



THE TRANSPORT (INFRINGEMENT NOTICES)  
REGULATIONS 1981

---

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 2nd day of March 1981

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to section 42A of the Transport Act 1962 (as substituted by section 7 of the Transport Amendment Act 1980), His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

---

REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Transport (Infringement Notices) Regulations 1981.

(2) These regulations shall come into force on the date of the commencement of section 42A of the Transport Act 1962 (as substituted by section 7 of the Transport Amendment Act 1980).

**2. Infringement notice for infringement offence other than a parking infringement offence**—Every infringement notice under section 42A of the principal Act other than a notice in respect of a parking infringement offence shall be in the form set out in the First Schedule to this notice.

**3. Infringement notice for parking infringement offence**—Every infringement notice under section 42A of the principal Act in respect of a parking infringement offence shall be in the form set out in the Second Schedule to these regulations.

---

FIRST SCHEDULE

Reg. 2

INFRINGEMENT OFFENCE NOTICE

<b>ENFORCEMENT AUTHORITY</b>  (Ministry of Transport or Local Authority)	<b>NOTICE NUMBER</b>  Your receipt will be machine printed here
--	---

**INFRINGEMENT OFFENCE NOTICE**

(ISSUED UNDER SECTION 42A OF THE TRANSPORT ACT 1962)

<b>TO USER OF VEHICLE</b>	<b>PRINT</b>	<b>Forenames</b>	<b>Surname</b>
<b>Name:</b>	M .....		
<b>Address:</b>	.....		
<b>Occupation:</b>			<b>Date of Birth:</b>
<b>Driver's Licence Number:</b>	<b>Latest Coupon:</b>	<b>Issued by:</b>	
<b>Vehicle Type:</b>	<b>Vehicle Make:</b>	<b>WOF/COF expiry:</b>	<b>Registered Number:</b>
<b>Road/Street:</b>		<b>Locality:</b>	
<b>ALLEGED INFRINGEMENT OFFENCE</b>			<b>Details:</b>
<b>Date:</b>	<b>Time:</b>		

<b>INFORMATION RELATING TO ALLEGED SPEEDING OFFENCE</b>			
<b>Prescribed speed limit:</b> km/h	<b>Speed alleged :</b> km/h	<b>Checked by Microwave:</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO <b>Calibration Correct</b> <input type="checkbox"/> YES
<b>Limit exceeded by</b> km/h.		<b>Speeding offences incur 15 demerit points.</b>	
<b>THE FEE FOR THIS INFRINGEMENT IS: \$</b>		<b>AND IS PAYABLE WITHIN 21 DAYS OF:</b> (Date notice given or posted)	
<b>Signature of Traffic Officer:</b>		<b>PRINT Surname:</b>	<b>Officer No.</b>

THE INFRINGEMENT FEE MAY BE PAID TO:

.....  
.....  
.....

**DO NOT DETACH.**  
Please present both copies of this notice when making payment

PLEASE READ THE SUMMARY OF RIGHTS PRINTED OVERLEAF

FIRST SCHEDULE—*continued*

[BACK]

## SUMMARY OF RIGHTS

1. If you pay the infringement fee within the time shown in this notice, Court proceedings will not be taken against you for the alleged offence.

2. If—

- (a) You wish to deny that you committed the offence; or
- (b) For any other reason you wish to have the matter dealt with by the Court—

DO NOT pay the infringement fee.

3. If you wish to take up any matter relating to the alleged offence with the enforcement authority, you should do so within 21 days of the date shown overleaf as the date on which this notice was given or posted to you. Reference should be made to both that date and the notice number.

4. If the infringement fee shown in this notice is not paid within the time shown in this notice, Court proceedings may be taken against you for the alleged offence.

5. You have a complete defence to any Court proceedings relating to the alleged offence if you prove that the infringement fee has been paid to the enforcement authority before the commencement of the Court proceedings.

6. Payments by cheque, money order or postal note should be made out to the enforcement authority shown on the front of this notice and crossed "NOT NEGOTIABLE".

---

Reg. 3

SECOND SCHEDULE  
PARKING INFRINGEMENT OFFENCE NOTICE

<b>ENFORCEMENT AUTHORITY</b>  (Ministry of Transport or Local Authority)	<b>NOTICE NUMBER</b>  Your receipt will be machine printed here
--	---

**PARKING INFRINGEMENT OFFENCE NOTICE**  
(ISSUED UNDER SECTION 42A OF THE TRANSPORT ACT 1962)

To: The user or registered owner or person entitled to possession of the following vehicle.

Vehicle Type:	Vehicle Make:	Registered Number:
Details of Addressee (Where known)	Forenames	
	Surname	
	Address	

**ALLEGED PARKING INFRINGEMENT OFFENCE**

Date:	Time:	Side of road/street:
Road/Street:	Locality:	

At expired meter number:	In excess of a time limit Limit:      Distance from sign:	In excess of maximum meter time Max. time:
--------------------------	--	---

from ..... to ..... being a period of

Not more than 30 mins.	More than 30 mins but not more than 1 hr.	More than 1 hr. but not more than 2 hrs.	More than 2 hrs. but not more than 4 hrs.	More than 4 hours
------------------------	---	--	---	-------------------

On a broken yellow line	On a load-ing zone	In a no stopping area	On a bus stop	Double parked	On a clearway
-------------------------	--------------------	-----------------------	---------------	---------------	---------------

Other: .....	Fee payable in respect of offence: \$
.....	Towage fee incurred: \$
.....	Total infringement fee payable: \$

The infringement fee is payable within 21 days of: (Date notice given or posted)

Officer's name (Original to be signed):	Officer No.
---	-------------

THE INFRINGEMENT FEE MAY BE PAID TO:	<b>DO NOT DETACH.</b> Please present both copies of this notice when making payment
--------------------------------------	--

PLEASE READ THE SUMMARY OF RIGHTS PRINTED OVERLEAF

SECOND SCHEDULE—*continued*

[BACK]

## SUMMARY OF RIGHTS

1. If you pay the infringement fee within the time shown in this notice, Court proceedings will not be taken against you for the alleged offence.

2. If—

(a) You wish to deny that you committed the offence; or

(b) For any other reason you wish to have the matter dealt with by the Court—

DO NOT pay the infringement fee.

3. If you wish to take up any matter relating to the alleged offence with the enforcement authority, you should do so within 21 days of the date shown overleaf as the date on which this notice was given or posted to you. Reference should be made to both that date and the notice number.

4. If the infringement fee shown in this notice is not paid within the time shown in this notice, Court proceedings may be taken against you for the alleged offence.

5. You have a complete defence to any Court proceedings relating to the alleged offence if you prove—

(a) That the infringement fee has been paid to the enforcement authority before the commencement of the Court proceedings; or

(b) That minor offence proceedings have been taken in respect of the offence and the Court has not entered a conviction but, under section 78A of the Summary Proceedings Act 1957, has ordered another person to pay an amount in respect of the offence.

6. *Owner liability for parking offences*—Section 42 (2) of the Transport Act 1962 provides that proceedings for a parking offence may be taken against any one or more of the following persons:

(a) The person who allegedly committed the offence:

(b) Any person who, at the time of the alleged offence, was registered under the Transport Act 1962 as the owner, or one of the owners, of the vehicle involved in the offence:

(c) Any person who, at the time of the alleged offence, was lawfully entitled to possession of the vehicle involved in the offence (whether jointly with any other person or not)—

whether or not the person was the driver, person in charge, or user of the vehicle at the time of the alleged offence and whether or not the person is a company or other body.

7. Where proceedings in respect of a parking offence are taken against you not as the person who allegedly committed the parking offence but as a person who, at the time of the alleged offence, was—

(a) The registered owner or one of the registered owners of the vehicle; or

SECOND SCHEDULE—*continued*

(b) A person lawfully entitled to possession of the vehicle (whether jointly with any other person or not)—  
the acts or omissions of the driver, person in charge, or user of the vehicle at the time of the alleged offence are conclusively presumed to be your acts or omissions unless you establish the defence described in paragraph 8 below.

8. Where the acts or omissions of another person are presumed to be yours (as set out in paragraph 7 above), you may overcome the presumption referred to in that paragraph and will have, in addition to the defence mentioned in paragraph 5 above, a complete defence to any Court proceedings against you for the parking offence if you prove—

(a) That, at the time of the alleged offence,—

(i) You were not lawfully entitled to possession of the vehicle (either jointly or with any other person); or

(ii) Another person was unlawfully in charge of the vehicle; and

(b) You advised the enforcement authority of this forthwith after becoming aware of the alleged offence; and

(c) You did everything reasonably possible on your part to comply with all requests of the enforcement authority to supply information to that authority regarding the person who was lawfully entitled to possession, or who was in charge, of the vehicle, at the time of the alleged offence.

9. Payments by cheque, money order, or postal note should be made out to the enforcement authority shown on the front of this notice and crossed "NOT NEGOTIABLE".

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

---

EXPLANATORY NOTE

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

These regulations prescribe the forms of infringement notices for parking infringement offences and infringement offences other than parking.

The regulations come into force on the coming into force of section 7 of the Transport Amendment Act 1980.

---

Issued under the authority of the Regulations Act 1936

Date of notification in *Gazette*: 5 March 1981.

These regulations are administered in the Ministry of Transport.