

1955/188



**THE TRANSPORT LICENSING REGULATIONS 1950,
AMENDMENT NO. 10**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 26th day of October 1955

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Transport Act 1949, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Transport Licensing Regulations 1950, Amendment No. 10, and shall be read together with and deemed part of the Transport Licensing Regulations 1950* (hereinafter referred to as the principal regulations).

2. (1) Regulation 29 of the principal regulations is hereby amended by revoking subclauses (2) and (3) (as substituted by regulation 3 of the Transport Licensing Regulations 1950, Amendment No. 3, and as amended by regulation 3 of the Transport Licensing Regulations 1950, Amendment No. 7), and substituting the following subclauses:

“(2) It shall be a condition of every goods service licence (whether inserted therein or not) that the following restrictions shall apply, unless the licence expressly states that any of the restrictions shall not apply or shall be modified, namely:

“Restrictions

“(a) If there is an available route for the carriage of goods which includes at least thirty miles of open Government railway, goods shall be carried by road only so far as it is necessary to permit of their carriage by railway, unless the total distance of carriage by road and railway would be greater by more than one-third than the shortest road route available, or unless they are carried on a route or routes or between terminal points as expressly authorized in the licence:

*S.R. 1950/28. (Reprinted with amendments Nos. 1 to 9: S.R. 1954/131.)

“Provided that this restriction shall not apply to—

“(i) The carriage of livestock; or

“(ii) The carriage of fresh milk, fresh cream, fresh vegetables, fresh fruit, eggs, poultry, fresh fish, fresh meat, or such perishable goods as may be expressly defined in the licence; or

“(iii) The carriage of furniture (inclusive of personal belongings) arising from a change of residence of its owner; or

“(iv) The carriage of logs:

“(b) If there is an available route which includes at least fifty miles of open Government railway for the carriage of goods, being—

“(i) Livestock; or

“(ii) Fresh milk, fresh cream, fresh vegetables, fresh fruit, eggs, poultry, fresh fish, or fresh meat,—

they shall be carried by road only as far as it is necessary to permit of their carriage by railway, unless the total distance of carriage by road and railway would be greater by more than one-third than the shortest road route available, or unless they are carried on a route or routes or between terminal points as expressly authorized in the licence:

“Provided that this restriction shall not apply to the carriage of livestock to or from a show conducted by a society incorporated under the Agricultural and Pastoral Societies Act 1908 at which the stock is to be or has been exhibited, if there is carried on the motor vehicle on which the stock is carried evidence in writing signed by an officer of the society that the stock is to be or has been exhibited at that show:

“(c) If, in the case of logs, there is an available route for the carriage of the logs which includes at least fifty miles of open Government railway, or if the Murupara–Kawerau Railway is available for the carriage of the logs, they shall be carried by road only as far as it is necessary to permit of their carriage by railway, unless the total distance of carriage by road and railway would be greater by more than one-third than the shortest road route available, or unless they are carried on a route or routes or between terminal points as expressly authorized in the licence.

“(3) In subclause (2) of this regulation the term ‘fresh vegetables’ does not include root vegetables (other than radishes), onions (other than spring onions), pumpkins, marrows, cucumbers, or melons.

“(4) Subclause (2) of this regulation shall apply with respect to the following roads or portions of roads as if they were open Government railway, namely:

“(a) All that portion of the Pokeno–Paeroa via Ngatea State Highway from its junction with the Auckland–Hamilton State Highway to its junction with the Pipiroa–Kopu Main Highway, together with the whole of the Pipiroa–Kopu Main Highway:

“(b) All that portion of the Hamilton–Rotorua State Highway from the boundary of the City of Hamilton to its junction with the Tauranga–Paierere State Highway, together with that portion of the Tauranga–Paierere State Highway from its junction with the Hamilton–Rotorua State Highway to its junction with the Matamata–Kaimai Main Highway.”

- (2) The following regulations are hereby revoked, namely:
- (a) Regulation 3 of the Transport Licensing Regulations 1950, Amendment No. 3:
 - (b) Regulation 3 of the Transport Licensing Regulations 1950, Amendment No. 7.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

Regulation 2 re-enacts in an amended form conditions which are implied in all goods service licences relating to the carriage of goods in competition with the railways. The following changes have been made:

(1) The existing restrictions prohibiting the carriage of goods where not less than 30 miles of open Government railway are available for the carriage have been extended to a 50 mile restriction in the case of—

(a) The carriage of all kinds of livestock:

(b) The carriage of fresh milk, fresh cream, perishable vegetables, fresh fruit, eggs, poultry, fresh fish, fresh meat, and any other perishable goods specified in the licence:

(c) The carriage of logs, except where the Murupara-Kawerau Railway is available for the carriage.

(2) House to house removals of furniture are not now subject to the 30 mile restriction.

(3) The carriage of livestock to and from shows conducted by agricultural and pastoral societies is not now subject to the 30 mile restriction, provided there is carried on the motor vehicle evidence that the stock is to be or has been exhibited at the show.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 27 October 1955.

These regulations are administered in the Transport Department.