

(2.) In addition to the notice required by section 14 of the said Act to be given to the Minister, notice of every accident affecting a motor-omnibus shall be forthwith given by the owner to an Inspecting Engineer, and if the owner fails to give such notice he shall be guilty of an offence against these regulations.

(3.) For the purposes of these regulations the Inspecting Engineer shall be the sole judge as to whether any accident is of such a nature as to be likely to cause structural damage to any motor-omnibus.

INSURANCE.

23. (1.) The obligation imposed on every person engaged in carrying on a motor-omnibus service to insure against his liability to pay compensation or damages in respect of accidents that may occur in the course of such service is hereby limited as follows:—

(a.) If by virtue of any such policy of insurance the owner is indemnified generally against liability in respect of accidents that may occur in the course of the motor-omnibus service, the amount of insurance shall be not less than the sum of £20,000.

(b.) If by virtue of any such policy of insurance the owner is indemnified separately against liability in respect of any motor-omnibus, the amount of insurance shall be not less than—

(i.) If the motor-omnibus is licensed to carry not more than seven passengers, the sum of £3,500:

(ii.) If the motor-omnibus is licensed to carry more than seven passengers, the sum of £3,500, increased by £500 for each passenger in excess of seven.

(2.) Notwithstanding anything in the foregoing provisions of this clause, it shall be sufficient compliance with the requirements of the said Act and of these regulations as to insurance if by virtue of any policy under paragraph (a) or paragraph (b) of the last preceding subclause the owner is indemnified to the extent of £2,000 in respect of any claim or claims that may arise out of the death of any one person, or out of injury suffered by any one person (including damage to the property of such person).

(3.) The several amounts specified in the foregoing provisions of this clause shall not be reducible by reason of the happening of any accident giving rise to a claim under any policy of insurance as aforesaid.

ACQUISITION BY LOCAL OR PUBLIC AUTHORITIES OF EXISTING UNDERTAKINGS.

24. (1.) Every person who by virtue of subsection (1) of section 15 of the said Act is empowered to require any local or public authority to purchase the motor-omnibuses and other property used by him exclusively for the purpose of carrying on a motor-omnibus service shall, if he elects to exercise the rights conferred on him by the said section, give to the local or public authority, as the case may be, before the 1st day of January, 1927 (being the time limited in that behalf by the said section), notice, in the form No. 8 in the Schedule hereto, of his election to require that such purchase be made.

(2.) Any notice given under the said section 15 before the commencement of these regulations may be accepted as a sufficient notice, notwithstanding that it may not be in the form hereby prescribed, if it sets forth with sufficient particularity for its purpose the several particulars required to be set forth in the form hereby prescribed.

25. (1.) Where a notice under the last preceding clause has been served on any local or public authority, and the parties cannot agree as to the price, the claimant may file in the appropriate office of the Supreme Court or Magistrate's Court, as the case may be, a notice in the form No. 9 in the Schedule hereto.

(2.) The office in which such notice shall be filed shall be determined in accordance with the provisions of the next succeeding clause.

(3.) The consent in writing of every person nominated by the claimant or the respondent as an assessor for the purposes of any claim under these regulations shall be given in the form No. 10 in the Schedule hereto.

26. Where any claim under the aforesaid section 15 is to be determined by a Compensation Court presided over by a Stipendiary Magistrate, as provided in the Public Works Act, 1908, or in subsection (3) of the said section 15, as the case may be, the notice in the form No. 9 in the Schedule hereto shall be filed in the office of the Magistrate's Court nearest to the public office of the respondent, and in every other case shall be filed in the office of the Supreme Court nearest to such public office.

27. (1.) A copy of every notice filed as aforesaid shall be served by the claimant on the respondent.

(2.) The respondent shall, within thirty days after receiving notice of the appointment of an assessor by the claimant,

also appoint an assessor, and shall give notice in writing of such appointment to the claimant and also to the Registrar or Clerk of the Court in which the claim has been filed. If the respondent fails to make such appointment within the said thirty days, the Registrar or Clerk of the aforesaid Court shall forthwith appoint an assessor on behalf of the respondent, and shall give notice of such appointment to the claimant and also to the respondent.

28. A copy of every claim made as aforesaid shall, within seven days after its service on the local or public authority, be served by the claimant on every person named therein as having an interest in the motor-omnibuses or other property to which the claim relates; and every person having any such interest may within fourteen days thereafter make a claim on the local or public authority in respect of his interest.

29. On receipt of any claim under the foregoing regulations, the local authority or public authority, as the case may be, shall give notice thereof by advertisement in one or more newspapers and in the *New Zealand Gazette*; and shall in such notice call upon every person having any interest in the subject-matter of the claim to furnish particulars as to the nature and value of such interest.

30. In making its award in relation to any claim under the foregoing provisions the Court shall determine the value of each interest separately, and shall make an order accordingly for the payment of the value of the several interests to the persons respectively entitled thereto.

31. The foregoing provisions relating to the acquisition of an undertaking by a local authority or public authority, and to the method of determining the price to be paid for the motor-omnibuses and other property acquired in any such case from the proprietor of the undertaking, shall, with the necessary modifications, apply in cases to which the provisions of subsection (7) of section 15 of the said Act are applicable.

TRANSPORT APPEAL BOARDS.

32. (1.) The Minister shall from time to time, as occasion may require, by public or private notice, require the persons or bodies entitled to be represented on a Transport Appeal Board to nominate one or more suitable persons for appointment to the Board, and from the persons so nominated the Governor-General shall make appointments in accordance with the provisions of section 16 of the said Act.

(2.) If no nominations are received, or if no suitable nominations are received, for the appointment of a person to represent any persons or bodies as aforesaid, the Governor-General may appoint a suitable person to the Board as a representative of any such persons or bodies.

(3.) In the event of the illness or absence from duty of any member of the Board, the Governor-General may appoint a suitable person to act in his stead as a member of the Board during such illness or absence.

(4.) Every person appointed as a member of a Transport Appeal Board shall hold office during the pleasure of the Governor-General.

(5.) Any nominations for appointment to a Transport Appeal Board received by the Minister before the commencement of these regulations may be accepted and dealt with as if they had been made pursuant to the provisions of this clause.

33. (1.) The Chairman shall preside at every meeting of the Board at which he is present. In the absence of the Chairman from any meeting of the Board, the other member appointed to represent the Government pursuant to paragraph (a) of section 16 of the said Act shall preside thereat.

(2.) At any meeting of the Board the Chairman shall have a deliberative vote, and in the case of an equality of votes shall also have a casting-vote. All questions before the Board shall be decided by a majority of the votes.

(3.) At any meeting of the Board, three members, of whom at least one shall be a Government representative appointed under paragraph (a) of section 16 of the said Act, shall form a quorum.

(4.) Meetings of the Board shall be summoned by the clerk as occasion may require. The Minister may from time to time appoint a suitable person to be the clerk of the Board, with the precedent approval of the Public Service Commissioner any officer of the Public Service may be appointed to be the Clerk of the Board.

34. (1.) The Board shall, in respect of appeals under the said Act, have all the powers of a Commission appointed under the Commissions of Inquiry Act, 1908; and may in the hearing of an appeal accept such evidence as it thinks fit, whether such evidence is legally admissible in other proceedings or not.

(2.) With the permission of the Board, any party to an appeal may be represented by counsel, solicitor, or agent.

35. (1.) With respect to appeals to a Transport Appeal Board from any determination of a licensing authority, the following provisions shall apply:—