

Reprint
as at 1 May 2011

**Transport (Vehicle and Driver
Registration and Licensing) Act
1986**

Public Act 1986 No 6
Date of assent 30 April 1986

Transport (Vehicle and Driver Registration and Licensing) Act 1986: repealed,
on 1 May 2011, by section 33 of the Land Transport Amendment Act 2009
(2009 No 17).

Contents

	Page
Title	5
1 Short Title and commencement	5
2 Interpretation	5
3 Act to bind the Crown	10
Part 1	
Registration and licensing of motor vehicles	
4 Registrar of motor vehicles <i>[Repealed]</i>	10
5 Motor vehicles to be registered and licensed	10
6 Exemptions from registration and licensing and related fees <i>[Repealed]</i>	12

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989
have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together
with other explanatory material about this eprint.

This Act is administered in the Ministry of Transport.

6A	Production of vehicle inspection certificate	12
7	Applications for registration	13
8	Issue of registration plates and certificates of registration	15
9	Personalised registration plates	16
9A	Application for personalised registration plates	17
9B	Transfer of personalised registration plates to another vehicle or person	17
9C	Personalised registration plates to be held by Registrar until ready to be affixed to vehicle	18
9D	Voluntary or required surrender of registration plates	18
9E	Certain letters and numbers not to be allocated	19
<i>Licences for motor vehicles</i>		
10	Application for licence for motor vehicle	20
11	Duration of licences	22
12	Three-month licences for certain trailers	23
13	Issue and display of licences	24
14	Form of registration plates and licences	25
15	Replacement certificates of registration, licences, and registration plates	25
16	Change of use of motor vehicle	28
17	Unauthorised, deceptive, or obscured registration plates or unauthorised licence	28
<i>Registers of motor vehicles</i>		
18	Registers of motor vehicles	29
19	Details of registers to be supplied to applicants	29
20	Notification of change of ownership of motor vehicle	31
21	Special provisions in relation to change of ownership of motor vehicle	31
22	Particulars required to be supplied by persons acquiring ownership	32
23	Production of certificate of registration <i>[Repealed]</i>	33
24	Endorsement of particulars of change of ownership <i>[Repealed]</i>	33
25	Fee payable in relation to change of ownership	33
26	Offences relating to registration, licensing, and change of ownership of motor vehicle	34
27	Cancellation of registration on destruction or permanent removal of motor vehicle	35
28	Cancellation of registration where licence for motor vehicle not renewed	36
29	Unregistered vehicle not to be licensed	37

<i>Trade plates and trade licences</i>		
30	Applications for trade plates	37
31	Applications for trade licences	38
32	Form of trade plates and trade licences	39
33	Duration of trade licence	39
34	Issue of trade plates and trade licences	39
35	Use of trade plates	40
<i>Regulations</i>		
35A	Regulations	40
<i>Fees and charges</i>		
36	Land transport revenue to be paid into national land transport fund	43
36AA	Other prescribed fees received under this Act	43
36A	Exemption, waiver, or discount for fees or charges relating to supply of information from register	44
Part 2		
Licensing of drivers of motor vehicles		
37	Unlicensed persons not to drive motor vehicles <i>[Repealed]</i>	44
38	Learners and persons undergoing tests <i>[Repealed]</i>	44
39	Evidence in respect of register of drivers' licences <i>[Repealed]</i>	44
40	Prohibitions relating to drivers' licences <i>[Repealed]</i>	44
41	Inspection of drivers' licences <i>[Repealed]</i>	45
<i>Issue of licences</i>		
42	Director may appoint local authority or other person as agent <i>[Repealed]</i>	45
43	Licences issued by local authorities deemed to have been issued by Director <i>[Repealed]</i>	45
44	Issue of drivers' licences <i>[Repealed]</i>	45
45	National register of drivers' licences <i>[Repealed]</i>	45
45A	Medical reports on licence holders <i>[Repealed]</i>	45
46	Licences of mentally disordered persons to be suspended <i>[Repealed]</i>	45
47	Professional driving instructors <i>[Repealed]</i>	46
48	Regulations <i>[Repealed]</i>	46
48A	Regulations relating to graduated licensing system <i>[Repealed]</i>	46

Part 3		
Miscellaneous provisions		
49	Regulations and notice deemed to have been made pursuant to this Act	46
50	Section 14 of Summary Proceedings Act 1957 not to apply	46
50A	Jurisdiction of Justices of the Peace	47
51	Evidence in proceedings	47
51A	Delegation of Secretary's functions or powers to persons outside Ministry	47
52	<i>[Repealed]</i>	49
53	Consequential amendments to Transport Act 1962	49
54	Vesting of Motor Vehicles (Third-party Risks) Indemnity Fund in Accident Compensation Corporation	50
55	Consequential amendment to Motor Vehicle Dealers Act 1975 <i>[Repealed]</i>	50
56	Consequential amendments to Road User Charges Act 1977	50
57	<i>[Repealed]</i>	51
58	Repeals and revocation	51
59	Savings	51
Schedule 1		53
Motor vehicles exempted from registration and licensing (including exemption from fees)		
<i>[Repealed]</i>		
Schedule 2		53
Fees		
<i>[Repealed]</i>		
Schedule 3		53
New Part 4 substituted in Schedule 2 to Transport Act 1962		
<i>[Repealed]</i>		
Schedule 4		54
Enactments repealed		

An Act to consolidate and amend the law relating to the registration and licensing of motor vehicles, the licensing of

**drivers, and related matters, and to replace Parts 2 and 3 of the
Transport Act 1962**

**Be it enacted by the General Assembly of New Zealand in
Parliament assembled, and by the authority of the same, as
follows:**

1 Short Title and commencement

- (1) This Act may be cited as the Transport (Vehicle and Driver Registration and Licensing) Act 1986.
- (2) Except as provided in section 9(12) and section 12(2) of this Act, this Act shall come into force on the day on which it receives the Governor-General's assent.

2 Interpretation

- (1) In this Act, unless the context otherwise requires,—
articulated vehicle means any motor vehicle with a semi-trailer attached so that part of the trailer is superimposed upon the motor vehicle and a substantial part of the weight of the trailer and of its load is borne by the motor vehicle
design, in relation to a motor vehicle, refers to the construction of the motor vehicle, and not its use or intended use; and
designed has a corresponding meaning
driver, in relation to any vehicle, includes the rider of a motor cycle or moped; and **drive** has a corresponding meaning
duplicate, in relation to any original certificate issued under this Act, includes a document that is a substitute or replacement for that certificate
goods-service vehicle means a motor vehicle designed exclusively or principally for the carriage of goods (including animals and mails) but does not include a tractor
gross weight, in relation to any vehicle or combination of vehicles, means the weight of the vehicle or of the vehicles comprising the combination, together with the load for the time being carried by the vehicle or vehicles, including any equipment and accessories

provided that for the purposes of this Act and of any regulations under this Act, and without limiting the methods by which the gross weight of a vehicle may be determined, the gross weight of a vehicle may be determined by adding the weight on its axles or groups of axles:

heavy-motor vehicle means a motor vehicle (other than a motorcar that is not used, kept, or available for the carriage of passengers for hire or reward) the gross weight of which exceeds 3 500 kilograms

Minister means the Minister of Transport

mobility device has the same meaning as in section 2(1) of the Land Transport Act 1998

moped means a motor vehicle running on 2 or 3 wheels that is fitted with a motor having a power output not exceeding 2 kilowatts and is designed to be ridden at a speed not exceeding 50 kilometres per hour under normal conditions of use

motorcar means a motor vehicle (other than a motor cycle or moped) designed exclusively or principally for the carriage of persons not exceeding 9 in number inclusive of the driver; and includes a motor vehicle which is designed principally for the carriage of passengers but which has rear doors and collapsible rear seats

motor cycle means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and includes any vehicle with motor cycle controls declared by the Secretary to be a motor cycle; but does not include a moped

motor vehicle means a vehicle drawn or propelled by mechanical power; and includes a trailer, but does not include—

- (a) a vehicle running on rails; or
- (b) *[Repealed]*
- (c) a trailer (not being a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of any of Her Majesty's Forces; or
- (d) a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or
- (e) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or

entertainment to which the public does not have access with motor vehicles; or

- (f) a pedestrian-controlled machine designed to perform some mechanical operation and not designed for the carriage of persons or goods; or
- (g) a pedestrian-controlled forklift; or
- (h) a vehicle that the Agency has declared is not a motor vehicle under section 168A of the Land Transport Act 1998; or
- (i) a mobility device

owner, in relation to a motor vehicle, means the person lawfully entitled to possession of the motor vehicle, except where—

- (a) the motor vehicle is subject to a bailment that is for a period not exceeding 28 days; or
- (b) the motor vehicle is let on hire pursuant to the terms of a rental-service licence—

in which case **owner** means the person who, but for the bailment or letting on hire, would be lawfully entitled to possession of the motor vehicle

prescribed fees means the applicable fees and charges prescribed for the purposes of Part 1 of this Act by regulations made under the Land Transport Act 1998

Registrar means the person appointed by the Minister to be the Registrar of Motor Vehicles, and includes, where appropriate,—

- (a) any person to whom the Registrar has delegated any of the powers, duties, or functions of the Registrar under this Act;
- (b) any person for the time being authorised by the Registrar to perform any specified function of the Registrar under this Act

registration plate means any registration plate issued under the Transport Act 1962 or this Act

road includes a street; and also includes any place to which the public have access, whether as of right or not; and also includes all bridges, culverts, ferries, and fords forming part of any road, street, or place to which the public have access

sale, in relation to any motor vehicle, includes disposition by way of hire-purchase; and **sell**, **seller**, and **purchaser** have corresponding meanings

Secretary means the chief executive of the Ministry of Transport

taxicab means a motor vehicle—

- (a) designed principally for the carriage of persons not exceeding 8 in number, inclusive of the driver; and
- (b) used for hire or reward for the carriage of passengers otherwise than on defined routes; and
- (c) available for hire to any member of the public:

traction engine means a motor vehicle that is—

- (a) propelled by steam power; and
- (b) designed for use on roads; and
- (c) not designed for the carriage of goods or persons other than the driver:

tractor means a motor vehicle (not being a traction engine) designed principally for traction at speeds not exceeding 50 kilometres an hour

trade plate means a trade plate issued under section 22 of the Transport Act 1962 or section 34 of this Act

traffic officer means an enforcement officer under the Land Transport Act 1998

trailer means a vehicle without motive power that is capable of being drawn or propelled by a motor vehicle from which it is readily detachable; but does not include—

- (a) a sidecar attached to a motor cycle; or
- (b) a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power:

trolley omnibus means an electrically propelled passenger-service vehicle that normally derives its power from an external source

use, in relation to a vehicle, includes driving, drawing, or propelling by means of another vehicle, and permitting to be on any road; and **to use** and **user** have corresponding meanings

vehicle means a contrivance equipped with wheels, tracks, or revolving runners upon which it moves or is moved; but does not include—

- (a) a perambulator or pushchair:
- (b) a shopping or sporting trundler not propelled by mechanical power:
- (c) a wheelbarrow or hand-trolley:
- (d) *[Repealed]*
- (e) a pedestrian-controlled lawnmower:
- (f) a pedestrian-controlled agricultural machine not propelled by mechanical power:
- (g) an article of furniture:
- (h) a wheel-chair not propelled by mechanical power.

- (2) Except in proceedings for an offence against this Act or any regulations under this Act, if any question arises whether any vehicle is designed as a motorcar, a goods-service vehicle, or any other type of motor vehicle for the purposes of this Act or of any regulations under this Act, that question shall be determined by the Secretary.

Section 2(1) **Authority**: repealed, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Section 2(1) **disabled person's vehicle**: repealed, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **Director**: repealed, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Section 2(1) **duplicate**: inserted, on 2 September 1993, by section 2 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 2(1) **gross weight**: inserted, on 7 January 1989, by section 2 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 2(1) **heavy-motor vehicle**: amended, on 29 July 1995, by section 2 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 2(1) **mobility device**: inserted, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **motor vehicle** paragraph (b): repealed, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **motor vehicle** paragraph (g): amended, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **motor vehicle** paragraph (h): inserted, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **motor vehicle** paragraph (h): amended, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Section 2(1) **motor vehicle** paragraph (i): inserted, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **Officer of the Authority**: repealed, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Section 2(1) **prescribed fees**: inserted, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 2(1) **Registrar**: substituted, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Section 2(1) **Registrar**: substituted, on 1 April 1987, by section 32(1) of the State Owned-Enterprises Act 1986 (1986 No 124).

Section 2(1) **Registrar**: substituted, on 30 April 1997, by section 2(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 2(1) **Secretary**: substituted, on 2 September 1993, by section 2 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 2(1) **traffic officer**: substituted, on 1 August 1987, by section 2 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1987 (1987 No 107).

Section 2(1) **traffic officer**: substituted, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 2(1)(d) **vehicle**: repealed, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

3 Act to bind the Crown

This Act shall bind the Crown.

Part 1 Registration and licensing of motor vehicles

4 Registrar of motor vehicles

[Repealed]

Section 4: repealed, on 1 April 1987, by section 32 of the State-Owned Enterprises Act 1986 (1986 No 124).

5 Motor vehicles to be registered and licensed

- (1) Except as otherwise provided in this Act, no person shall use any motor vehicle on any road unless—

- (a) the motor vehicle is registered in accordance with this Part of this Act; and
 - (b) the registration plates and a current licence issued for that vehicle are affixed and displayed on the vehicle in the manner prescribed in any notice made under section 14 of this Act; and
 - (c) the full amount of the appropriate levies payable under section 214 of the Injury Prevention, Rehabilitation, and Compensation Act 2001 in respect of the period for which the licence is issued has been paid.
- (1A) Once a motor vehicle is registered in accordance with this Part then, except as otherwise provided in this Act or in regulations made under section 35A(1)(a),—
- (a) the owner of the vehicle must keep the vehicle licensed at all times under this Part; and
 - (b) the fees payable in respect of such licensing are payable as if the vehicle is at all times required to be licensed (whether or not it is actually licensed).
- (2) Every person who uses any motor vehicle or permits any motor vehicle to be used in contravention of subsection (1) of this section commits an offence and is liable on summary conviction to a fine not exceeding \$1,000.
- (2A) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 who sells an unlicensed motor vehicle that is required to be licensed under this Part of this Act.
- (3) Where any person is charged with an offence of using or permitting a motor vehicle to be used in contravention of subsection (1)(b) of this section that relates to a licence, it shall be a defence if the defendant satisfies the Court that—
- (a) at the time of the alleged offence a licence for the motor vehicle that expired not more than 7 days previously was affixed and displayed in the prescribed manner; and
 - (b) before the expiry of that licence an application for a licence for the motor vehicle for a period including the day of the alleged offence together with the appropriate fee and accident compensation levy had been forwarded to the Registrar; and
 - (c) the licence had not been received from the Registrar.

- (4) The fact that any motor vehicle is used on any road without having registration plates or a current licence issued for that vehicle, or both, affixed and displayed in the prescribed manner shall, in the absence of evidence to the contrary, be sufficient evidence that the vehicle is not registered or is not licensed, or both, as the case may be, in accordance with this Part of this Act.
- (5) Every motor vehicle registered under the Transport Act 1962 or any corresponding former Act is hereby deemed to have been registered under this Act.

Section 5(1)(c): substituted, on 1 April 2002, by section 337(1) of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (2001 No 49).

Section 5(1A): inserted, on 1 September 1997, by section 3(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 5(2): amended, on 5 November 1993, by section 3(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 5(2A): inserted, on 30 October 1995, by section 3(3) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

6 Exemptions from registration and licensing and related fees

[Repealed]

Section 6: repealed, on 1 December 1994, by section 4(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

6A Production of vehicle inspection certificate

Any person who—

- (a) applies to register a motor vehicle; or
- (b) applies to relicence a motor vehicle; or
- (c) applies for the issue of replacement registration plates or personalised registration plates; or
- (d) gives to the Registrar any particulars required by this Act to be given in respect of the change of ownership of a motor vehicle—

shall, if so required by the Registrar, produce to the Registrar current evidence of vehicle inspection issued under the Land Transport Act 1998.

Section 6A: inserted, on 30 October 1995, by section 3 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 6A: amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

7 Applications for registration

- (1) Every application for registration of any motor vehicle shall be made by or on behalf of the owner to the Registrar, on a form provided by the Registrar, and shall specify—
- (a) the name of the person to be registered as the owner of the vehicle:
 - (b) the address of the place of residence or place of business within New Zealand of the person to be registered as the owner of the vehicle:
 - (c) the postal address within New Zealand of the person to be registered as the owner of the vehicle, if that address differs from the address given under paragraph (b) of this subsection:
 - (d) where the person to be registered as the owner of the vehicle is a natural person, that person's date of birth:
 - (e) such particulars relating to the vehicle as may be required by the Registrar as indicated on the form.
- (1A) No person shall be the registered owner of a motor vehicle, except—
- (a) a natural person of or over 15 years of age; or
 - (b) a body corporate; or
 - (c) an instrument of the Executive Government of New Zealand.
- (2) The Registrar may require the person making the application for registration under subsection (1) of this section to produce all or any of the following as may be reasonable in the circumstances:
- (a) evidence of the identity of the person to be registered as the owner of the vehicle:
 - (b) evidence of the origin or previous ownership of the vehicle:
 - (ba) current evidence of vehicle inspection issued under the Land Transport Act 1998:

- (c) a statutory declaration by the person to be registered as the owner of the vehicle that the person is the owner of the vehicle:
 - (d) other information or documents to satisfy the Registrar that the application is in order.
- (2A) *[Repealed]*
- (3) Every application under this section shall be accompanied by the appropriate prescribed registration fee.
 - (4) Every application for the registration of a motor vehicle shall be accompanied by or combined with an application for a licence for the motor vehicle.
 - (5) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who makes an application for the registration of a motor vehicle that has been registered under this Part of this Act or the corresponding provisions of any former Act if that person knows or could reasonably be expected to know that the registration is still in force.

Section 7(1): substituted, on 30 October 1995, by section 5(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 7(1A): inserted, on 30 October 1995, by section 5(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 7(2)(ba): inserted, on 31 March 1995, by section 5(3) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 7(2)(ba): substituted, on 30 October 1995, by section 4(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 7(2)(ba): substituted, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 7(2A): inserted, on 31 March 1995, by section 5(4) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 7(2A): repealed, on 30 October 1995, by section 4(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 7(3): amended, on 1 December 1994, by section 5(5) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

8 Issue of registration plates and certificates of registration

- (1) On receipt of an application for the registration of any motor vehicle under this Part of this Act, the Registrar, or a person authorised in that behalf under subsection (6), if satisfied that the application is in order, shall assign a number or distinguishing mark to be shown on the registration plate or plates to be affixed to the motor vehicle, and shall issue to the applicant a registration plate or plates for the motor vehicle and a certificate of registration of the motor vehicle.
- (2) Unless the registration is cancelled in accordance with this Part of this Act, the registration of any motor vehicle shall continue in force without renewal, but a new number or distinguishing mark may be assigned to the motor vehicle whenever new registration plates are issued for it.
- (3) A person to whom any registration plates issued under this section are delivered shall surrender to the Registrar any existing registration plates for that vehicle.
- (4) The Registrar may require the surrender of any registration plate issued under this section if the Registrar is satisfied that—
 - (a) it is not affixed to any vehicle; or
 - (b) it is affixed to a vehicle other than the vehicle to which it may be lawfully affixed; or
 - (c) it has been issued in error or is being used unlawfully.
- (5) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who fails to surrender any registration plate when required to do so by this section or by the Registrar acting under this section.
- (6) The Secretary may authorise any person (whether or not employed in the Ministry of Transport) to issue registration plates and certificates of registration under this section, and any such authorisation may—
 - (a) include within the authorisation any employees or agents of the person principally authorised;
 - (b) specify the manner in which the authority is to be exercised;
 - (c) also be expressed to apply for the purposes of issuing substitute registration plates and duplicates of certifi-

plates of registration and duplicate personalised plates under section 15.

Section 8(1): amended, on 30 April 1997, by section 4(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 8(3): inserted, on 2 September 1993, by section 6 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 8(4): inserted, on 2 September 1993, by section 6 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 8(5): inserted, on 2 September 1993, by section 6 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 8(6): inserted, on 30 April 1997, by section 4(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

9 Personalised registration plates

- (1) A personalised registration plate is a registration plate that bears a combination of letters, numbers, or both, or any single letter or number, specially allocated by the Registrar for use on a personalised registration plate.
- (2) The Registrar may enter into a contract with any person entitling that person to dispose of the right to receive personalised registration plates.
- (3) The person who for the time being has an appropriate contract with the Registrar may dispose of the right to receive personalised registration plates—
 - (a) on payment of an agreed price:
 - (b) by auction or tender:
 - (c) by any other means of sale or disposition.
- (4) There shall not be more than one contract under this section in force at any one time.
- (5) Where no contract is in force under this section, the Registrar shall be deemed to be the person for the time being entitled to dispose of the right to receive personalised registration plates.

Section 9: substituted, on 7 January 1989, by section 3 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

9A Application for personalised registration plates

Any person who wishes to obtain personalised registration plates (including any person who wishes to convert a vehicle's existing registration plates to personalised registration plates bearing the same combination of letters and numbers as the existing plates) may apply to the person who is for the time being entitled under section 9 of this Act to dispose of the right to receive personalised registration plates.

Section 9A: inserted, on 7 January 1989, by section 3 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

9B Transfer of personalised registration plates to another vehicle or person

- (1) Where a person who has bought or otherwise acquired personalised registration plates, or the right to receive them, wishes to transfer the plates or the right to receive them to another vehicle or person,—
- (a) that person and the transferee (if any) shall—
 - (i) each notify the Registrar, on the appropriate form or forms approved by the Registrar, of the details of the transfer, including where appropriate the registration plates that will be displayed on each vehicle concerned; and
 - (ii) pay to the Registrar the prescribed fee or fees, if any; and
 - (b) the personalised registration plates shall be produced to the Registrar for inspection; and
 - (c) if the personalised registration plates are not to be affixed immediately to a vehicle, they shall be surrendered to the Registrar (unless they are already held by the Registrar); and
 - (d) where appropriate—
 - (i) the person transferring the plates shall apply for the issue of ordinary or other personalised registration plates for the vehicle from which the plates are to be transferred; and
 - (ii) any existing registration plates of the vehicle to which the personalised registration plates are to be affixed shall be surrendered to the Registrar.

- (2) All forms required by this section, together with the personalised registration plates being transferred and any plates required to be surrendered, shall be submitted to the Registrar at the same time.

Section 9B: inserted, on 7 January 1989, by section 3 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

9C Personalised registration plates to be held by Registrar until ready to be affixed to vehicle

- (1) A person who buys or otherwise acquires personalised registration plates, or the right to receive them, is not entitled to receive the plates until they are to be affixed to a motor vehicle that is registered and currently licensed under Part 1 of this Act.
- (2) The Registrar shall, on payment of the prescribed fee (if any), hold the plates on the person's behalf for a period agreed with that person.
- (3) The person may, notwithstanding that the plates are held by the Registrar, transfer the right to receive the plates to any other person in accordance with section 9B of this Act.
- (4) Personalised registration plates shall not be required to be manufactured until required by the owner of the vehicle to which they are to be affixed.

Section 9C: inserted, on 7 January 1989, by section 3 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 9C(4): inserted, on 2 September 1993, by section 7 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

9D Voluntary or required surrender of registration plates

- (1) A person may at any time surrender the personalised registration plates of any vehicle owned by that person and, on payment of the fee for the issue of ordinary registration plates, will be entitled to receive ordinary registration plates for the vehicle.
- (2) A person to whom any personalised registration plates for a vehicle are delivered shall surrender any existing registration plates for that vehicle to the Registrar.

- (3) The Registrar may require the surrender of any personalised registration plate—
- (a) that the Registrar is satisfied is not affixed to any vehicle, or is affixed to a vehicle other than the vehicle to which it may lawfully be affixed; or
 - (b) in respect of which the Registrar has received any complaint and which the Registrar considers likely to be offensive to any person.
- (4) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who fails to surrender any registration plate when required to do so by this section or by the Registrar acting under this section.

Section 9D: inserted, on 7 January 1989, by section 3 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

9E Certain letters and numbers not to be allocated

- (1) Except as provided in subsection (2) of this section, the Registrar shall not allocate for use on personalised registration plates any combination of letters, numbers, or both, or any single letter or number,—
- (a) consisting of more than—
 - (i) five numbers or letters in total in the case of a motorcycle, moped, tractor, or trailer:
 - (ii) six numbers or letters in total in any other case:
 - (b) that may be required for allocation to a person, government, or organisation in accordance with a notice made pursuant to section 14 of this Act:
 - (c) that has already been allocated to or is held on behalf of any other person:
 - (d) that the Registrar considers likely to be offensive to any person or likely to cause confusion:
 - (e) in respect of any plates that are to be used as trade plates.
- (2) There may be displayed on a personalised registration plate any additional subsidiary characters, messages, symbols, or slogans if—
- (a) the subsidiary characters, messages, symbols, or slogans are approved by the Registrar; and

- (b) the subsidiary characters, messages, symbols or slogans do not obscure the other numbers or letters allocated for that plate.

Section 9E: inserted, on 7 January 1989, by section 3 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 9E(1): amended, on 2 September 1993, by section 8(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 9E(2): inserted, on 2 September 1993, by section 8(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Licences for motor vehicles

10 Application for licence for motor vehicle

- (1) Every application for a licence for any motor vehicle shall be made by or on behalf of the owner to the Registrar, on a form provided by the Registrar, and shall specify—
- (a) the name of the person to be registered as the owner of the vehicle:
 - (b) the address of the place of residence or place of business within New Zealand of the person to be registered as the owner of the vehicle:
 - (c) the postal address within New Zealand of the person to be registered as the owner of the vehicle, if that address differs from the address given under paragraph (b) of this subsection:
 - (d) such particulars relating to the vehicle as may be required by the Registrar as indicated on the form.
- (1A) *[Repealed]*
- (2) Subject to subsection (2A) of this section, there shall be paid by the owner of the motor vehicle, on making application for a licence for the vehicle, the appropriate prescribed fee, any prescribed fees payable in respect of certificates of fitness inspections and transport licensing fees, and the appropriate levies payable under section 214 of the Injury Prevention, Rehabilitation, and Compensation Act 2001.
- (2A) If a person becomes the owner of a motor vehicle in respect of which the licence has expired,—
- (a) that person shall be liable to pay only that part of the fees and levies payable under subsection (2) of this section

- as the Registrar determines relate to the period commencing on the day after the date on which the person became the owner of the motor vehicle; and
- (b) any previous owner or owners of that motor vehicle shall be liable to pay that part of the fees and levies payable under subsection (2) of this section as the Registrar determines relate to the period in respect of which that person was the owner or those persons were the owners of the motor vehicle.
- (3) In the case of a licence issued for a period less than a year, the fees referred to in subsection (2) of this section and the appropriate levies payable under section 214 of the Injury Prevention, Rehabilitation, and Compensation Act 2001 shall be reduced by one three hundred and sixty-fifth for each day by which the period of issue is less than 1 year.
- (4) *[Repealed]*
- (5) *[Repealed]*
- (6) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who uses any motor vehicle for which a licence fee has been paid which is lower than the licence fee payable for motor vehicles of that class.

Section 10(1): substituted, on 30 October 1995, by section 9(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 10(1A): inserted, on 31 March 1995, by section 9(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment 1995 (1995 No 45).

Section 10(1A): repealed, on 30 October 1995, by section 5(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 10(2): amended by section 35 of the Land Transport Act 1993 (1993 No 88).

Section 10(2): amended, on 1 December 1994, by section 9(3) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 10(2): amended, on 30 October 1995, by section 5(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 10(2): amended, on 1 April 2002, by section 337(1) of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (2001 No 49).

Section 10(2A): inserted, on 30 October 1995, by section 5(3) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 10(3): amended, on 1 April 2002, by section 337(1) of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (2001 No 49).

Section 10(4): repealed, on 30 October 1995, by section 9(4) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 10(5): repealed, on 30 October 1995, by section 9(4) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

11 Duration of licences

- (1) Subject to this section, a licence in respect of a motor vehicle shall be issued and shall have effect (unless it is cancelled) for a period of 12 months commencing,—
 - (a) if a licence has previously been issued in respect of the vehicle, and—
 - (i) that previous licence has not expired, on the day after the expiry of that previous licence; or
 - (ii) that previous licence has expired, but has been expired for 12 months or less, on the day after the day on which the previous licence expired; or
 - (iii) more than 12 months has elapsed since the expiry of that previous licence, on the day after the most recent anniversary of the expiry of that previous licence;
 - (b) if a licence has not previously been issued in respect of the vehicle, on the day after the date of the issue of the licence.
- (2) If the applicant for a licence in respect of a motor vehicle so requests, the period for which a licence is issued or deemed to be issued under subsection (1) of this section shall be reduced by 6 months.
- (3) If the applicant for a licence in respect of a motor vehicle is a new owner of that motor vehicle, that applicant may, if the licence in respect of the motor vehicle expired before the applicant became the owner of that motor vehicle, elect to have the period for the new licence commence on the day after the date on which the applicant became the owner of the motor vehicle.

- (4) The Registrar may, if the owner of any motor vehicle so requests, issue a licence for any motor vehicle for a period that—
- (a) ends on the expiry date of either—
 - (i) any current licence for any other motor vehicle owned by that person; or
 - (ii) any current warrant of fitness or certificate of fitness, or evidence of vehicle inspection under the Land Transport Act 1998, in respect of the vehicle in respect of which the request is made; or
 - (b) is specified by that person, being not less than 3 months and not more than 12 months.

Section 11: substituted, on 1 September 1997, by section 6(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 11(1) of the original section 11: amended, on 30 October 1995, by section 10(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 11(2) of the original section 11: repealed, on 30 October 1995, by section 10(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 11(3) of the original section 11: repealed, on 30 October 1995, by section 10(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 11(4) of the original section 11: repealed, on 30 October 1995, by section 10(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 11(4)(a)(ii): amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

12 Three-month licences for certain trailers

- (1) Notwithstanding section 11(1) of this Act, the licence for any trailer that is not used for commercial purposes may, if the owner so requests, be issued for a period of 3 months on payment of the appropriate portions of the licence fee and accident compensation levy (if any), and an administrative surcharge of \$2.
- (2) This section shall come into force on a date to be fixed by the Governor-General by Order in Council.

13 Issue and display of licences

- (1) On receipt of an application for a licence for any motor vehicle, the prescribed fee (if any), and the accident compensation levy (if any) in respect of the vehicle, the Registrar, or a person authorised in that behalf under subsection (6), if satisfied that the application is in order, shall issue the appropriate licence for the motor vehicle, and shall ensure that the expiry date of the licence is shown on the copy of the application for the licence that is returned to the applicant.
- (2) No licence shall be issued for any motor vehicle that is not for the time being registered under this Part of this Act.
- (3) No licence shall be issued for any motor vehicle for which the appropriate levies payable under section 214 of the Injury Prevention, Rehabilitation, and Compensation Act 2001 in respect of the period for which the licence is to be in force has not been paid.
- (4) A licence for a motor vehicle issued in accordance with this Part of this Act shall be affixed to the motor vehicle in the manner prescribed in a notice made under section 14 of this Act and may be affixed to the vehicle at any time within the month before the date on which it comes into force.
- (5) Where any licence is affixed to a motor vehicle in the prescribed manner at any time within the month before the date on which it comes into force, and a current licence is in force in respect of the vehicle, the display of the new licence shall be sufficient evidence that the vehicle is licensed.
- (6) The Secretary may authorise any person (whether or not employed in the Ministry of Transport) to issue licences for motor vehicles under this section, and any such authorisation may—
 - (a) include within the authorisation any employees or agents of the person principally authorised:
 - (b) specify the manner in which the authority is to be exercised:
 - (c) also be expressed to apply for the purposes of issuing substitute licences under section 15.

Section 13(1): amended, on 30 April 1997, by section 5(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 13(3): amended, on 1 April 2002, by section 337(1) of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (2001 No 49).

Section 13(6): inserted, on 30 April 1997, by section 5(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

14 Form of registration plates and licences

- (1) The Minister may from time to time, by notice in the *Gazette*,—
 - (a) prescribe the form and colour of registration plates and licences, the size, shape, and character of the letters, numbers, or distinguishing marks to be shown on them, and the means to be adopted to make the plates and licences easily visible;
 - (b) prescribe the number of registration plates to be displayed and the position or positions in which registration plates and licences are to be displayed.
- (2) The Minister may, under subsection (1) of this section, prescribe specific types of or distinguishing marks for registration plates and licences to be issued for use on vehicles operated or regularly used by persons holding specified offices or persons, governments, or organisations having specified status, immunities, or privileges, and specific types of or distinguishing marks for plates and licences to be issued for use on vehicles of specified classes.
- (3) The Minister may from time to time, by notice in the *Gazette*, prescribe various fees payable in respect of the issue of registration plates and licences to cover the cost of production and issue of the plates and licences; and may if the costs so warrant it, prescribe higher fees in respect of the production and issue of personalised registration plates.

15 Replacement certificates of registration, licences, and registration plates

- (1) The registered owner of a vehicle whose certificate of registration or licence has been lost, stolen, damaged, or destroyed may apply in accordance with this section for the issue of a replacement certificate or licence.

- (2) The owner of a vehicle may apply in accordance with this section for the issue of replacement registration plates or (where appropriate) duplicate personalised registration plates if—
- (a) the vehicle's plates have been lost, stolen, damaged, or destroyed; or
 - (b) the owner wishes to replace the vehicle's existing plates with reflectorised plates.
- (3) The Registrar, or any person appropriately authorised in that behalf under section 8(6)(c) or section 13(6)(c) or section 34(2)(c), shall, if satisfied that the relevant certificate, licence, or registration plate has been lost, stolen, damaged, or destroyed, or that subsection (2)(b) of this section applies, issue to the owner of the vehicle—
- (a) a duplicate certificate of registration; or
 - (b) a substitute licence; or
 - (c) a substitute registration plate; or
 - (d) a duplicate personalised registration plate, where appropriate,—
- as the case may require.
- (3A) The Registrar may require the surrender of any damaged certificate of registration, licence, or registration plate, or the undamaged part of any set of plates, before issuing any replacement or duplicate certificate, licence, or plate under this section.
- (4) Every application under this section shall be made by or on behalf of the owner to the Registrar, on a form provided by the Registrar, and shall specify—
- (a) the name of the owner;
 - (b) the address of the owner's place of residence or place of business within New Zealand;
 - (c) the owner's postal address within New Zealand, if that address differs from the address given under paragraph (b) of this subsection;
 - (d) such particulars relating to the vehicle as may be required by the Registrar as indicated on the form—
- and shall be accompanied by the fee prescribed under subsection (6) of this section for the issue of the duplicate certificate of registration or under section 14(3) of this Act for the issue of registration plates or a licence, as the case may require.

- (4A) Section 7(2) of this Act shall apply with any necessary modifications to applications made under this section as if they were applications under that section.
- (5) The Registrar may require the person making the application under subsection (4) of this section to produce a statutory declaration by the person claiming to be the owner of the vehicle that the person is the owner of the vehicle and a statutory declaration by an appropriate person explaining the circumstances in which the certificate, plate, or licence was lost, damaged or destroyed.
- (6) The Minister may from time to time, by notice in the *Gazette*, prescribe a fee payable in respect of the issue of a duplicate certificate of registration to cover the cost of production and issue of the certificate.

Section 15(1): substituted, on 7 January 1989, by section 4(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 15(1): amended on 2 September 1993, by section 11(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 15(2): substituted on 7 January 1989 on 7 January 1989, by section 4(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 15(3): substituted on 7 January 1989 on 7 January 1989, by section 4(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 15(3): amended on 30 April 1997, by section 6 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 15(3A): inserted on 7 January 1989, by section 4(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 15(3A): inserted on 7 January 1989, by section 4(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 15(4): amended on 7 January 1989, by section 4(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1988 (1988 No 171).

Section 15(4A): inserted on 2 September 1993, by section 11 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

16 Change of use of motor vehicle

- (1) Where a motor vehicle is used for a purpose different from that indicated by the licence, the owner of the vehicle shall forthwith apply for an appropriate new licence.
- (2) The Registrar may require production of the certificate of registration of the vehicle for amendment if necessary, and may require the surrender or destruction of the present licence before issuing a new licence.
- (3) Where the motor vehicle was previously exempt from the payment of registration fees and that exemption does not apply to the purpose the motor vehicle is or will be used for, the owner shall pay the appropriate registration fee prescribed in Part 1 of Schedule 2 to this Act.

17 Unauthorised, deceptive, or obscured registration plates or unauthorised licence

Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who—

- (a) uses any motor vehicle on which the appropriate registration plate or plates or licence is not displayed in the manner prescribed by the Minister under section 14 of this Act; or
- (b) uses any vehicle on which is displayed any object or design that is intended to cause, or reasonably likely to cause, any person to believe that there is displayed on the vehicle the appropriate registration plate or plates or licence prescribed by the Minister under section 14 of this Act; or
- (c) affixes or causes to be affixed to any motor vehicle any licence not being a current licence issued for the motor vehicle, or a licence issued for that vehicle that is to come into force within the next month; or
- (d) uses any motor vehicle while any registration plate or licence affixed to the motor vehicle in accordance with this Part of this Act is in any way obscured, or is rendered or allowed to become not easily distinguishable, whether by night or by day; or
- (e) uses any motor vehicle which has affixed to it any registration plate or licence which is not authorised by or

- under this Act to be affixed to that vehicle or any other item which in either case is likely to be mistaken for any authorised registration plate or licence; or
- (f) uses any motor vehicle which has affixed to it any licence not being a current licence issued for that motor vehicle or a licence issued for that vehicle that is to come into force within the next month.

Registers of motor vehicles

18 Registers of motor vehicles

- (1) The Registrar shall keep a general register of all motor vehicles, registration plates, and licences for motor vehicles and such other registers as may be prescribed or as the Registrar considers necessary.
- (2) Any of the contents of any such register may in any proceedings (whether under this Act or any other Act) be proved by the production of a certificate as to those contents purporting to be signed by the Registrar or any person purporting to act under any delegation from the Registrar and to be impressed with the person's official stamp.

19 Details of registers to be supplied to applicants

- (1) Any person shall, on making application to the Registrar and on payment of the appropriate prescribed fee (if any), be entitled to a certificate containing the particulars of all persons recorded in any register kept pursuant to section 18 of this Act as being or having been the registered owner of any specified motor vehicle.
- (2) Subject to subsection (3) of this section, any person shall, on making application to the Registrar,—
- (a) be entitled to a certificate containing—
- (i) the name and address of the person registered as the owner of a specified motor vehicle; and
- (ii) the expiry date specified in a warrant of fitness or certificate of fitness, or evidence of vehicle inspection under the Land Transport Act 1998, issued in respect of a specified motor vehicle; and

- (iii) information regarding any requirement made for a vehicle standards compliance audit; or
 - (b) if the person so wishes, the person shall be entitled to that information given orally or by other means.
- (3) No person shall be entitled to a certificate or to be given information under subsection (2) of this section unless the person has paid the appropriate prescribed fee (if any), or the Registrar is satisfied that adequate arrangements have been made for the later payment of that fee.
- (4) The Registrar may decline to issue any certificate or give any information under this section for a period of 28 days in any case where the Registrar contemplates exercising the powers conferred by subsection (5) of this section.
- (5) Where the Registrar certifies that the supply of any particulars under this section in respect of any specified motor vehicle would be likely to prejudice the security or defence of New Zealand, the international relations of the Government of New Zealand, the maintenance of the law, including the prevention, investigation, or detection of offences, the right to a fair trial, or the privacy or personal safety of any person, the particulars specified in subsections (1) and (2) of this section shall not be supplied to any person unless the Registrar approves the supplying of the particulars to that person, or that person is one of a class of persons to whom the Registrar has approved the supplying of the particulars.
- (5A) Any person who is dissatisfied with a decision of the Registrar under subsection (5) of this section may appeal against that decision to the Attorney-General; and, in such a case, the Attorney-General shall confirm or reverse the decision appealed against.
- (6) *[Repealed]*

Section 19(2): substituted on 30 October 1995, by section 12(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 19(2)(a)(ii): amended on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 19(4): substituted on 30 October 1995, by section 12(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 19(5): amended on 30 October 1995, by section 12(3) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 19(5A): inserted on 30 October 1995, by section 12(4) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 19(6): repealed on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

20 Notification of change of ownership of motor vehicle

Within 7 days after the sale or other disposition of any registered motor vehicle, the person selling or otherwise disposing of it shall, on a form provided by the Registrar, give to the Registrar or to a person authorised by the Secretary in that behalf—

- (a) notice of the fact and date of the sale or other disposition:
- (b) the name of the registered owner of the vehicle:
- (c) the name and address of the person selling or otherwise disposing of the vehicle:
- (d) the distance recorded on the distance recorder (if any) of the vehicle at the time of the sale or other disposition:
- (e) the name, occupation, addresses, and date of birth (if any) of the new owner as given under section 22 of this Act:
- (f) such other particulars relating to the vehicle as may be required by the Registrar as indicated on the form.

Section 20(1): amended on 30 April 1997, by section 7(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 20(2): inserted on 2 September 1993, by section 13 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 20(2): repealed on 30 April 1997, by section 7(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

21 Special provisions in relation to change of ownership of motor vehicle

- (1) For the purposes of section 20 of this Act, the following provisions shall apply:

- (a) where a motor vehicle which is subject to a hire purchase agreement is repossessed under the terms of that agreement, the vehicle shall by its repossession be deemed to have been sold or otherwise disposed of by the vendor under that agreement:
 - (b) where a motor vehicle is sold or otherwise disposed of in enforcing any lien or charge or pursuant to any distress warrant or writ of execution, the vehicle shall by that sale or other disposition be deemed to have been sold or otherwise disposed of by the holder of the lien or charge or by the bailiff or sheriff, as the case may be:
 - (c) where any change in the ownership of the motor vehicle takes place by operation of law, the vehicle shall by that change of ownership be deemed to have been sold or otherwise disposed of by the person so acquiring the ownership of that vehicle:
 - (d) where a motor vehicle is sold under the provisions of section 356 of the Local Government Act 1974, the vehicle shall be deemed to have been sold by the local authority or, as the case may be, by the National Roads Board.
- (2) In any case to which paragraph (b) or paragraph (c) or paragraph (d) of subsection (1) of this section applies, the notice given pursuant to section 20 of this Act shall be accompanied by a statutory declaration by the person giving the notice setting out in a form provided or approved by the Registrar the circumstances of the change of ownership.

22 Particulars required to be supplied by persons acquiring ownership

- (1) Every person who acquires ownership of a motor vehicle shall give to the Registrar or to a person authorised by the Secretary in that behalf, on a form provided by the Registrar,—
- (a) the full name and occupation of the intended registered owner of the vehicle; and
 - (b) the address of the place of residence or place of business within New Zealand of the intended registered owner of the vehicle; and

- (c) the postal address within New Zealand, if that address differs from the address given under paragraph (b) of this section, of the intended registered owner of the vehicle; and
 - (d) where the intended registered owner is a natural person, that person's date of birth.
- (2) Section 7(2) of this Act shall apply to applications made under this section as if they were applications under that section.
- (3) No person shall be the registered owner of a motor vehicle, except—
- (a) a natural person of or over 15 years of age; or
 - (b) a body corporate; or
 - (c) an instrument of the Executive Government of New Zealand.

Compare: 1962 No 135 s 18(2A); 1985 No 50 s 4(2)

Section 22: substituted on 30 October 1995, by section 14(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 22(1): amended on 30 April 1997, by section 8 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

23 Production of certificate of registration

[Repealed]

Section 23: repealed on 30 October 1995, by section 14(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

24 Endorsement of particulars of change of ownership

[Repealed]

Section 24: repealed on 30 October 1995, by section 14(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

25 Fee payable in relation to change of ownership

- (1) The appropriate prescribed fee shall be payable for every endorsement of particulars under this Act, and the fee shall accompany the notice of change of ownership.
- (2) *[Repealed]*

Compare: 1962 No 135 s 18(7); 1968 No 148 s 6(1); 1982 No 4 s 2

Section 25(1): amended on 1 December 1994, by section 15 of the Vehicle and Driver Registration and Licensing Amendment Act 1992 (1992 No 110).

Section 25(1): amended on 30 October 1995, by section 7(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 25(2): repealed on 30 October 1995, by section 7(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

26 Offences relating to registration, licensing, and change of ownership of motor vehicle

(1) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 who,—

- (a) in or for the purposes of any application under section 7 of this Act for the registration of a motor vehicle; or
- (b) in or for the purposes of any application or notification under section 9 of this Act for or relating to personalised registration plates; or
- (c) in or for the purposes of any application under section 10 of this Act for a licence for any motor vehicle; or
- (d) in or for the purposes of any application under section 15 of this Act for a duplicate certificate of registration, a substitute registration plate or plates, or a substitute licence for any motor vehicle; or
- (e) in or for the purposes of any notification under section 20 of this Act of the change of ownership of a motor vehicle; or
- (f) in or for the purposes of giving that person's name or an address under this Act,—

knowingly supplies to the Registrar, or to any person who is to make any application or notification under any of those sections, any false or misleading information.

(2) Every person other than the Registrar commits an offence and is liable on summary conviction to a fine not exceeding \$500 who fails to comply with any of the provisions of sections 20 to 22 of this Act or of any regulations made under section 20(2) of this Act or does any act in contravention of those provisions.

Compare: 1962 No 135 ss 18(11), 18A; 1985 No 50 s 5(1); 1985 No 76 s 7

Section 26(1)(f): amended on 30 October 1995, by section 16(a) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 26(2): amended on 30 October 1995, by section 16(b) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

27 Cancellation of registration on destruction or permanent removal of motor vehicle

- (1) If any registered motor vehicle is destroyed, or is written-off by an insurer or the owner, or becomes permanently useless as a motor vehicle, or is removed permanently beyond New Zealand, the owner of the motor vehicle shall forthwith give to the Registrar notice of its destruction, condition, or removal, as the case may be, and shall deliver to the Registrar the certificate of registration of the motor vehicle, and, unless the Registrar considers it is impracticable to do so, the registration plates issued for the motor vehicle and the current licence (if any) issued for the motor vehicle. The Registrar shall cancel the registration of the motor vehicle.
- (1A) For the purposes of subsection (1) of this section, where an insurer writes-off a motor vehicle, the insurer shall be deemed to be the owner of the vehicle.
- (2) If the Registrar is satisfied that any motor vehicle has been destroyed or become wholly unfit for further use as such, or that any motor vehicle has been permanently removed from New Zealand, the Registrar may, without further appropriation than this section, refund or cause to be refunded out of the Crown Bank Account an amount equal to the amount of licence fees paid in respect of any period for which registration is cancelled.
- (3) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 who gives any notice under subsection (1) of this section which that person knows or ought to know is false in any material particular.

Compare: 1962 No 135 ss 18(11), 18; 1985 No 50 s 5(1); 1985 No 76 s 7

Section 27(1): amended on 2 September 1993, by section 17(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 27(1A): inserted on 2 September 1993, by section 17(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 27(2): The reference to the “Consolidated Account”: inserted on 1 April 1987, by section 32(1) of the State-Owned Enterprises Act 1986 (1986 No 124) (replacing a reference to the now defunct Post Office). The reference to the “Crown Bank Account” replaced an earlier reference to the “Consolidated Account” pursuant to section 83(7) Public Finance Act 1989 (1989 No 44), although no formal amendment has been made to this subsection.

Section 27(2): the words “Any adjustment as between the Post Office Account and the Consolidated Account that may be necessary by reason of any refund made pursuant to this subsection may be made without further authority than this subsection” in subsection (2): omitted on 1 April 1987, by section 32(1) of the State-Owned Enterprises Act 1986 (1986 No 124).

Section 27(3): amended on 2 September 1993, by section 17(3) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

28 Cancellation of registration where licence for motor vehicle not renewed

- (1) If following the expiration of any licence issued for any registered motor vehicle a year elapses without a new licence being issued for that motor vehicle, the Registrar, at any time after the expiration of that year, but before any new licence is issued for the motor vehicle, may cancel the registration of the motor vehicle.
- (2) Upon the cancellation under the provisions of this section of the registration of a motor vehicle, any person in possession of the registration plates shall, when required by the Registrar, surrender those plates to the Registrar or to any traffic officer.
- (3) Notwithstanding anything in subsection (1), the Registrar may not cancel the registration of a motor vehicle at any time during which the vehicle, by virtue of any provision of this Act or any regulations made under section 35A(1)(a), is for a specified period exempt from the requirement in section 5(1A)(a) to be licensed at all times.

Compare: 1962 No 135 s 20; 1972 No 129 s 3

Section 28(3): substituted on 2 September 1993, by section 18 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 28(3): substituted on 1 September 1997, by section 9(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

29 Unregistered vehicle not to be licensed

Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who applies for a licence for any motor vehicle whose registration has been cancelled unless the vehicle is again registered and the prescribed registration fee has been paid.

Compare: 1962 No 135 s 21

Trade plates and trade licences

30 Applications for trade plates

(1) This section shall apply to the following persons:

- (a) any trader (being a person carrying on business as a manufacturer or assembler of motor vehicles or a person who is a motor vehicle trader within the meaning of section 7(a) of the Motor Vehicle Sales Act 2003), or any person authorised by a trader in that behalf in writing, in respect of a motor vehicle held by the trader for the purposes of sale or for the purposes of the trader's business or for a purpose of being serviced or repaired.
- (b) any person who is the proprietor of a transport museum, in respect of motor vehicles owned by that person, and used solely for exhibition purposes, while those vehicles are being used on a road to travel to or from an exhibition or for the purpose of a demonstration:
- (c) any department of State which is required to manufacture, assemble, or modify motor vehicles, in respect of any motor vehicles so manufactured, assembled, or modified:
- (d) any department of State which is required to collect, distribute, or dispose of motor vehicles, in respect of those motor vehicles during the period of collection, distribution, or disposal:
- (e) the Ministry of Defence as established by the Defence Act 1971, in respect of vehicles held for use by any of Her Majesty's Forces and not generally used on a road except during any period of annual training, or held for general mobilisation:
- (f) any person, not being a trader, who is engaged in ferrying motor vehicles from a manufacturer's premises to

the railway, or to a ship or from the railway, or from a ship to a manufacturer's premises, or from a manufacturer's premises to an authorised retail outlet:

- (g) any person engaged in business as a repairer of motor vehicles, in respect of motor vehicles held by that person for repair which are not required to be registered and licensed by the owner of that motor vehicle or which cannot be registered or licensed by the owner of the motor vehicle until the repairs are complete:
 - (h) any person who is engaged in the business of a car wrecker, in respect of any motor vehicle being removed from the point of purchase to the point at which it is to be demolished.
- (2) Any person to whom this section applies may apply to the Registrar for one or more sets of special registration plates (in this section referred to as trade plates), for use in accordance with section 35 of this Act.
- (3) Every application for one or more sets of trade plates shall be accompanied by the appropriate prescribed fee (if any).

Section 30(1)(a): amended on 1 August 1987, by section 3 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1987 (1987 No 107).

Section 30(1)(a): substituted on 15 December 2003, by section 145 of the Motor Vehicle Sales Act 2003 (2003 No 12).

Section 30(1)(f): amended on 15 December 2003, by section 145 of the Motor Vehicle Sales Act 2003 (2003 No 12).

Section 30(3): amended on 20 August 1993, by section 35 of the Land Transport Act 1993 (1993 No 88).

31 Applications for trade licences

- (1) Any person to whom trade plates have been issued pursuant to an application under section 30 of this Act may apply for a special licence (in this section referred to as a trade licence) in respect of any such set of trade plates for use in accordance with section 35 of this Act.
- (2) Every application for a trade licence shall be accompanied by the appropriate fee prescribed in Schedule 2 to this Act and the appropriate levies payable under section 214 of the Injury Prevention, Rehabilitation, and Compensation Act 2001.

Section 31(2): amended on 1 April 2002, by section 337(1) of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (2001 No 49), by adding the words “and the appropriate levies payable under section 214 of the Injury Prevention, Rehabilitation, and Compensation Act 2001”.

32 Form of trade plates and trade licences

Every trade plate for the purposes of section 30 of this Act and every trade licence for the purposes of section 31 of this Act shall be in such form as may be prescribed by the Minister by notice in the *Gazette*.

33 Duration of trade licence

Every trade licence for the purposes of section 30 of this Act shall be issued and remain in force for a period of 12 months or such shorter period as may be necessary to enable the trade licences held by any person to have a common expiry date, and shall come into force as follows:

- (a) in the case of a trade licence issued before or not more than one month after any previous trade licence issued for that set of trade plates expires, on the day following the expiry of that previous trade licence:
- (b) in any other case, on the day the trade licence is issued.

34 Issue of trade plates and trade licences

- (1) On receipt of an application under section 30 or section 31 of this Act and of the prescribed fee (if any) and the appropriate levies payable under section 214 of the Injury Prevention, Rehabilitation, and Compensation Act 2001, the Registrar, or a person authorised in that behalf under subsection (2), if satisfied that the applicant is a person entitled by virtue of section 30 of this Act to the issue of trade plates or by virtue of section 31 of this Act to the issue of trade licences, as the case may be, and that the application is in order, shall issue to the applicant the trade plates or trade licences applied for.
- (2) The Secretary may authorise any person (whether or not employed in the Ministry of Transport) to issue trade plates or trade licences under this section, and any such authorisation may—

- (a) include within the authorisation any employees or agents of the person principally authorised:
- (b) specify the manner in which the authority is to be exercised:
- (c) also be expressed to apply for the purposes of issuing substitute plates or substitute licences under section 15.

Section 34(1): amended on 30 April 1997, by section 10(1) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 34(1): amended on 1 April 2002, by section 337(1) of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (2001 No 49).

Section 34(2): inserted on 30 April 1997, by section 10(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

35 Use of trade plates

Any person to whom section 30 of this Act applies may use on any road the type of motor vehicle in respect of which that person is entitled to use trade plates, notwithstanding that the motor vehicle is not registered under this Part of this Act and that it does not have affixed thereto registration plates or a current licence issued for that motor vehicle if, at all times while the motor vehicle is in use, there are affixed to it in the manner prescribed by the Minister by notice in the *Gazette* trade plates for motor vehicles of the class to which that motor vehicle belongs and a current trade licence in respect of those plates issued to that person under section 34 of this Act.

Regulations

35A Regulations

- (1) The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:
 - (a) exempting or authorising the Secretary to exempt any motor vehicle or person or any specified category or class of motor vehicles or persons from—
 - (i) any specified requirements of this Part or of any regulations made under this Part:
 - (ii) any prescribed fees:

- (b) *[Repealed]*
 - (c) *[Repealed]*
 - (d) *[Repealed]*
 - (e) prescribing the obligations of the seller and the buyer, and the functions of the Registrar, where there is a change in the registered ownership of a registered motor vehicle:
 - (f) providing for the appointment, functions, and duties of agents for the purposes of effecting a change in the registered ownership of a registered motor vehicle:
 - (g) prescribing or authorising the Secretary to prescribe the form of certificates of registration for the purposes of this Part:
 - (h) authorising the Registrar to enter particulars of a change of registered ownership on the register, notwithstanding the failure of any party to comply with the requirements of section 20(1) or section 22(1), and prescribing the circumstances in which such particulars may be entered:
 - (i) *[Repealed]*
- (2) Without limiting the generality of subsection (1)(a), regulations under that provision may—
- (a) define a class of motor vehicles by reference to—
 - (i) actual or intended vehicle usage:
 - (ii) ownership by a specified class of owner or by persons or classes of persons approved for the purpose by the Secretary:
 - (iii) loss of possession or control, whether because of theft or any other specified reason:
 - (b) provide that a registered owner whose application for an exemption from the requirement in section 5(1A)(a) is lodged with the Secretary more than 60 days after the date of expiry of the latest licence issued in respect of the vehicle to which the application relates is liable to pay, in respect of the period commencing on the day after that date of expiry and ending with the close of the day immediately preceding the date of lodgment of the application, an amount which is a proportionate amount of the appropriate annual vehicle licence fee:

- (c) authorise the Secretary to grant an exemption from any requirements or fees referred to in subsection (1)(a) if he or she is satisfied, whether because the registered owner is intending to go overseas or will be hospitalised or for any other reason whatever, that the vehicle to which the application relates will not be used on a road while the exemption has effect:
 - (d) provide that exemptions referred to in subsection (1)(a) that are granted by the Secretary are to have effect for such period as the Secretary thinks fit in each case, subject to any limitations imposed by the regulations:
 - (e) provide that exemptions from the requirement in section 5(1A)(a), whether conferred by or under the regulations, have no effect while a vehicle is being used on a road:
 - (f) provide for the renewal and revocation of exemptions referred to in subsection (1)(a) that are granted by the Secretary.
- (3) The Governor-General may, by Order in Council, make regulations setting the number of demerit points to be recorded in respect of an offence under section 17 that concerns the driving of a motor vehicle.

Preceding heading to Section 35A: inserted on 5 November 1993, by section 19 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 35A: inserted on 5 November 1993, by section 19 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 35A: substituted on 30 April 1997, by section 11 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 35A(1)(a): amended on 29 July 1995, by section 8 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 35A(1)(b): repealed on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 35A(1)(c): repealed on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 35A(1)(d): repealed on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 35A(1)(i): repealed on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 35A(3): added, on 1 December 2009, by section 39(1) of the Land Transport (Enforcement Powers) Amendment Act 2009 (2009 No 36).

Fees and charges

36 Land transport revenue to be paid into national land transport fund

All fees and charges (excluding applicable refunds and goods and services tax) identified in regulations made for the purposes of Part 1 of this Act as land transport revenue for the purposes of the Land Transport Management Act 2003 must be paid into a Crown Bank Account and treated as land transport revenue.

Section 36: substituted, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Section 36: substituted on 1 October 1989, by section 2 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1989 (1989 No 78).

Section 36: amended on 1 July 1996, by section 29 of the Transit New Zealand Amendment Act 1995 (1995 No 42).

Section 36: amended on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

36AA Other prescribed fees received under this Act

- (1) This section applies to prescribed fees that are received under this Act and that are not referred to in section 36.
- (2) Prescribed fees to which this section applies must be paid to the relevant prescribed recipient.
- (3) However, if there is no prescribed recipient to whom any prescribed fees to which this section applies must be paid, those prescribed fees must be paid into a Crown Bank Account.
- (4) For the purposes of this section, **prescribed recipient** means the person who is specified in regulations made under the Land Transport Act 1998 as the person to whom any fees or charges, or both, are payable.

Section 36AA: inserted, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

36A Exemption, waiver, or discount for fees or charges relating to supply of information from register

Notwithstanding anything in section 19, or in any regulations made under section 35A or section 48, the Secretary may waive, or allow an exemption from or discount on, any fee or charge payable under this Part by any person or class of persons in respect of the supply of information from a register, where the Secretary considers that to do so would be commercially or otherwise advantageous to the Crown.

Section 36A: inserted on 30 April 1997, by section 12 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Part 2

Licensing of drivers of motor vehicles

37 Unlicensed persons not to drive motor vehicles

[Repealed]

Compare: 1962 No 132 s 25(1), (4); 1983 No 35 s 3

Section 37: repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

38 Learners and persons undergoing tests

[Repealed]

Section 38: repealed on 1 August 1987, by section 4 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1987 (1987 No 107).

39 Evidence in respect of register of drivers' licences

[Repealed]

Section 39: repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

40 Prohibitions relating to drivers' licences

[Repealed]

Section 40(1): repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

Section 40(2): repealed on 3 May 1999, by section 214(2) of the Land Transport Act 1998 (1998 No 110).

Section 40(3): repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

Section 40(4): repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

41 Inspection of drivers' licences

[Repealed]

Section 41: repealed on 3 May 1999, by section 214(2) of the Land Transport Act 1998 (1998 No 110).

Issue of licences

42 Director may appoint local authority or other person as agent

[Repealed]

Section 42: repealed on 3 May 1999, by section 214(2) of the Land Transport Act 1998 (1998 No 110).

43 Licences issued by local authorities deemed to have been issued by Director

[Repealed]

Section 43: repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

44 Issue of drivers' licences

[Repealed]

Section 44(1): repealed on 3 May 1999, by section 214(2) of the Land Transport Act 1998 (1998 No 110).

Section 44(2): repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

45 National register of drivers' licences

[Repealed]

Section 45: repealed on 3 May 1999, by section 214(2) of the Land Transport Act 1998 (1998 No 110).

45A Medical reports on licence holders

[Repealed]

Section 45A: repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

46 Licences of mentally disordered persons to be suspended

[Repealed]

Section 46: repealed on 1 March 1999, by section 214(1) of the Land Transport Act 1998 (1998 No 110).

47 Professional driving instructors*[Repealed]*

Section 47: repealed on 3 May 1999, by section 214(2) of the Land Transport Act 1998 (1998 No 110).

48 Regulations*[Repealed]*

Section 48: repealed on 3 May 1999, by section 214(2) of the Land Transport Act 1998 (1998 No 110).

48A Regulations relating to graduated licensing system*[Repealed]*

Section 48A: repealed on 3 May 1999, by section 214(2) of the Land Transport Act 1998 (1998 No 110).

Part 3**Miscellaneous provisions****49 Regulations and notice deemed to have been made pursuant to this Act**

- (1) The regulations and notice to which this section applies are hereby deemed to have been made pursuant to this Act, and, unless the context otherwise requires, every reference in force at the commencement of this Act in any such regulations or notice to the Transport Act 1962 or any provision of that Act is hereby deemed to be a reference to this Act or the corresponding provisions of this Act.
- (2) This section applies to—
 - (a) the Transport (Fees for Details of Motor Vehicle Register) Regulations 1981 (SR 1981/83);
 - (b) the Transport (Drivers Licensing) Regulations 1985 (SR 1985/68);
 - (c) the Transport (Drivers Licensing) Regulations 1985 Amendment No 1 (SR 1985/260);
 - (d) the Transport (Vehicle Registration and Licensing) Notice 1985 (SR 1985/99).

50 Section 14 of Summary Proceedings Act 1957 not to apply

Section 14 of the Summary Proceedings Act 1957 shall not apply with respect to a prosecution for any offence against this

Act, but the Court may in any case dismiss the information if it is satisfied that the person charged has been prejudiced in his defence by any unreasonable delay in instituting the proceedings or in notifying him of the time, place, and nature of the offence.

50A Jurisdiction of Justices of the Peace

A District Court presided over by 2 or more Justices or one or more Community Magistrates shall have jurisdiction in respect of any offence against this Act or any regulations made under this Act.

Section 50A: inserted on 1 August 1987, by section 10 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1987 (1987 No 107).

Section 50A: amended on 30 June 1998, by section 7 of the District Courts Amendment Act 1998 (1998 No 76).

51 Evidence in proceedings

- (1) In any proceedings for an offence against this Act or any regulations made or deemed to have been made under this Act, whether by way of hearing in the first instance or by way of appeal or otherwise, the Court may receive as evidence—
 - (a) any affidavit filed in the Court by or on behalf of the defendant:
 - (b) any evidence adduced by or on behalf of the defendant that the Court thinks fit, whether or not it would, apart from this paragraph, be legally admissible evidence.
- (2) Except by special direction of the Court, nothing in subsection (1)(a) of this section shall apply where it appears to the Court that the deponent's usual place of residence is less than 80 kilometres by road from the place of the hearing.

51A Delegation of Secretary's functions or powers to persons outside Ministry

- (1) Subject to subsection (2) of this section, the Secretary may from time to time, either generally or particularly, delegate to such persons (not being employees of the Ministry) as he or she specifies any of his or her functions or powers under this Act.

- (2) The Secretary shall not delegate any function or power to any person or any class of persons not employed in the State Services (within the meaning of the State Sector Act 1988), except with the consent in writing of the Minister.
- (2A) In any case where the Secretary has delegated any functions or powers to any person under this section, that person may, with the prior approval of the Minister, delegate to any other person such of those functions or powers as are so approved.
- (3) Subject to any general or special directions given or conditions imposed by the Secretary, any person to whom any functions or powers are delegated under this section may perform those functions and exercise those powers in the same manner and with the same effect as if they had been conferred or imposed upon the person directly and not by delegation.
- (4) The Secretary may delegate any power or function under this section to a specified person or class of persons or to the holder or holders of a specified office or class of office for the time being.
- (5) Every delegation under this section shall be given for a specific or indefinite period but in either case shall be revocable at will and no such delegation shall prevent the exercise of any power or the performance of any function by the Secretary.
- (6) Every delegation under this section shall, until revoked, continue in force according to its tenor, notwithstanding the fact that the Secretary by whom it was made may cease to hold office, and shall continue to have effect as if it were made by the person for the time being holding office as Secretary.
- (7) Every person purporting to act under any delegation under this section shall when reasonably requested produce evidence of his or her authority to do so.
- (8) In this section, **person** includes a body corporate, but does not include an unincorporated body of persons.

Section 51A: inserted on 20 August 1993, by section 35(1) of the Land Transport Act 1993 (1993 No 88).

Section 51A(2A): inserted on 29 July 1995, by section 9 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Section 51A(8): inserted on 30 April 1997, by section 13 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

52

[Repealed]

Section 52: repealed on 1 November 1987, by section 18 of the Summary Proceeding Amendment Act 1987 (1987 No 165).

53 Consequential amendments to Transport Act 1962

- (1) Section 2(1) of the Transport Act 1962 is hereby amended by inserting, after the definition of the term **driver**, the following definition:

“**driver’s licence** means a driver’s licence issued under any regulations made pursuant to section 29F of this Act or any corresponding former enactment, or any regulations made or deemed to have been made under the Transport (Vehicle and Driver Registration and Licensing) Act 1986”.

- (2) Section 68A of the Transport Act 1962 (as inserted by section 14 of the Transport Amendment Act 1966) is hereby amended—

- (a) by repealing subsection (8);
(b) by omitting from the proviso to subsection (9) the words “subsection (2) of section 25 of this Act, and nothing in the proviso to that subsection shall apply”, and substituting the words “section 38(1) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986”.

- (3) Section 68B of the Transport Act 1962 (as inserted by section 8(1) of the Transport Amendment Act (No 2) 1967) is hereby amended by inserting in subsection (1), before the words “and in particular may at any time”, the words “, and the Transport (Vehicle and Driver Registration and Licensing) Act 1986 and any regulations or notices in force under that Act”.

- (4) *[Repealed]*

- (5) *[Repealed]*

- (6) Section 194(2)(a) of the Transport Act 1962 (as substituted by section 26 of the Transport Amendment Act 1968) is hereby amended by omitting the expression “Part II, Part III,”.

- (7) *[Repealed]*

Section 53(4): repealed on 1 November 1989, by section 69(2)(h) of the Transport Services Licensing Act 1989 (1989 No 74).

Section 53(5): repealed on 1 August 1986, by section 5(d) of the Transport Amendment Act 1986 (1986 No 49).

Section 53(7): repealed on 1 August 1987, by section 38(3)(c) of the Transport Amendment Act 1987 (1987 No 96).

54 Vesting of Motor Vehicles (Third-party Risks) Indemnity Fund in Accident Compensation Corporation

The Transport Act 1962 is hereby amended by repealing section 90R (as inserted by section 7 of the Transport Amendment Act 1973), and substituting the following section:

“90R

- (1) All money and investments standing to the credit of the Fund are hereby vested in the Accident Compensation Corporation (constituted under the Accident Compensation Act 1972 and continued under the Accident Compensation Act 1982), subject to all liabilities and charges affecting that money and those investments.
- “(2) The money and investments referred to in subsection (1) of this section shall be applied by the Corporation as if derived from levies paid by motor vehicle owners and drivers of motor vehicles pursuant to sections 47 and 49 of the Accident Compensation Act 1982, and the liabilities and charges of and all claims against the Fund shall be met out of levies paid pursuant to those sections.”

55 Consequential amendment to Motor Vehicle Dealers Act 1975

[Repealed]

Section 60(2) of the Motor Vehicle Dealers Act 1975 is hereby amended by omitting the expression “section 18 of the Transport Act 1962”, and substituting the expression “section 20 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986”.

56 Consequential amendments to Road User Charges Act 1977

- (1) Section 2(1) of the Road User Charges Act 1977 is hereby amended by repealing the definitions of the terms and **registration plate**, and substituting the following definitions:

“**registration plate** means a registration plate issued under the Transport Act 1962 or the Transport (Vehicle and Driver Registration and Licensing) Act 1986; and includes a trade plate and a personalised registration plate.”.

- (2) Section 22A(2) of the Road User Charges Act 1977 (as inserted by section 11(1) of the Road User Charges Amendment Act 1979) is hereby amended by omitting the words “Part II of the Transport Act 1962”, and substituting the words “Part I of the Transport (Vehicle and Driver Registration and Licensing) Act 1986”.

Section 2(1): **Registrar** repealed on 1 April 1988, by section 2(4)(a) of the Road User Charges Amendment Act 1988 (1988 No 46).

57

[Repealed]

Section 57: repealed on 1 July 1992, by sections 177 and 179(1) of the Accident Rehabilitation and Compensation Insurance Act 1992 (1992 No 13).

58 Repeals and revocation

- (1) The enactments specified in Schedule 4 to this Act are hereby repealed.
- (2) The Transport (Fees for Registration Plates and Licence Labels) Notice 1984 published in the *Gazette* of 1984 at page 575 is hereby revoked.

59 Savings

Notwithstanding the passing of this Act, the amendments made by sections 52, 53, 55, 56, and 57 of this Act, and the repeal or revocation of enactments by section 58 of this Act—

- (a) the registration of any vehicle before 1 July 1986:
- (b) the licensing of any vehicle in respect of any period before 1 July 1986:
- (c) the examination and testing for and the issue, alteration, extension, or revocation of drivers’ licences before 1 July 1986:
- (d) the issue and renewal of any driver’s licence in respect of any period before 1 July 1986:
- (e) the notification of changes of ownership and other matters to which this Act or the enactments so amended,

repealed, or revoked relate that are conducted before
1 July 1986—
shall be conducted as if this Act had not been passed, those
amendments had not been made, and those enactments had not
been repealed or revoked.

Schedule 1

s 6

**Motor vehicles exempted from
registration and licensing (including
exemption from fees)**

[Repealed]

Schedule 1: repealed on 1 December 1994, by section 4(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Schedule 2

ss 7(3), 9, 10(2), 19(1), 25

Fees

[Repealed]

Schedule 2, relating to Registration, Annual Licence, and Change of Ownership Fees,: repealed on 1 December 1994, by section 4(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Schedule 3

s 53(7)

**New Part 4 substituted in Schedule 2 to
Transport Act 1962**

[Repealed]

Schedule 3: repealed on 1 August 1987, by section 38 of the Transport Amendment Act 1987 (1987 No 96).

Schedule 4
Enactments repealed

s 58(1)

Transport Act 1962 (1962 No 135)*Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1964 (1964 No 126)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1966 (1966 No 107)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1967 (1967 No 1)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1968 (1968 No 148)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1971 (1971 No 57)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1972 (1972 No 129)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1973 (1973 No 35)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1974 (1974 No 61)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1980 (1980 No 96)***Amendment(s) incorporated in the Act(s).***Transport Amendment Act 1985 (1985 No 50)***Amendment(s) incorporated in the Act(s).*

Transport Amendment Act (No 2) 1965 (1965 No 128)

Amendment(s) incorporated in the Act(s).

Transport Amendment Act (No 2) 1969 (1969 No 137)

Amendment(s) incorporated in the Act(s).

Transport Amendment Act (No 2) 1985 (1985 No 76)

Amendment(s) incorporated in the Act(s).

Transport Amendment Act (No 3) 1983 (1983 No 35)

Amendment(s) incorporated in the Act(s).

Contents

- 1 General
 - 2 About this eprint
 - 3 List of amendments incorporated in this eprint (most recent first)
-

Notes**1 General**

This is an eprint of the Transport (Vehicle and Driver Registration and Licensing) Act 1986. The eprint incorporates all the amendments to the Act as at 1 May 2011. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about eprints and officialisation, please see <http://www.pco.parliament.govt.nz/eprints/>.

**3 List of amendments incorporated in this eprint
(most recent first)**

Land Transport (Enforcement Powers) Amendment Act 2009 (2009 No 36): section 39(1)

Land Transport Amendment Act 2009 (2009 No 17): section 33

Land Transport Management Amendment Act 2008 (2008 No 47): section 50(1)
