



**THE TRANSPORT (OVERLOADING INFRINGEMENTS)  
NOTICE 1985**

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PURSUANT to section 69B (6) of the Transport Act 1962, the Minister of Transport hereby gives the following notice.

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**NOTICE**

**1. Title and commencement**—(1) This notice may be cited as the Transport (Overloading Infringements) Notice 1985.

(2) This notice shall come into force on the day after the date of its notification in the *Gazette*.

**2. Overloading-infringement notice**—Every overloading-infringement notice under section 69B of the Transport Act 1962 shall be in the form set out in the Schedule to this notice.

**3. Revocation**—The Transport (Overloading Infringements) Notice 1974\* is hereby revoked.

\*S.R. 1974/224

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**SCHEDULE**

**OVERLOADING-INFRINGEMENT NOTICE**

*(Issued under section 69B of the Transport Act 1962)*

To: Name: .....

Address: .....

It is alleged that you were the user of the heavy motor vehicle (or combination of heavy motor vehicles) registered No.(s) ..... at the time it was found or stopped on ..... [Road] at ..... [Location] on the ..... day of ..... 19....., at approximately ..... a.m./p.m. and that overloading infringement(s) occurred at that place and time.

When the vehicle (or combination of vehicles) was subsequently weighed the following overloading infringement(s) was/were detected for which the total fee specified below is payable:

Nature of Overloading Infringement(s)	Weight Measured (Kilograms)	Weight Permitted (Kilograms)	Fee Payable (Dollars)
Exceeding permitted			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
Total overloading-infringement fee			\$

Failure to pay the total overloading-infringement fee before the ..... day of ..... 19..... may result in Court proceedings. These proceedings will be taken under the Summary Proceedings Act 1957 for an offence against subsection (9) of section 69B of the Transport Act 1962, which provides:

“Every person commits an offence against this Act who, being the user of the motor vehicle in respect of which an overloading infringement is committed, and having been served with an overloading-infringement notice relating to that infringement, fails to pay to the enforcement authority before the date specified in the notice the appropriate overloading-infringement fee payable in respect of that infringement.”

The overloading-infringement fee shall be paid at the office of the ..... at ..... and may be paid between the hours of ..... a.m. and ..... p.m. on any weekday.

.....  
(Name and Designation of  
Officer Signing)

Dated at Wellington this 1st day of August 1985.

R. W. PREBBLE,  
Minister of Transport.

## EXPLANATORY NOTE

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice prescribes a new Transport (Overloading Infringements) Notice and in doing so removes a defect in the former notice that has been held in the High Court to render the former notice invalid.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 8 August 1985.  
This notice is administered in the Ministry of Transport.