



## Title.

## ANALYSIS

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| <p>1. Short Title.</p> <p>2. Tramway fares, tolls, and charges to be fixed by Transport Charges Committee. Repeal.</p> | <p>3. Charges for carriage of passengers or goods by trackless trolley-omnibus to be fixed by Transport Charges Committee.</p> |
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## 1949, No. 3

## Title.

AN ACT to Amend the Transport Licensing Act, 1931.

[27th July, 1949

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, 1949, 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

Tramway fares, tolls, and charges to be fixed by Transport Charges Committee.

Ibid, p. 754

2. (1) In this section the expression "tramway" means a tramway to which the Tramways Act, 1908, applies, and the expression "promoters" has the same meaning as in that Act.

(2) The tolls, fares, and charges for the carriage of passengers or goods by any service by a tramway which may be demanded and taken by the promoters of that tramway shall be fixed from time to time by the

Transport Charges Committee, or, in the event of an appeal from the decision of the Committee, by the Transport Charges Appeal Authority, as if the tramway service were a transport service to which the principal Act applied, and as if the promoters were the holders of a licence in respect of that service under the principal Act; and for that purpose the provisions of Part I of the Transport Law Amendment Act, 1948, shall, so far as applicable and with the necessary modifications, apply accordingly. 1948, No. 47

(3) All tolls, fares, and charges which could lawfully be charged in respect of any tramway service immediately before the commencement of this Act shall continue in force as if they had been fixed under the authority of the last preceding subsection, but may at any time be reviewed or altered under the provisions of that subsection.

(4) The Second Schedule to the Tramways Act, 1908, is hereby amended as follows:—

(a) By omitting from clause six the words “ and the tolls, fares, and charges which may be demanded and taken by the local authority in respect of the same ”, and also the words “ and such tolls and charges ”:

(b) By repealing clause thirty-one:

Repeal.

(c) By omitting from clause forty-six the words “ under this Act or under any by-law made in pursuance thereof ”, and substituting the words “ payable in respect of the tramway and all charges under any by-law made under this Act ”.

(5) Section thirteen of the Tramways Amendment Act, 1910, is hereby amended as follows:— See Reprint of Statutes, Vol. VIII, p. 788

(a) By omitting from the proviso to subsection two the words “ under the authorizing Order ”:

(b) By omitting from that proviso the words “ by such Order ”, and substituting the words “ by the Transport Charges Committee or the Transport Charges Appeal Authority, as the case may be,”.

(6) Section fifty-nine of the Auckland Transport Board Act, 1928, is hereby amended by omitting from subparagraph (xii) of paragraph (o) the words “ Prescribing tolls, fares, or charges which, notwithstanding 1928, No. 44

anything in any other Act contained, may be demanded or taken by the Board from any passenger, or in respect of the carriage of goods, and ”.

Charges for carriage of passengers or goods by trackless trolley-omnibus to be fixed by Transport Charges Committee. 1936, No. 9

**3.** (1) Notwithstanding anything contained in subsection one of section fourteen of the Transport Licensing Amendment Act, 1936, the charges which may lawfully be made for the carriage of passengers or goods by a trackless trolley-omnibus service shall be fixed from time to time by the Transport Charges Committee, or, in the event of an appeal from the decision of that Committee, by the Transport Charges Appeal Authority, as if the service were a transport service to which the principal Act applied, and as if the owner of that service were the holder of or an applicant for a licence in respect of that service under the principal Act; and for that purpose the provisions of Part I of the Transport Law Amendment Act, 1948, shall, so far as applicable and with the necessary modifications, apply accordingly.

1948, No. 47

(2) All charges which could lawfully be made for the carriage of passengers or goods by any trackless trolley-omnibus service immediately before the commencement of this Act shall continue in force as if they had been fixed under the authority of the last preceding subsection, but may at any time be reviewed or altered under the provisions of that subsection.