

## Serial Number 1939/202.

**THE TRANSPORT (GOODS) ORDER 1936, AMENDMENT NO. 3.**

GALWAY, Governor-General.

## ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of  
October, 1939.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Transport Licensing Act, 1931, His Excellency the Governor-General, acting by and with the advice of the Executive Council, doth hereby make the following regulations.

## REGULATIONS.

1. These regulations may be cited as the Transport (Goods) Order 1936, Amendment No. 3.

2. These regulations shall be read together with and form part of the Transport (Goods) Order 1936\* (hereinafter called the principal Order).

3. These regulations shall come into force on the day following notification in the *Gazette* of the making hereof.†

4. Subparagraph (c) (as heretofore amended) of paragraph (4) of the principal Order and the word “or” preceding the said subparagraph (c) are revoked. The Transport (Goods) Order 1936, Amendment No. 1, is accordingly revoked.

5. Clause 1 of Part I of the Second Schedule to the principal Order is amended by adding at the end thereof the words “‘1939 Act’ means the Transport Law Amendment Act, 1939”.

6. Clause 3 of the Second Schedule to the principal Order is revoked, and the following substituted :—

“ Clause 3 (Section 18 of 1939 Act).

“(1) For the purposes of these provisions the proper Licensing Authority to grant a goods-service license or otherwise to exercise jurisdiction in respect of any such license shall be—

“(a) In the case of a goods-service proposed to be carried on or being carried on wholly within any one controlled area, the Licensing Authority for that area :

“(b) In the case of a goods-service proposed to be carried on or being carried on within two or more controlled areas, such one of the Licensing Authorities for those areas as the Commissioner appoints.

\* *Gazette*, 18th July, 1936, Vol. II, page 1363.

Amendment No. 1 : Statutory Regulations 1936-7, Serial number 1936/23, page 85.

Amendment No. 2 : Statutory Regulations 1939, Serial number 1939/79.

† See end note.

“(2) If any question arises under this clause as to the proper Licensing Authority to grant any license or otherwise to exercise jurisdiction in respect thereof, whether by reason of any alteration made or proposed to be made in the terms or conditions of the license (whether on renewal thereof or otherwise), or by reason of any change made or proposed to be made in any controlled area or in the Licensing Authority for any controlled area, or by reason of any other special circumstances or conditions whatsoever, it shall be determined by the Commissioner, whose decision shall be final.

“(3) In any case where a goods-service is being carried on or is proposed to be carried on within two or more controlled areas the proper Licensing Authority shall not, except in the case of a temporary license, make any decision in respect of a license or an application for a license for the service without first consulting, whether personally or by correspondence or otherwise, every other Licensing Authority in whose area the service is being carried on or is proposed to be carried on.”

**7.** Clause 6 of the Second Schedule to the principal Order is amended by adding in the heading, after the words “Section 26 of 1931 Act” and within the parentheses, the words “and Section 19 of 1939 Act”, and by adding after paragraph (j) of subclause (2) thereof the following paragraph :—

“(k) The desirability of providing and maintaining a reasonable standard of living and satisfactory working conditions in the transport industry.”

C. A. JEFFERY,  
Clerk of the Executive Council.

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Issued under the authority of the Regulations Act, 1936.  
Date of notification in *Gazette* : 5th day of October, 1939.  
These regulations are administered by the Transport Department.

(TT. 19/27.)