



**THE TRANSPORT (INFRINGEMENT OFFENCES NOTICES)  
REGULATIONS 1985**

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DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 11th day  
of March 1985

Present:

THE HON. G. W. R. PALMER PRESIDING IN COUNCIL

PURSUANT to section 42A of 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. Title and commencement**—(1) These regulations may be cited as the Transport (Infringement Offences Notices) Regulations 1985.

(2) These regulations shall come into force on the 1st day of April 1985.

**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.

**4. Revocation**—The Transport (Infringement Notices) Regulations 1981\* are hereby revoked.

Reg. 2

FIRST SCHEDULE

INFRINGEMENT OFFENCE NOTICE

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

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

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

INFORMATION RELATING TO ALLEGED SPEEDING OFFENCE

Prescribed speed limit: km/h	Speed alleged: km/h	Checked by Microwave:	YES	NO	Calibration Correct	YES
Limit exceeded by		km/h	Speeding offences incur 15 demerit points.			
THE FEE FOR THIS INFRINGEMENT IS: \$		AND IS PAYABLE WITHIN 2 MONTHS AFTER:		(Date notice given or posted)		
Signature of Traffic Officer:		PRINT Surname:			Officer No.	

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 as soon as possible during the 2 month period described on the front of this notice as the period within which the infringement fee is payable. Reference should be made to both the date of the alleged offence 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 within the period shown for its payment on the front of this notice. Payment outside that period is not a defence to Court proceedings relating to the alleged offence.

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".

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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
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**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:
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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
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On a broken yellow line	On a loading zone	In a no stopping area	On a bus stop	Double parked	On a clearway
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Other: .....	Fee payable in respect of offence:      \$
.....	Towage fee incurred      \$
.....	Total infringement fee payable      \$

The infringement fee is payable within 2 months after: (Earliest date notice attached to vehicle, delivered personally, or posted)

Officer's name (Original to be signed):	Officer No.
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THE INFRINGEMENT FEE MAY BE PAID TO:	DO NOT DETACH. Please present both copies of this notice when making payment
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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 as soon as possible during the 2 month period described on the front of this notice as the period within which the infringement fee is payable. Reference should be made to both the date of the alleged offence 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 within the period shown for its payment on the front of this notice. Payment outside that period is not a defence to Court proceedings relating to the alleged offence; 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.

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EXPLANATORY NOTE

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

These regulations prescribe new forms of notices for parking infringement offences and other infringement offences. The changes are consequential upon the changes to the Transport Act 1962 made by the Transport Amendment Act 1985.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 14 March 1985.

These regulations are administered in the Ministry of Transport.