



Transport (Vehicle Registration and Licensing) Amendment Regulations 2006

Anand Satyanand, Governor-General

Order in Council

At Wellington this 11th day of December 2006

Present:

His Excellency the Governor-General in Council

Pursuant to section 35A of the Transport (Vehicle and Driver Registration and Licensing) Act 1986, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

These regulations are the Transport (Vehicle Registration and Licensing) Amendment Regulations 2006.

2 Commencement

These regulations come into force on the day after the date of their notification in the *Gazette*.

3 Principal regulations amended

These regulations amend the Transport (Vehicle Registration and Licensing) Regulations 1994.

4 New regulation 2 substituted

Regulation 2 is revoked and the following regulation substituted:

“2 Interpretation

“(1) In these regulations, unless the context otherwise requires,—
“Act means the Transport (Vehicle and Driver Registration and Licensing) Act 1986

“agricultural vehicle—

“(a) means a motor vehicle designed exclusively for agricultural operations; and

“(b) includes a tractor, combine harvester, hay rake, and hay bailer

“dealer means a person trading in new agricultural vehicles, new boat trailers and associated new boats, new heavy motor vehicles, or new caravans

“event—

“(a) means a trade show, promotional event, or specific customer demonstration for display or demonstration purposes; and

“(b) includes an agricultural fair or boat show

“new,—

“(a) in relation to an agricultural vehicle, boat trailer, heavy motor vehicle, or caravan, means a vehicle that is newly

manufactured and has not previously been registered or licensed under the Act; and

“(b) in relation to a boat, means a boat that is newly manufactured.

“(2) A term or expression that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.”

5 New regulation 3AA inserted

The following regulation is inserted after regulation 3:

“3AA Authorisation by Secretary

“(1) The Secretary may, by notice in writing to a dealer, authorise that person to act in reliance on the exemption under regulation 3 in relation to a specified motor vehicle or specified class of motor vehicle of a kind described in clause 6 of Part 1 of Schedule 1.

“(2) A dealer must not use a motor vehicle of a kind described in clause 6 of Part 1 of Schedule 1 on a road in reliance on the exemption under regulation 3, unless the Secretary has authorised that person to do so under subclause (1).”

6 Exempt vehicle may not be used on road

Regulation 3D is amended by adding the following subclause:

“(3) To avoid doubt, this regulation does not apply to a motor vehicle of a kind described in clause 6 of Part 1 of Schedule 1.”

7 Exemption of exempt vehicle from licence fees

Regulation 3E is amended by adding the following subclause as subclause (2):

“(2) This regulation does not apply to a motor vehicle of a kind described in clause 6 of Part 1 of Schedule 1.”

8 Schedule 1 amended

Part 1 of Schedule 1 is amended by adding the following clause:

- “6. So long as they are used on a road only between a dealer’s place of business and the location of an event,—
- “(a) a new agricultural vehicle; and
 - “(b) a new boat trailer and associated new boat; and
 - “(c) a new heavy motor vehicle; and
 - “(d) a new caravan.”

Rebecca Kitteridge,
for 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, which come into force on the day after the date on which they are notified in the *Gazette*, amend the Transport (Vehicle Registration and Licensing) Regulations 1994.

The amendments extend the exemptions to the registration and licensing requirements and the requirement to pay registration fees and licence fees currently available under the 1994 regulations by exempting 4 further classes of vehicles, as follows:

- new agricultural vehicles:
- new boat trailers and the associated new boats:
- new heavy motor vehicles:
- new caravans.

The exemption applies only to the extent that—

- the Secretary has expressly authorised a dealer to act in reliance on the exemption in relation to a specified motor vehicle or class of motor vehicle of a kind listed in *new clause 6* of Part 1 of Schedule 1; and
- the vehicle or vehicles are used on a road between the dealer’s place of business and the location of the event at which the vehicle is to be displayed or demonstrated.

The kinds of motor vehicles specified in *new clause 6* are not subject to the limitations under regulations 3D and 3E of the principal regulations.

These amendments restore the legal status that applied to the specified kinds of motor vehicles before the commencement of the Motor Vehicle Sales Act 2003.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 14 December 2006.

These regulations are administered by the Ministry of Transport.
