

Regulations relating to Passenger-services under the Transport Licensing Act, 1931.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this 15th day of December, 1931.

Present:

THE RIGHT HON. G. W. FORBES, PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Transport Licensing Act, 1931, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations; and doth, with the like advice and consent, declare that the said regulations shall come into force on the date of the publication thereof in the *Gazette*.

REGULATIONS.

REGULATION 1: PRELIMINARY.

(1) These regulations may be cited as the Transport Licensing (Passenger-services) Regulations, 1931.

(2) In these regulations, unless the context otherwise requires,—

“The said Act” means the Transport Licensing Act, 1931:

“Authorized person” means any member of the Police Force, or the Commissioner, or any person appointed by the Commissioner or a Metropolitan Authority in terms of section 54 of the said Act:

“License” means a license to carry on a passenger-service:

“Licensing Authority,” in relation to a transport district, means a Licensing Authority appointed therefor pursuant to the said Act, and includes a Metropolitan Authority:

“New certificate of fitness” means a certificate of fitness intended to take effect on the expiration of a certificate of fitness previously granted in respect of the same vehicle:

“Passenger,” in relation to a passenger-service vehicle, does not include the driver thereof:

“Variation,” in respect of a passenger-service license, includes any amendment or revocation of any of the terms or conditions of such license or any addition of new terms and conditions thereto pursuant to section 34 of the said Act.

REGULATION 2: APPLICATION FOR A NEW LICENSE (OTHER THAN A TEMPORARY LICENSE TO CARRY ON A PASSENGER-SERVICE).

(1) Every application for a passenger-service license, other than for a renewal of such a license, and other than for a temporary license, shall be made in duplicate in the Form A set out in the Schedule hereto, or to the effect thereof, and in each case shall be accompanied by the respective fee hereinafter prescribed.

(2) Applications for a new passenger-service license or for a variation of a passenger-service license shall be made at least two months before the quarter-day immediately preceding the date on which it is desired that the new service or the variation shall take effect:

Provided that this clause shall not be deemed to prohibit a Licensing Authority from dispensing with the foregoing requirement and dealing with any application for a passenger-service license, or variation thereof, at any time which it deems fit or convenient, subject always to compliance with section 25 of the said Act.

REGULATION 3: APPLICATIONS FOR CERTIFICATES OF FITNESS.

(1) Every application for a certificate of fitness in respect of a passenger-service vehicle other than a new certificate of fitness shall be made in triplicate in the Form B, set out in the Schedule hereto, or to the effect thereof, not less than fourteen nor more than twenty-eight days before the date on which issue of the certificate is desired.

(2) (a) If the vehicle is to be used in terms of a passenger-service license, the application, including an application for a new certificate of fitness, shall be made to the Licensing Authority whose function it is to grant such license, except that if such Licensing Authority is a Metropolitan Authority, then the application for a certificate of fitness shall be made to a District Engineer of the Public Works Department whose office is within the district of that authority.

(b) If the vehicle is not to be used in terms of a passenger-service license, the application shall be made to the District Engineer of the Public Works Department for the district within which the garage of the vehicle is situated.

REGULATION 4: OTHER LICENSES.

The application for a certificate of fitness may be made before the vehicle is licensed under the Motor-vehicles Act, 1924, or under the Motor-lorry Regulations, 1927, but no such certificate shall be issued until all licenses prescribed for that vehicle and then due in respect thereof have been issued.

REGULATION 5: LICENSING PROCEDURE.

(1) The Chairman, or in his absence, the Acting-Chairman, shall preside at each meeting of any Licensing Authority.

(2) Any suitable officer of the Public Service may from time to time be appointed to be the Secretary of any Licensing Authority other than a Metropolitan Licensing Authority. A Metropolitan Licensing Authority may from time to time appoint any suitable person to be its Secretary for the purpose of these regulations.

(3) Any person who wishes to make any representation or statement at any meeting of a Licensing Authority shall, not later than one clear day before the date of the meeting, notify the Secretary of his desire so to do, and of the description of the person or body on whose behalf the statement or representation is to be made.

(4) The Licensing Authority may in its proceedings act upon such information as it thinks fit, whether such information would be evidence legally admissible in judicial proceedings or not.