

New Zealand.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

No. 64.

ANALYSIS.

<p>Title. Preamble.</p> <p>1. Short Title.</p> <p>2. "The Superintendents Deputy Act 1856" repealed but Deputies appointed thereunder to continue in office.</p> <p>3. Superintendents empowered to appoint Deputies to act during absence or during vacancy by death or resignation. Qualification and</p>	<p>duties of Deputies.</p> <p>4. And to remove persons so appointed.</p> <p>5. Governor empowered to appoint Deputies to act during vacancy by disallowance or removal or during vacancy by death or resignation when no Deputy appointed by Superintendent.</p> <p>6. Acts by Deputy appointed under Deputy Superintendents Act validated.</p> <p>7. Duties of Deputy Superintendent.</p>
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AN ACT to provide for the performance of the duties of Superintendents of Pro- vinces in New Zealand during absence and during vacancies in the office.

Title.

[8th October 1866.]

WHEREAS it is expedient to make further and better provision for the performance of the duties of Superintendents of the several Provinces in New Zealand during the temporary absence of such Superintendents from their Provinces and also during any vacancy which may occur in the office of Superintendent

Preamble.

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

I. The Short Title of this Act shall be "The Superintendents Deputy Act 1866."

Short Title.

II. "The Superintendents Deputy Act 1856" is hereby repealed Provided that every Deputy Superintendent appointed under the said repealed Act and holding such office at the time of the passing of this Act shall continue to hold office as if appointed hereunder and every such Deputy Superintendent whose appointment is hereby continued shall hereafter be subject to all the provisions of this Act.

"The Superintendents Deputy Act 1856" repealed but Deputies appointed thereunder to continue in office.

III. It shall be lawful for the Superintendent of any Province by proclamation to be published in the Government *Gazette* of such Province to appoint such person as he may think fit being an inhabitant of such Province and being registered as an elector on the electoral roll of some electoral district within such Province to be his Deputy and as such to do perform and exercise all the acts powers and authorities (except as is excepted in the seventh clause of this Act) which may be done performed or exercised by such Superintendent or such of them only as shall be specified in such proclamation and the acts of such Deputy Superintendent so far as authorized hereby or by such procla-

Superintendents empowered to appoint Deputies to act during absence or during vacancy by death or resignation.

Superintendents Deputy.

Qualification and duties of Deputies.

mation shall be as effectual in all respects as if performed by the Superintendent himself. Provided always that such Deputy Superintendent shall continue in office until he die or resign or be removed and shall act only during the absence of the Superintendent from his Province and in case of any vacancy arising by death or resignation in the office of any Superintendent such Deputy shall act only during such vacancy and until the successor to such Superintendent shall have been elected. Provided that it shall not be lawful that the duties of any Superintendent shall be performed by Deputy for any greater number of days collectively than one hundred and fifty days in any period of twelve calendar months from the date of such proclamation.

And to remove persons so appointed.

IV. It shall be lawful for any Superintendent at any time and from time to time by proclamation published in the *Government Gazette* of the Province to remove any person appointed by him or by his predecessor in office to be Deputy Superintendent of his Province.

Governor empowered to appoint Deputies to act during vacancy by disallowance or removal or during vacancy by death or resignation when no Deputy appointed by Superintendent.

V. Whenever the office of Superintendent of any Province shall become vacant by disallowance of the election of such Superintendent or by the removal of such Superintendent from office and whenever the office of Superintendent is vacant by death or resignation of the Superintendent and there is no Deputy Superintendent appointed by such Superintendent under this Act then in case there is a Speaker of the Provincial Council of the Province such Speaker shall be *ex officio* Deputy Superintendent of such Province but if there be no Speaker then it shall be lawful for the Governor by proclamation to be published in the *New Zealand Gazette* to appoint such person as he may think fit being an inhabitant of such Province and being registered as an elector on the electoral roll of some electoral district within such Province who shall be styled Deputy Superintendent of the Province in which such vacancy shall have occurred and such Speaker or such person so appointed shall during the vacancy occasioned by such disallowance removal death or resignation perform and exercise all the like acts and powers as the Superintendent of any Province is by this Act enabled in the case of his absence to depute to any like person to perform and the acts of such Speaker and person so appointed Deputy Superintendent shall be as effectual in all respects as if performed by a Superintendent of the Province.

Acts by Deputy appointed under Deputy Superintendents Act validated.

VI. All acts done before the passing of this Act by any Deputy Superintendent appointed under the said Act hereby repealed which would have been valid if done after the passing of this Act and such Deputy had been appointed hereunder by proclamation not specifying particular powers duties or authorities shall be valid to all intents and purposes.

Duties of Deputy Superintendent.

VII. No person acting as or appointed Deputy Superintendent under this Act shall exercise or perform and no such proclamation as aforesaid shall affect to authorize any such person as Deputy Superintendent to exercise or perform any of the powers duties or authorities created or conferred by the Constitution Act except such powers and duties and authorities as are created or conferred by the twelfth section of the said Act.

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