

**Reprint
as at 5 May 1978**



**National Roads Board Bylaw 1978,
No 1
(SR 1978/172)**

Pursuant to the National Roads Act 1953, the Municipal Corporations Act 1954, the Counties Act 1956, and all other powers and authorities in any way enabling it in that behalf, the National Roads Board hereby makes the following bylaw.

Bylaw

- 1 This bylaw may be cited as the National Roads Board Bylaw 1978, No 1.
- 2 In this bylaw:
Board means the National Roads Board constituted under the National Roads Act 1953
hawker or pedlar includes any person who carries or takes about any goods, wares, or merchandise for sale, not in pursuance of any invitation to call with, or of any previous order or request for, such goods, and includes any person who exposes for sale any goods, wares, or merchandise carried or taken about by him, and whether any such person shall cry such goods, wares, or merchandise or not, but does not include the keeper of a mobile or travelling shop, or keeper of stalls as defined herein

Note

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

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

This bylaw is administered by the Ministry of Transport.

keeper in relation to any mobile or travelling shop or stall, means the person by whom, or on whose behalf, any business is carried on by means of that mobile or travelling shop or stall

mobile or travelling shop means a vehicle, whether self-propelled or not, from which goods, wares, or merchandise are offered or exposed for sale, or from which goods, wares, or merchandise may be ordered (whether or not in pursuance of any invitation to call with the goods, wares, or merchandise)

stall means any booth, compartment, table, vehicle, structure, or contrivance used for the purpose of distributing or selling any refreshments, newspapers, lottery tickets, textiles, hardware, or any other goods, food, or merchandise whatsoever

State highway means any road or street declared to be a State highway pursuant to the National Roads Act 1953.

- 3 No person, whether acting on his own account, or as the servant of another person, shall on any State highway engage in the trade or calling of, or carry on business in any manner or to any extent as a hawker, pedlar, or keeper of a mobile or travelling shop or a stall without first having obtained a licence from the Board so to do.
- 4 Every licence issued under the provision of this bylaw shall be in such form as the Board may by resolution from time to time prescribe.
- 5 Every licence holder under this bylaw, shall at all times when exercising or carrying on his business, carry his licence with him and shall show the same to any Police officer, traffic officer, or authorised officer of the Board who shall demand production of such licence.
- 6 Every licence issued under this bylaw, shall be issued subject to such conditions as this bylaw prescribes, and such further conditions and restrictions as the Board may from time to time by resolution prescribe, provided that such further conditions and restrictions are authorised by and not inconsistent with the provisions of any Act, regulation, or rule of law.
- 7 Should the holder of any licence, granted pursuant to this bylaw, be convicted of any offence thereunder or of any offence or crime touching his character, the Board may immediately

thereupon revoke such licence or suspend the same for so long as it may think fit.

- 8 No mobile or travelling shop shall be permitted to operate during the hours of darkness as defined in the Traffic Regulations 1956.
- 9 Every hawker, pedlar, keeper of a mobile or travelling shop, or stall, upon being requested so to do by any Police officer, traffic officer, or duly authorised officer of the Board, and as often as so requested, shall alter the position from which he is conducting his business on any State highway to such other part of the State highway indicated by such officer.
- 10 Every holder of a licence as a hawker or pedlar or keeper of a mobile or travelling shop, or stall, while exercising or carrying on such business, shall have affixed on some conspicuous place on the exterior of every vehicle which he uses for such purposes, a board or plate bearing his name and the words "licensed operator" legibly painted thereon in letters not less than 3 cm in height.
- 11 Any person who shall obstruct any Police officer, traffic officer, or authorised officer of the Board in the exercise of any powers herein conferred upon such officer, shall be guilty of an offence under this bylaw.
- 12 Any person who shall do, or cause to be done, or knowingly permits or suffers to be done, or is concerned in doing anything whatsoever contrary to, or otherwise than as provided by this bylaw shall be guilty of an offence under this bylaw.

This bylaw was made by resolution passed at a meeting of the National Roads Board, held in Wellington, on the 15th day of February 1978.

D J Chapman,
Secretary.

National Roads Board Bylaw 1978, No 1

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5 May 1978

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Notes

1 *General*

This is a reprint of the National Roads Board Bylaw 1978, No 1. The reprint incorporates all the amendments to the by-law as at 5 May 1978, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
