

11. ABATMENT 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 heavy motor-vehicle 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-third part of the quarterly license fee payable in respect of such heavy motor-vehicle 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 heavy motor-vehicle, 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 heavy motor-vehicle in respect of which the license fee has been paid for any number of complete months during the license year, and deposit with the licensing authority the license and indication-disc issued in respect of such heavy motor-vehicle. If as a result of the indication-disc being so deposited it is mutilated, a duplicate disc shall be issued free of charge if such period expires during the currency of the license so deposited. For the purposes of this clause "month" means the period from any day in one month to the day with the corresponding number in the following month, or if such following month does not contain so high a number, then to the last day of such following month.

(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 heavy motor-vehicle 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 heavy motor-vehicle 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.

12. 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 to licensing authorities hereunder, less any deduction in accordance with this regulation, or any refund made in accordance with Regulation No. 11 shall be apportioned among the local authorities having control of roads 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 by—

- (a) The relative costs of maintenance of such roads;
- (b) The amount, if any, required for payment of interest or sinking funds on any loans raised for the improvement of such roads;
- (c) The fact that any moneys are received by a local authority in terms of sections 173 and 174 of the Public Works Act, 1928;
- (d) The length of metalled or hard-surfaced roads proportionate to the total length of all the roads existing in the districts of the respective local authorities. For the purposes of this clause the term "metalled or hard-

surface roads" includes a pumice road, a gravelled road, a metalled road (sealed, penetrated, or otherwise), a bituminous-concrete road, or a cement-concrete road constructed in each case to the satisfaction of the Minister:

(e) The population and capital value of the districts of the respective local authorities;

(f) The result of any traffic tally or tallies taken within the heavy-traffic district;

(g) 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 or improvement of the roads in its district.

(8) For the purpose of distributing the license fees there shall be within each heavy-traffic district one distributing authority, which shall be such one of the licensing authorities within the heavy-traffic district as may be mutually agreed upon by such local authorities as aforesaid, or, in default of agreement, as may be nominated by a Magistrate on the application of any of those local authorities.

(9) Every licensing authority within the heavy-traffic district shall, within ten days after the last day of each of the months of May, August, November, February in each year, remit to the distributing authority all license fees (save a reasonable proportion thereof, not exceeding 5 per centum, which may be retained for refunds in terms of Regulations 10 and 11) received by it up to and including such respective last-mentioned dates and not previously so remitted.

(10) Every distributing authority shall within one month after the respective dates mentioned in the last preceding clause hereof account to every local authority within the heavy-traffic district concerned for all moneys payable to such local authority under this regulation up to and including the respective dates aforesaid: Provided always that, if no agreement or order for apportionment of such moneys is in force upon any such respective date, it shall be sufficient if the distributing authority accounts as aforesaid within one month after the making of such agreement or order.

(11) Any local authority shall at all times supply the Minister with any information which he may require concerning the license fees collected or received by the local authority in terms of this regulation.

(12) Every agreement or Magistrate's order made under Regulation No. 13 of the Motor-lorry Regulations, 1925, or of the Motor-lorry Regulations, 1927, the effect of which has not expired on the coming into force of these regulations, shall continue in force and be deemed to have been made under this regulation.

(13) This regulation shall come into force on the first day of June, 1932.

13. 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 and make of the heavy motor-vehicle, the date of expiration of license, the registration number of the heavy motor-vehicle under the Motor-vehicles Act, 1924, the heavy-traffic district affected, the licensed passenger limit under the license, the speed limit for a vehicle of that class and type, and bearing the signature of the authorized officer of the local authority issuing the license.

(2) Such disc shall be circular, and shall be printed with black letters on a white ground, save that boldly across the disc there shall be printed one of the figures, 1, 2, 3, or 4, each in different colours, to represent whether the relative license expires at the end of the first, second, third, or fourth quarter respectively of the license year. The respective colours for the said figures shall each licensing year be such as are specified by the Minister for that purpose by notice published in the *Gazette* before the beginning of that year.

(3) Such disc shall be affixed by the owner in a suitable container, approved for that purpose by the licensing authority, 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.