

## New Zealand.



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1929, No. 32.

Title.

AN ACT to establish a Department of State to be called the Transport Department, to define its Functions, and to make Provision for a Special Licensing Authority for the No. 2 Motor-omnibus District.  
[9th November, 1929.]

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 Department Act, 1929.

Minister of Transport.

2. (1) The Governor-General may appoint a member of the Executive Council to hold office during his pleasure as the Minister of Transport (hereinafter referred to as the Minister).

(2) The Third Schedule to the Civil List Act, 1920, is hereby consequentially amended by adding to the list of Ministerial offices specified in Part I thereof a reference to the Minister of Transport.

Establishment of Transport Department.

3. There is hereby established a Department of State, to be called the Transport Department (hereinafter referred to as the Department), which, under the control of the Minister, shall be charged with the administration of the several Acts specified in the Schedule hereto, and with such other functions as may from time to time be lawfully conferred upon it.

Appointment of Commissioner of Transport and other officers of Department.

4. (1) There shall from time to time be appointed a Commissioner of Transport (hereinafter referred to as the Commissioner), and such other officers as may be deemed necessary. The Commissioner shall be the administrative head of the Department.

(2) The officer holding office at the commencement of this Act as the Commissioner of Transport shall be deemed to have been appointed to that office under this Act.

(3) All other officers holding permanent appointments at the commencement of this Act as officers of the Transport Department shall be deemed to have been appointed under this Act.

5. (1) The No. 2 Motor-omnibus District, as constituted by Order in Council dated the twenty-first day of December, nineteen hundred and twenty-seven, and published in the *Gazette* of the twenty-second day of the same month, shall not hereafter be altered except by statute, and section three of the Motor-omnibus Traffic Act, 1926, shall be read subject to the provisions of this section.

Appointment of special licensing authority for No. 2 Motor-omnibus Traffic District.

(2) For the No. 2 Motor-omnibus Traffic District constituted as aforesaid there shall be a special licensing authority, consisting of two members of the Devonport Borough Council, two members of the Takapuna Borough Council, one member of the Northcote Borough Council, one member of the Birkenhead Borough Council, and one member of the Waitemata County Council, to be appointed from time to time by the respective local authorities. Every such member shall hold office during the pleasure of the appointing local authority.

(3) The special licensing authority shall come into existence on the first day of January, nineteen hundred and thirty, and the Devonport Borough Council shall thereupon cease to be the licensing authority for the district.

(4) Five members of the special licensing authority shall form a quorum at any meeting thereof.

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(5) At the first meeting of the special licensing authority the members present shall elect one of their number to be Chairman, who shall hold office as such for the year then current, and an election of Chairman shall be held at the first meeting of the special licensing authority in each year thereafter.

(6) The Chairman shall have a deliberative vote, and, in case of an equality of votes, shall also have a casting-vote.

(7) Meetings of the special licensing authority shall, unless and until other provision is made by the licensing authority, be summoned by the Town Clerk of the Devonport Borough Council.

(8) All expenses incurred by the special licensing authority shall be apportioned among the several local authorities in such proportions as may be agreed to by those local authorities, and in default of agreement shall be apportioned by the Governor-General.

(9) Except as specially provided herein the special licensing authority shall regulate its own procedure.

6. (1) The Governor-General may from time to time, by Order in Council, make such regulations as in his opinion may be necessary for the purposes of this Act.

Regulations.

(2) Where in any of the enactments mentioned in the Schedule hereto references are made to the Minister of Public Works or to any other Minister of the Crown, such references, in so far as they relate to the administration of any such enactment, shall hereafter be read as references to the Minister of Transport.

(3) If any question arises as to whether any such reference should hereafter be read as a reference to the Minister of Transport it shall be determined by the Governor-General by regulations made under this section.

(4) References in the Auckland Transport Board Act, 1928, to the Minister of Public Works shall hereafter be read as references to the Minister of Transport.

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## SCHEDULE.

### ENACTMENTS TO BE ADMINISTERED BY THE TRANSPORT DEPARTMENT.

The Motor-vehicles Act, 1924.

The Motor-omnibus Traffic Act, 1926.

The Motor-spirits Taxation Act, 1927.

The Motor-vehicles Insurance (Third-party Risks) Act, 1928.

The Public Works Act, 1928 : in so far as it relates to heavy traffic or to motor-vehicles.