

1966/7



**THE TRANSPORT LICENSING REGULATIONS 1963,
AMENDMENT NO. 3**

—
BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 14th day of February
1966

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING 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.

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REGULATIONS

1. (1) These regulations may be cited as the Transport Licensing Regulations 1963, Amendment No. 3, 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 date of their notification in the *Gazette*.

2. Regulation 20 of the principal regulations is hereby amended by revoking the proviso to subclause (2), and substituting the following proviso:

“Provided that this subclause—

“(a) Shall not apply to a trailer the load on which is borne in common with the load on the towing vehicle; and

“(b) Shall apply to any other trailer and to any motor vehicle (not being a trailer) that is being towed by another motor vehicle only while the trailer or towed vehicle is being used to carry goods under authority of special provisions in a licence by which the licensee is exempted from any of the requirements of subclause (1) of regulation 24 of these regulations.”

*S.R. 1963/58

Amendment No. 1: S.R. 1963/215

Amendment No. 2: S.R. 1965/61

3. Regulation 24 of the principal regulations is hereby amended by adding to paragraph (b) of subclause (2) the following subparagraph:

“(iii) Hay.”

4. Regulation 28 of the principal regulations (as substituted by regulation 2 of the Transport Licensing Regulations 1963, Amendment No. 1, and amended by regulation 4 of the Transport Licensing Regulations 1963, Amendment No. 2) is hereby further amended by adding the following paragraphs:

“(e) To the carriage by an electrical supply authority of its own reticulation materials within the area administered by that authority. For the purposes of this paragraph the term ‘electrical supply authority’ means an Electric Power Board or a City Council, Borough Council, Town Council, or County Council supplying electrical energy to the inhabitants of its district by virtue of a licence issued under section 319 of the Public Works Act 1928:

“(f) Every goods service for the carriage of hay by the owner thereof, unless there is an available route for the carriage of such goods which includes at least 75 miles of open Government railway.”

5. The principal regulations are hereby further amended by inserting, after regulation 30, the following regulation:

“30A. **Carriage of airline passengers**—It shall be a condition of every licence for a passenger service (whether inserted therein or not) that the licensee shall be authorised—

“(a) To undertake the carriage of airline passengers and airline employees travelling in the same vehicle as airline passengers between an airport and the air centre serving that airport or between an air centre and an airport served by that air centre, or, in the event of a disruption of air services, from an air centre or airport to another airport or air centre at the destination of the airline passengers:

“(b) To undertake the carriage of airfreight or mails on the aforesaid journeys:

“Provided that nothing in this regulation shall apply unless the journey is undertaken in pursuance of a contract, expressed or implied, between an airline and the licensee for the use of the vehicle as a whole.”

6. Regulation 54 of the principal regulations is hereby amended by revoking subparagraph (i) of the proviso to paragraph (a), and substituting the following subparagraph:

“(i) He may refuse to accept as a passenger any person or refuse to continue the hiring if that person is drunk or is in a filthy condition or is noisy or violent or disturbing the public peace or is accompanied by any animal.”

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 makes it clear that a trailer driven with its own auxiliary motor does not require a separate vehicle authority except when used to carry goods under the provisions of a transport licence exempt from the rail restriction.

Regulations 3 and 4 permit the carriage of hay for up to 75 miles with exemption from the rail restriction.

Regulation 4 also permits electrical supply authorities to carry their own reticulation material in their own areas with exemption from the rail restriction.

Regulation 5 permits the licensee of a passenger service to undertake the carriage of airline passengers and airline employees between air centres and airports and, in the event of a disruption in air services, to the passengers' destinations. Airfreight and mails may be carried in the same vehicle. The vehicle must be hired on contract by an airline.

Regulation 6 amends the provisions of regulation 54 of the principal regulations relating to the circumstances in which a driver of a taxicab is entitled to refuse to accept a passenger, and will entitle him to refuse to accept any person who is accompanied by any animal, whether or not it is confined or covered.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 February 1966.

These regulations are administered in the Transport Department.