

*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,*

*17th October, 1933.*

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE.]

*Legislative Council, 25th October, 1933.*

*Hon. Mr. Macmillan.*

## AGRICULTURAL AND PASTORAL SOCIETIES AMENDMENT.

### ANALYSIS.

Title.	3. Special provisions as to licenses under by-laws.
1. Short Title.	4. As to making, &c., and taking effect of by-laws.
2. Societies may make by-laws regulating admission to meetings, exhibitions, &c.	5. Application of this Act.
	6. Offences and penalties.

### A BILL INTITULED

AN ACT to amend the Agricultural and Pastoral Societies Act, 1908. Title.

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

1. This Act may be cited as the Agricultural and Pastoral Societies Amendment Act, 1933, and shall be read together with and deemed part of the Agricultural and Pastoral Societies Act, 1908 (hereinafter referred to as the principal Act). Short Title.  
See Reprint of Statutes, Vol. I, p. 47
2. (1) Any society may from time to time make by-laws controlling the admission of persons to any place used or occupied by such society for any meeting, show, exhibition, competition, or entertainment held by the society. Societies may make by-laws regulating admission to meetings, exhibitions, &c.
- (2) Such by-laws may control admission to any such place during the whole or any part of the period

beginning three clear days before the opening of such meeting, show, exhibition, competition, or entertainment and ending three clear days after the close thereof.

(3) Without limiting the generality of the authority conferred by the foregoing provisions of this section, such by-laws may provide for— 5

(a) The exclusion from any such place of any specified class of persons, either absolutely or subject to such conditions as are prescribed in the by-laws; 10

(b) The issue by the society or by any other society or person or body of persons authorized by such first-mentioned society in that behalf of licenses to any specified class of persons therein described; and 15

(c) The exclusion as aforesaid of any person or a class so specified who is not for the time being the holder of such a license.

(4) No such by-law shall authorize or be deemed to authorize the issue of a license to any person under the age of sixteen years and any license issued to such a person shall be void and of no effect. 20

Special provisions as to licenses under by-laws.

3. (1) With respect to licenses as aforesaid, the by-laws may make provision for all or any of the following matters:— 25

(a) The recognition by endorsement of licenses granted by or with the authority of any other society:

(b) The term for which licenses may continue in force not exceeding in any case a period of two years: 30

(c) Reasonable fees to be payable upon application for and upon the issue or recognition of licenses:

(d) The suspension and revocation of licenses:

(e) Requiring the production of licenses to the society or any officer of the society or any other specified person, and authorizing the society or such officer or other person to endorse on any license at its or his discretion any memorandum relating to the conduct of the licensee in exercising or purporting to exercise the rights conferred by the license: 35 40

(f) Prohibiting or restricting any assignment of a license or the benefits thereof:

(g) Authorizing the imposition in a license of conditions, to be prescribed in the by-laws, relating to or restricting in any such place as aforesaid—

5 (i) The conduct of the licensee or any person employed by him or under his control :

(ii) The occupation by the licensee for any purpose of any site :

10 (iii) The activities to be permitted to the licensee :

(iv) The employment by the licensee of persons under any specified age :

15 (h) Requiring the deposit with the society making the by-laws or with any other society or person or body of persons of a prescribed sum of money by way of security for compliance by the licensee with the terms and conditions of the license and for forfeiture of such deposit upon breach of such terms and conditions.

20 (2) No right of action shall arise out of the making in good faith of any memorandum mentioned in paragraph (e) of the *last preceding* subsection.

*Struck out*

25 (3) Any person to whom a license has been refused, or whose license is revoked, or whose deposit is forfeited, shall be entitled to appeal against such refusal or revocation or forfeiture by way of complaint under the Justices of the Peace Act, 1927, against the society or person or persons by which or by whom such license was  
30 refused or revoked or such deposit was forfeited.

(4) Upon the hearing of the complaint an order may be made directing that a license be issued, or declaring that such revocation be deemed void and of no effect, or directing that the amount so forfeited or any part  
35 thereof be refunded and paid to the complainant, or otherwise confirming, reversing, or modifying the decision appealed against, or as the case may require.

40 (5) Subject as aforesaid, all the provisions of the Justices of the Peace Act, 1927, relating to complaints shall apply to a complaint made under subsection *three* of this section.

*New*

(3) Any person to whom a license has been refused or whose license is revoked, or whose deposit is forfeited, may, within the prescribed time and in the prescribed manner, appeal to a Stipendiary Magistrate or two Justices. 5

(4) On the hearing of the appeal the Magistrate or Justices may confirm, reverse, or modify the decision appealed against, and such determination shall be final and conclusive.

(5) The Governor-General may from time to time, by Order in Council, make regulations prescribing the time within and the manner in which appeals as aforesaid shall be made and generally providing for the conduct of such appeals.

As to making, &c., and taking effect of by-laws.

4. (1) By-laws under this Act may be made, amended, or revoked by a society in the manner in which, for the time being, the rules of such society are required to be made, amended, or revoked respectively and not otherwise.

(2) No such by-law shall be made by any society until a draft thereof has been submitted to and approved by the Governor-General, nor shall any amendment or revocation of any such by-law be made without the like approval. 20

(3) A copy of every such by-law and every amendment thereof and a notice of any such revocation shall be forwarded by the society to the Minister of Agriculture, who, on being satisfied that the same has been duly made by the society and approved by the Governor-General, shall publish it in the *Gazette* at the expense of the society. 25 30

(4) Until so published no such by-law or amendment or revocation thereof shall have any force or effect, but being duly published shall take effect from the date of such publication or from any later date specified in the by-law or amendment or instrument of revocation, as the case may be. 35

(5) *Prima facie* evidence that any by-law under this Act has been duly made and remains in force may be given in all legal proceedings by the production of a copy of the *Gazette* purporting to contain such by-law or by the production of a copy of such by-law purporting to be printed by the Government Printer. 40

Application of this Act.

5. (1) This Act shall be applicable to any land or building, notwithstanding the fact that it is or forms part of a reserve or other place in respect of which there exists a right of public use or entry. 45

(2) Nothing in this Act shall be so construed as to limit any power of a society to exclude or remove any person from any premises of which such society is the occupier and which is free from any right of public use or entry preventing such exclusion or removal.

6. (1) Every person who commits a breach of any by-law made under the authority of this Act or who, being the holder of a license issued under the authority of any such by-law commits a breach of any condition contained in such license, may be removed from any premises to which such by-law relates by any member, officer, agent, or servant of the society by which such by-law was made, or by any constable, and shall be liable to a fine of *twenty* pounds.

Offences and penalties.

(2) Every person commits an offence and is liable to a fine of *twenty* pounds who, in relation to any license granted under by-laws made under this Act, or in relation to an application for or in respect of any such license, does any of the following things, namely:—

- (a) Gives a false name or address of himself or any other person ; or
- (b) Makes any false representation as to the identity of himself or any other person ; or
- (c) Makes any false representation as to the previous issue, refusal, or endorsement of a license to himself or any other person under the same or any other by-law, whether in force or revoked, made by any society under this Act.