

## New Zealand



### ANALYSIS

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| <p>Title.</p> <p>1. Short Title.</p> <p style="text-align: center;"><i>Births and Deaths Registration</i></p> <p>2. Registration of birth of child adopted in New Zealand when birth not previously registered in New Zealand.</p> <p style="text-align: center;"><i>Broadcasting</i></p> <p>3. Power to develop broadcasting talent.</p> <p>4. Repealing provisions as to separate commercial broadcasting service.</p> <p style="text-align: center;"><i>Chattels Transfer</i></p> <p>5. Registration of instruments must be renewed within five years.</p> <p style="text-align: center;"><i>Counties</i></p> <p>6. This section and next three sections to form part of Counties Act, 1920.</p> <p>7. County Councils authorized to undertake destruction of wild pigs.</p> <p>8. County Councils may undertake control and eradication of nassella tussock.</p> <p>9. County Councils may act together in controlling and eradicating nassella tussock.</p> <p style="text-align: center;"><i>Electoral</i></p> <p>10. Postal voting by electors over two miles from a polling-place.</p> | <p style="text-align: center;"><i>Fair Rents</i></p> <p>11. This section and next two sections to form part of Fair Rents Act, 1936.</p> <p>12. Husband or wife of deceased tenant protected.</p> <p>13. Provision where landlord is wife or widow of serviceman.</p> <p style="text-align: center;"><i>Family Protection</i></p> <p>14. Parents may claim benefit of Family Protection Act, 1908, in certain circumstances.</p> <p style="text-align: center;"><i>Health</i></p> <p>15. Section 26 of Health Act, 1920 (as to nuisances), amended.</p> <p style="text-align: center;"><i>Impounding</i></p> <p>16. Recovery of damages for trespass from residue of proceeds of pound sale.</p> <p style="text-align: center;"><i>Infants</i></p> <p>17. Provision as to consent to adoption where no parent or guardian.</p> <p style="text-align: center;"><i>Juries</i></p> <p>18. Notices concerning jury lists not to be placed on church doors.</p> <p style="text-align: center;"><i>Law Practitioners</i></p> <p>19. District Law Society may apply to have bills of costs taxed.</p> <p>20. Practising certificates may be refused in certain cases.</p> |
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<p style="text-align: center;"><i>Mortgagors and Lessees Rehabilitation</i></p> <p>21. Cancellation of registration of orders of Court of Review when property no longer affected.</p> <p style="text-align: center;"><i>Municipal Association</i></p> <p>22. Section 7 of Municipal Association Act, 1939, amended.</p> <p style="text-align: center;"><i>New Zealand University</i></p> <p>23. Power for Senate to grant concessions to students prejudiced by war service. Repeal.</p> <p style="text-align: center;"><i>Pharmacy</i></p> <p>24. Pharmaceutical Society may establish a school of pharmacy.</p>	<p style="text-align: center;"><i>Public Reserves, Domains, and National Parks</i></p> <p>25. National Park Boards may grant leases of special areas set apart for purpose.</p> <p style="text-align: center;"><i>Rehabilitation</i></p> <p>26. Seamen on intercolonial ships included in term "serviceman".</p> <p style="text-align: center;"><i>Small Farms</i></p> <p>27. This section and next two sections to form part of Small Farms Act, 1932-33.</p> <p>28. Extending definition of term "discharged serviceman".</p> <p>29. Special provision with respect to leases to discharged servicemen.</p> <p style="text-align: center;"><i>Wool Industry Promotion</i></p> <p>30. Retirement by rotation of wool-growers' representatives on Wool Council. Repeal.</p>
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1943, No. 20

Title. AN ACT to amend certain Enactments of the General Assembly of New Zealand. [26th August, 1943

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 Statutes Amendment Act, 1943.

*Births and Deaths Registration*

Registration of birth of child adopted in New Zealand when birth not previously registered in New Zealand. See Reprint of Statutes, Vol. VIII, p. 36 Ibid., Vol. III, p. 1073

2. (1) This section shall be read together with and deemed part of the Births and Deaths Registration Act, 1924 (in this section referred to as the principal Act).

(2) In any case where an order of adoption is made under Part III of the Infants Act, 1908, in respect of a child whose birth is not registered in New Zealand, the Registrar-General, upon being satisfied as to the correctness of the particulars necessary for the proper registration of the birth of the child, shall send to the Registrar at Wellington a copy of the notice received by him from the Clerk of the Court under section twenty-seven of the principal Act; and that Registrar shall register, in duplicate, particulars as to the birth of the child, stating the name by adoption instead of the natural name of the child, and stating particulars

as to the adopting parent or parents instead of particulars as to the natural parents; and shall transmit the duplicate of the entry to the Registrar-General as if it were a duplicate of an entry made by him pursuant to section twelve of the principal Act.

(3) The Registrar-General may if he thinks fit direct registration to be effected in accordance with the provisions of the last preceding subsection in any case where an adoption order has been made before the passing of this Act under Part III of the Infants Act, 1908, or the corresponding provisions of any former Act, in respect of a child whose birth is not registered in New Zealand.

### *Broadcasting*

3. (1) This section shall be read together with and deemed part of the Broadcasting Act, 1936 (in this section referred to as the principal Act).

Power to develop broadcasting talent.

1936, No. 15

(2) The powers conferred on the Minister by section four of the principal Act shall be deemed to include power to do all such things as he considers to be in the interests of the community for the purpose of developing and improving broadcasting talent.

REF. 19  
No. 15

(3) Section thirteen of the principal Act is hereby amended by inserting in paragraph (a) of subsection one, after the word "Minister", the words "or for the purpose of developing and improving broadcasting talent".

4. Section two of the Broadcasting Amendment Act, 1937, is hereby repealed.

Repealing provisions as to separate commercial broadcasting service.

1937, No. 11

5. Section fourteen of the Chattels Transfer Act, 1924, is hereby amended by repealing subsections one and two, and substituting the following subsections:—

Registration of instruments must be renewed within five years.

"(1) The registration of an instrument shall cease to be of any effect at the expiration of five years from the date of the registration or, where the registration has been renewed in accordance with this section, at the expiration of five years from the date of the renewal of the registration or of the last renewal of the registration, as the case may be.

See Reprint of Statutes, Vol. I, p. 640

"(2) Subject to section thirteen hereof, the period within which the registration of an instrument may be renewed is five years from the date of the registration

or, where the registration has previously been renewed in accordance with this section, five years from the date of the prior renewal of the registration or of the last prior renewal of the registration, as the case may be.”

### Counties

This section and next three sections to form part of Counties Act, 1920.

See Reprint of Statutes, Vol. V, p. 180

County Councils authorized to undertake destruction of wild pigs.

County Councils may undertake control and eradication of nassella tussock.

6. This section and the next three succeeding sections shall be read together with and deemed part of the Counties Act, 1920.

7. (1) A County Council may expend moneys in or towards the destruction of wild pigs in the county.

(2) Any expenditure incurred by a County Council for the purpose aforesaid before the passing of this Act shall be deemed to have been lawfully incurred.

8. (1) Any County Council may promote and carry out measures for the control and eradication within the county of the plant *Nassella trichotoma* (in this section referred to as nassella tussock), and for that purpose the Council may—

(a) Appoint such Inspectors and other officers and servants as are in its opinion necessary for the proper exercise of its powers under this section:

(b) Enter at all reasonable times, by any of its members, Inspectors, officers, agents, and servants, upon any land in the county for the purpose of ascertaining whether there is any nassella tussock thereon:

(c) Where any nassella tussock is found on any land in the county, enter at all reasonable times, by any such person as aforesaid, upon that land and do in respect thereof all such acts and things as appear to the Council to be necessary or expedient for eradicating nassella tussock from the land or for preventing the spread of nassella tussock to any other land:

REP. 19  
No. 8.

REFER 19  
No. 8.

Provided that the power of entry conferred by this paragraph shall not be exercised except after twenty-four hours' previous notice of the intended entry given to the person in actual occupation of the land:

(d) Generally take all such measures and perform and do all such acts and things as appear to the Council to be necessary or expedient to control and eradicate nassella tussock within the county.

(2) The Council may from time to time expend such sum or sums of money as it deems necessary for the purpose of exercising any of the powers conferred upon it by this section.

(3) Neither the Council nor any person exercising under or by virtue of this section any power of entry or other power in relation to land shall be deemed to be a trespasser or be liable for any damage unless the damage is occasioned otherwise than in the reasonable exercise of the power.

9. (1) The Councils of two or more counties may act together in the exercise of their powers under the last preceding section, and may, upon such terms and conditions as they think fit, jointly appoint Inspectors and others for that purpose.

County Councils may act together in controlling and eradicating nassella tussock.

(2) Any Council may from time to time arrange with any other Council for that other Council and its Inspectors and officers on behalf of the first-mentioned Council to exercise in the county of the first-mentioned Council the powers of that Council under the last preceding section.

REP. 19  
No. 8.

(3) Any Council may for the purposes of this section enter into such agreements as it thinks fit, and the agreements may contain all such provisions as to the Council seem necessary or expedient.

### *Electoral*

10. Section one hundred and forty of the Electoral Act, 1927, is hereby amended by omitting from paragraph (b) of subsection one the words " five miles ", and substituting the words " two miles ".

Postal voting by electors over two miles from a polling-place. See Reprint of Statutes, Vol. VI, p. 525

### *Fair Rents*

11. This section and the next two succeeding sections shall be read together with and deemed part of the Fair Rents Act, 1936 (in those sections referred to as the principal Act).

This section and next two sections to form part of Fair Rents Act, 1936. 1936, No. 14

Husband or  
wife of  
deceased tenant  
protected.

**12.** Notwithstanding any enactment or rule of law to the contrary, in any case where the tenant of a dwellinghouse to which the principal Act applies dies leaving surviving him or her a wife or husband who is in possession of the dwellinghouse and the tenancy is determined by the landlord, whether before or after the death of the tenant, the provisions of the principal Act shall apply as if the surviving wife or husband had been the tenant of the dwellinghouse.

Provision where  
landlord is  
wife or widow  
of serviceman.  
1942, No. 19

**13.** (1) Section ten of the Fair Rents Amendment Act, 1942, is hereby amended by inserting in subsection two, after the words "the landlord is not a serviceman", the words "or the wife or widow of a serviceman".

(2) The said section ten is hereby further amended by inserting, after subsection three, the following subsection:—

"(3A) Where the tenant of any dwellinghouse to which the principal Act applies is a serviceman, or the wife or widow of a serviceman, or a dependant of a serviceman, and the landlord is the wife or widow of a serviceman, nothing in section sixty-three of the Finance Act, 1937, shall apply, after the discharge or death of the last-mentioned serviceman, with respect to any application for an order for the recovery of possession of the dwellinghouse, or for the ejection of the tenant therefrom, on the ground that the premises are reasonably required by the landlord for her own occupation as a dwellinghouse, in any case where the landlord has occupied the premises as a dwellinghouse until her husband became a serviceman, whether or not she has continued to occupy the premises for any period thereafter."

1937, No. 17

(3) The said section ten is hereby further amended by adding the following subsection:—

"(5) Where the landlord of any dwellinghouse to which the principal Act applies is the wife or widow of a serviceman, and the tenant is not a serviceman, or the wife or widow of a serviceman, or a dependant of a serviceman, nothing in subsection two of section thirteen of the principal Act or in section sixty-three of the Finance Act, 1937, shall apply, after the discharge

or death of the first-mentioned serviceman, with respect to any application for an order for the recovery of possession of the dwellinghouse, or for the ejectment of the tenant therefrom, on the ground that the premises are reasonably required by the landlord for her own occupation as a dwellinghouse, in any case where the landlord has occupied the premises as a dwellinghouse until her husband became a serviceman, whether or not she has continued to occupy the premises for any period thereafter."

### *Family Protection*

14. (1) This section shall be read together with and deemed part of the Family Protection Act, 1908 (in this section referred to as the principal Act).

(2) If any person dies without leaving surviving him or her a wife or husband or any children, section thirty-three of the principal Act shall in its application to the estate of that person be read as if the words "wife, husband, or children" were omitted from subsection one wherever those words occur, and the words "mother or father" were substituted in each place.

(3) For the purposes of section thirty-three of the principal Act, as extended by the last preceding subsection, a person shall be deemed to be the father or mother of a deceased person notwithstanding that he or she was only related to him illegitimately, if the Court is satisfied that paternity or maternity has, during the lifetime of the deceased, been admitted by or established against the person claiming to be the father or mother of the deceased.

(4) This section shall apply in all cases, whether the deceased person has died before or after the passing of this Act:

Provided that no distribution of any part of the estate of a deceased person that has been made before the passing of this Act shall be disturbed by reason of any application made by his father or mother under section thirty-three of the principal Act, as extended by this section, or by reason of any order made on the application.

Parents may claim benefit of Family Protection Act, 1908, in certain circumstances. See Reprint of Statutes, Vol. III, p. 292  
REFER TO No.

*Health*

Section 26 of Health Act, 1920 (as to nuisances), amended.

See Reprint of Statutes, Vol. VI, p. 1072

15. (1) Section twenty-six of the Health Act, 1920, is hereby amended by omitting from paragraph (e) the words "or downpipe", and substituting the words "downpipe, or wall".

(2) The said section twenty-six is hereby further amended by adding the following paragraph thereto:—

"(n) Where there exists on any land or premises any condition giving rise or capable of giving rise to the breeding of flies or mosquitoes or suitable for the breeding of other insects, or of mites or ticks, which are capable of causing or transmitting disease."

*Impounding*

Recovery of damages for trespass from residue of proceeds of pound sale.

Ibid., Vol. I, p. 213

16. (1) This section shall be read together with and deemed part of the Impounding Act, 1908 (in this section referred to as the principal Act).

(2) If in the case of a pound sale the residue of the proceeds of the sale are not claimed by any person entitled thereto and the owner of the impounded cattle is not known to the poundkeeper or to the impounder of the cattle, or cannot be found, the impounder of the cattle, if he has not claimed any trespass rates under the principal Act, may at any time within six months after the pound sale apply to the Magistrate's Court nearest to the office of the local authority for an order that the amount of any damage sustained by the impounder of the cattle in consequence of the trespass be paid to him out of the residue of the proceeds of the sale.

(3) Notice of the application shall be published by the applicant in some newspaper circulating in the locality not less than fourteen clear days before the time appointed for the hearing thereof, and a copy of the application shall be served by the applicant on the local authority.

(4) On the hearing of the application the Magistrate shall determine the amount of the damage sustained by the applicant in consequence of the trespass and may make an order that that amount, together with costs and disbursements, or such smaller amount as may have been paid into the District Fund as the residue of the proceeds of the pound sale, shall be paid by the local authority to the applicant.



(5) Court fees shall be payable by the applicant, and costs and disbursements may be awarded to the applicant, on the same scale and to the same extent as if the application were an interpleader summons under the Magistrates' Courts Act, 1928. For the purpose of determining the amount of the Court fees and costs the amount ordered to be paid under the last preceding subsection shall be deemed to be the amount of the claim.

See Reprint  
of Statutes,  
Vol. II, p. 98

### *Infants*

17. (1) This section shall be read together with the Infants Act, 1908 (in this section referred to as the principal Act), and shall be deemed to form part of Part III of that Act.

Provision as  
to consent to  
adoption  
where no  
parent or  
guardian.

(2) Notwithstanding the provisions of section eighteen of the principal Act, if the Judge making an order of adoption of any child is satisfied that both the parents of the child are dead and that there is no legal guardian of the child, he may dispense with the consents required by paragraph (e) of subsection one of that section:

Ibid.,  
Vol. III, p. 1073

Provided that in any such case the Judge shall be satisfied that the Superintendent of the Child Welfare Branch of the Department of Education consents to the adoption.

### *Juries*

18. (1) This section shall be read together with and deemed part of the Juries Act, 1908 (in this section referred to as the principal Act).

Notices  
concerning  
jury lists  
not to be  
placed on  
church doors.

(2) Section sixteen of the principal Act is hereby amended by omitting from subsection one the words "on the first and second Sundays in March", and substituting the words "on or before the seventh day of March".

Ibid.,  
Vol. IV, p. 399

(3) The said section sixteen is hereby further amended by repealing paragraph (b) of subsection one, and substituting the following paragraph:—

"(b) Of every police-station within the limits mentioned in the said warrant."

(4) The form in the Second Schedule to the principal Act is hereby consequentially amended as follows:—

(a) By omitting the words "the first Sunday in March", and substituting the words "the seventh day of March":

- (b) By omitting the words “ on the first and second Sundays of the said month of ”, and substituting the words “ on or before the said seventh day of ”:
- (c) By omitting the words “ every church, chapel, or other public place of religious worship ”, and substituting the words “ every police-station ”.

### *Law Practitioners*

District Law Society may apply to have bills of costs taxed.

See Reprint of Statutes, Vol. IV, p. 1060

19. (1) This section shall be read together with and deemed part of the Law Practitioners Act, 1931 (in this section referred to as the principal Act).

(2) Notwithstanding anything contained in sections twenty to thirty-seven of the principal Act, any District Law Society may, either at the request of a party chargeable or without any such request, refer any bill of costs rendered by a solicitor in respect of fees, charges, or disbursements for any business done by the solicitor to a Registrar to be taxed and settled:

Provided that no such reference as aforesaid shall be made in respect of any bill that has been previously taxed and settled or after a verdict or judgment has been obtained in any action for the recovery of the amount of the bill.

(3) Forthwith after referring any bill of costs to a Registrar for taxation the District Law Society shall give notice thereof to the solicitor concerned.

(4) Subject to the provisions of section thirty-seven of the Law Practitioners Amendment Act, 1935, no action for the recovery of the amount of any such bill of costs so referred to the Registrar shall be commenced or proceeded with until after the taxation has been completed.

(5) The Court fees payable in respect of the taxation shall be payable by the District Law Society:

Provided that if the amount of the bill when taxed is less than five-sixths of the amount of the bill when referred for taxation, the amount of the Court fees shall be recoverable by the District Law Society from the solicitor as a debt due by the solicitor.

(6) Except as provided in the last preceding subsection, no costs shall be payable by either party to the taxation.

(7) If either the solicitor or the District Law Society is dissatisfied with the taxation of the bill of costs by the Registrar, the solicitor or the District Law Society, as the case may be, may, within fourteen days after the Registrar has completed the taxation, apply to a Judge to review the taxation, and thereupon the Judge may make such order varying the taxation as he may consider fair and reasonable.

(8) For the purposes of this section the term "solicitor" includes the executor, administrator, or assign of a solicitor.

**20.** (1) This section shall be read together with the Law Practitioners Act, 1931 (in this section referred to as the principal Act), and shall be deemed to form part of Part I of the Law Practitioners Amendment Act, 1935.

(2) Notwithstanding anything to the contrary in section forty-three of the principal Act, in any case where a barrister or a solicitor is an undischarged bankrupt or has neglected to apply for a certificate for two years after the expiration of the certificate last issued to him, he must give to the Registrar not less than two months' notice of his intention to apply for a certificate:

Provided that any period during which a barrister or a solicitor has been rendering continuous service as a member of any of His Majesty's Naval, Military, or Air Forces after the expiration of the certificate last issued to him shall not be taken into account for the purposes of this subsection.

(3) The Registrar shall immediately refer any such notice to the Council of the New Zealand Law Society, which may in its discretion refer the matter to the Disciplinary Committee for decision or may authorize the Registrar to issue the certificate immediately, subject to the payment of the prescribed fees and levies (if any).

(4) If the Disciplinary Committee is satisfied that the barrister or solicitor is not of good character or is not a fit and proper person to practise as a barrister or solicitor, as the case may be, it may make an order prohibiting the Registrar from issuing a certificate to him, and the Registrar shall be bound thereby.

Practising certificates may be refused in certain cases. See Reprint of Statutes, Vol. IV, p. 1060 1935, No. 20

REP. 19  
No. 5.  
Substituted.

(5) The Disciplinary Committee shall not make an order under this section with respect to any barrister or solicitor without giving him a reasonable opportunity of being heard in his own defence.

*Mortgagors and Lessees Rehabilitation*

Cancellation of registration of orders of Court of Review when property no longer affected.  
1936, No. 33  
See Reprint of Statutes, Vol. VII, pp. 1162, 1143; Vol. I, p. 632

**21.** (1) This section shall be read together with and deemed part of the Mortgagors and Lessees Rehabilitation Act, 1936.

(2) If any order of the Court of Review is registered in respect of any property under the Land Transfer Act, 1915, the Deeds Registration Act, 1908, the Chattels Transfer Act, 1924, or any other Act, and the District Land Registrar, Registrar of Deeds, Registrar of the Supreme Court, or other person charged with the duty of keeping the register concerned is satisfied—

- (a) That any property in respect of which the order was registered was, at the time of registration of the order, not affected by the order; or
  - (b) That in respect of any property in respect of which the order is registered the order has expired or is spent or otherwise of no effect—
- he may cancel the registration of the order in respect of that property:

Provided that, unless all persons appearing to him to be entitled to any claim under the order agree to the cancellation of the registration the Registrar or other person charged with the duty of keeping the register concerned shall give at least one month's notice of his intention to cancel the registration to all those persons, or shall give at least one month's notice of his intention in the *Gazette* and in some newspaper circulating in the locality where the property is situated.

(3) Any person claiming an interest under the order may, before the expiration of the notice aforesaid, apply to the Supreme Court or a Judge thereof for an order restraining the Registrar or other person aforesaid from cancelling the registration as provided in the last preceding subsection. Notice of the application shall be

served by the applicant on the Registrar or other person before the expiration of the notice aforesaid, and the Registrar or other person shall thereupon refrain from cancelling the registration of the order of the Court of Review pending the determination of the application, and shall be bound by any order made upon the application.

#### *Municipal Association*

**22.** Section seven of the Municipal Association Act, 1939, is hereby amended by omitting from subsection two the words "one hundred pounds", and substituting the words "two hundred pounds".

Section 7 of  
Municipal  
Association  
Act, 1939,  
amended.  
1939, No. 16

#### *New Zealand University*

**23.** (1) This section shall be read together with and deemed part of the New Zealand University Act, 1908 (in this section referred to as the principal Act).

(2) Notwithstanding that any student has failed to comply with any of the provisions of the principal Act or any other Act or of the statutes or regulations of the University of New Zealand or of any constituent college or of the New Zealand School of Agriculture (whether as to keeping terms or passing, or offering himself for, any examination or test or otherwise), the Senate may in its discretion, either unconditionally or upon or subject to such conditions as it thinks fit, confer on, or award or grant to, that student any degree, diploma, certificate of proficiency, scholarship, prize, bursary, or exhibition, or declare that he has passed in any section or subject, if the Senate is satisfied that he has been prevented from complying with all or any of those provisions, or has been otherwise prejudicially affected, by reason of the fact that, whether before or after the passing of this Act, he has been engaged in naval, military, or air service, or in special civilian war service.

Power for  
Senate to grant  
concessions  
to students  
prejudiced by  
war service.

See Reprint  
of Statutes,  
Vol. II, p. 1121

(3) This section shall continue in force until the expiration of five years from the termination of the present war, and shall then expire.

(4) Section fifty-three of the Statutes Amendment Act, 1939, is hereby repealed.

Repeal.  
1939, No. 39

*Pharmacy*

Pharmaceutical  
Society may  
establish a  
school of  
pharmacy.  
1939, No. 33

24. (1) This section shall be read together with and deemed part of the Pharmacy Act, 1939 (in this section referred to as the principal Act).

(2) The Pharmaceutical Society of New Zealand may establish, develop, and maintain one or more schools, colleges, or like institutions for the education and training of apprentices, students of pharmacy, and chemists.

(3) The Board may from time to time appoint and remove teachers, lecturers, officers, and servants of any school, college, or institution which is being maintained under this section.

(4) The authority to make rules conferred on the Board by section ten of the principal Act is hereby extended to authorize the making of rules for the regulation and good government of any such school, college, or institution as aforesaid.

(5) The Board may from time to time delegate to any person or persons any of its powers in relation to the management and control of any such school, college, or institution as aforesaid. Every such person shall be subject in all things to the control of the Board and shall act in accordance with all directions, general or special, given to him by the Board.

(6) Notwithstanding anything to the contrary in paragraph (a) of subsection one of section eleven of the principal Act, regulations may be made under section forty-four of that Act requiring that before the Board issues a certificate of competency of the kind referred to in the said paragraph (a) the Board shall be satisfied that the person applying for the certificate has attended a school, college, or other institution maintained under this section for such period or periods as may be prescribed by the regulations:

Provided that the regulations aforesaid shall not apply to any person who has commenced serving under articles of apprenticeship before a date to be specified in the regulations, being a date not earlier than the date of the coming into force of the regulations:

Provided also that the regulations may authorize the Board to grant exemptions from any of the requirements thereof.

*Public Reserves, Domains, and National Parks*

**25.** (1) This section shall be read together with the Public Reserves, Domains, and National Parks Act, 1928 (in this section referred to as the principal Act), and shall be deemed to form part of Part III of that Act.

National Park Boards may grant leases of special areas set apart for purpose.

See Reprint of Statutes, Vol. VI, p. 1161

(2) Any National Park Board may, with the consent of the Governor-General, set apart leasing-areas within the park.

(3) The Board may, with the consent of the Minister and on such terms as he may approve, grant licenses for grazing purposes or leases affecting the whole or any part of any leasing-area so set apart, and may, with the like consent and on such terms as the Minister may approve, accept surrenders of any such licenses or leases.

*Rehabilitation*

**26.** Section two of the Rehabilitation Act, 1941, is hereby amended by omitting from paragraph (*d*) of the definition of the term "serviceman" in subsection one the words "or an intercolonial-trading ship".

Seamen on intercolonial ships included in term "serviceman". 1941, No. 25

*Small Farms*

**27.** This section and the next two succeeding sections shall be read together with and deemed part of the Small Farms Act, 1932-33 (in those sections referred to as the principal Act).

This section and next two sections to form part of Small Farms Act, 1932-33. 1932-33, No. 43

**28.** (1) For the purposes of the principal Act, unless the context otherwise requires,—

"Discharged serviceman" means a serviceman who has received his discharge from any of His Majesty's Forces or, as the case may be, a serviceman who has ceased to serve in any British ship (whether before or after the passing of this Act):

Extending definition of term "discharged serviceman".

"Serviceman" means any person who, while ordinarily resident in New Zealand, has at any time during the present war (whether before or after the passing of this Act)—

(a) Served outside New Zealand as a member of any of His Majesty's Naval, Military, or Air Forces; or

REP. 19  
No. 8.

(b) Served in New Zealand as a member of the training staff of any of His Majesty's Forces; or

(c) Served in New Zealand as a member of any of His Majesty's Permanent Forces, or as a member of any of His Majesty's Forces mobilized for continuous service within New Zealand; or

(d) Served in any capacity in any British ship which while he was serving therein was damaged or destroyed as a result of enemy action, or in any other British ship which was not a home-trade ship within the meaning of the Shipping and Seamen Act, 1908.

(2) Section two of the Small Farms Amendment Act, 1940, as amended by section thirty-three of the Statutes Amendment Act, 1942, is hereby further amended by repealing the definition of the term "discharged serviceman".

(3) Section thirty-three of the Statutes Amendment Act, 1942, is hereby amended by repealing subsection two.

**29.** (1) Notwithstanding anything to the contrary in subsection six of section five of the Small Farms Amendment Act, 1939, or in any lease granted under that section or under section eight of the Small Farms Amendment Act, 1935, in any case where a discharged serviceman is the lessee under any such lease, whether the lease has been originally granted to him or has been transferred to him, the yearly rental payable thereunder,—

(a) For the period of one year commencing from the prescribed half-yearly day next after he became lessee, shall be an amount equal to two per centum of the amount determined by the Board to be the unimproved value of the land comprised in the lease as at the commencement of the lease:

(b) For each of the next two years during which the discharged serviceman is lessee, shall be an amount equal to three per centum of the amount of the aforesaid unimproved value:

See Reprint  
of Statutes,  
Vol. VIII,  
p. 249  
1940, No. 28  
1942, No. 18

Special  
provision with  
respect to  
leases to  
discharged  
servicemen.  
1939, No. 21  
1935, No. 9



(c) For every subsequent year during which the discharged serviceman is lessee, shall be an amount equal to four per centum of the amount of the aforesaid unimproved value.

(2) Notwithstanding the foregoing provisions of this section, the Board, in any case where it considers it expedient or desirable so to do, may from time to time accept any amount not less than two per centum of the amount of the aforesaid unimproved value in full satisfaction and discharge of the liability of any discharged serviceman for yearly rental under any such lease as aforesaid in any year ending not later than seven years after the prescribed half-yearly day next after the discharged serviceman became lessee.

(3) In the case of a lease granted to a discharged serviceman, the rental for the period from the date of the lease to the prescribed half-yearly day next following that date shall be at the same rate as the rental for the period of one year referred to in paragraph (a) of subsection one hereof.

(4) In any case where a discharged serviceman transfers his interest in any lease granted under section 1935, No. 9 eight of the Small Farms Amendment Act, 1935, or under section five of the Small Farms Amendment Act, 1939, to a person other than a discharged serviceman, the foregoing provisions of this section shall cease to apply in respect of the yearly rental payable under the lease, and, notwithstanding anything to the contrary in the lease, the provisions of subsection six of section five of the Small Farms Amendment Act, 1939, shall, subject to the provisions of the next succeeding subsection, apply in respect of the yearly rental payable under the lease. 1939, No. 21

(5) In any case where a discharged serviceman transfers his interest in any such lease as aforesaid to any other person, whether a discharged serviceman or not, or a person other than a discharged serviceman transfers his interest in any such lease as aforesaid to a discharged serviceman, the yearly rental payable under the lease shall, from the prescribed half-yearly day next following the date of approval of the transfer, be a rental determined in accordance with the foregoing provisions of this section.

(6) If any discharged serviceman dies while he is a lessee under any such lease as aforesaid and his interest in the lease is acquired by his widow, or by any of his children, or by his father or mother, the provisions of this section shall apply as if the discharged serviceman still remained the lessee under the lease.

(7) In any case where a discharged serviceman has at any time after the passing of this Act been a lessee under any such lease as aforesaid and he subsequently becomes a lessee under any other such lease, he shall in respect of that other lease be deemed for the purposes of this section not to be a discharged serviceman unless the Minister, on the recommendation of the Board, determines otherwise.

(8) In any case where pursuant to the provisions of this section a variation is made in the yearly rental payable under any lease the District Land Registrar shall, upon the receipt of a certificate signed by the Commissioner of Crown Lands setting forth particulars of the variation, endorse without fee on the registered instrument of lease a memorial of the certificate.

### *Wool Industry Promotion*

Retirement by  
rotation of  
wool-growers'  
representatives  
on Wool  
Council.  
1936, No. 48

**30.** (1) This section shall be read together with and deemed part of the Wool Industry Promotion Act, 1936 (in this section referred to as the principal Act).

(2) With respect to the four members of the Council appointed pursuant to paragraph (b) of subsection two of section three of the principal Act and in office on the passing of this Act the following provisions shall apply:—

(a) Two of such members shall retire on the thirtieth day of September, nineteen hundred and forty-three, and the remaining two members shall continue in office until the thirtieth day of September, nineteen hundred and forty-four, and shall then retire:

(b) The members so to retire on the thirtieth day of September, nineteen hundred and forty-three, shall be determined by agreement of the four members or, failing agreement, shall be determined by lot:

REP. 19  
No. 8.

(c) Each of the members retiring as provided in this subsection shall be eligible for reappointment.

(3) Subject to the provisions of subsection five of section three of the principal Act, every member of the Council (other than the associate members) appointed after the passing of this Act shall hold office for a term of two years, but may from time to time be reappointed.

(4) Subsection four of section three of the principal Act is hereby repealed. Repeal.

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