

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Wednesday, the 25th Day of November 1953

TRANSPORT AMENDMENT BILL (No. 2)

AMENDMENTS proposed by His Excellency the Governor-General:

To add the following clauses and Schedule:

4. (1) Section seventeen of the principal Act is hereby amended by repealing paragraphs (a) and (b) of subsection two, and substituting the following paragraphs: Registration,
annual licence,
and other fees.

“(a) For any tractor or trailer, a fee of one pound:

“(b) For any other motor vehicle, a fee of two pounds.”

(2) Section twenty-six of the principal Act, as amended by subsection two of section twelve of the Transport Amendment Act 1950, is hereby further amended by omitting from subsection three the words “five shillings and sixpence”, and substituting the words “ten shillings”. 1950, No. 51

(3) Section twenty-eight of the principal Act is hereby amended by repealing paragraphs (a) and (b) of subsection four, and substituting the following paragraphs:

“(a) For a dealer’s licence for use on a motor cycle, a fee of two pounds:

“(b) For a dealer’s licence for use on any other motor vehicle, a fee of three pounds.”

(4) The principal Act is hereby amended by repealing the First Schedule, as substituted by subsection one of section twelve of the Transport Amendment Act 1950, and substituting the First Schedule set out in the Schedule to this Act.

(5) The following enactments are hereby repealed:

(a) Subsections one to three of section twelve of the Transport Amendment Act 1950:

(b) The Second Schedule to the same Act.

(6) This section shall come into force on the first day of July, nineteen hundred and fifty-four.

5. (1) Section thirty-four of the principal Act is hereby amended by omitting from subsection one the words “shall be paid into the Consolidated Fund”, and substituting the words “shall be paid into the Public Account to the credit of the National Roads Fund”. Registration
and licensing
fees to be paid
into National
Roads Fund.

(2) Section thirty-four of the principal Act is hereby further amended by repealing paragraph (c) of subsection two, as substituted by subsection four of section twelve of the Transport Amendment Act 1950. 1950, No. 51

(3) Subsection four of section twelve of the Transport Amendment Act 1950 is hereby repealed.

(4) This section shall come into force on the *first* day of *April*, nineteen hundred and fifty-four.

Repealing provisions as to extraordinary traffic.

6. (1) The principal Act is hereby amended by repealing section fifty-three.

(2) No agreement entered into or arbitration award made under subsection one of section fifty-three of the principal Act shall have any effect after the commencement of this section except with respect to any liability accrued before the commencement of this section.

(3) Notwithstanding the repeal of section fifty-three of the principal Act, the provisions of subsection three of that section shall continue to apply with respect to any moneys received under that section by any local authority before the commencement of this section as if this section had not been passed, and as if the reference in that subsection to the Consolidated Fund were a reference to the National Roads Fund.

(4) This section shall come into force on the *first* day of *April*, nineteen hundred and fifty-four.

Heavy traffic licence fees to be paid into National Roads Fund.

7. (1) Section fifty-nine of the principal Act is hereby further amended by repealing paragraphs (*m*) and (*n*).

(2) Section fifty-nine of the principal Act is hereby further amended by adding the following subsection as subsection two thereof:

1953, No. 00

“(2) Subject to the provisions of subsection *five* of section *twenty-two* of the *National Roads Act 1953*, all licence fees received after the commencement of this subsection in respect of heavy traffic licences pursuant to regulations made under subsection one of this section shall be paid into the Public Account to the credit of the National Roads Fund.”

(3) This section shall come into force on the *first* day of *April*, nineteen hundred and fifty-four.

Motor spirits tax to be paid into National Roads Fund.

8. (1) The principal Act is hereby amended by repealing section sixty, and substituting the following section:

1934, No. 14

“60. (1) All moneys received under item numbered 394 (7) of the Customs Tariff (being the First Schedule to the Customs Acts Amendment Act 1934 as from time to time amended) as Customs duties in respect of motor spirits imported into New Zealand or entered therein for home consumption after the commencement of this section shall be deemed to be received as a tax in respect of the use of motor vehicles (hereinafter referred to as motor spirits tax).

1953, No. 00

“(2) Subject to the provisions of subsection *four* of section *twenty-two* of the *National Roads Act 1953*, all moneys received as motor spirits tax, after deducting the amount of any refunds or drawbacks of duty made under the Customs Act 1913, shall be paid into the Public Account to the credit of the National Roads Fund.”

See Reprint of Statutes, Vol. VII, p. 97

(2) Sections sixty-one, sixty-four, and sixty-five of the principal Act are hereby repealed.

(3) This section shall come into force on the *first* day of *April*, nineteen hundred and fifty-four.

Amending provisions as to refunds of motor spirits tax.

9. (1) Section sixty-two of the principal Act is hereby amended by inserting, after subsection three, the following subsection:

“(3A) All refunds under this section shall be paid out of the National Roads Fund without further appropriation than this section.”

(2) Section sixty-two of the principal Act is hereby further amended by inserting in subsection five, after the words “against this Act”, the words “and is liable to a fine not exceeding one hundred pounds”.

(3) This section shall come into force on the *first* day of *April*, nineteen hundred and fifty-four.

10. (1) Section sixty-six of the principal Act is hereby amended by repealing subsection six, and substituting the following subsection:

Mileage tax to be paid into the National Roads Fund.
1953, No. 00

“(6) Subject to the provisions of subsection *four* of section *twenty-two* of the National Roads Act 1953, all moneys paid or recovered under the foregoing provisions of this section shall be paid into the Public Account to the credit of the National Roads Fund.”

(2) This section shall come into force on the *first* day of *April*, nineteen hundred and fifty-four.

11. (1) Section one hundred and sixty-eight of the principal Act is hereby amended by repealing subsection two, and substituting the following subsection:

Crown to be liable for heavy traffic fees.

“(2) No by-law made by any local authority under section fifty-four of this Act shall bind the Crown, and nothing in Part III of this Act shall be construed to render the Crown liable to obtain any licence under any by-law in respect of any vehicle.”

(2) This section shall come into force on the *first* day of *April*, nineteen hundred and fifty-four.

12. (1) Section forty-six A of the principal Act, as inserted by section eleven of the Transport Amendment Act 1953, is hereby amended by inserting in subsection one, after the words “motor vehicle”, the words “not being a taxicab”.

Amending provisions as to stopping of certain vehicles at railway crossings.
1953, No. 24

(2) The said section forty-six A is hereby further amended by adding to subsection one the following proviso:

“Provided that, where the traffic on any road that crosses a railway line on the level is for the time being controlled on the approach to the railway line by a constable or Traffic Officer, his directions to that traffic shall be deemed to override the foregoing provisions of this subsection:

“Provided further that the Minister may from time to time, by notice in the *Gazette*, declare that nothing in this subsection shall apply with respect to any railway line or any specified portion of a railway line or any road or any portion of a road or any railway crossing or class of railway crossing specified in the notice, and that notice shall have effect accordingly.”

SCHEDULE

NEW FIRST SCHEDULE TO PRINCIPAL ACT

“FIRST SCHEDULE

“ANNUAL LICENCE FEES

(Effective on and from 1 July 1954)

	£	s.	d.
“(1) For every motor cycle	2	0	0
“(2) For every motor car	3	0	0
“(3) For every motor vehicle designed exclusively or principally for the carriage of persons exceeding nine in number inclusive of the driver	5	0	0
“(4) For every motor vehicle the gross weight of which unladen, together with the manufacturer's rating of weight carrying capacity, exceeds two tons avoirdupois	5	0	0
“(5) For every trailer—			
“(a) Having two or more axles	5	0	0
“(b) Having one axle	1	10	0
“(6) For every traction engine	7	10	0
“(7) For every other motor vehicle	4	0	0”

EXPLANATORY NOTE

THE proposed new *clauses 4 to 11* and the Schedule are intended to give effect to recommendations of the Roothing Investigation Committee which was recently set up to make a comprehensive investigation into the roading system of New Zealand and to prepare recommendations for the consideration of the Government. Some of the recommendations adopted by the Government are incorporated in the National Roads Bill at present before the House, and these additional clauses give effect to other recommendations adopted by the Government.

Clause 4 provides for an increase, commencing in the next licensing year, in the registration and annual licence fees for motor vehicles (other than driver's licence fees) and the fees payable on notices of change of ownership. As from the commencement of the next financial year all those fees will by *clause 5* be payable into the National Roads Fund.

Clause 6 repeals section 53 of the principal Act, which provides for the recovery by local authorities of the expense of repairing damage to roads caused by extraordinary traffic. In future, local authorities will be dependent on subsidies received from the National Roads Fund for this purpose.

Clause 7 repeals the provisions of section 59 of the principal Act which enable regulations to be made authorizing payment of heavy traffic licence fees to local authorities, and provides that all such fees will as from the commencement of the next financial year be paid into the National Roads Fund.

Clause 8 provides that the whole of the motor spirits tax shall be paid into the National Roads Fund. At present 6d. a gallon of the total tax of 1s. a gallon is paid into the Consolidated Fund and set aside for roading purposes.

Clause 9: Subclause (1) provides that all refunds of motor spirits tax are to be paid out of the National Roads Fund, and *subclause (2)* increases from £50 to £100 the maximum penalty for making a false declaration or giving false information for the purpose of obtaining a refund of motor spirits tax.

Clause 10 provides that all mileage tax payable in respect of vehicles not wholly propelled by motor spirits and other vehicles which are liable to mileage tax is to be paid into the National Roads Fund.

Clause 11: The effect of the clause is to make the Crown liable for heavy traffic licence fees.

Clause 12: Section 46A of the principal Act requires the drivers of passenger service vehicles or vehicles carrying explosives or inflammable liquids to stop at all railway crossings. This clause excludes taxicabs from this requirement, and also provides that the requirement does not apply where traffic at the railway crossing is controlled by a constable or Traffic Officer. The clause also allows the Minister of Transport to declare, by notice in the *Gazette*, that the requirement need not be complied with at specified crossings.

The Schedule substitutes a new scale of annual licence fees for motor vehicles.