

Serial Number 1949/185

**THE TRANSPORT (VEHICULAR TRAFFIC ROAD CLOSURE)
REGULATIONS 1949**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 6th day of
December, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Transport Act, 1949, His Excellency the Governor-General, acting by and with the advice of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Transport (Vehicular Traffic Road Closure) Regulations 1949.

(2) These regulations shall come into force on the day following notification in the *Gazette* of the making thereof.

(3) In these regulations, unless the context otherwise requires,—

“ The said Act ” means the Transport Act, 1949 :

“ Commissioner ” means the Commissioner of Transport :

“ Controlling authority ” means the Minister of Works, Board, local authority, or person or persons, as the case may be, having over any road or street the control referred to in section 116 of the Public Works Act, 1928 :

“ Road ” includes any road or street.

2. For the purpose of holding on any road of vehicle races or trials, or of processions, carnivals, celebrations, sporting events, or other special events the controlling authority may close the road as hereinafter provided to ordinary vehicular traffic for a period or series of periods of not more than twelve hours each in any consecutive twenty-four hours.

3. At least fourteen days before the proposed first period of closure of any road the controlling authority shall—

- (a) Give public notice (hereinafter called the said notice) in Form A in the Schedule hereto in at least one newspaper circulating in the district in which such road is situated of its intention to close the road to ordinary vehicular traffic, with details of the purpose of closure, the period or proposed periods of closure, and the provision made for vehicular traffic which would otherwise be using the road, and shall therein call upon persons affected to lodge with the controlling authority any objections thereto not less than eleven days before the proposed first period of closure of the road ; and

- (b) Forward to the Minister, through the Commissioner, so as to reach the Commission not less than seven days before the proposed first period of closure of the road, a copy of the said notice, with particulars of the provision made for vehicular traffic which would otherwise be using the road, and of the objections received within the time prescribed therefor as aforesaid.

4. Upon receipt of the consent in writing from the Minister, or from the Commissioner on behalf of the Minister, and after considering any objections received within the prescribed time as a result of the said notice, the controlling authority may decide to close the said road in accordance with the terms of the said notice, and if it shall decide so to do, it shall give further public notice in Form B in the Schedule hereto in at least one newspaper circulating in the district in which the said road is situated of the closure thereof to ordinary vehicular traffic, together with the other particulars specified in the said Form B.

5. (1) As provision or part of the provision made for ordinary vehicular traffic which would otherwise use a road closed as described in the last preceding regulations, and also as provision for the holding of vehicle racing or other similar events on the said road, the respective controlling authority may authorize the issue of a permit by any of its officers or by any Police Officer or Traffic Officer which will authorize the person to whom the permit is issued to use a vehicle or vehicles on the road during the period or periods of closure, subject to any condition or conditions which may be contained in the permit.

6. These regulations shall in no way restrict the power of the police to maintain public order on roads, nor shall they authorize the holding on any road without the appropriate permit therefor of any vehicle race or trial, or procession, carnival, celebration, sporting event, or other special event for which a permit is required under any other Act, regulation, or by-law.

7. (1) Every person who otherwise than in terms of a permit duly issued in terms of these regulations uses a road closed pursuant to the provisions of these regulations commits an offence.

(2) In a prosecution for any offence against these regulations the production of copy of a newspaper containing the relevant notice in the said Form B shall be sufficient evidence that the requirements precedent to the closure of the road have been duly complied with by the controlling authority.

(3) Any person who offends against or fails to comply with or otherwise commits or permits a breach of any of these regulations shall be liable for every such breach to a fine not exceeding £20.

SCHEDULE

[Form A (Reg. 3).

PROPOSAL TO CLOSE ROAD(S)
STREET(S) TO VEHICULAR TRAFFIC

PURSUANT to the Transport (Vehicular Traffic Road Closure) Regulations 1949, notice is hereby given that the (Borough) (County) Council, for the purpose of [*State purpose*], proposes, subject to the approval of the Minister of Transport, to close the following (road(s)) (street(s)) to ordinary vehicular traffic for the period(s) indicated hereunder.

During the proposed period(s) of closure the following provision will be made for ordinary vehicular traffic which would otherwise use the road(s) street(s) :

Any person objecting to the proposals is called upon to lodge notice of his objection and grounds thereof in writing, before [*Date*] at the office of the Council, at [*Address*] :—

Road(s) street(s) proposed to be closed to ordinary vehicular traffic :

Period or periods of proposed closure :

Alternative provision for vehicular traffic :

(Seal of controlling authority, or signature
of person or persons authenticating the
notice—Town Clerk, County Clerk, &c.)

[Form B (Reg. 4).

CLOSURE OF ROAD(S)
STREET(S) TO ORDINARY VEHICULAR TRAFFIC

PURSUANT to the Transport (Vehicular Traffic Road Closure) Regulations 1949, notice is hereby given that for the purpose of [*State purpose*] the following road(s) street(s) will be closed to ordinary vehicular traffic for the period(s) indicated hereunder.

During the period(s) of closure the following provision will be made for ordinary vehicular traffic which would otherwise use the road(s) street(s) :—

Period or periods of closure :

Alternative provision for ordinary vehicular traffic :

It will be an offence under the above regulations for any person otherwise than under authority of an authorized permit to use the road(s) street(s) for ordinary vehicular traffic during the period(s) of closure.

(Seal of controlling authority, or signature
of person or persons authenticating the
notice—Town Clerk, County Clerk, &c.)

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 8th day of December, 1949.
These regulations are administered in the Transport Department.