

1979/53



THE ECONOMIC STABILISATION (CONSERVATION OF  
PETROLEUM) REGULATIONS (NO. 2) 1979

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 23rd day of March 1979

Present:

THE HON. H. C. TEMPLETON PRESIDING IN COUNCIL

PURSUANT to the Economic Stabilisation Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

<p>1. Title and commencement</p> <p>2. Interpretation</p> <p>3. Administration of regulations</p> <p style="text-align: center;">PART I</p> <p>RESTRICTIONS ON SALE OF MOTOR SPIRITS</p> <p>4. Restrictions on sale of motor spirits</p> <p>5. Restrictions on use of coin-operated pumps</p> <p>6. Restricted periods for sale of motor spirits</p> <p>7. Sales during restricted periods to essential users</p> <p>8. Emergency supply of motor spirits during restricted periods</p> <p>9. Key-operated pumps</p> <p>10. Records to be kept by retailers</p> <p>11. Employee or agent may act on behalf of retailer</p> <p>12. Sales of motor spirits for use in aircraft or certain ships exempted</p>	<p style="text-align: center;">PART II</p> <p style="text-align: center;">CHOSEN CARLESS DAYS</p> <p>13. Application</p> <p>14. Certain vehicles to have carless day stickers</p> <p>15. Chosen carless days</p> <p>16. Applications for carless day stickers</p> <p>17. Issue of carless day stickers</p> <p>18. Issue of new carless day sticker where mistake, etc., made</p> <p>19. Issue of new carless day sticker in cases of extreme hardship</p> <p>20. Applications for exempt stickers</p> <p>21. Display of carless day and exempt stickers</p> <p>22. Offence not to destroy exempt stickers in certain circumstances</p> <p>23. Miscellaneous offences</p> <p style="text-align: center;">PART III</p> <p style="text-align: center;">MISCELLANEOUS PROVISIONS</p> <p>24. General penalty</p> <p>25. Offences to be punishable on summary conviction</p> <p>26. Powers of traffic officers</p> <p>27. Revocations</p> <p style="text-align: center;">Schedules</p>
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## REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Economic Stabilisation (Conservation of Petroleum) Regulations (No. 2) 1979.

(2) Except as provided in subclause (3) of this regulation, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

(3) Part II of these regulations shall come into force on a date to be appointed by the Governor-General by Order in Council; and different dates may be so appointed for the purpose of different provisions of that Part of these regulations.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“Authorised retailer” means a retailer authorised by the Minister under regulation 7 (1) of these regulations:

“Carless day sticker” means a carless day sticker prescribed pursuant to regulation 14 (2) of these regulations:

“Coin-operated pump” means a pump—

(a) Which is used for the retail sale of motor spirits; and

(b) Which can be operated by a person on the insertion of a coin or coins into a slot provided for the purpose in respect of the pump:

“Chosen carless day”, in relation to any motor vehicle, means the day of the week specified by the carless day sticker displayed on that motor vehicle in accordance with these regulations:

“Commercial fishing boat” means a fishing boat registered under Part I of the Fisheries Amendment Act 1963:

“Essential user” means a person who is carrying on an occupation specified in the Second Schedule to these regulations:

“Exempt sticker” means an exempt sticker prescribed pursuant to regulation 20 (3) of these regulations:

“Fuel tank” means a tank, on a motor vehicle or ship, that is designed to contain motor spirits for use for the propulsion of the motor vehicle or ship:

“Goods service vehicle” means a motor vehicle designed exclusively or principally for the carriage of goods; but does not include a tractor (as defined in section 2 (1) of the Transport Act 1962):

“Issuing officer” means an officer of the Post Office or any other person authorised by the Registrar to act as an issuing officer for the purposes of these regulations:

“Motorcar” means a motor vehicle (other than a motor cycle or power cycle) designed exclusively or principally for the carriage of passengers; and includes a motor vehicle which is designed principally for the carriage of passengers but which has rear doors and collapsible rear seats:

“Motor spirits” includes—

(a) Petrol; and

(b) Any liquid fuel which is suitable for internal combustion engines and which is of such a nature that, when submitted to distillation in standard apparatus,—

(i) Not less than 10 percent of the fuel distils over at a temperature of 150° C; or

- (ii) Not less than 50 percent of the fuel distils over at a temperature of 160° C:
- “Motor vehicle” means a vehicle drawn or propelled by mechanical power:
- “To operate”, in relation to a motor vehicle, means—
- (a) To drive it; or
  - (b) To cause or permit it to be driven, whether the person causing or permitting it to be driven is present or not:
- “Owner”, in relation to a motor vehicle, means the person lawfully entitled to possession thereof:
- “Public holiday” means Anzac Day, Christmas Day, Boxing Day, New Year’s Day, the 2nd day of January, Good Friday, Easter Monday, Labour Day, the Sovereign’s Birthday, or Waitangi Day:
- Provided that where any day is observed throughout New Zealand as a holiday in substitution for any day specified in the foregoing provisions of this definition, the day so observed, and not the day so specified, shall be a public holiday for the purposes of these regulations:
- “Registrar” means the Registrar of Motor Vehicles appointed under the Transport Act 1962:
- “Rental car” and “rental vehicle” have the respective meanings given to those terms by section 2 (1) of the Transport Act 1962:
- “Restricted period” means any period specified in the First Schedule to these regulations:
- “Retailer” means a person other than a wholesaler, who sells motor spirits to any other person, whether in conjunction with any other business or not; and in respect of a sale made by a wholesaler to any other person, for any purpose other than resale, includes that wholesaler:
- “Road” includes—
- (a) A highway, a motorway, and a street; and
  - (b) Any place to which the public have access, whether as of right or not:
- “Sale” includes barter and every other disposition for valuable consideration; and “sell” has a corresponding meaning:
- “Secretary of Energy” means the Secretary of Energy appointed in accordance with section 5 of the Ministry of Energy Act 1977:
- “Ship” means every description of vessel (including a barge, lighter, or like vessel) used in navigation, however propelled:
- “Traffic officer” means a traffic officer within the meaning of section 2 (1) of the Transport Act 1962:
- “Wholesaler” means a person who sells motor spirits to any other person for the purpose of resale.

**3. Administration of regulations**—The powers and functions of the Minister under these regulations and any powers or functions which the Minister may exercise under the Economic Stabilisation Act 1948 for the purposes of these regulations shall be exercised by the Minister of Energy.

## PART I

### RESTRICTIONS ON SALE OF MOTOR SPIRITS

**4. Restrictions on sale of motor spirits**—(1) No person shall sell any motor spirits by way of retail to any other person, or purchase any motor spirits by way of retail from any other person, unless—

- (a) At the time of the transaction, the motor spirits are deposited—
  - (i) By the seller or by an employee of the seller; or
  - (ii) By the customer under the supervision of the seller or of an employee of the seller—

directly into the fuel tank of a motor vehicle or ship, being a motor vehicle or ship brought by the customer to the place of business of the seller and present at that place at the time of the deposit; or

- (b) The amount of motor spirits so sold or purchased does not exceed 9.1 litres.

(2) Every person who contravenes subclause (1) of this regulation commits an offence against these regulations.

(3) Nothing in subclause (1) of this regulation shall apply to a transaction (being a sale or purchase of motor spirits in or into a container or tank) if—

- (a) The transaction takes place in the ordinary course of business between a retailer and a customer; and

- (b) Motor spirits were customarily sold by retail in or into containers or tanks, before the commencement of these regulations, by that retailer to that customer; and

- (c) The amount of motor spirits to which the transaction relates does not exceed the average of the amounts of motor spirits sold by retail by that retailer to that customer in transactions that occurred in the period of 12 months ending with the commencement of these regulations.

(4) In any prosecution for an offence against subclause (1) of this regulation it shall be for the defendant to prove that the act complained of was not an offence by virtue of—

- (a) Subclause (3) of this regulation; or
- (b) Regulation 9 of these regulations.

**5. Restrictions on use of coin-operated pumps**—(1) No person shall pump any motor spirits from a coin-operated pump unless—

- (a) He is the retailer by whom the pump is provided, or an employee of the retailer; or
- (b) He does so under the supervision of the retailer or of an employee of the retailer.

(2) Every person who contravenes subclause (1) of this regulation commits an offence against these regulations.

**6. Restricted periods for sale of motor spirits**—(1) No person shall—

- (a) Sell any motor spirits to any other person; or
- (b) Purchase any motor spirits from any other person—

at any time in a restricted period, except in accordance with regulation 7 or regulation 8 or regulation 9 of these regulations.

(2) Every person who contravenes subclause (1) of this regulation commits an offence against these regulations.

(3) Nothing in subclause (1) of this regulation shall apply to the selling or purchasing of motor spirits in a trade transaction (being a transaction to which the only parties are wholesalers or retailers or both).

(4) Nothing in subclause (1) of this regulation shall apply to the selling or purchasing of motor spirits on the termination of a hire of a rental vehicle if—

- (a) The seller is the owner of the rental vehicle; and
- (b) The purchaser is the hirer of the rental vehicle; and
- (c) The quantity of motor spirits to which the transaction relates (being the quantity necessary to fill or top up, as the case may require, the fuel tank of the rental vehicle) is deposited directly into the fuel tank of the rental vehicle.

(5) Nothing in subclause (1) of this regulation shall apply to the selling or purchasing of motor spirits at any time between 8 a.m. and 5 p.m. on the 14th day of April 1979.

(6) In any prosecution for a contravention of this regulation, the onus shall lie on the defendant to prove—

- (a) That, by virtue of subclause (3) or subclause (4) of this regulation, the act complained of was not an offence; or
- (b) That the defendant sold or purchased the motor spirits to which the prosecution relates in accordance with regulation 7 or regulation 8 or regulation 9 of these regulations.

**7. Sales during restricted periods to essential users—**(1) The Minister may from time to time in writing authorise any specified retailer to sell motor spirits to any essential users during any restricted periods.

(2) The Minister may at any time by notice in writing to an authorised retailer revoke the authorisation given under this regulation to that retailer.

(3) Every authorisation or notice of revocation of an authorisation under this regulation shall be notified in the *Gazette* as soon as practicable after it is given.

(4) During any restricted period, an authorised retailer may sell motor spirits, on the following conditions but not otherwise, to any other person whom he believes on reasonable grounds to be an essential user:

- (a) Before the transaction, the retailer shall take reasonable steps to satisfy himself that the person to whom he is to sell the motor spirits is an essential user who requires the motor spirits to carry on his duties as an essential user; and
- (b) Before the retailer supplies the motor spirits to the purchaser pursuant to the transaction, the retailer shall make and keep a record in Form 1 of the Third Schedule to these regulations in respect of the transaction; and
- (c) Before the retailer supplies the motor spirits to the purchaser pursuant to the transaction, the purchaser shall certify as true and sign the record made out by the retailer in respect of the transaction.

(5) During any restricted period, an essential user may purchase motor spirits, on the conditions specified in paragraphs (a) to (c) of subclause (4) of this regulation but not otherwise, from any authorised retailer.

(6) In this regulation, the term “essential user” does not include a person who is an essential user only under Part II of the Second Schedule to these regulations.

**8. Emergency supply of motor spirits during restricted periods—**

(1) Where a member of the Police is satisfied that any person needs to purchase motor spirits for emergency purposes during any restricted period, the member of the Police may permit any authorised retailer to sell to the person during that restricted period the amount of motor spirits that is necessary to meet the emergency.

(2) When giving permission to an authorised retailer to sell motor spirits in accordance with this regulation, the member of the Police shall inform the retailer of—

- (a) The full name and address of the person to whom the motor spirits may be sold, and any other information that in the opinion of the member of the Police may assist the retailer to identify the person; and
- (b) The amount of motor spirits that may be sold to the person.

(3) During any restricted period, an authorised retailer to whom permission has been given under this regulation may sell motor spirits, on the following conditions but not otherwise, to any other person to whom he believes on reasonable grounds that the permission relates:

- (a) Before the transaction, the retailer shall take reasonable steps to satisfy himself that the person to whom he is to sell the motor spirits is the person to whom the permission relates; and
- (b) Before the retailer supplies the motor spirits to the purchaser pursuant to the transaction, the retailer shall make and keep a record in Form 2 of the Third Schedule to these regulations in respect of the transaction; and
- (c) Before the retailer supplies the motor spirits to the purchaser pursuant to the transaction, the purchaser shall certify as true and sign the record made out by the retailer in respect of the transaction; and
- (d) The amount of motor spirits to be sold pursuant to the transaction shall not exceed the amount for which the permission was given.

(4) During any restricted period, any person in relation to whom permission has been given under this regulation by a member of the Police in respect of that restricted period may purchase motor spirits, on the conditions specified in paragraphs (a) to (d) of subclause (3) of this regulation but not otherwise, from any retailer to whom the permission has been given.

**9. Key-operated pumps—**(1) Notwithstanding anything in regulations 4, 6, and 7 of these regulations,—

- (a) An authorised retailer, or a retailer whose premises are more than 5 kilometres from the premises of an authorised retailer who is open for the sale of motor spirits to essential users, may issue to any essential user a key that will enable the essential user to effect a self-service sale of motor spirits to himself by means of a pump used for the retail sale of motor spirits and situated at the retailer's premises; and

- (b) An essential user may use any key issued to him pursuant to paragraph (a) of this subclause to effect a self-service sale of motor spirits to himself if—
- (i) The sale takes place when the premises at which the pump is situated are closed; and
  - (ii) The motor spirits are deposited directly by the essential user into the fuel tank of a motor vehicle used by him for the purposes of his activities as an essential user; and
  - (iii) Where the sale takes place during a restricted period, the purchaser makes out, as if he were an authorised retailer, the record required by regulation 7 (4) (b) of these regulations and, after certifying and signing that record as required by regulation 7 (4) (c) of these regulations, leaves it, at the time of the sale, in a secure place at the premises of the retailer.

(2) In this regulation, the term “essential user” does not include a person who is an essential user only under Part II of the Second Schedule to these regulations.

**10. Records to be kept by retailers—**(1) At the end of every restricted period, every retailer who has sold motor spirits during that period, whether under regulation 9 of these regulations or otherwise, shall make and keep written records of—

- (a) The total quantity of motor spirits sold by him to essential users during that restricted period; and
- (b) The total quantity of motor spirits sold by him under regulation 8 of these regulations during that period.

(2) Every retailer shall, if required to do so by any member of the Police or traffic officer, produce to that member of the Police or traffic officer for inspection any record that the retailer is required to keep under these regulations.

(3) Every retailer shall, if required to do so by the Secretary of Energy or any person authorised in writing by the Secretary of Energy, deliver to the Secretary of Energy or authorised person, or to any other specified person, any specified record that the retailer is required to keep under these regulations.

(4) Every retailer commits an offence against these regulations who contravenes subclause (1) or subclause (2) or subclause (3) of this regulation.

**11. Employee or agent may act on behalf of retailer—**Any act or thing required or permitted to be done by a retailer under regulations 7 to 10 of these regulations may be done on behalf of the retailer by an employee or agent of the retailer.

**12. Sales of motor spirits for use in aircraft or certain ships exempted—**(1) Nothing in this Part of these regulations shall apply to the sale or purchase of motor spirits—

- (a) For use in any aircraft; or
- (b) For the purposes of resale for use in any aircraft; or
- (c) For use in any ship, being—
  - (i) A commercial fishing boat used for the purposes of commercial fishing; or
  - (ii) A ship used exclusively as part of an organised surf lifesaving or sea rescue service; or

(iii) A ship used principally, and in the course of a business, for the carriage of passengers or goods or both for hire or reward; or

(iv) A ship used principally, and in the course of a business, for letting out on charter or hire or for commercial fishing or for both.

(2) In any prosecution for an offence against any provision of this Part of these regulations, it shall be for the defendant to prove that, by virtue of subclause (1) of this regulation, the act complained of was not an offence.

## PART II

### CHOSEN CARLESS DAYS

**13. Application**—(1) Subject to subclause (2) of this regulation, this Part of these regulations applies only in respect of every motor vehicle which is—

- (a) A motorcar; or
- (b) A goods service vehicle with a gross laden weight of 2,000 kg or less.

(2) Nothing in this Part of these regulations shall apply in respect of—

- (a) A rental vehicle; or
- (b) A public taxicab or a private taxicab; or
- (c) A motor vehicle operated under a passenger-service licence issued under Part VII of the Transport Act 1962; or
- (d) A motor vehicle to which trade plates issued under section 22 of the Transport Act 1962 are lawfully affixed; or
- (e) A motor vehicle to which registration plates of the kind specified in regulation 5 of the Motor Vehicles Registration and Licensing Regulations 1965 are lawfully affixed; or
- (f) A motor vehicle on which there is displayed, in accordance with the Road User Charges Act 1977, a current licence under that Act; or
- (g) A motor vehicle operated by—
  - (i) The Police Department; or
  - (ii) The Ministry of Transport; or
  - (iii) The Armed Forces; or
  - (iv) The Post Office; or
  - (v) A fire brigade within the meaning of section 2 of the Fire Service Act 1975; or
  - (vi) An ambulance service; or
  - (vii) The traffic enforcement branch of a local authority;—and emblazoned with words or markings or both indicating the body by which the motor vehicle is operated; or
- (h) A courtesy vehicle, being a motor vehicle—
  - (i) Used to carry tourists to or from any hotel, motel, tourist house, or other form of tourist accommodation or to or from any tourist facility or attraction; and
  - (ii) Emblazoned with both the words “courtesy car” (or words to the like effect) and the name of the hotel, motel, tourist house, tourist accommodation, tourist facility, or tourist attraction in respect of which the vehicle is used; or
- (i) A diesel-powered motor vehicle; or



- (j) A motor vehicle of a kind described in the First Schedule to the Motor Spirits Duty Refund Regulations 1978\*.

**14. Certain vehicles to have carless day stickers**—(1) No person shall operate a motor vehicle in respect of which this Part of these regulations applies on a road unless there is displayed on that motor vehicle in accordance with these regulations a carless day sticker.

(2) Every carless day sticker shall be in a form prescribed by the Minister of Energy by notice in the *Gazette* and shall conform to such requirements as are specified in the notice.

(3) Every person commits an offence against these regulations who acts in contravention of subclause (1) of this regulation.

**15. Chosen carless days**—(1) No person shall operate a motor vehicle in respect of which this Part of these regulations applies on a road on the chosen carless day in respect of that vehicle.

(2) Every person commits an offence against these regulations who acts in contravention of subclause (1) of this regulation.

(3) Nothing in subclause (1) of this regulation shall apply to the operating of a motor vehicle on a road—

(a) By an essential user if the motor vehicle—

(i) Is operated for the purposes of his activities as an essential user; and

(ii) Is a motor vehicle on which an exempt sticker is displayed in accordance with regulation 21 of these regulations:

(b) By any person called to work by his employer outside of that person's normal hours of work:

(c) By any person in the case of any emergency which is of such a nature as to make it impractical for that person to seek to obtain a permit under subclause (4) of this regulation:

(d) By the holder of a permit issued under subclause (4) of this regulation.

(4) Where any member of the Police is satisfied that any person needs, by reason of an emergency, to operate a motor vehicle in respect of which this Part of these regulations applies on a road on the chosen carless day in respect of that vehicle, the member of the Police may issue a permit authorising that person to use that motor vehicle on that day.

(5) In any prosecution for a contravention of subclause (1) of this regulation, it shall be for the defendant to prove that by virtue of subclause (3) of this regulation the act complained of was not an offence.

**16. Applications for carless day stickers**—(1) The owner of every motor vehicle in respect of which this Part of these regulations applies shall be entitled to obtain, on application to an issuing officer, a carless day sticker for the motor vehicle.

(2) Every such application shall be on a form provided for the purpose by the Secretary of Energy and shall contain the following information:

(a) The full name and address of the owner of the motor vehicle:

(b) The number or distinguishing mark shown on the registration plate or plates of the motor vehicle:

(c) The day of the week nominated by the owner as the day of the week on which, in each week, the motor vehicle will not be operated on a road:

- (d) The make of the motor vehicle:
  - (e) Such other information as the Secretary of Energy may from time to time require.
- (3) Every such application shall be signed by or on behalf of the owner of the motor vehicle.

**17. Issue of carless day stickers—**(1) On receipt of an application under regulation 16 of these regulations for a carless day sticker for a motor vehicle, an issuing officer, if satisfied that the application is in order, shall issue to the applicant, as soon as practicable, a carless day sticker for the motor vehicle, which sticker shall specify, as the chosen carless day in respect of that motor vehicle, the day of the week specified by the applicant in the application as the day of the week on which, in each week, the motor vehicle will not be operated on a road.

(2) No carless day sticker shall relate to more than one motor vehicle.

(3) Except as provided in regulations 18 and 19 of these regulations, only one chosen carless day sticker shall be issued in respect of each motor vehicle.

**18. Issue of new carless day sticker where mistake, etc., made—**Where an issuing officer is satisfied that—

- (a) A mistake has been made in an application for a carless day sticker; or
- (b) A mistake has been made in the issue of a carless day sticker; or
- (c) A carless day sticker for a motor vehicle has been lost, stolen, or destroyed; or
- (d) The ownership of a motor vehicle for which a carless day sticker has been issued has recently changed,—

he may, on the application of the owner of the motor vehicle on a form provided for the purpose by the Secretary of Energy, issue a new carless day sticker in the place of the carless day sticker previously issued (whether or not the day of the week specified by the new sticker is the same as that specified by the sticker that it replaces):

Provided that where the new carless day sticker is issued under paragraph (c) of this regulation, that new sticker shall be for the same day of the week as the sticker that it replaces.

**19. Issue of new carless day sticker in cases of extreme hardship—**Where the Secretary of Energy is satisfied, on the application of the owner of a motor vehicle, that the obligation not to operate that vehicle on a road on the chosen carless day applicable in respect of that vehicle is causing extreme hardship to any person, the Secretary of Energy may—

- (a) Permit the owner to choose a different day of the week as the day of the week on which the vehicle will not be used on a road; and
- (b) On the destruction of the carless day sticker previously issued or on the undertaking of the owner to destroy that sticker, may issue a new carless day sticker to the owner in accordance with the owner's choice under paragraph (a) of this regulation of a different day.

**20. Applications for exempt stickers**—(1) Where the Secretary of Energy is satisfied, on the application of any person,—

- (a) That the applicant is an essential user; and
  - (b) That the applicant operates a motor vehicle for the purposes of his activities as an essential user; and
  - (c) That no reasonable alternative to the use by the applicant of that motor vehicle for the purposes of those activities exists (such as the use of public transport or of another vehicle),—
- the Secretary of Energy may, in his discretion, issue to the applicant, as soon as practicable, an exempt sticker for that motor vehicle.

(2) Every application under subclause (1) of this regulation shall be signed by or on behalf of the essential user.

(3) Every exempt sticker shall be in a form prescribed by the Minister of Energy by notice in the *Gazette* and shall conform to such requirements as are specified in the notice.

(4) Subject to regulation 22 of these regulations, every exempt sticker issued under subclause (1) of this regulation for a vehicle shall be displayed on that vehicle in accordance with regulation 21 of these regulations and in addition to the carless day sticker.

(5) Nothing in this regulation shall exempt any person (including an essential user) from the obligation imposed by regulation 14 of these regulations to display a carless day sticker in accordance with these regulations on any motor vehicle in respect of which this Part of these regulations applies.

(6) No exempt sticker shall relate to more than one motor vehicle.

**21. Display of carless day and exempt stickers**—Every carless day sticker and every exempt sticker shall be displayed near to the top or bottom centre of the windscreen of the motor vehicle, in an upright and conspicuous position, on the inside of that windscreen so that the side of the sticker displaying the distinguishing mark of the day of the week to which it applies faces towards the foremost part of the motor vehicle and is easily visible from outside it.

**22. Offence not to destroy exempt stickers in certain circumstances**—Every person commits an offence against these regulations who, being the owner of a motor vehicle in respect of which an exempt sticker has been issued, fails to destroy that sticker in any case where that motor vehicle—

- (a) Is sold or otherwise disposed of; or
- (b) Ceases to be used by an essential user (being the essential user for whose benefit the sticker was issued) for the purposes of his activities as an essential user.

**23. Miscellaneous offences**—Every person commits an offence against these regulations who—

- (a) Displays a carless day sticker or an exempt sticker on a motor vehicle other than the motor vehicle for which that sticker was issued; or
- (b) Operates on a road a motor vehicle on which there is displayed a sticker (being a carless day sticker or an exempt sticker) that has been altered or defaced; or
- (c) Displays on a motor vehicle any sticker, object, or thing that is likely to be mistaken for a carless day sticker or an exempt sticker; or

- (d) Otherwise than in accordance with regulation 18 or regulation 19 of these regulations, makes application for a carless day sticker for a motor vehicle when he knew or ought to have known that a carless day sticker had previously been issued for that vehicle; or
- (e) Operates on a road a motor vehicle on which there is displayed, otherwise than in accordance with regulation 21 of these regulations, an exempt sticker.

### PART III

#### MISCELLANEOUS PROVISIONS

**24. General penalty**—Every person who commits an offence against these regulations is liable to a fine not exceeding \$400.

**25. Offences to be punishable on summary conviction**—Every offence against these regulations shall be punishable on summary conviction.

**26. Powers of traffic officers**—Every traffic officer, if for the time being in uniform or in possession of any warrant or other evidence of his authority as a traffic officer, is hereby authorised to enforce the provisions of these regulations, and in particular may at any time—

- (a) Require any person whom he finds committing an offence against these regulations or whom he believes with good cause to have committed such an offence to state correctly his name, occupation, and usual place of residence; and
- (b) For the purpose of exercising the powers conferred on him by this regulation, enter on to any land (other than a building) forming the business premises of any retailer; and
- (c) Stop any vehicle and question the driver in relation to matters arising from these regulations.

**27. Revocations**—The following regulations are hereby revoked, namely—

- (a) The Economic Stabilisation (Conservation of Petroleum) Regulations 1979\*:
- (b) The Economic Stabilisation (Conservation of Petroleum) Regulations 1979, Amendment No. 1†.

\*S.R. 1979/26  
†S.R. 1979/43

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## SCHEDULES

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### FIRST SCHEDULE

#### RESTRICTED PERIODS

Reg. 2

The continuous period commencing at 7 p.m. on each Friday and ending at 6 a.m. on the following Monday.

The continuous period commencing at 9 p.m. on the day immediately preceding each public holiday and ending at 6 a.m. on the day immediately following the public holiday.

Reg. 2 SECOND SCHEDULE

Regs. 7 (1), 7 (4), 7 (5), PART I  
9 (1), 15 (3) (a), 20,  
and 22

ESSENTIAL USERS

1. A member of an ambulance service.
2. A district nurse.
3. A member of an animal ambulance service conducted by the Royal Society for the Prevention of Cruelty to Animals.
4. A member of a fire brigade within the meaning of section 2 of the Fire Service Act 1975.
5. A driver of any motor vehicle designed and used for the transport of food or livestock.
6. A registered medical practitioner.
7. A driver of any motor vehicle designed and used for the delivery of milk.
8. A member of the Police.
9. A minister of religion.
10. A driver of a rental car.
11. A driver of a taxicab.
12. A driver of a passenger-service vehicle within the meaning of section 2 (1) of the Transport Act 1962.
13. An employee of the Post Office.
14. A rural mail contractor.
15. A traffic officer.
16. A registered veterinary surgeon.
17. A news media reporter or photographer.
18. A security service operator.
19. A newspaper contractor or distributor.
20. A patrol officer employed by an automobile association.
21. A funeral director or an employee of a funeral director.

Regs. 7 (6), 9 (2), 15 (3) PART II  
(a), 20, and 22

1. A physically handicapped person.
2. A worker whose conditions of employment require that worker—
  - (a) To take days off on different days of the week on a rotating basis; or
  - (b) To start or finish work on any day outside the period beginning with 7.30 a.m. and ending with 6.30 p.m. at a time when public transport is not readily available; or
  - (c) To work 6 or 7 days of the week.
3. A person engaged in operating a business 6 or 7 days of the week where a motor vehicle is necessary to transport that person to that business.
4. An employer who uses motor vehicles for the transport of workers to or from a work site at which work is being carried on 7 days of the week.
5. An authorised retailer or an employee of an authorised retailer.
6. A person who is a principal or an employee of a top-dressing business.

THIRD SCHEDULE

FORM 1

Reg. 7 (4) (b)

*Record of motor spirits sold to an essential user*

1. Date of sale:
2. Full name of essential user:
3. Business address of purchaser:
4. Classification of essential user (i.e., member of ambulance service, etc.):
5. Registration number of motor vehicle of essential user:
6. Quantity of motor spirits sold to essential user (being motor spirits required for the purposes of the activities of the essential user):
7. Name of retailer:

I certify that the foregoing information is true in all respects.

.....  
(Signature of essential user)

FORM 2

Reg. 8 (3) (b)

*Record of motor spirits sold for emergency services*

1. Name of member of the Police permitting sale:
  2. Police station:
  3. Date of sale:
  4. Full name of purchaser:
  5. Address of purchaser:
  6. Quantity of motor spirits sold to purchaser:
  7. Name of retailer:
- I certify that the foregoing information is true in all respects.

.....  
(Signature of purchaser)

P. G. MILLEN,  
Clerk of the Executive Council.

EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations contain two substantive Parts.

Part I continues, with modifications, the restrictions on the sale of motor spirits imposed by the Economic Stabilisation (Conservation of Petroleum) Regulations 1979 (S.R. 1979/26) as amended by Amendment No. 1 (S.R. 1979/43).

Modifications include—

- (a) Provision for the topping up of the fuel tank of a rental vehicle at the termination of a hire (regulation 6 (4));
- (b) Provision for the sale of motor spirits between 8 a.m. and 5 p.m. on 14 April 1979, the Saturday of the Easter weekend (regulation 6 (5));
- (c) Provision for key-operated pumps (regulation 9);
- (d) A specific exemption of sales of motor spirits—
  - (i) For use in any aircraft or for the purposes of sale for use in any aircraft (regulation 12); or
  - (ii) For use in certain ships (regulation 12 (1) (c));
- (e) Alterations to the list of essential users (Second Schedule).

Part II, which comes into force on a date to be appointed by Order in Council, makes provision for carless days.

The owner of a motor vehicle or of a goods service vehicle with a gross laden weight of 2,000 kg or less will be required—

- (a) To choose one day of the week as the day of the week on which, in each week, the vehicle will not be operated on a road; and
- (b) To display a carless day sticker (designating the day so chosen) on the windscreen of the vehicle.

A number of categories of vehicles are exempted from Part II (see regulation 13 (2)).

A person who is an essential user (as set out in the Second Schedule) may operate a vehicle on the day of the week specified as a carless day in respect of that vehicle if the vehicle—

- (a) Is operated for the purposes of his activities as an essential user; and
- (b) Is a motor vehicle on which an exempt sticker is displayed in accordance with regulation 21 of the regulations.

The issue of exempt stickers to essential users is in the discretion of the Secretary of Energy and the criteria for their issue is set out in regulation 20.

A vehicle may also be used at any time—

- (a) By the holder of a permit issued by a member of the Police in the case of an emergency; or
- (b) By any person in the case of an emergency which is of such a nature as to make it impractical for that person to obtain a permit from a member of the Police.

A carless day sticker that has been correctly issued may be changed to a different day only—

- (a) Where the ownership of the vehicle has recently changed; or
- (b) In a case of extreme hardship.

The penalty for any offence against the regulations is a fine not exceeding \$400.

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Issued under the authority of the Regulations Act 1936.

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These regulations are administered in the Ministry of Energy.