

Serial Number 1941/78.



**THE HEAVY MOTOR-VEHICLE EMERGENCY  
REGULATIONS 1941.**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 21st day of  
May, 1941.

Present :

THE HON. W. NASH PRESIDING IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Heavy Motor-vehicle Emergency Regulations 1941.

2. These regulations shall be read together with and deemed part of the Heavy Motor-vehicle Regulations 1940\* (hereinafter referred to as the principal regulations).

3. Every heavy motor-vehicle shall be exempt from the provisions of Regulations 8, 9, 10, 13, and 14 of the principal regulations at all times—

- (a) While it is subject to a bailment to the Crown for the purposes of any of His Majesty's Naval, Military, or Air Forces :
- (b) While it is being used exclusively for the purposes of any of His Majesty's Forces or for the purposes of the Emergency Precautions Regulations 1940† or the Emergency Reserve Corps Regulations 1940.‡

4. No farmer's truck shall cease or be deemed to have ceased to be a farmer's truck by reason only of the fact that it is or has been used for the purposes of any of His Majesty's Forces or for the purposes of the Emergency Precautions Regulations 1940 or the Emergency Reserve Corps Regulations 1940.

\* Statutory Regulations 1940, Serial number 1940/78, page 240.

Amendment No. 1 : Statutory Regulations 1940, Serial number 1940/97, page 339.

Further amendments : Statutory Regulations 1940, Serial numbers 1940/241 and 1940/256, pages 763 and 790.

† Statutory Regulations 1940, Serial number 1940/187, page 601.

‡ Statutory Regulations 1940, Serial number 1940/188, page 605.

Amendment No. 1 : Statutory Regulations 1941, Serial number 1941/33.

5. For the purposes of Regulation 11 of the principal regulations the term "owner", in relation to any vehicle that is subject to a bailment to the Crown for the purposes of any of His Majesty's Forces, means the person who, but for the bailment, would be lawfully entitled to possession of the vehicle.

6. (1) For the purposes of this regulation the term "owner", in relation to any vehicle vested in or bailed to the Crown for the purposes of any of His Majesty's Forces, means the person who was the owner of the vehicle immediately before it was so vested or bailed.

(2) In any case in which a license under the principal regulations has been issued in respect of any heavy motor-vehicle for a longer period than one month and that heavy motor-vehicle has at any time since the 28th day of February, 1941 (whether before or after the commencement of these regulations), become vested in or bailed to the Crown for the purposes of any of His Majesty's Forces the owner may apply in writing for a partial refund of the license fee.

(3) In the case of a vehicle vested in the Crown, such refund shall be one-third part of the quarterly license fee payable in respect of the vehicle for every complete month comprised in the unexpired period of the license subsequent to the date of such vesting.

(4) In the case of a vehicle bailed to the Crown, such refund shall be one-third part of the quarterly license fee payable in respect of the vehicle for every complete month of the period of the license during which the vehicle has been so bailed.

(5) Any application under this regulation must be made not later than one month after the date of the expiration of the license.

(6) The owner shall supply proof to the satisfaction of the Licensing Authority of the facts entitling him to a refund.

(7) On compliance by the owner with the foregoing requirements the Licensing Authority shall pay to the owner the sum to which he is entitled under the foregoing provisions.

(8) Any proof required to be given under any of the foregoing clauses of this regulation may be given by statement in writing, statutory declaration, or other evidence to the satisfaction of the Licensing Authority.

T. R. AICKIN,  
Acting Clerk of the Executive Council.

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Issued under the authority of the Regulations Act, 1936.  
Date of notification in *Gazette* : 22nd day of May, 1941.  
These regulations are administered in the Transport Department.