

New Zealand.

ANALYSIS.

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| Title.
1. Short Title.
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3. Passenger-service licenses may be revoked on change of material circumstances. | 4. Duration of certificate of fitness. Repeal.
5. Sections 2, 3, and 4 to form part of Part II of principal Act.
6. Section 31 of principal Act amended.
7. Section 39 of principal Act amended. |
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1935, No. 36.

Title.

AN ACT to amend the Transport Licensing Act, 1931.
[26th October, 1935.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Transport Licensing Amendment Act, 1935, and shall be read together with and deemed part of the Transport Licensing Act, 1931 (hereinafter referred to as the principal Act).

See Reprint
of Statutes,
Vol. VIII,
p. 832

Duration of
passenger-
service
licenses.

2. (1) Except in the case of a temporary license, every passenger-service license if issued on a quarter-day shall take effect on that day, and in every other case shall be deemed to have taken effect on the quarter-day immediately preceding the date on which the license is issued. Every such license, unless sooner revoked, or unless expressed to expire at any earlier date, shall expire on the completion of three years after the quarter-day on which it took effect:

Provided that where application for the renewal of a license is duly made in accordance with section thirty-five of the principal Act, such license shall, if the application for renewal is not disposed of before the date of expiry of the license, continue in force until the application is disposed of unless the Licensing Authority otherwise directs.

(2) For the purposes of this section and generally for the purposes of the principal Act, a passenger-service license shall be deemed to be issued on the day appearing thereon as the date of issue, which may be earlier or later than the day on which it is in fact signed on behalf of the Licensing Authority.

(3) This section is in substitution for section thirty-three of the principal Act, and that section is hereby repealed. Consequential repeal.

(4) Section thirty-five of the principal Act is hereby amended by omitting from subsection six the words "twelve months", and substituting the words "three years". Section 35 of principal Act consequentially amended.

3. (1) If, with respect to any passenger-service license granted by it, the Licensing Authority is of the opinion that the circumstances under which the license was granted have changed materially since the license was granted, it may notify the licensee that it intends to revoke the license if, having regard to the matters mentioned in subsections one and two of section twenty-six of the principal Act, it is of opinion that the license should be revoked. Passenger-service licenses may be revoked on change of material circumstances.

(2) Unless within fourteen days after the receipt of such notification the licensee consents to the revocation of his license, the Licensing Authority shall hold a public sitting for the purpose of deciding whether the license should be revoked.

(3) For the purposes of this section the provisions of section twenty-five of the principal Act shall, with the necessary modifications, apply as if the licensee were an applicant for the license.

(4) If after the public sitting has been completed the Licensing Authority is satisfied that the existing circumstances are such that the license would not have been granted if similar circumstances had obtained when the application for such license was considered, it may, subject to appeal as provided by the principal Act, revoke the license.

Duration of
certificate of
fitness.

4. (1) Every certificate of fitness in respect of any passenger-service vehicle granted after the passing of this Act, if issued on a quarter-day shall take effect on that day, and if issued on any other day shall be deemed to have taken effect on the quarter-day immediately preceding the day on which the certificate is issued, and in each such case shall continue in force until revoked. For the purposes of this section and generally for the purposes of the principal Act, a certificate of fitness shall be deemed to be issued on the day appearing thereon as the date of issue, which may be earlier or later than the day on which it is in fact signed by or on behalf of the Commissioner.

(2) There shall be payable in respect of each certificate of fitness an annual fee of an amount to be prescribed by regulations made under the principal Act.

(3) If any certificate of fitness is revoked before the expiration of the period in respect of which an annual fee has been paid, the Commissioner may refund to the holder of the certificate such portion of the fee as he thinks fit.

(4) This section is in substitution for section forty of the principal Act, and that section is hereby accordingly repealed.

5. Sections two, three, and four of this Act shall be deemed to form part of Part II of the principal Act.

6. Section thirty-one of the principal Act is hereby amended by omitting the proviso to subsection one.

7. Section thirty-nine of the principal Act is hereby amended as follows:—

- (a) By repealing paragraph (b) of subsection two;
- (b) By omitting from subsection three all words after the words “prescribed form”.

Repeal.

Sections 2, 3,
and 4 to form
part of
Part II of
principal Act.

Section 31 of
principal Act
amended.

Section 39 of
principal Act
amended.