



THE NATIONAL ROADS BOARD BYLAW 1978, NO. 1

PURSUANT to the National Roads Act 1953, the Municipal Corporations Act 1954, the Counties Act 1956, and all other powers and authorities in any way enabling it in that behalf, the National Roads Board hereby makes the following bylaw.

BYLAW

1. This bylaw may be cited as the National Roads Board Bylaw 1978, No. 1.

2. In this bylaw:

“Board” means the National Roads Board constituted under the National Roads Act 1953.

“Hawker or Pedlar” includes any person who carries or takes about any goods, wares, or merchandise for sale, not in pursuance of any invitation to call with, or of any previous order or request for, such goods, and includes any person who exposes for sale any goods, wares, or merchandise carried or taken about by him, and whether any such person shall cry such goods, wares, or merchandise or not, but does not include the keeper of a mobile or travelling shop, or keeper of stalls as defined herein.

“Mobile or Travelling Shop” means a vehicle, whether self-propelled or not, from which goods, wares, or merchandise are offered or exposed for sale, or from which goods, wares, or merchandise may be ordered (whether or not in pursuance of any invitation to call with the goods, wares, or merchandise).

“Stall” means any booth, compartment, table, vehicle, structure, or contrivance used for the purpose of distributing or selling any refreshments, newspapers, lottery tickets, textiles, hardware, or any other goods, food, or merchandise whatsoever.

“Keeper” in relation to any mobile or travelling shop or stall, means the person by whom, or on whose behalf, any business is carried on by means of that mobile or travelling shop or stall.

“State Highway” means any road or street declared to be a State Highway pursuant to the National Roads Act 1953.

3. No person, whether acting on his own account, or as the servant of another person, shall on any State Highway engage in the trade or calling of, or carry on business in any manner or to any extent as a hawker, pedlar, or keeper of a mobile or travelling shop or a stall without first having obtained a licence from the Board so to do.

4. Every licence issued under the provision of this bylaw shall be in such form as the Board may by resolution from time to time prescribe.

5. Every licence holder under this bylaw, shall at all times when exercising or carrying on his business, carry his licence with him and shall show the same to any police officer, traffic officer, or authorised officer of the Board who shall demand production of such licence.

6. Every licence issued under this bylaw, shall be issued subject to such conditions as this bylaw prescribes, and such further conditions and restrictions as the Board may from time to time by resolution prescribe, provided that such further conditions and restrictions are authorised by and not inconsistent with the provisions of any Act, Regulation, or rule of law.

7. Should the holder of any licence, granted pursuant to this bylaw, be convicted of any offence thereunder or of any offence or crime touching his character, the Board may immediately thereupon revoke such licence or suspend the same for so long as it may think fit.

8. No mobile or travelling shop shall be permitted to operate during the hours of darkness as defined in the Traffic Regulations 1956.

9. Every hawker, pedlar, keeper of a mobile or travelling shop, or stall, upon being requested so to do by any police officer, traffic officer, or duly authorised officer of the Board, and as often as so requested, shall alter the position from which he is conducting his business on any State Highway to such other part of the State Highway indicated by such officer.

10. Every holder of a licence as a hawker or pedlar or keeper of a mobile or travelling shop, or stall, while exercising or carrying on such business, shall have affixed on some conspicuous place on the exterior of every vehicle which he uses for such purposes, a board or plate bearing his name and the words "licensed operator" legibly painted thereon in letters not less than 3 cm in height.

11. Any person who shall obstruct any police officer, traffic officer, or authorised officer of the Board in the exercise of any powers herein conferred upon such officer, shall be guilty of an offence under this bylaw.

12. Any person who shall do, or cause to be done, or knowingly permits or suffers to be done, or is concerned in doing anything whatsoever contrary to, or otherwise than as provided by this bylaw shall be guilty of an offence under this bylaw.

This bylaw was made by resolution passed at a meeting of the National Roads Board, held in Wellington, on the 15th day of February 1978.

D. J. CHAPMAN, Secretary.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 May 1978.

This bylaw is administered in the Ministry of Works and Development.