

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Friday, 14 October 1983

TRANSPORT AMENDMENT BILL (NO. 5)

Proposed Amendment

(This Supplementary Order Paper is in addition to Supplementary Order Paper No. 25)

Hon. Mr GAIR, in Committee, to move the following amendment:

Clause 2; New section 109 (7): To add after paragraph (e), at line 14 on page 17, the following paragraph:

“(f) The carriage of the goods commenced or concluded the journey of the goods (as may be evidenced by the waybill carried on the vehicle carrying the goods), and commenced at a depot used for the deconsolidation of the goods or concluded at a depot used for the consolidation of those goods, and—

“(i) During that carriage the vehicle carrying those goods was at all times closer to the nearest railway station to the depot than it was to any other railway station; or

“(ii) During that carriage the vehicle carrying those goods was at all times closer to at least one of the railway stations within the Auckland Area, Wellington Area, Christchurch Area, or Dunedin Area (as defined in **section 112 (3)** of this Act) than it was to any other railway station.

EXPLANATORY NOTE

This amendment provides a further defence to offences relating to the rail restriction.

The defence is that the goods were being delivered to or from a depot at either end of their journey to or from a depot where those goods were consolidated or deconsolidated. At all times the goods must not be closer to any railway station other than the station nearest the depot. However, in the case of journeys in or near the Auckland, Wellington, Christchurch, or Dunedin Areas, there is a wider exemption in that the goods must not be carried closer to any station outside one of those areas than any one of the stations within one of those areas.

In practice, the defence will mean that goods may be carried within or to or from a short distance outside the 4 main metropolitan areas to or from consolidation depots in those areas without breaking the rail restriction, and therefore without the need for a permit under the proposed *section 113G (clause 6)*. It will also mean that, outside those areas, goods may be carried to or from consolidation depots without breaking the rail restriction, and therefore without the need for a permit, so long as the journey to or from the depot extends no more than half way towards any railway station that is not the station nearest to the depot.