

**Reprint  
as at 1 July 2013**



**Transport (Vehicular Traffic Road  
Closure) Regulations 1965**  
(SR 1965/63)

Bernard Fergusson, Governor-General

**Order in Council**

At the Government Buildings at Wellington this 26th day of April  
1965

Present:

The Right Hon Keith Holyoake, CH, presiding in Council

Pursuant to the Transport Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**These regulations are administered by the Ministry of Transport.**

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**Enactments and bylaws not applying on roads closed to ordinary vehicular traffic**

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**Regulations**

**1 Title**

These regulations may be cited as the Transport (Vehicular Traffic Road Closure) Regulations 1965.

**2 Interpretation**

In these regulations, unless the context otherwise requires—  
**accident compensation levy** means a levy payable pursuant to section 98 of the Accident Compensation Act 1972

**controlling authority**, in relation to a road,—

- (a) means the authority, body, or person having control of the road; and
- (b) includes a person acting under and within the terms of a delegation or authorisation given by the controlling authority

**period of closure**, in any case where it is proposed to close a road for more than 1 period, means the first period of closure  
**road** does not include any foreshore (as defined in section 2(1) of the Harbours Act 1950).

Regulation 2: amended, on 3 May 1999, by regulation 2(2) of the Transport (Vehicular Traffic Road Closure) Amendment Regulations 1999 (SR 1999/89).

Regulation 2 **accident compensation levy**: inserted, on 1 April 1974, by regulation 2 of the Transport (Vehicular Traffic Road Closure) Regulations 1965, Amendment No 2 (SR 1974/75).

Regulation 2 **controlling authority**: replaced, on 3 May 1999, by regulation 2(1) of the Transport (Vehicular Traffic Road Closure) Amendment Regulations 1999 (SR 1999/89).

Regulation 2 **indemnity surcharge**: revoked, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Regulation 2 **road**: inserted, on 28 November 1975, by regulation 2 of the Transport (Vehicular Traffic Road Closure) Regulations 1965, Amendment No 3 (SR 1975/280).

### **3 Controlling authority may close road**

For the purpose of holding on any road any vehicle races or trials, or any processions, carnivals, celebrations, sporting events, or other special events, the controlling authority may, subject to the provisions of these regulations, close the road to ordinary vehicular traffic for a period or series of periods of not more than 12 hours each in any consecutive 24 hours.

### **4 Notice of intention to close road to be advertised**

- (1) At least 42 days before the proposed period of closure of any road, the controlling authority shall give public notice (hereinafter called the **said notice**) in form A in Schedule 1 in at least 1 newspaper circulating in the locality in which the road is situated of its intention to close the road to ordinary vehicular traffic, with details of the purpose of the closure, the period or periods of closure, and the provision made for vehicular traffic which would otherwise be using the road, and shall therein call upon persons affected to lodge with the controlling authority any objections thereto.
- (2) Any person affected by the closure of any road may lodge an objection thereto not later than 28 clear days before the proposed period of closure of the road.

### **5 Where no objections to closure received**

If no objections are received within the prescribed time as a result of the said notice, the controlling authority may decide to close the road in accordance with the terms of the said notice, and, if it so decides, it shall, not later than 24 hours before

the proposed period of closure, give further public notice in form B in Schedule 1 in at least 1 newspaper circulating in the locality in which the road is situated of the closure thereof to ordinary vehicular traffic, together with the other particulars specified in that form.

#### **6 Where objections to closure received**

If any objections are received within the prescribed time as a result of the said notice, the controlling authority—

- (a) shall consider the objections so received; and
- (b) if, after considering those objections, it decides to close the road in accordance with the terms of the said notice, shall, not later than 24 hours before the proposed period of closure, give further public notice in form B in Schedule 1 in at least 1 newspaper circulating in the locality in which the road is situated of the closure thereof to ordinary vehicular traffic, together with the other particulars specified in that form.

#### **7 Promoter to provide adequate insurance**

A controlling authority shall not close any road under these regulations unless the authority is satisfied that the person or organisation promoting the vehicle races or trials, procession, carnival, celebration, sporting event, or other special event, as the case may be, has arranged adequate insurance against his or its liability to pay damages to any person in respect of any claim on account of the damage to property where the damage results from the holding of the vehicle races or trials, procession, carnival, celebration, sporting event, or other special event, as the case may be. In the case of any vehicle race or trial, the controlling authority must be satisfied that the only motor vehicles participating are vehicles in respect of which an accident compensation levy and an indemnity surcharge has been paid for the licensing year then current.

Regulation 7: replaced, on 1 April 1974, by regulation 3 of the Transport (Vehicular Traffic Road Closure) Regulations 1965, Amendment No 2 (SR 1974/75).

**8 Permit to use closed road**

As provision or part of the provision made for ordinary vehicular traffic that would otherwise use a road closed pursuant to these regulations, and also as provision for the holding of vehicular racing or other similar events on the road, the controlling authority may authorise the issue of a permit by any of its officers or by any constable or traffic officer which will authorise the person to whom the permit is issued to use a vehicle or vehicles on the road during the period or periods of closure, subject to any condition or conditions contained in the permit.

**9 Powers of Police and bylaws requiring permits not affected**

These regulations shall in no way restrict the power of the Police to maintain public order on roads, nor shall they authorise the holding on any road without the appropriate permit therefor of any vehicle race or trial or any procession, carnival, celebration, sporting event, or other special event for which a permit is required under any Act, regulation, or bylaw.

**10 Certain enactments suspended**

The provisions of the enactments and bylaws specified in Schedule 2 shall not apply to any motor vehicle while taking part in any vehicle races or trials, or any procession, carnival, celebration, sporting event, or other special event, as the case may be, on any road that is for the time being closed pursuant to these regulations.

**11 Offences**

- (1) Every person commits an offence who otherwise than in terms of a permit duly issued under regulation 8 uses a road that is for the time being closed pursuant to these regulations.
- (2) In a prosecution for any offence against these regulations, the production of copy of a newspaper containing the relevant notice in form B in Schedule 1 shall be sufficient evidence that the requirements precedent to the closure of the road have been duly complied with by the controlling authority.
- (3) A person who commits an offence against these regulations is liable on conviction to a fine not exceeding \$500.

Regulation 11(3): replaced, on 3 May 1999, by regulation 3 of the Transport (Vehicular Traffic Road Closure) Amendment Regulations 1999 (SR 1999/89).

Regulation 11(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

## 12 Revocation

The Transport (Vehicular Traffic Road Closure) Regulations 1963 (SR 1963/124) are hereby revoked.

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## Schedule 1

### Form A

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#### Proposal to close road(s)/street(s) to vehicular traffic

Pursuant to the Transport (Vehicular Traffic Road Closure) Regulations 1965, notice is hereby given that the [*name of controlling authority*], for the purpose of [*state purpose*], proposes to close the following road(s)/street(s) to ordinary vehicular traffic for the period(s) indicated hereunder.

During the proposed period(s) of closure the following provision will be made for ordinary vehicular traffic which would otherwise use the road(s)/street(s):

Any person objecting to the proposals is called upon to lodge notice of his objection and grounds thereof in writing, before\* [*date*] at the office of the Council (Board) [*or, as the case may require*] at [*address*]:

Road(s)/street(s) proposed to be closed to ordinary vehicular traffic:

Period or periods of proposed closure:

[*Seal of controlling authority, or signature of person or persons authenticating the notice—Town Clerk, County Clerk, etc*]

\*The date to be inserted here shall be 28 clear days prior to the date of the closure.

Form B

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Closure of road(s)/street(s) to ordinary vehicular  
traffic

Pursuant to the Transport (Vehicular Traffic Road Closure) Regulations 1965, notice is hereby given that for the purpose of [*state purpose*], the following road(s)/street(s) will be closed to ordinary vehicular traffic for the period(s) indicated hereunder.

During the period(s) of closure the following provision will be made for ordinary vehicular traffic which would otherwise use the road(s)/street(s):

Period or periods of closure:

Alternative provision for ordinary vehicular traffic:

It will be an offence under the above regulations for any person otherwise than under authority of an authorised period to use the road(s)/street(s) for ordinary vehicular traffic during the period(s) of closure.

[*Seal of controlling authority, or signature of person or persons authenticating the notice—Town Clerk, County Clerk, etc*]

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**Schedule 2**

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**Enactments and bylaws not applying on  
roads closed to ordinary vehicular traffic**

Schedule 2: replaced, on 3 May 1999, by regulation 4 of the Transport (Vehicular Traffic Road Closure) Amendment Regulations 1999 (SR 1999/89).

<b>Enactment or bylaw</b>	<b>Section or regulation</b>	<b>Subject matter of enactment or bylaw</b>
Transport Act 1962	52	Speed limit of 50 kilometres an hour in districts of territorial authorities or parts thereof
Any bylaw under the Transport Act 1962		Speed limits for motor vehicles
Traffic Regulations 1976	4	Keeping to left of road
	5	Driving in lanes
	6	Route of driving at intersections marked in lanes
	7	Changing direction
	8	Overtaking
	9(1)	Stopping at stop signs, and giving way at give-way signs
	10	Approaching and entering intersections
	11	Stopping at and entering railway crossings
	21(1)	General speed limit
	21(3)	70 kilometres an hour speed limit
	21(4)	Limited speed zones
	22	Stopping and following distances



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<b>Enactment or bylaw</b>	<b>Section or regulation</b>	<b>Subject matter of enactment or bylaw</b>
Land Transport Act 1998	242	Motor vehicles to be registered and licensed
Land Transport Rule: Vehicle Standards Compliance 1998	10.1(3)	Operation of motor vehicle that does not comply with certification requirements and that does not have required evidence of certification affixed to vehicle

Schedule 2: amended, on 1 May 2011, by section 35(5) of the Land Transport Amendment Act 2009 (2009 No 17).

T J Sherrard,  
Clerk of the Executive Council.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 29 April 1965.

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## Notes

### 1 *General*

This is a reprint of the Transport (Vehicular Traffic Road Closure) Regulations 1965. The reprint incorporates all the amendments to the regulations as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

### 2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### 3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

## **5** *List of amendments incorporated in this reprint (most recent first)*

Criminal Procedure Act 2011 (2011 No 81): section 413

Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13): section 100(3)

Land Transport Amendment Act 2009 (2009 No 17): section 35(5)

Transport (Vehicular Traffic Road Closure) Amendment Regulations 1999 (SR 1999/89)

Transport (Vehicular Traffic Road Closure) Regulations 1965, Amendment No 3 (SR 1975/280)

Transport (Vehicular Traffic Road Closure) Regulations 1965, Amendment No 2 (SR 1974/75)

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