



## THE TRANSPORT SERVICES LICENSING REGULATIONS 1989

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PAUL REEVES, Governor-General

### ORDER IN COUNCIL

At Wellington this 30th day of October 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 66 of the Transport Services Licensing Act 1989, 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 Services Licensing Regulations 1989.

(2) These regulations shall come into force on the 1st day of November 1989.

**2. Interpretation**—In these regulations—

“The Act” means the Transport Services Licensing Act 1989:

“Small Passenger Service Rules” means the rules set out in Part I of the Third Schedule to the Act:

“Vehicle Recovery Service Rules” means the rules set out in Part II of the Third Schedule to the Act.

Terms defined in the Act have the meanings so defined.

**3. Matters to be entered in complaints registers**—(1) Every complaints register required to be maintained under section 36 (4) of the Act, rule 11 of the Small Passenger Service Rules, or rule 13 of the Vehicle

Recovery Service Rules shall, so far as possible, record the following matters:

- (a) The name and position of the person taking the initial complaint:
  - (b) The name, address, and contact telephone number of the complainant:
  - (c) The date, time, and location of the event or matter complained of:
  - (d) The name or description of the person complained of:
  - (e) Details of the complaint:
  - (f) Details of the response to or action taken in respect of the complaint:
  - (g) The method by which and date on which the complainant was notified of the response to or action taken in respect of the complaint:
  - (h) The name and position of the person actioning the complaint, if different from the person taking the initial complaint.
- (2) Where a complaint is in writing, the original written complaint shall be retained as part of or as an attachment to the complaints register.

**4. Replacement of licences and other documents**—(1) For the purposes of this regulation, the term “licence or other document” means any transport service licence or other document issued by the Secretary under the Act.

(2) The Secretary may, on payment of the prescribed fee (if any), issue a duplicate licence or other document to any person whose licence or other document has been lost, destroyed, stolen, defaced, or mutilated, or has become illegible.

(3) The Secretary shall not issue a duplicate licence or other document unless—

- (a) The previous licence or document is surrendered to the Secretary; or
- (b) The Secretary is satisfied, by the production of such evidence as the Secretary may require, that the licence or document has been lost, destroyed, or stolen.

(4) Any licence or other document in respect of which a duplicate has been issued under this section shall, if subsequently found by the licensee or person to whom the duplicate was issued, be returned forthwith to the Secretary.

**5. Surrender of licence**—(1) The holder of any transport service licence that is amended, revoked, or surrendered shall, within 7 days after a request to that effect from the Secretary, return the licence to the Secretary.

(2) The holder of any licence to carry on a scheduled service that is amended, revoked, or abandoned shall, within 7 days after a request to that effect from the Secretary of the Transitional Licensing Authority, return the licence to the Transitional Licensing Authority.

(3) Where a licence is amended and the appropriate fee (if any) paid, a new licence incorporating the amendment shall be issued.

**6. Fees**—(1) There shall be paid to the Secretary in respect of the matters specified in the second column of the Schedule to these regulations the appropriate fees specified in the third column of that Schedule. Any such fees shall be payable by the appropriate persons specified in the fourth column of that Schedule.

(2) The fees payable in respect of any application for a driver identification card shall be the appropriate fee specified in the Transport (Drivers Licensing) Regulations 1987\*.

(3) The Secretary may remit or refund the whole or part of any fee payable under this regulation (including a fee referred to in subclause (2) of this regulation) on any of the following grounds:

- (a) That the application or matter in respect of which the fee has been paid has been withdrawn or nullified:
- (b) That the application or other matter is of a minor nature and that the work and expense of the Ministry, or of the Transitional Licensing Authority, is reduced to an extent that justifies the remission or refund:
- (c) In respect of a vetting fee, that the applicant has undergone vetting within the previous 12 months in relation to any other application or matter under the Act:
- (d) That in all the circumstances of the case it would be inappropriate to require the fee, or the full fee, to be paid.

**7. Annual licence fee**—(1) Subject to the provisions of this regulation, on and after the 1st day of November 1989 there shall be payable to the Secretary in respect of each transport service licence an annual licence fee at the rate of \$10 for each motor vehicle and each heavy trailer (as defined in regulation 2 of the Transport (Drivers Licensing) Regulations 1987\*) operated under the licence.

(2) Any such fee shall be paid to the Registrar of Motor Vehicles when application is made for an annual licence for the vehicle under Part I of the Transport (Vehicle and Driver Registration and Licensing) Act 1986.

(3) The Secretary may remit or refund the whole or part of any fee payable under this regulation to the extent that the Secretary is satisfied that any vehicle has not been operated under the transport service licence for a full 12 months.

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\*S.R. 1987/205

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**SCHEDULE**  
**FEEs**

Relevant Section of Act	Matter in Respect of Which Fee Payable	Fee \$	Person by Whom Fee Payable
6	1. For every application for a transport service licence—		Applicant
	(a) Processing fee . . . . .	30	
	(b) Vetting fee payable for each person specified in application as person to have control of service . . . . .	80	
21	2. For every application for approval of a taxi organisation—		Applicant
	(a) Processing fee . . . . .	30	
	(b) Vetting fee payable for each person specified in application as a responsible officer or person to have control of the organisation . . . . .	80	
22, 30	3. For every notified change in persons having control of a transport service, or in responsible officers of an approved taxi organisation—		Licence holder, or taxi organisation
	(a) Processing fee . . . . .	6	
	(b) Vetting fee payable for each new person notified . . . . .	80	
57	4. For each application to the Transitional Licensing Authority . . . . .	100	Applicant

MARIE SHROFF,  
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 1 November 1989, are made under the Transport Services Licensing Act 1989 and make provision for the following matters:

- (a) The matters to be entered in complaints registers required to be kept under the Act;
- (b) The issue of replacement licences and other documents;
- (c) The return of licences to the Secretary or the Transitional Licensing Authority in appropriate circumstances;
- (d) The setting of fees for applications and other matters under the Act.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 31 October 1989.

These regulations are administered in the Ministry of Transport.