



ANALYSIS

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1971, No. 1—*Private*

An Act to amend the Christchurch Gas Act 1870

[2 September 1971]

WHEREAS the Christchurch Gas Act 1870 (hereinafter referred to as the principal Act) does not contain a definition of the term "natural gas" and it is desirable to add such a definition: And whereas section 2 of the principal Act defined the limits of the principal Act as extending to and including all that land lying within a radius of 5 miles from the market place in the city of Christchurch: And whereas the market place no longer exists and it is desirable to extend the limits of the principal Act to include the said city of Christchurch and the area extending to and including all land lying within a radius of 25 miles from the Chief Post Office, Cathedral Square, in the city of Christchurch: And whereas it is desirable to confer jurisdiction on the Magistrate's Court: And whereas it is desirable that section 17 of the principal Act should be amended to give a power to inspect all places and buildings supplied with gas: And whereas various penalties are provided in the principal Act and it is desirable to increase those penalties to amounts more appropriate to present circumstances: And whereas it is desirable to amend sections 21 and 22 of the principal Act to provide for the

Company to be paid the cost of repairing the damage done and the value of any gas wasted or lost: And whereas it is desirable to amend section 31 of the principal Act to provide that bylaws shall not be repugnant not only to the principal Act and to the Municipal Corporations Act 1954 but also to the Counties Act 1956: And whereas it is desired to amend section 40 of the principal Act to provide for a copy of the principal Act and any amendments thereto to be kept only in the office of the Company and not also at the various other places at present therein set out: And whereas sections 36, 37, and 41 of, and the Schedule to, the principal Act are no longer appropriate and it is desired to repeal the same:

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

1. Short Title—This Act may be cited as the Christchurch Gas Amendment Act 1971, and shall be read together with and deemed part of the Christchurch Gas Act 1870 (hereinafter referred to as the principal Act).

2. Interpretation—Section 2 of the principal Act is hereby amended—

(a) By adding the following definition:

“The word ‘gas’ shall include ‘natural gas’ within the meaning of the Natural Gas Corporation Act 1967.”:

(b) By omitting the words “The expression ‘two Justices’ shall mean two or more Justices met and acting together or a Resident Magistrate”:

(c) By omitting, after the words “The limits of this Act”, the words “shall extend to and include all lands within a radius of five miles from the centre of the Market-place in the City of Christchurch”, and substituting the words “shall extend to and include an area lying within a radius of 25 miles from the Chief Post Office, Cathedral Square, in the city of Christchurch.”

3. Penalties—The principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended—

(a) By omitting from section 9 the words “ten dollars”, and substituting the expression “\$50”:

- (b) By omitting from section 20 the words “the sum of ten dollars”, and substituting the expression “a sum not exceeding \$50”; and by omitting from that section the words “the sum of four dollars” and substituting the expression “a sum not exceeding \$10”:
- (c) By omitting from section 21 the words “any sum not exceeding ten dollars in addition to the amount of the damage done”, and substituting the words “a sum not exceeding \$50, and shall also pay to the Company the cost of repairing the damage done and the value of any gas wasted or lost”:
- (d) By omitting from section 22 the words “such sum of money by way of satisfaction to the Company for the damage done not exceeding twenty dollars as any two Justices shall think reasonable”, and substituting the words “to the Company the cost of repairing the damage done and the value of any gas wasted or lost”:
- (e) By omitting from section 23 the words “four hundred dollars”, and substituting the expression “\$2,000”:
- (f) By omitting from section 26 the words “the sum of ten dollars”, and substituting the words “a sum not exceeding \$50”:
- (g) By omitting from section 33 the words “ten dollars and shall defray the expenses attending the restoration of such board”, and substituting the words “\$50, and shall also pay to the Company the cost of repairing the damage done”.

4. Inspection—Section 17 of the principal Act is hereby amended by omitting the words “lighted with gas supplied”, and substituting the words “supplied with gas”.

5. Bylaws—Section 31 of the principal Act (as amended by section 21 (1) of the Acts Interpretation Act 1924) is hereby further amended by inserting, after the words “Municipal Corporations Act 1954”, the words “or to the Counties Act 1956”.

6. Magistrate’s Court to have jurisdiction—The principal Act is hereby further amended—

- (a) By omitting from section 7 the words “two Justices and such Justices”, and substituting the words “a Magistrate’s Court; and the Court”:

- (b) By omitting from section 7 the words “such Justices” where they secondly occur, and substituting the words “the Court”:
- (c) By omitting from section 13 the words “two Justices of the Peace”, and substituting the words “a Magistrate’s Court”:
- (d) By omitting from section 13 the words “such two Justices”, and substituting the words “the Court”:
- (e) By omitting from section 25 the words “ten dollars to be recoverable with costs by the Christchurch City Council before two Justices”, and substituting the words “\$50 to the Christchurch City Council”:
- (f) By omitting from section 26 the words “two Justices of the Peace”, and substituting the words “a Magistrate’s Court”:
- (g) By inserting in section 34, after the words “any person”, the words “or on the Company”:
- (h) By omitting from section 34 the words “a summary way before any two Justices of the Peace in the manner provided by The Justices of the Peace Act 1866 so far as the same relates to summary convictions or by any Act repealing or amending the same or for the like purposes”, and substituting the words “accordance with the Summary Proceedings Act 1957”.

7. Copy of Act and amendments to be kept at Company’s office—The principal Act is hereby further amended by repealing section 40, and substituting the following section:
“40. A copy of this Act, and of every Act amending this Act, shall be kept at the principal office of the Company, and shall be open to public inspection, without fee, during ordinary office hours.”

8. Repeals—Sections 36, 37, and 41 of, and the Schedule to, the principal Act are hereby repealed.

9. Private Act—This Act is hereby declared to be a private Act.
