

Serial Number 1940/236.



THE TRANSPORT (GOODS) ORDER 1936, AMENDMENT NO. 5.

GALWAY, Governor-General.

At the Government House at Wellington, this 4th day of
September, 1940.

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. 5.

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

3. The Second Schedule to the principal Order is amended by inserting, next after clause 20 of Part II thereof, the following :—

“ Clause 20A (Section 56 of Statutes Amendment Act, 1940).

“(1) Notwithstanding anything to the contrary in clause 20 of these provisions, the Minister may in any case, instead of determining any appeal under that clause, direct the Licensing Authority from whose decision the appeal has been made to reconsider the matter.

“(2) In any case where the Minister issues a direction under the last preceding subclause, the decision appealed against shall have no effect, and the Licensing Authority shall again consider the matter as if no decision had previously been made, and, in any case to which clause 5 or clause 10 of these provisions applies, as if no steps had been taken under those clauses.

“(3) Pending the reconsideration under this clause of any matter which relates to a goods-service license, the holder of the license may, subject to any limitations or conditions imposed by the Minister, carry on the service in the manner in which and to the extent to which he was lawfully carrying it on at the time when the decision appealed against was given.

“(4) Whenever the Minister directs a Licensing Authority to reconsider a matter he shall advise the Licensing Authority of his reasons for so doing, and the Licensing Authority in reconsidering the matter shall have regard thereto.

“(5) This clause shall be deemed to have come into force on the 15th day of August, 1940.”

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

* *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, page 314.
Amendment No. 3: Statutory Regulations 1939, Serial number 1939/202, page 843.
Amendment No. 4: Statutory Regulations 1940, Serial number 1940/37.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 19th day of September, 1940.

These regulations are administered in the Transport Department.

(TT. 19/27.)