



THE ECONOMIC STABILISATION (CONSERVATION OF
PETROLEUM) REGULATIONS (NO. 2) 1979,
AMENDMENT NO. 1

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 21st day of May 1979

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Economic Stabilisation Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Commencement of Part II of the principal regulations 3. Interpretation 4. Sales during restricted periods to essential users 5. Emergency supply of motor spirits during restricted periods 6. Application of Part II of principal regulations 7. Chosen carless days | <ol style="list-style-type: none"> 8. Applications for carless day stickers 9. Issue of new carless day stickers in cases of extreme hardship 10. Applications for exempt stickers 11. Revocation of exempt stickers 12. Offence not to destroy exempt stickers in certain circumstances 13. Miscellaneous offences 14. Restricted periods 15. Essential users <p>Schedule</p> |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Economic Stabilisation (Conservation of Petroleum) Regulations (No. 2) 1979, Amendment No. 1, and shall be read together with and deemed part of the Economic Stabilisation (Conservation of Petroleum) Regulations (No. 2) 1979* (hereinafter referred to as the principal regulations).

(2) Except as provided in regulation 2 (3) of these regulations, these regulations shall come into force on the 1st day of June 1979.

2. Commencement of Part II of the principal regulations—(1) Regulation 1 (2) of the principal regulations is hereby amended by omitting the expression “subclause (3)”, and substituting the expression “subclauses (3) to (6)”.

(2) Regulation 1 of the principal regulations is hereby amended by revoking subclause (3), and substituting the following subclauses:

“(3) Part II of these regulations (with the exception of regulations 14 (1), 14 (2), 14 (3), 15, and 20 (3)) shall come into force on the 1st day of June 1979.

“(4) Regulations 14 (1) and 14 (3) of these regulations shall come into force on the 1st day of July 1979.

“(5) Regulations 14 (2) and 20 (3) of these regulations shall come into force on the 25th day of May 1979.

“(6) Regulation 15 of these regulations (as amended by regulation 7 of the Economic Stabilisation (Conservation of Petroleum) Regulations (No. 2) 1979, Amendment No. 1) shall come into force on a date to be appointed by the Governor-General by Order in Council.”

(3) This regulation shall come into force on the 25th day of May 1979.

3. Interpretation—(1) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “essential user”, and substituting the following definition:

“‘Essential user’ means a person described in the Second Schedule to these regulations:”.

(2) Regulation 2 of the principal regulations is hereby amended by inserting, after the definition of the term “goods service vehicle”, the following definition:

“‘Gross weight’, in relation to a motor vehicle, means the gross weight as defined in section 2 (1) of the Transport Act 1962:”.

(3) Regulation 2 of the principal regulations is hereby amended by omitting the definition of the terms “rental car” and “rental vehicle”, and substituting the following definition:

“Rental vehicle” means a rental vehicle as defined in section 2 (1) of the Transport Act 1962:”.

4. Sales during restricted periods to essential users—Regulation 7 (4) (a) of the principal regulations is hereby amended by omitting the words “to carry on his duties”, and substituting the words “for the purposes of his activities”.

5. Emergency supply of motor spirits during restricted periods—Regulation 8 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Where a member of the Police is satisfied that a person needs, during a restricted period, to purchase motor spirits—

“(a) For emergency purposes; or

“(b) For the purpose of refuelling a motor vehicle after it has been used for emergency purposes,—

the member of the Police may permit any authorised retailer to sell to the person during the restricted period the amount of motor spirits that is necessary to meet the emergency or to refuel the motor vehicle."

6. Application of Part II of principal regulations—(1) Regulation 13 (1) (b) of the principal regulations is hereby amended by omitting the word "laden".

(2) Regulation 13 (2) of the principal regulations is hereby amended by revoking paragraph (g), and substituting the following paragraph:

"(g) A motor vehicle operated by—

"(i) The Police Department; or

"(ii) The Ministry of Transport; or

"(iii) The Armed Forces; or

"(iv) The Post Office; or

"(v) The New Zealand Government Railways Department; or

"(vi) The Electricity Division of the Ministry of Energy; or

"(vii) The New Zealand Fire Service Commission; or

"(viii) A fire brigade within the meaning of section 2 of the Fire Service Act 1975; or

"(ix) An ambulance service; or

"(x) An Electrical Supply Authority within the meaning of section 2 of the Electricity Act 1968; or

"(xi) An owner of a gas undertaking within the meaning of section 2 of the Gas Industry Act 1958,—

and emblazoned with words or markings or both indicating the body or person by which or by whom the motor vehicle is operated; or".

7. Chosen carless days—Regulation 15 (3) of the principal regulations is hereby amended by revoking paragraph (b), and substituting the following paragraph:

"(b) By any person called out to carry on his occupation outside of his normal hours of work by a person who requires the services of the person called out:".

8. Applications for carless day stickers—Regulation 16 (2) of the principal regulations is hereby amended by inserting, after the words "on a form provided", the words "or approved".

9. Issue of new carless day stickers in cases of extreme hardship—Regulation 19 (b) of the principal regulations is hereby amended by inserting, after the word "issue", the words "or cause to be issued".

10. Applications for exempt stickers—Regulation 20 (1) of the principal regulations is hereby amended—

(a) By inserting, after the words "the Secretary of Energy" in the first place where they appear, the words "or an issuing officer":

- (b) By inserting, after the words "the Secretary of Energy" in the second place where they appear, the words "or issuing officer".

11. Revocation of exempt stickers—Regulation 20 of the principal regulations is hereby amended by inserting, after regulation 20, the following regulation:

"20A. The Secretary of Energy may, in his discretion, revoke any exempt sticker by giving written notice to that effect to the person to whom it was issued or to the owner of the motor vehicle for which it was issued."

12. Offence not to destroy exempt stickers in certain circumstances—Regulation 22 of the principal regulations is hereby amended by adding, as subclause (2), the following subclause:

"(2) Every person commits an offence against these regulations who, being the person to whom an exempt sticker has been issued or the owner of a motor vehicle for which an exempt sticker has been issued, fails to destroy that sticker as soon as practicable after receiving, under regulation 20A of these regulations, notice of the revocation of that sticker."

13. Miscellaneous offences—Regulation 23 of the principal regulations is hereby amended by inserting, after paragraph (a), the following paragraph:

"(ab) Knowingly displays on a motor vehicle an exempt sticker that has been revoked."

14. Restricted periods—The principal regulations are hereby amended by revoking the First Schedule, and substituting the First Schedule set out in the Schedule to these regulations.

15. Essential users—(1) Part I of the Second Schedule to the principal regulations is hereby amended by revoking clause 10, and substituting the following clause:

"10. A driver of a rental vehicle."

(2) Part I of the Second Schedule to the principal regulations is hereby amended by adding the following clauses:

"21. A driver of a rubbish collection motor vehicle.

"22. A driver of a motor vehicle which is operated by the Electricity Division of the Ministry of Energy, and which is emblazoned with words or markings or both indicating that it is operated by that Division.

"23. A driver of a motor vehicle which is operated by an Electrical Supply Authority within the meaning of section 2 of the Electricity Act 1968 and which is emblazoned with words or markings or both indicating the Authority by which it is operated.

"24. A driver of a motor vehicle which is operated by a gas undertaking within the meaning of section 2 of the Gas Industry Act 1958 and which is emblazoned with words or markings or both indicating the undertaking by which it is operated.

“25. A driver of a motor vehicle which is operated by the New Zealand Government Railways Department and which is emblazoned with words or markings or both indicating that it is operated by that Department.”

(3) Part II of the Second Schedule to the principal regulations is hereby amended by inserting, after clause 1, the following clause:

“1A. A person who has the care of a physically handicapped person.”

SCHEDULE

Reg. 14

NEW FIRST SCHEDULE TO PRINCIPAL REGULATIONS

“FIRST SCHEDULE

Reg. 2

RESTRICTED PERIODS

1. In respect of each Friday (not being a public holiday), the period after 7 p.m.
2. The whole of each Saturday.
3. The whole of each Sunday.
4. In respect of each Monday (not being a public holiday), the period before 6 a.m.
5. In respect of each day,—
 - (a) Which is a Monday, a Tuesday, a Wednesday, or a Thursday; and
 - (b) Which (not being a public holiday) immediately precedes a public holiday,—
 the period after 9 p.m.
6. In respect of each day,—
 - (a) Which is a Tuesday, a Wednesday, a Thursday, or a Friday; and
 - (b) Which (not being a public holiday) immediately follows a public holiday,—
 the period before 6 a.m.
7. The whole of each public holiday.”

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Economic Stabilisation (Conservation of Petroleum) Regulations (No. 2) 1979.

Regulation 2 brings into force on 1 June 1979 the bulk of the provisions relating to the issuing of carless day stickers and exemption stickers. (Regulations 14 (2) and 20 (3) of the principal regulations (which relate to the prescribing of the form of the carless day sticker and the form of the exemption sticker) come into force on 25 May 1979.) The provisions requiring the displaying of carless day stickers are brought into force on 1 July 1979. These provisions do not

restrict the use of vehicles on carless days. Restrictions on the use of vehicles on carless days are contained in regulation 15 of the principal regulations. That regulation is not yet in force.

Regulation 3 amends the definition of the term "essential user" and inserts a definition of the term "gross weight". The definition of the term "rental car" is omitted.

Regulation 4 aligns the language of regulation 7 (4) (a) with the language of paragraph 6 of Form 1 in the First Schedule to the principal regulations.

Regulation 5 enlarges the powers of members of the Police to issue permits to authorise the sale of motor spirits during restricted periods. Such sales may now be authorised not only for emergency purposes but also for the purpose of refuelling a motor vehicle after it has been used for emergency purposes.

Regulation 6: Subclause (1) changes the manner in which the carless day provisions are applied to goods service vehicles. Those provisions will now apply to a goods service vehicle where the gross weight (as opposed to the gross laden weight) of the vehicle is 2,000 kg or less.

Subclause (2) enlarges the classes of "official" motor vehicles that are exempt from the provisions relating to carless days. Each such "official" motor vehicle must be emblazoned with words or markings or both indicating the body or person by which or by whom the motor vehicle is operated.

Regulation 7 makes it clear that a person may use his vehicle on his chosen carless day if he is called out to carry on his occupation outside of his normal hours of work by a person who requires the services of the person called out.

Regulation 8 enables the Secretary of Energy to approve forms as well as to provide forms for the purposes of applications for carless day stickers.

Regulation 9 amends regulation 19 of the principal regulations. That regulation provides for the issue, by the Secretary of Energy, of new carless day stickers in cases of extreme hardship. The amendment made by these regulations will allow the Secretary to cause these stickers to be issued (for example through the Post Office) instead of issuing them himself.

Regulation 10: Subclause (1) allows applications for exempt stickers to be dealt with by issuing officers (usually officers of the Post Office) as well as by the Secretary of Energy.

Regulation 11 empowers the Secretary of Energy to revoke any exempt sticker.

Regulation 12 makes it an offence for any person, being a person to whom an exempt sticker has been issued or the owner of a motor vehicle for which an exempt sticker has been issued, to fail to destroy that sticker as soon as practicable after receiving notice of the revocation of that sticker.

Regulation 13 makes it an offence for any person to knowingly display on a motor vehicle an exempt sticker that has been revoked.

Regulation 14 substitutes a new First Schedule to the principal regulations. The provisions of the new Schedule are to the same effect as the existing provisions.

Regulation 15: Subclause (1) substitutes a new paragraph in Part I of the Schedule of essential users. It is wider than the existing paragraph in that it designates drivers of rental vehicles, and not merely drivers of rental cars, as essential users.

Subclause (2) adds 5 new paragraphs to Part I of the Schedule of essential users. The new paragraphs designate as essential users the drivers of certain classes of motor vehicles.

Subclause (3) inserts a new paragraph in Part II of the Schedule of essential users. The new paragraph designates as essential users persons who have the care of physically handicapped persons. (Physically handicapped persons themselves are already designated as essential users.)

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24 May 1979.

These regulations are administered in the Ministry of Energy.