

12. ABATEMENT OF LICENSE FEES.

(1.) In any case in which a license under these regulations has been issued in respect of a longer period than one month and the motor-lorry in respect of which such license was issued is lost or destroyed, the owner may apply in writing for a partial refund of the license fee.

(2.) Such refund shall be one-twelfth part of the annual license fee payable in respect of such motor-lorry for every complete month of the unexpired period of the license subsequent to the date of loss or destruction of the lorry.

(3.) Any application under this regulation must be made before the date of the expiration of the license.

(4.) The owner shall supply proof to the satisfaction of the licensing authority of the facts entitling him to a refund.

(5.) The owner shall also surrender to the licensing authority all licenses and indication-discs issued in respect of such motor-lorry, or supply proof to the satisfaction of the licensing authority of the loss, destruction, or defacement of the same respectively.

(6.) On compliance by the owner with the foregoing requirements the licensing authority shall pay to the owner the sum to which he shall be entitled under the foregoing provisions.

(7.) The licensing authority shall cancel and retain for record all licenses surrendered as aforesaid.

(8.) Any owner may give notice in writing to the licensing authority that he will not use the motor-lorry in respect of which the license fee has been paid for any number of complete months computed from the first day of a month during the license year, and deposit with the licensing authority the license issued in respect of such motor-lorry.

(9.) On the expiration of such period the owner shall supply proof to the satisfaction of the licensing authority that he has not used such motor-lorry during such period.

(10.) Thereupon the licensing authority shall refund to the owner a portion of the license fee bearing the same proportion to the whole fee paid as the number of complete months during which the motor-lorry was not used bears to the number of months for which the license was issued.

(11.) Any proof required to be given under any of the foregoing clauses of this regulation may be given by statement in writing, statutory declaration, or other evidence to the satisfaction of the licensing authority.

13. DISPOSAL OF LICENSE FEES.

(1.) Every licensing authority shall collect the license fees and keep a separate account for same, and neither the net proceeds of such fees nor any part thereof shall be expended or disposed of otherwise than in accordance with this regulation.

(2.) The licensing authority may deduct from the license fee an amount not exceeding 5 per centum thereof to cover cost of issue and incidental expenses, and may retain all fees received for copies of licenses and duplicates of indication-discs.

(3.) For the purpose of the apportionment of license fees under these regulations the Dominion shall be divided into heavy-traffic districts as set out in the Schedule hereto.

(4.) The license fees paid or deemed to have been paid to licensing authorities hereunder, less any deduction in accordance with this regulation, or any refund made in accordance with Regulation No. 12, shall be apportioned among the local authorities having control of roads or streets within each heavy-traffic district either as may be mutually agreed upon by such local authorities, or, in default of agreement, as may be determined by order of a Magistrate on the application of any of those local authorities.

(5.) In the making of any such order the Magistrate shall be guided in the first place by the amount of use made by motor-lorries, whether licensed in the heavy-traffic district concerned or in any other heavy-traffic district, of the roads or streets under the control of such respective local authorities.

The Magistrate shall also be guided by—

- (a.) The wear and damage done to such roads or streets by such motor-lorries;
 - (b.) The relative costs of maintenance of such roads or streets;
 - (c.) The benefit derived in the districts of the respective local authorities from the operations of such motor-lorries;
 - (d.) The fact that any moneys are received by a local authority under any agreement for composition made in pursuance of section 150 of the Public Works Act, 1908;
 - (e.) All other considerations which the Magistrate may think it equitable to take into account.
- (6.) Any agreement or Magistrate's order made under this regulation may relate to all or any of—

(a.) The license year current when the agreement or order is made;

(b.) The next succeeding license year;

(c.) Any previous license year in respect of which no agreement or order may have been made.

(7.) The moneys received by each local authority in respect of all such license fees shall be expended by the local authority on the maintenance of the roads or streets in its district.

(8.) In every case in which a license has been issued the full annual fees shall be deemed to have been paid.

(9.) Every licensing authority shall within one month after the expiration of every license year account to every local authority within the heavy-traffic district concerned for all moneys payable to such local authority under this regulation up to the expiration of such license year:

Provided always that if no agreement or order for apportionment has been made with reference to any license year before the expiration thereof it shall be sufficient if the licensing authority accounts as aforesaid within one month after the making of such agreement or order.

14. INDICATION-DISCS.

(1.) Every licensing authority shall, when issuing a license hereunder, also issue an indication disc or device generally in accordance with Form C in the Schedule hereto, indicating the number of the license issued in accordance with these regulations, the name of the local authority issuing same, the class of the motor-lorry, the date of expiration of license, the heavy-traffic district affected, and bearing the signature of the Clerk of the local authority issuing the license.

(2.) Such disc shall be affixed by the owner to the inside of the wind-shield or, if there is no wind-shield, to some other prominent part of the inside of the cab of the vehicle or on the front portion of the vehicle, and shall at all times be kept clear and undefaced and visible for inspection.

(3.) On application by or on behalf of any owner and on proof to the satisfaction of the licensing authority by statement in writing, statutory declaration, or other evidence, that any indication disc has been lost, mutilated, defaced, or become illegible, and on payment of a fee of 2s. 6d. the licensing authority shall at any time during the currency of the license to which the disc refers issue to the owner a fresh indication-disc.

(4.) No person shall operate any motor-lorry not having an indication-disc affixed thereto as herein provided.

(5.) No person shall operate any motor-lorry the indication-disc whereof is obscured, defaced, or not visible for inspection.

(6.) No person shall operate any motor-lorry bearing an indication-disc relating to a license which has expired.

15. INSPECTORS.

(1.) The Minister, by writing under his hand, and any controlling authority other than the Minister, by resolution duly passed, may appoint any one or more persons to be Inspectors for the purposes of these regulations.

(2.) An Inspector appointed by the Minister or the Main Highways Board shall be entitled to exercise the powers hereby conferred on him upon any Government road or main highway.

(3.) An Inspector appointed by any local authority shall be entitled to exercise the powers hereby conferred on him upon any road or street within the boundaries of the district of such local authority, notwithstanding that such road or street may be a Government road or a main highway.

(4.) More than one controlling authority may appoint the same person to be an Inspector.

(5.) The production of an instrument of appointment under the hand of the Minister or under the seal of any controlling authority other than the Minister shall be conclusive evidence of such appointment.

(6.) An Inspector shall be entitled at any time to require the driver of a motor-lorry to produce the license issued in respect of such motor-lorry.

(7.) The driver of any motor-lorry shall produce such license whenever called upon as aforesaid.

(8.) An Inspector may at any time—

(a.) Require the driver of any motor-lorry to stop;

(b.) Inspect the load of such motor-lorry;

(c.) Require the motor-lorry or its weight to be measured;

(d.) Require the removal of any part of any load which is in excess of the prescribed maximum load;

(e.) Require the removal of any article carried contrary to the provisions of clause (5) of Regulation No. 6 hereof.

(9.) The driver of every motor-lorry shall comply with the requirements of any Inspector under the last preceding clause hereof.

(10.) No person shall obstruct, hinder, or interfere with any Inspector in the exercise of his powers.