

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Section 15 of principal Act amended. 3. Section 20 of principal Act amended. 4. Section 21 of principal Act amended. | <ol style="list-style-type: none"> 5. Poll of electors to determine statutory closing-day. 6. Adjoining district may become part of combined district. |
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1907, No. 74.

Title. AN ACT to amend the Shops and Offices Act, 1904.
[25th November, 1907.]

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 Shops and Offices Act Amendment Act, 1907, and shall form part of and be read together with the Shops and Offices Act, 1904 (hereinafter referred to as the principal Act).

Section 15 of principal Act amended. 2. (1.) Section fifteen of the principal Act is hereby amended by adding after the words "excepted shop" in paragraph (a) the words "(other than a refreshment-room)," and after the words "one o'clock" in the same paragraph the words "or in the case of a refreshment-room from two o'clock."

(2.) Section fifteen of the principal Act is hereby further amended by inserting after the word "confectioner" where it first occurs in paragraph (a) the words "a florist."

Section 20 of principal Act amended. 3. Section twenty of the principal Act is hereby amended by omitting the words "hotel-bars," and inserting in lieu thereof the words "any hotel"; and by omitting the word "one," and substituting therefor the word "two."

Section 21 principal Act amended. 4. Section twenty-one of the principal Act is hereby amended by adding thereto the following subsections:—

"(6.) No notice published by the Minister in pursuance of this section shall be cancelled or varied until the expiration of six months from the date of its publication in the *Gazette*.

"(7.) For the purposes of this section each riding of a county shall be deemed to be a separate district within the jurisdiction of the County Council.

“(8.) It shall not be lawful for the occupier of any shop to sell or deliver any tobacco, cigars, or cigarettes at any time while the shops of tobacconists in the same district are closed in pursuance of a requisition made under this section.”

5. (1.) If at any time, in the case of any separate district which is a borough or town district, or in the case of any combined district, a requisition that the statutory closing-day in that district shall be determined by a poll of the electors is presented in accordance with this section, then, notwithstanding anything to the contrary in the principal Act, the statutory closing-day in that district shall be determined accordingly in manner hereinafter in this section provided.

Poll of electors
to determine
statutory
closing-day.

(2.) Every such requisition shall be signed by not less than one-tenth of the total number of electors of the borough or town district in the case of a separate district, or by not less than one-tenth of the total number of the electors of all the constituent boroughs and town districts in the case of a combined district.

(3.) Every such requisition shall be presented to the local authority in the case of a separate district, and to the convening local authority in the case of a combined district.

(4.) Every such requisition shall be so presented at a time which is not less than one month and not more than three months before the day fixed for a general election of the members of the local authority to which such requisition is presented.

(5.) If and as often as any such requisition is duly presented to the local authority of a borough or town district which is a separate district, a poll of the electors of that borough or town district shall be taken on the day fixed for the next general election of the members of such local authority simultaneously with the poll (if any) taken for such election.

(6.) If and as often as any such requisition is duly presented to the convening local authority of a combined district consisting solely of two or more boroughs, a separate poll of the electors of each such borough shall be taken on the day fixed for the next general election of the local authority of that borough simultaneously with the poll (if any) taken for such election. All the separate polls so taken under the authority of this subsection shall be deemed to constitute a single poll, the result of which shall be determined by a majority of all the votes which have been given thereat.

(7.) If and as often as any such requisition is duly presented to the convening local authority of a combined district constituted otherwise than is mentioned in the last preceding subsection, a poll of the electors of all of the constituent local authorities of that district shall be taken, in such manner as the convening local authority determines, on the day fixed for the next general election of the members of the convening local authority.

(8.) Subject to the provisions of this section, every poll taken under the authority thereof shall be taken in manner provided by the Local Elections Act, 1904.

(9.) At every such poll each elector may vote for the appointment of any working-day as the statutory closing-day, and the statutory closing-day for the district shall be determined in accordance with the majority of the votes so given.

(10.) The result of every poll taken under the authority of this section shall be notified to the Minister under the hand of the Mayor, Chairman, or Clerk of the local authority in the case of a separate district, or of the convening local authority in the case of a combined district; and the Minister shall thereupon appoint the day determined by the result of such poll as the statutory closing-day for that district. Every such appointment shall be gazetted, and a copy of the *Gazette* containing a notice of such appointment shall be conclusive evidence that the same has been duly made according to the tenor of such notice.

(11.) On and after the first day of June following the gazetting of any such appointment, the day so appointed shall be the statutory closing-day for the district in respect of which such appointment is made, and shall continue to be the statutory closing-day for that district until another day is appointed in accordance with the foregoing provisions of this section.

(12.) Until and unless the statutory closing-day in any district is determined and appointed in accordance with this section, it shall be determined and appointed in manner provided by the principal Act.

Adjoining district
may become part of
combined district.

6. (1.) On the application of the local authority of any district that is within one mile of any part of a combined district, the Governor may, by Order in Council gazetted, declare that such district shall as from a date to be named in the Order form part of such combined district, and such Order shall have effect according to the tenor thereof.

(2.) Notice of such application shall be given by advertisement in some newspaper circulating in the district.

(3.) If within one month after such advertisement a petition is presented to the Governor by any constituent local authority within the combined district, praying that such Order in Council be not made, then the application shall be refused.