Date :

The transferee is also required to fill in the particulars in paragraphs (1) and (2) hereunder.

INFORMATION required.

ANSWER. (If there is no room on this form attach a separate signed sheet with answer number thereon.)

1. Name of present licensee 1.
2. Particulars of route or area traversed 2.
by present licensee's service.
3. Date from which it is desired that the 3.
transfer shall take effect.
4. Does the transferee desire to take over 4.
the service under the same conditions
as in the present license ?

5. Are the vehicles proposed to be used the same as those operated by the present licensee ? If not, fill in particulars opposite of all vehicles proposed to be used.

Current Registration-plate No.	Capacity.		Current Registration-plate No.	Capacity.	
	Seated.	Standing.		Seated.	Standing.

I, [Full name of present licensee], do hereby consent to this proposed transfer on the terms set out above.

Signature of present licensee :
Date :

- (1) Full name of transferee [In block capitals] :
- (2) Business address :

Fee payable, £3.

T.L. 10.

Transport Licensing Act, 1931.

APPLICATION FOR CERTIFICATE OF FITNESS IN RESPECT OF A PASSENGER-SERVICE VEHICLE.

(To be applied in duplicate.)

To the COMMISSIONER OF TRANSPORT, Wellington, C. 1.

I HEREBY apply for a certificate of fitness in respect of the motor-vehicle, particulars of which are given below :—

1. Name of registered owner : Address :
2. Garaged regularly at
3. Current registration-plate No.
4. Vehicle fleet No.
5. Make of chassis :
6. Model, type, and class reference :
7. Engine No.
8. Date when vehicle was first used (new) :
9. Chassis No.
10. Wheel-base :
11. Tires—Number on each axle, kind, and size : Estimated body-weight :
12. If new vehicle, where being built :
13. State whether or not chassis is standard ; and, if any alterations or additions have been made, describe them ; and, if possible, state the resultant added or reduced weight of the chassis, as the case may be :
14. Number of passengers for which certificate is sought : seated ; standing.
15. Maximum total weight of chargeable goods for which certificate is sought : lbs.
16. Certificate is desired commencing on
17. Remarks :

Signature of applicant :
Date : , 19

If required, the chassis-maker's specification, including chassis weight and maximum loading weights, shall be submitted with this application.

Official receipts must be issued for the receipt of all public moneys. If you do not receive, within ten days, an official receipt for the fee enclosed with this application, please communicate with the Commissioner of Transport, Wellington, C. 1.

- *(1) Name of business :
- (2) Business address :

A fee of £3 is payable with this application.

As a certificate of fitness continues indefinitely until revoked, a further fee of £3 (to meet inspection expenses, &c.) becomes due annually. Advice will be forwarded on this subject at the appropriate time.

* To be filled in by applicant.

T.L. 11.

Transport Licensing Act, 1931.

APPLICATION FOR PERMIT IN RESPECT OF A PASSENGER-SERVICE VEHICLE. (To be supplied in duplicate.)

To the COMMISSIONER OF TRANSPORT, Wellington, C. 1.

I HEREBY apply for a permit in respect of the motor-vehicle, particulars of which are given below :—

- 1. Name of registered owner :
2. Business address :
3. Garaged regularly at
4. Current registration-plate No.
5. Make of chassis :
6. Model, type, and class reference :
7. Chassis No.
8. Number of passengers for which permit is sought : seated ; standing.
9. Maximum total weight of chargeable goods for which permit is sought : lbs.
10. Permit is desired for the period commencing on , and expiring on .
11. Remarks :

Signature of applicant :
Date : , 19 .
Name of business :

T.L. 12.

No. .

Transport Licensing Act, 1931.

CERTIFICATE OF FITNESS FOR PASSENGER-SERVICE VEHICLE.

- Class of vehicle :
Chassis make and model : Chassis No.
Name of registered owner :
Certified tare weight of vehicle, fully equipped, excluding driver (lbs.) :

I HEREBY authorize the above-described vehicle to be used for the carriage of seated and standing passengers, and lbs. of goods, being in all a gross weight of not more than lbs.

Remarks :
Date of issue :
Signed this day of , 19 .
, Commissioner of Transport.

T.L. 13A.

No. .

Transport Licensing Act, 1931.

PERMIT FOR THE TEMPORARY USE OF A PASSENGER-SERVICE VEHICLE WITHOUT A CERTIFICATE OF FITNESS FOR A PERIOD NOT EXCEEDING ONE MONTH.

Fee, 5s. Expiry date :

- 1. Name of registered owner :
2. Business address :
3. Garaged regularly at
4. Current registration-plate No.
5. Make and model-reference of chassis :
6. Class of vehicle (e.g., omnibus) :
7. Chassis No.
8. Certified tare weight of finished vehicle in running-order and fully-equipped, excluding driver (lbs.) :

THE Commissioner of Transport hereby permits the above-described vehicle to be used for a period of one month from the date hereof, unless this permit is previously suspended or revoked, without a certificate of fitness as a passenger-service vehicle for the carriage of seated and standing passengers, and lbs. of goods, being in all a gross weight of not more than lbs.

Dated at , this day of , 19 .
, Commissioner of Transport.

This document is also a receipt for the sum of five shillings (5s.) paid in respect of its issue.

No. .

T.L. 13B.

Transport Licensing Act, 1931.

PERMIT FOR THE TEMPORARY USE OF A PASSENGER-SERVICE VEHICLE WITHOUT A CERTIFICATE OF FITNESS FOR A PERIOD EXCEEDING ONE MONTH BUT NOT EXCEEDING SIX MONTHS.

Fee, 10s. Expiry date :

- 1. Name of registered owner :
2. Business address :
3. Garaged regularly at
4. Current registration-plate No.
5. Make and model-reference of chassis :
6. Class of vehicle (e.g., omnibus) :
7. Chassis No.
8. Certified tare weight of finished vehicle in running-order and fully-equipped, excluding driver (lbs.) :

THE Commissioner of Transport hereby permits the above-described vehicle to be used for a period of six months from the date hereof, unless this permit is previously suspended or revoked, without a certificate of fitness as a passenger-service vehicle for the carriage of seated and standing passengers, and lbs. of goods, being in all a gross weight of not more than lbs.

Dated at , this day of , 19 .
, Commissioner of Transport.

This document is also a receipt for the sum of ten shillings (10s.) paid in respect of its issue.

No.

T.L. 13c.

Transport Licensing Act, 1931.

PERMIT FOR THE TEMPORARY USE OF A PASSENGER-SERVICE VEHICLE PENDING ISSUE OF A CERTIFICATE OF FITNESS AS RESULT OF APPLICATION FOR LATTER.

Expiry date :

1. Name of registered owner :
2. Business address :
3. Garaged regularly at
4. Current registration-plate No.
5. Make and model-reference of chassis :
6. Class of vehicle (e.g., omnibus) :
7. Chassis No.
8. Certified tare weight of finished vehicle in running-order and fully-equipped, excluding driver (lbs.) :

THE Commissioner of Transport hereby permits the above-described vehicle to be used pending the issue of a certificate of fitness, unless this permit is previously suspended or revoked, without a certificate of fitness as a passenger-service vehicle for the carriage of seated and standing passengers, and lbs. of goods, being in all a gross weight of not more than lbs.

Remarks :

Dated at , this day of , 19

, Commissioner of Transport.

T.L. 14.

NOTIFICATION OF PURCHASE OR OTHER ACQUISITION OF A PASSENGER-SERVICE VEHICLE.

To the COMMISSIONER OF TRANSPORT, Wellington.

I, [Full name], hereby notify you that the vehicle described below has been acquired by me.

My business name and address is

Vehicle is intended to be garaged regularly at

Current registration-plate No.

Name and address of previous registered owner—Name : Address :

Number of current certificate of fitness or permit :

Make and model of chassis :

Chassis No.

If any rearrangement of seats or alteration in the passenger-capacity or in the gross laden weight is proposed, give the particulars :

The maximum total weight of goods intended to be carried is lbs.

Dated at , this day of , 19

Signature of new owner :

Business address :

T.L. 15.

Transport Licensing Act, 1931.

REVOCATION OR SUSPENSION OF A CERTIFICATE OF FITNESS.

I, [Commissioner of Transport or Vehicle Inspector], do hereby revoke (suspend until the day of , 19) the certificate of fitness No. issued on the day of , 19 , in respect of the vehicle described below.

Particulars of Vehicle.

Name of registered owner :

Business address :

Current registration-plate No.

Model, type, and class reference :

Chassis No.

Dated at , this day of , 19

, Commissioner of Transport.

or Vehicle Inspector.

T.L. 16.

Transport Licensing Act, 1931.

APPEAL TO THE MINISTER OF TRANSPORT.

To the MINISTER OF TRANSPORT (forwarded through the Commissioner of Transport, Wellington).

I HEREBY appeal against the decision of the Licensing Authority given at its meeting at on the day of , 19

The decision was to the following effect, namely : , and the description of the relative passenger-service is as follows :—

1. Name of owner of service :
2. Description of service : [Set out route served].

My interest in the subject-matter of the appeal is [e.g., Owner of service or competitor over same route], and I pray that the Minister of Transport provide relief as follows :

Usual signature of appellant :

Full name of appellant :

On behalf of

Business address :

Date :

T.L. 17.

Transport Licensing Act, 1931.

RETURN OF TRAFFIC STATISTICS AND ACCOUNTS.

PART I.—RECORDS AND STATISTICAL RETURNS.

1. Number of vehicle journeys :
2. Number of passengers carried—Ordinary : ; school children : ; special concessions :
3. Number of empty "trips" :
4. Number of vehicle-miles :
5. First and last days of period to which foregoing particulars relate :

PART II.—ACCOUNTS.

Balance-sheet as at , 19 .

<i>Liabilities.</i>		£ s. d.	<i>Assets.</i>		£ s. d.
1. Sundry creditors—			1. Licensed passenger-service vehicles		
(a) Trade creditors ..			2. Licensed goods-service vehicles		
(b) Bank overdraft ..			3. Other vehicles		
(c) Other borrowed money including mortgages			4. Stocks on hand (e.g., petrol, oil, tires, spares, accessories, &c.)		
(d) Unpaid purchase money on vehicles—			5. Plant and machinery ..		
(i) On licensed passenger-vehicles ..			6. Land and buildings ..		
(ii) Other vehicles ..			7. Sundry debtors		
(e) Other liabilities ..			8. Cash on hand and at bank ..		
2. Capital and reserves—			9. Other assets (specify) ..		
(a) Capital					
(b) Reserves [<i>To be enumerated</i>]					
(c) Balance of profit and loss account ..					
Total		£	Total		£

“ Licensed ” means licensed under the Transport Licensing Act, 1931.

Revenue Account for the Year ended .

<i>Debit.</i>		£ s. d.	<i>Credit.</i>		£ s. d.
(a) Vehicle-running costs—			(a) Passenger revenue—		
Petrol			Ordinary		
Lubricants			Concessions		
Tires			(b) Mail contracts		
Maintenance and repairs			(c) Newspapers		
(b) Vehicle standing charges—			(d) Goods (including parcels and other revenue ..		
License fees (registration-plates, borough licenses, heavy-traffic licenses, &c.)			(e) Commissions received ..		
Depreciation—			(f) Revenue from other sources (such sources to be specified and separately itemized)		
(i) Licensed passenger vehicles					
(ii) Other vehicles ..					
Wages of drivers and mechanics employed ..					
Drawings by working proprietors in lieu of wages					
Vehicle insurance (third-party and comprehensive)					
Garage rent					
(c) General overhead charges—					
Management and office salaries					
Management and office expenses					
Interest					
Advertising and printing					
Commission paid to agents					
Depreciation of assets other than vehicles ..					
Other charges [<i>enumerate</i>] ..					
Net profit			Net loss		
		£			£

PART III.—LIST OF PASSENGER-SERVICE VEHICLES AS AT , 19 .

Current Registration No.	Type of Vehicle (Omibus, Service-car, &c.).	Make and Model.	Licensed Capacity.			Year purchased.	Original Purchase-price.	Amount of Depreciation previously written off.	Book Value at [Commencement of Year].	Add. Additions during Year.	Depreciation.			Less Sale.	Book Value at [End of Year].	Unpaid Purchase-money at [End of Year].	Balance.
			Seated Passengers.	Standing Passengers.	Freight in Pounds.						Per Cent.	Basis.	Amount written off.				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)
							£	£	£				£	£	£	£	£

NOTE.—A separate line to be used in respect of each vehicle.

Provisions as to the Regulation of Goods-services in Controlled Areas under Part III of the Transport Licensing Act, 1931.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 18th day of July, 1936.

THE RIGHT HONOURABLE M. J. SAVAGE PRESIDING IN COUNCIL.

PURSUANT to section forty-seven of the Transport Licensing Act, 1931 (hereinafter called "the said Act"), His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council,—

- (1) Doth hereby revoke the Transport (Goods) Order, 1933-34; the Transport (Goods) Order, 1933-34, Amendment Number 1; the Transport (Controlled Areas) Order, 1933; and the Transport (Controlled Areas) Order, Amendment Number 1:

Provided always that, except where other express provision is herein-after made, all registers, appointments, licenses, applications, notices, matters, and things which originated under any enactment hereby revoked, and are effective on the coming into force of this Order, shall enure for the purposes of this Order as if they had originated under this Order and shall, where necessary, be deemed to have so originated.

- (2) Doth hereby declare that on and from the date of coming into force of this Order the transport districts as constituted by the said Act and the Transport (Passenger) Order, 1936, the names of which are set out in the First Column of the First Schedule hereto, shall respectively be the controlled areas the names of which are set out in the Second Column of the said Schedule, and that the Licensing Authorities named in the Third Column of the said Schedule shall be the Licensing Authorities of the said respective controlled areas.
- (3) Doth hereby apply to the controlled areas hereby constituted those provisions of the said Act and its amendments that are specified in the Second Schedule hereto, modified so as to be read in the words set out in the said Second Schedule.

- (4) Doth hereby apply the provisions of the said Second Schedule with respect to all goods-services other than those of the following description:—

(a) A goods-service carried on as part of a passenger-service licensed under the said Act; or

(b) A goods-service carried on solely—(i) in connection with funerals, or (ii) for carriage of newspapers, or (iii) in connection with repair or wreckage of vehicles which have met with mishap; or

(c) A goods-service in which the goods are carried or hauled solely—(i) within a radius of six miles from the chief post-office of any borough or town district, or (ii) within the areas following (hereinafter referred to as "exempted areas") namely:—

1. *Auckland Exempted Area.*—All that portion of the North Island, bounded to the north by the Waitakere - West Coast road from the sea to the junction of the said road with the No. 14 Main Highway at Waitakere; thence by the No. 14 Main Highway to its junction with the No. 14 Main Highway at Kumeu; thence by the No. 14 Main Highway to its junction with the No. 1 Main Highway at Pukeatua; thence by the No. 1 Main Highway to the Orewa River; and thence by the Orewa River to the sea; and to the south by the southern boundary of the Manukau County and the southern boundary of the Papakura Town District: including all boroughs and town districts therein or contiguous thereto.

2. *Wellington Exempted Area.*—The area of the Wellington City, Johnsonville Town District, the County of Makara, and all that portion of the Hutt County bounded to the north by the No. 1 Main Highway from the county boundary at Paremata to its junction with the Pahautanui - Upper Hutt Road; thence by the Pahautanui - Upper Hutt Road via Judgeford and Moonshine, to the boundary of the Upper Hutt Borough; thence by the northern boundary of the Upper Hutt Borough to its intersection with the Wellington-Napier Railway line; and thence by the Wellington-Napier Railway line to the eastern boundary of the Hutt County: including all boroughs and town districts therein or contiguous thereto.

3. *Christchurch Exempted Area.*—The area of the City of Christchurch and the boroughs of Lyttelton, Sumner, New Brighton, and Riccarton, together with the counties of Waimairi, Heathcote, Mount Herbert, Halswell, and the Paparua County, excluding the West Melton Riding: including all boroughs and town districts therein or contiguous thereto.

4. *Dunedin Exempted Area.*—All that area bounded on the east and south by the sea from Blueskin Bay to Brighton; thence by the Outram-Brighton road, via Allanton, to the Taieri River; thence by the Taieri River and Christmas Creek to the western boundary of the Waikouaiti County; thence by the county boundary, and the northern boundary of the Blueskin Riding of the aforesaid county, to the sea at Blueskin Bay: including all boroughs and town districts therein or contiguous thereto.

- (5) Doth hereby declare that this Order may be cited as the Transport (Goods) Order, 1936.

FIRST SCHEDULE.

Transport Districts.	Controlled Areas.	Licensing Authorities.
Number One Transport District Auckland Transport District	Controlled Area Number One ..	The Licensing Authority of the Number One Transport District.
Number Two Transport District Wellington Transport District	Controlled Area Number Two	The Licensing Authority of the Number Two Trans- port District.
Number Three Transport District Christchurch Transport District	Controlled Area Number Three	The Licensing Authority of the Number Three Trans- port District.
Number Four Transport District Dunedin Transport District	Controlled Area Number Four..	The Licensing Authority of the Number Four Trans- port District.

SECOND SCHEDULE.

APPLIED PROVISIONS.

PART I.—INTERPRETATION.

1. IN this Schedule :—

- “ 1931 Act ” means the Transport Licensing Act, 1931.
“ 1933 Act ” means the Transport Law Amendment Act, 1933.
“ 1935 Act ” means the Transport Licensing Amendment Act, 1935.
“ 1936 Act ” means the Transport Licensing Amendment Act, 1936.

2. The headings to the clauses of this Schedule indicate the clause numbers of this Schedule for reference purposes, and state in parenthesis the sections of Acts, which, subject to the modifications (if any) appearing from the words of the clauses as set out herein are applied to goods-services in terms of section 47 of the Transport Licensing Act, 1931.

3. The provisions set out in Part II of this Schedule may be cited and referred to collectively as the applied provisions of the Transport (Goods) Order, 1936.

4. Any clause of the provisions set out in Part II of this Schedule may be cited and referred to respectively as a clause of the Applied Provisions of the Transport (Goods) Order, 1936.

PART II.—TABLE OF APPLIED PROVISIONS.

(A) *Issue of Licenses.*

Clause.	Subject.
1	Goods-services to which these provisions apply not to be carried on otherwise than in terms of a goods-service license.
2	Offence to book for unlicensed service.
3	Defining proper Licensing Authority to deal with goods-service licenses.
4	Application for a goods-service license to be made to the Commissioner of Transport.
5	Procedure of Licensing Authority on receipt of a new application.
6	Matters to be considered before determining.
7	Protection of Railways Department where it acquires road services.
8	Licensing Authority may grant or refuse license.

(B) *Applications for Renewals, Transfer, Amendment, and Abandonment of Licenses.*

9	Renewal of licenses—general.
10	Procedure on receipt of application for renewal, transfer, amendment, or abandonment of license.

(C) *Licenses.*

11	Classification of licenses.
12	Licensing Authority to prescribe certain matters.
13	The license and its effect.
14	Duration of licenses.
15	Amendment or revocation of terms and conditions of licenses.
16	Licenses may be transferred.
17	Revocation of licenses.
18	Review of licenses.
19	Register of licenses.

(D) *Appeals.*

20	Appeals to Minister from Licensing Authorities' decisions.
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(E) *General.*

21	Minister may declare certain services to be goods-services.
22	Accounts to be kept and returns to be made by licensees.
23	Powers of Inspectors.

TEXT OF APPLIED PROVISIONS.

Clause 1 (Section 20 of 1931 Act).

(1) It shall not be lawful for any person to carry on any goods-service with respect to which these provisions are applied, otherwise than pursuant to the authority and in conformity with the terms of a goods-service license granted under these provisions.

(2) Every person who, contrary to the provisions of this clause, carries on any goods-service commits an offence and is liable to a fine of one hundred pounds, and to a further fine of ten pounds for every day on which such offence is committed.

(3) If any company carries on any goods-service contrary to these provisions, every director or other person acting in the management of the business shall, in addition to any penalty to which the company may be liable, be liable to a fine of ten pounds for every day on which such service is so carried on.

Clause 2 (Section 29 of 1933 Act).

Every person commits an offence and is liable to a fine of fifty pounds for each such offence who does any act in any capacity as agent for any goods-service which may be lawfully carried on only pursuant to a license under these provisions if at the time of his doing such act such a license is not in force in respect of such service.

Clause 3 (Section 5 of 1936 Act).

(1) For the purposes of these provisions, the proper Licensing Authority to grant a goods-service license or otherwise to exercise jurisdiction in respect of any such license shall be—

(a) In the case of a goods-service proposed to be carried on or being carried on wholly within any one controlled area, the Licensing Authority for that area:

(b) In the case of a goods-service proposed to be carried on or being carried on within two or more controlled areas, such one of the Licensing Authorities for those areas as the Minister appoints.

(2) In any case where a goods-service is being carried on or is proposed to be carried on within two or more controlled areas, the proper Licensing Authority shall not, except in the case of a temporary license, make any decision in respect of a license or an application for a license for the service without first consulting, whether personally or by correspondence or otherwise, every other Licensing Authority in whose area the service is being carried on or is proposed to be carried on.

Clause 4 (Section 24 of 1931 Act).

(1) Every application for a goods-service license shall be in the prescribed form, and, save as provided in subclause (4) of this clause, shall, unless the Minister otherwise directs, be addressed and forwarded to the Commissioner accompanied by the prescribed fee.

(2) The Commissioner shall, on being satisfied that the application is duly made, transmit the same to the proper Licensing Authority, but may in any case before so doing require the applicant to furnish such further information or particulars as may, in the opinion of the Commissioner, be necessary to enable the Licensing Authority to come to a proper decision.

(3) The Commissioner shall in every case place before the Licensing Authority all such information at his disposal (whether obtained from the applicant or not) as will assist the Licensing Authority in dealing with the application.

(4) Notwithstanding anything contained in the foregoing provisions of this clause, an application for a temporary license may be made direct to the appropriate Licensing Authority.

Clause 5 (Section 25 of 1931 Act).

(1) On receiving an application for a goods-service license, other than an application for a temporary license or for the renewal of a license, the Licensing Authority shall, in the prescribed form, give not less than seven clear days' public notice of the receipt of such application, fixing in such notice a time and place at which it will hold a public sitting for the purpose of receiving evidence and representations in favour of or against the granting of the application by persons who in the opinion of the Licensing Authority are directly interested, and shall also give not less than seven clear days' notice of such time and place to the applicant.

(2) The Licensing Authority shall hold such public sitting in such place as it deems most convenient, having regard to the nature of the business.

(3) At such public sitting the Licensing Authority shall hear all evidence tendered and representations made which it deems relevant to the subject-matter of the application, save that at any time during such sitting it may decide not to receive further evidence or representations.

(4) Any such sitting may, in the discretion of the Licensing Authority, be adjourned from time to time and from place to place.

Clause 6 (Section 26 of 1931 Act).

(1) In considering any application for a goods-service license the Licensing Authority shall generally have regard to—

(a) The extent to which the proposed service is necessary or desirable in the public interest; and

(b) The needs of the district or districts as a whole in relation to goods transport; and if it is then of opinion that the proposed service is unnecessary or undesirable, it shall refuse to grant a license.

(2) If, after having had regard to the matters mentioned in the last preceding sub-clause, the Licensing Authority proposes to give further consideration to the application, it shall take into account—

(c) The financial ability of the applicant to carry on the proposed service, the likelihood of his carrying it on satisfactorily; and, in the case of an existing service, the period during which the service has been carried on satisfactorily:

- (d) Time-tables or frequency of the proposed service, if the service is intended to be of a regular nature :
- (e) The charges proposed to be made for the carriage of goods :
- (f) The goods transport of any kind, whether by land or water, already provided in respect of the localities to be served :
- (g) The requirements of such localities in respect of goods transport :
- (h) The vehicles proposed to be used in connection with the service :
- (i) The conditions of roads and streets to be traversed on the route or routes, and any restrictions of load or speed, or other lawful restrictions affecting vehicles of the type or class proposed to be used, including restrictions arising out of the classification of roads and streets under section 166 of the Public Works Act, 1928 :
- (j) Any evidence and representations received by it at the public sitting, and any representations otherwise made by the Minister of Railways, local authorities, or other public bodies, or any persons carrying on goods transport of any kind (whether by land or water) likely to be affected, and any representations contained in any petition presented to it signed by not fewer than twenty-five adult residents of any locality proposed to be served :

Provided that before taking into consideration any adverse representations made otherwise than at the public sitting the Licensing Authority shall give the applicant and all other persons likely to be affected a reasonable opportunity to reply to such representations.

Clause 7 (Section 15 of 1936 Act).

Except with the previous written consent of the Minister of Railways, no license shall be granted to any person other than that Minister for a goods-service having substantially the same terminal points and route as any goods-service for which the said Minister is for the time being the holder of a license :

Provided that nothing in the foregoing provisions of this clause shall be deemed to apply with respect to any renewal of a license that does not authorize any extension of the service to which the license relates.

Clause 8 (Section 28 of 1931 Act).

Save as otherwise provided in clause 7 hereof, and subject to appeal as hereinafter provided, the Licensing Authority may, after duly considering an application therefor, grant or refuse a goods-service license.

Clause 9 (Section 35 of 1931 Act).

(1) Every application for the renewal of a goods-service license shall be made in the prescribed form to the proper Licensing Authority not less than fourteen days before the day on which such license expires. Every such application shall be forwarded through the Commissioner unless the Minister otherwise directs.

(2) Every application for the renewal of a goods-service license shall be made to the Licensing Authority within whose jurisdiction the service is being carried on at the date of the application, but if the occasion so requires, shall be transmitted to and dealt with by the Licensing Authority within whose jurisdiction the service will be carried on if the license is renewed.

(3) No person shall be entitled as of right to a renewal of a goods-service license, and, in considering any application for renewal, the Licensing Authority shall, subject to the provisions of clause 10 hereof, take into account all that a Licensing Authority is directed by clause 6 hereof to take into account in considering an original application for a license.

(4) The renewal of any license shall take effect for a period of not more than three years from the expiry of the license in renewal of which it is granted, but any such renewal may be granted in advance to take effect as aforesaid.

Clause 10 (Section 6 of 1936 Act).

(1) On receiving an application in accordance with any of these provisions for the renewal, transfer, or amendment of a goods-service license, or for consent to the abandonment or curtailment of a goods-service, the Licensing Authority shall give public notice of the receipt of the application, specifying in the notice a time, being not less than seven clear days from the date of the notice, within which it will receive written representations against the granting of the application.

(2) The public notice shall specify the address to which representations are to be forwarded, and shall contain a statement to the effect that if no written representations against the granting of the application are received within the specified time the application may be granted without further notice and without a public sitting of the Licensing Authority.

(3) If no written representations against the granting of the application are received by the Licensing Authority within the time specified in the public notice the Licensing Authority may, if it thinks fit, without giving any further notice or holding a public sitting, grant the application in accordance with the terms thereof, without substantial alteration.

(4) If any written representation against the granting of the application is received by the Licensing Authority within the time specified in the public notice, or if in any other case the Licensing Authority decides not to grant the application under the last preceding subclause, the provisions of clause 5 hereof shall apply to the application as if it were an application for a new license.

Clause 11 (Section 29 of 1931 Act).

Every goods-service license shall be—

(1) A continuous license—meaning thereby a license in respect of a service to be carried on throughout the year, whether daily or on specified days of every week, or otherwise at intervals not exceeding one month, or a license in respect of special events recurring at intervals during the year ; or

(2) A seasonal license—meaning thereby a license in respect of a service to be carried on only during a period or periods of the year specified in the license; or

(3) A temporary license—meaning thereby a license for a service to be carried on for a specified period of not more than fourteen days or a license for any specified special occasion or occasions.

Clause 12 (Section 30 of 1931 Act).

- (1) In granting any goods-service license the Licensing Authority shall prescribe—
- (a) The class of license (whether continuous, seasonal, or temporary), and the period or occasion of the license;
 - (b) A date on which the service may or shall be commenced;
 - (c) The localities to be served or the route or routes to be traversed or both;
 - (d) Such other matters and conditions as may be prescribed by regulations; and may, if in its discretion it thinks fit, prescribe—
 - (e) The charges to be made for the carriage of goods including mails either definitely or by reference to a maximum charge or minimum charge or both;
 - (f) The time-tables or frequency of service to be observed, either definitely or sufficiently to show the nature of the service permitted;
 - (g) Any other matters and conditions that the Licensing Authority thinks proper.

Clause 13 (Section 31 of 1931 Act).

(1) Every license shall be in the prescribed form, and be signed by the member or members of the Licensing Authority or by an officer of the Licensing Authority acting by direction thereof, and shall take effect according to its tenor to authorize the licensee, but no other person, to carry on a goods-service in accordance with the terms and conditions of the licenses during the duration thereof.

(2) No license shall be construed to authorize the use on any road or street of any goods-service vehicle prohibited by virtue of any classification of roads or streets made pursuant to regulations under section 166 of the Public Works Act, 1928, from using such road or street.

(3) It shall be a condition of every goods-service license (whether inserted therein or not) that every vehicle to be used in connection with the license shall be maintained in a fit and proper condition, to the satisfaction of the Commissioner of Transport, and that the requirements of any regulations made for this purpose are duly fulfilled.

(4) It shall be a condition of every goods-service license (whether inserted therein or not) that the licensee will not abandon or curtail the authorized service without the consent of the proper Licensing Authority, in which case he shall give such notice as the Licensing Authority directs of his intention to abandon or curtail the service.

(5) If any licensee abandons or curtails any service in breach of a condition authorized by the last preceding subclause hereof, the Licensing Authority may in its discretion revoke his license.

Clause 14 (Section 2 of 1935 Act).

(1) Except in the case of a temporary license, every goods-service license if issued on a quarter-day shall take effect on that day, and in every other case shall be deemed to have taken effect on the quarter-day immediately preceding the date on which the license is issued. Every such license, unless sooner revoked, or unless expressed to expire at any earlier date, shall expire on the completion of three years after the quarter-day on which it took effect:

Provided that where application for the renewal of a license is duly made in accordance with clause 9 hereof such license shall, if the application for renewal is not disposed of before the date of expiry of the license, continue in force until the application is disposed of unless the Licensing Authority otherwise directs.

(2) For the purposes of this clause and generally for the purposes of these provisions a goods-service license shall be deemed to be issued on the day appearing thereon as the date of issue, which may be earlier or later than the day on which it is in fact signed on behalf of the Licensing Authority.

Clause 15 (Section 34 of 1931 Act).

(1) The Licensing Authority during the currency of a goods-service license, may, of its own motion or on the application of the licensee, amend or revoke any of the terms or conditions of such license or add any new terms and conditions which in its opinion are necessary in the public interest.

(2) The Licensing Authority shall give to the licensee, and to every other person who in its opinion is likely to be affected seven days' notice of its intention to exercise of its own motion any power conferred by this section.

(3) Every such amendment or revocation or addition of new terms and conditions made pursuant to this section shall be noted in the appropriate register.

Clause 16 (Section 20 of 1933 Act).

(1) Notwithstanding anything contained in these provisions, any goods-service license may, subject to the provisions of this clause, be transferred to any person.

(2) Application for the transfer of any license shall be made in the prescribed form, and the provisions of clauses 4 and 10 hereof shall apply to every such application.

(3) The Licensing Authority, after duly considering the application and any objections thereto, may grant or refuse the transfer of the license, but shall not in any case grant a transfer unless it is satisfied that the proposed transferee is financially able to carry on the service, and is likely to carry it on satisfactorily.

Clause 17 (Section 36 of 1931 Act).

(1) The proper Licensing Authority may at any time, and, if so directed by the Minister, shall hold a public inquiry as to whether or not any goods-service carried on under the authority of a license under this Order is being carried on in conformity with the terms and conditions of the license.

(2) Notice in writing of the intention to hold the inquiry shall be given to the licensee and to all other persons who in the opinion of the Licensing Authority are interested. The notice shall contain particulars of the day, time, and place fixed for the inquiry and of the matters proposed to be inquired into. The notice to the licensee shall be given not later than fourteen clear days before the day fixed for the inquiry.

(3) For the purposes of such inquiry the provisions of the Commissions of Inquiry Act, 1908, shall, so far as they are applicable, apply as if the Licensing Authority were a Commission of Inquiry appointed under the Act.

(4) If as a result of such inquiry the Licensing Authority is satisfied that the licensee is not carrying on the service in all respects in conformity with the license, or that he has disposed of such service to any other person, then the Licensing Authority may—

(a) Revoke such license ; or

(b) Suspend such license for such period as it thinks fit.

(5) The Licensing Authority may, in any case, without holding such inquiry as aforesaid, so suspend any license if it is satisfied that the licensee has wilfully committed a breach of any of the conditions of the license.

(6) Every revocation or suspension of a goods-service license shall be noted in the appropriate register.

Clause 18 (Section 8 of 1936 Act).

(1) If the proper Licensing Authority is at any time of the opinion that the circumstances under which any goods-service license was granted have changed materially since the license was granted, the Licensing Authority may notify the licensee that it intends to review the license under this clause.

(2) If at any time the Minister so directs, the proper Licensing Authority shall notify the holder of any goods-service license that it intends to review the license under this clause.

(3) Not less than fourteen clear days after the giving of a notification under subclause (1) or subclause (2) of this clause the Licensing Authority shall hold a public sitting for the purpose of reviewing the license.

(4) For the purposes of the review of a license under this clause the provisions of clauses 5 and 6 hereof shall, with the necessary modifications, apply as if the licensee were an applicant for the license.

(5) If, after reviewing the license in accordance with the foregoing provisions of this clause and having regard to the circumstances existing at the time of the public sitting, the Licensing Authority is of the opinion that it is necessary or desirable in the public interest so to do, it shall revoke the license, or alter to an earlier date the date at which the license is to expire, or amend or revoke any of the terms or conditions of the license or add new terms or conditions thereto.

Clause 19 (Section 32 of 1931 Act).

(1) The Commissioner shall keep a register of goods-service licenses, and such other register or registers as he deems necessary.

(2) The contents of any such register may be evidenced in any proceedings by a certificate under the hand of the Commissioner, and every such certificate shall be *prima facie* evidence of the matters stated therein.

(3) A certificate under the hand of the Commissioner that on a date specified in such certificate the name of any person did not appear in any register as the holder of a license under these provisions shall, until the contrary is proved, be sufficient evidence that such person was not the holder of such a license on that date.

Clause 20 (Section 12 of 1936 Act).

(1) There shall be a right of appeal in the prescribed manner and in the prescribed form and within the prescribed time to the Minister from the whole or any part of any decision of a Licensing Authority in respect of any goods-service license or in respect of any application made to the Licensing Authority.

(2) The following persons and no others may appeal as aforesaid :—

(a) The person in respect of whose application the decision of the Licensing Authority was given :

(b) The holder of the goods-service license in respect of which the decision was given :

(c) The Commissioner :

(d) Any other person affected by the decision and being the holder of a goods-service license or of an aircraft-service license, the permanent head of a Government Department, a local authority, or a public body :

(e) Any one or more of the signatories to a petition presented to the Licensing Authority pursuant to paragraph (j) of subclause (2) of clause 6 hereof :

(f) Any twenty-five or more adult residents of any locality affected by the decision of the Licensing Authority :

(g) An appeal by the persons mentioned in paragraph (f) of the last preceding subclause shall be by petition in the prescribed form.

(4) For the purposes of every appeal under this clause the Licensing Authority shall furnish to the Minister a copy of any notes of evidence taken by the Licensing Authority in connection with the subject-matter of the appeal.

(5) Pending the determination of any appeal duly lodged by a person carrying on a goods-service against any decision of a Licensing Authority in relation to that service, the appellant may carry on the service in the manner in which and to the extent to which he was lawfully carrying it on at the time when the decision of the Licensing Authority was given.

(6) For the purpose of better enabling the Minister to discharge his functions under this clause the Minister may from time to time appoint any person to inquire into and report to him upon any appeal or any matter in relation to an appeal.

(7) For the purposes of any appeal under this clause the provisions of the Commissions of Inquiry Act, 1908, shall, so far as they are applicable and with any necessary modifications, apply as if the Minister and every person appointed by him under the last preceding subclause were a Commission of Inquiry appointed under that Act.

(8) The Minister in determining any appeal shall not be bound to hear any person or to take any evidence or to receive any representations from any person.

(9) In his determination of any appeal the Minister may confirm, modify, or reverse the decision appealed against.

(10) The determination of the Minister in any appeal shall be final, and shall have effect according to its tenor. In any case where the decision appealed against is modified or reversed it shall be the duty of the proper Licensing Authority to take forthwith any action that may be required to give effect to the determination of the Minister.

(11) The determination of the Minister shall in every case be communicated by the Minister to the Commissioner who shall thereupon notify it to the proper Licensing Authority, to the appellant, and to every other person who in the opinion of the Commissioner is directly concerned.

(12) All appeals duly lodged under the provisions of section 43 of the Transport (Goods) Order, 1933-34, but not determined before the passing of this Order shall be determined by the Minister under this clause.

(13) In any case where the determination of the Transport Co-ordination Board in any appeal under the said section forty-three has not been given effect to by the Licensing Authority before the passing of this Order, the determination shall be deemed to be of no effect, and the appeal shall be determined by the Minister under this clause.

Clause 21 (Section 16 of 1936 Act).

(1) If the Minister is of opinion that it is necessary or desirable in the public interest so to do, he may from time to time, by notice published in the *Gazette*, declare that any service by motor-vehicle for the carriage of goods (whether for hire or reward, or not) shall be deemed for the purposes of the Transport Licensing Act, 1931, and these provisions to be a goods-service within the meaning of that Act and these provisions.

(2) If any question arises as to whether or not the carriage of any goods by motor-vehicle constitutes a service for the purposes of this clause it shall be determined by the Minister whose decision shall be final.

(3) For the purposes of a notice under this clause a service may be defined in such manner as the Minister thinks fit. In particular, without limiting the general authority conferred by this section, a service may be defined by reference to all or any of the following matters—namely, the points between which it is carried on, the nature or length of the route, the localities served, the motor-vehicle or motor-vehicles used, the goods carried, and the nature of any transaction that may be involved in the service.

(4) In any notice under this clause in respect of any service or services the Minister may declare that any specified person or specified class of persons shall be deemed for the purposes of the Transport Licensing Act, 1931, and this Order to be carrying on the service, whether or not that person is or those persons are the owner or owners or the bailee or bailees of the motor-vehicle or motor-vehicles used in the service.

(5) Unless and until any notice under this clause is varied or revoked as hereinafter provided, it shall continue in force according to its tenor. Every such notice shall come into force on the date of its publication in the *Gazette*, or on such later date as may be specified in that behalf in the notice.

(6) Any notice under this section may in like manner from time to time be varied, or may be at any time in like manner revoked.

Clause 22 (Section 18 of 1936 Act).

(1) Every person carrying on any goods-service pursuant to a license under these provisions shall keep in relation thereto such of the prescribed accounts and records, and shall furnish to the Commissioner such financial and statistical returns and statements and such copies of accounts, based on the accounts and records so kept by him, as the Commissioner may from time to time require by notice in writing addressed to that person.

(2) Every person required to keep any accounts or records as aforesaid shall from time to time, as required for the purposes of these provisions by the Commissioner or by any officer authorized by him in that behalf, furnish in writing any information or produce for inspection any books or documents (including the said accounts or records) that may be in his knowledge, possession, or control.

Clause 23 (Section 42 of 1931 Act).

(1) Every Inspector may at any time—

(a) Stop, enter, and inspect any goods-service vehicle while the same is being used:

(b) Enter any place where such vehicle is kept and inspect such vehicle:

(c) Make any reasonable running-test of such vehicle at the cost in all things of the owner thereof:

(d) Require the owner of such vehicle or any other person for the time being in charge thereof to furnish all such assistance as may be necessary for the purpose of any such inspection or running-test:

(e) Require the production of any current license or any document or instrument in evidence thereof or any other prescribed document issued in respect of such vehicle.

(2) Every person who obstructs or hinders, or incites any person to obstruct or hinder, any Inspector in the exercise of powers conferred by this clause, or refuses or fails to furnish any such assistance as aforesaid, or who, having the custody or possession of any license or document as aforesaid, refuses or fails to produce the same to an Inspector on demand, commits an offence, and is liable for each such offence to a fine of ten pounds.

C. A. JEFFERY,
Clerk of the Executive Council.

Appointment of Licensing Authorities in Terms of the Transport Licensing Amendment Act, 1936.

IN pursuance and exercise of the powers conferred on me by section three of the Transport Licensing Amendment Act, 1936, I, Robert Semple, Minister of Transport, do hereby appoint the licensing authorities described in the Schedule hereto for a term commencing on the twenty-first day of July, one thousand nine hundred and thirty-six and expiring on the thirty-first day of July, one thousand nine hundred and thirty-seven.

SCHEDULE.

Description of Licensing Authority.	Personnel of Licensing Authority.		
	Name.	Occupation.	Address.
District Licensing Authority for Number 1 Transport District	Edward John Phelan ..	Union Secretary	Auckland.
District Licensing Authority for Number 2 Transport District	John Philip Oscar Skoglund	Town Clerk..	Stratford.
District Licensing Authority for Number 3 Transport District	Thomas Herbert Langford	Merchant ..	Winchester, Canterbury.
District Licensing Authority for Number 4 Transport District	Stanley Victor Raines ..	Solicitor ..	Invercargill.

Dated at Wellington, this 18th day of July, 1936.

R. SEMPLE, Minister of Transport.

(TT. 1/5.)