



**THE TRANSPORT LICENSING REGULATIONS 1963,  
AMENDMENT NO. 24**

—  
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 Transport Act 1962, 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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| <ul style="list-style-type: none"> <li>1. Title and commencement</li> <li>2. Exemptions from transport-service licensing</li> </ul> | } | <ul style="list-style-type: none"> <li>3. Special conditions of licences relating to passenger services and harbour-ferry services</li> <li>4. Taxicab driver's duties</li> <li>5. Taxi fleet numbers and recognition signs</li> <li>6. Fees</li> <li>7. Revocations</li> </ul> |
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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Transport Licensing Regulations 1963, Amendment No. 24, and shall be read together with and deemed part of the Transport Licensing Regulations 1963\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

\*S.R. 1963/58 (Reprinted with Amendments Nos. 1 to 15: S.R. 1971/87)

Amendment No. 16: S.R. 1971/255  
 Amendment No. 17: S.R. 1972/136  
 Amendment No. 18: S.R. 1974/74  
 Amendment No. 19: S.R. 1975/87  
 Amendment No. 20: S.R. 1976/37  
 Amendment No. 21: S.R. 1976/135  
 Amendment No. 22: S.R. 1977/262  
 Amendment No. 23: S.R. 1978/148

**2. Exemptions from transport-service licensing**—Regulation 28 of the principal regulations (as substituted by regulation 3 of the Transport Licensing Regulations 1963, Amendment No. 9, and amended by regulation 3 (3) of the Transport Licensing Regulations 1963, Amendment No. 20) is hereby further amended by adding the following paragraph:

“(r) Every passenger service or goods service, authorised by the Secretary for Transport for the carriage of people, equipment, goods, or materials in connection with an oil spillage emergency.”

**3. Special conditions of licences relating to passenger services and harbour-ferry services**—(1) The principal regulations are hereby amended by inserting, after regulation 37, the following heading and regulation:

“PART IVA—PASSENGER SERVICES AND HARBOUR-FERRY SERVICES

**37A. Special conditions of licences relating to passenger services and harbour-ferry services (fares and tickets)**—(1) It shall be a condition of every licence for a passenger service or harbour-ferry service (whether inserted therein or not) that the following provisions shall apply in respect of any fare paid by a passenger or prospective passenger who subsequently does not complete the full journey or journeys for which the fare is paid, and applies for a refund of the whole or portion of the fare, namely:

“(a) Application for the refund shall be made to the licensee within 3 months after the named date of travel (or, where there is no such date, the date the fare was paid) and any ticket issued to the passenger shall be surrendered on payment of the refund:

“(b) Payment of the refund will not be obligatory if the amount of the refund would be less than 25 cents when computed as hereinafter prescribed:

“(c) The licensee may deduct from the amount computed as described in paragraph (d) or paragraph (e) of this subclause 10 percent of that amount, except when the claim for refund is due to the failure of the licensee to run a trip at the time prescribed by the licence or to make room available for the passenger on a vehicle or ferry used in the service:

“(d) When application is made to a licensee for a refund of a fare or portion of a fare paid in respect of a single journey that was not fully completed by the applicant, the following amount shall, subject to the provisions of paragraphs (a) to (c) of this subclause, be refunded:

“(i) If no part of the journey was completed, the full amount of the fare; or

“(ii) If part of the journey was completed, the full amount of the fare less an amount equal to the single fare for that portion of the journey that was completed:

“(e) When application is made to a licensee for a refund of the fare paid in respect of an unused portion of a multi-trip ticket, the amount arrived at in accordance with subparagraphs (i) and (ii) of this paragraph shall, subject to the provisions of paragraphs (a) to (c) of this subclause, be refunded:

“(i) The amount to be refunded shall be the amount arrived at by deducting from the fare originally paid the total of the amounts calculated in accordance with subparagraph (ii) of this paragraph for the trips undertaken:

“(ii) The amount payable for each trip undertaken shall be half the return fare (or, where there is no such fare, the full single fare) for the trip.

“(2) Except where the claim for a refund is due to the failure of the licensee to run a trip at the time prescribed by the licence, the provisions of subclause (1) hereof shall not apply in any case where a reserved passenger does not arrive in time to undertake the journey for which the fare has been paid and the reservation has not been cancelled at least 30 minutes before the scheduled time of departure.

“(3) It may be a condition of any licence for a passenger service or harbour-ferry service that the licensee shall cause to be issued to every passenger using his service a ticket bearing particulars of the place of commencement and of termination of the passenger's journey and the fare received from the passenger. If the licence includes such a condition, a satisfactory record of each ticket issued shall be retained by the licensee for at least 6 months from the date of its issue, and shall during the period of its retention be produced on demand to the appropriate Licensing Authority or to any person authorised for that purpose by the Secretary for Transport.”

(2) Regulation 34 of the principal regulations is hereby consequentially revoked.

**4. Taxicab driver's duties**—(1) Regulation 54 of the principal regulations (as amended by regulation 5 (2) of the Transport Licensing Regulations 1963, Amendment No. 20) is hereby further amended by revoking paragraphs (g) and (h), and substituting the following paragraphs:

“(g) On being asked by an intending hirer a question as to the scale or basis of fare chargeable for any specific hiring, state the correct scale or basis of fare (including extra charges) applicable to the hiring; and, where a dual tariff meter is in operation, inform the hirer when any change in tariff setting is being made:

“(h) When answering a radio or telephone call to premises to pick up a hire, make every reasonable endeavour to announce in person his arrival at the pick-up-point, or, in the case of public premises, at the main entrance on the ground floor level or such other entrance as may be agreed:

“Provided that—

“(i) He shall not be required to announce in person his arrival if he believes on reasonable grounds that his personal safety would be threatened or endangered thereby:

“(ii) This paragraph shall be read subject to any bylaw or regulation which may be in force affecting roads or the use thereof and affecting taxicabs.”

(2) Regulation 5 (2) of the Transport Licensing Regulations 1963, Amendment No. 20 is hereby consequentially revoked.

**5. Taxi fleet numbers and recognition signs**—Regulation 61 (1) of the principal regulations is hereby amended by adding the following paragraph:

“(c) Every public taxicab used in the service shall, while using a dual tariff meter, have fitted on the sign on its roof 2 amber coloured lights that operate as follows:

“(i) Both lights shall be lit whenever the lower tariff in the schedule of fares and charges is in force:

“(ii) Only one of the lights shall be lit whenever the higher tariff in the schedule of fares and charges is in force.”

**6. Fees**—(1) The Sixth Schedule to the principal regulations (as substituted by regulation 3 (2) of the Transport Licensing Regulations 1963, Amendment No. 23) is hereby amended by adding to clause 4 the following paragraph:

“(e) Harbour-ferry services charges schedule ..... 20.00”.

(2) The Sixth Schedule to the principal regulations (as so substituted) is hereby further amended by inserting, after clause 9, the following clause:

“9A. Annual fee for harbour-ferry service licence, for each ferry ..... 20.00”.

(3) The Sixth Schedule to the principal regulations (as so substituted) is hereby further amended by revoking paragraphs (c) and (d) of clause 10, and substituting the following paragraphs:

“(c) For every goods-service vehicle the gross weight of which exceeds 2000 kg and that—

“(i) Has 3 axles or is a trailer (other than a semi-trailer) ..... 18.00

“(ii) Has 4 or more axles and is not a trailer ..... 22.00

“(d) For every heavy motor vehicle or goods-service vehicle (other than a passenger-service vehicle, a goods-service vehicle to which paragraph (c) of this clause applies, or an ambulance) ..... 15.00

“(e) For every taxicab fitted with—

“(i) A single tariff meter, a fee of \$22.00 (which comprises a vehicle inspection fee of \$10 and a meter inspection fee of \$12)

“(ii) A dual tariff meter, a fee of \$28.00 (which comprises a vehicle inspection fee of \$10 and a meter inspection fee of \$18):

“(f) For every rental vehicle, taxicab, or other vehicle required to be issued with a certificate of fitness (other than a vehicle to which any of paragraphs (a) to (e) of this clause applies) ..... 10.00”.

(4) The Sixth Schedule to the principal regulations (as so substituted) is hereby further amended by revoking clause 14.

(5) The following enactments are hereby revoked:

(a) Regulation 71 (4A) of the principal regulations:

(b) Regulation 3 of the Transport Licensing Regulations 1963, Amendment No. 8.

(6) Notwithstanding subclauses (3) and (4) of this regulation, the annual fee for certificate of fitness inspections payable in respect of the year ending with the 30th day of June 1979, and the fee for a test of a taxi meter carried out during that year, shall be the fee prescribed by the principal regulations immediately before the commencement of these regulations, and any refund of such an inspection fee paid in respect of that year, or of such a fee paid for a test carried out during that year, shall be the refund that would have been made if these regulations had not been enacted.

**7. Revocations**—The following regulations are hereby revoked:

(a) The Harbour-Ferry Service Regulations 1949\*:

(b) The Harbour Ferry Service Regulations 1949, Amendment No. 1†:

(c) The Harbour Ferry Service Regulations 1949, Amendment No. 2‡:

(d) The Harbour-Ferry Service Regulations 1949, Amendment No. 3§.

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

\*S.R. 1949/62  
†S.R. 1952/13  
‡S.R. 1967/84  
§S.R. 1970/257

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## EXPLANATORY NOTE

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

These regulations amend the Transport Licensing Regulations 1963 (in this note called the principal regulations).

Regulation 2 exempts from licensing under Part VII of the Act passenger services or goods services authorised by the Secretary for Transport for the carriage of people or goods in connection with an oil spillage emergency.

Regulation 3 inserts in the principal regulations a new regulation 37A relating to refunds of fares paid by passengers for a passenger service or harbour-ferry service. The new regulation is in similar terms to regulation 34 of the principal regulations (now revoked) except that it also relates to harbour-ferry services and contains new provisions relating to refunds of multi-trip tickets.

Regulation 4 makes various amendments to the provisions of the principal regulations relating to the duties of taxicab drivers.

Regulation 5 requires every taxicab that uses a dual tariff meter to have fitted on its roof 2 amber coloured lights that indicate which tariff is in force.

Regulation 6 makes various alterations to the schedule of fees payable under the principal regulations.

Regulation 7 revokes the Harbour-Ferry Service Regulations 1949 and amendments. Matters formerly dealt with under these regulations are now dealt with under the principal regulations.

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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 Transport.