

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,
27th July, 1900.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Rt. Hon. R. J. Seddon.

IMPRISONMENT FOR DEBT LIMITATION.

ANALYSIS.

Title. 1. Short Title. 2. Jurisdiction of Justices abolished. 3. No order of committal against judgment debtor in certain cases.	4. Preceding subsection not retrospective. 5. Court may direct payment to be by instalments. 6. Assignor to be named in actions for recovery of assigned debts.
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A BILL INTITULED

AN ACT to amend "The Imprisonment for Debt Abolition Act, 1874." Title.

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

1. The Short Title of this Act is "The Imprisonment for Debt Limitation Act, 1900," and it shall form part of and be read together with "The Imprisonment for Debt Abolition Act, 1874" (hereinafter called "the principal Act"). Short Title.

2. The jurisdiction conferred upon two Justices by the principal Act shall hereafter be exercisable not by them but by a Stipendiary Magistrate alone. Jurisdiction of Justices abolished

3. Except in the cases which by section three of the principal Act are declared to be excepted from the operation of that section, and except also in cases where the debt has been incurred by fraud, no order of committal to prison for default in payment of a judgment debt, or of any instalment thereof, shall hereafter be made under the principal Act against a judgment debtor. No order of committal against judgment debtor in certain cases.

Subsections struck out.

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| 20 | (1.) Where the judgment creditor is a person, firm, or company whose business is that of collecting or recovering debts, unless the Court is satisfied that the judgment debt was incurred to the judgment creditor directly, and was not acquired by assignment from the original creditor; or |
| 25 | (2.) Where the judgment debt (exclusive of costs) does not exceed twenty pounds. |

Preceding sub-
section not
retrospective.

4. The provisions of ~~subsection two of section three of this Act~~ *the last preceding section hereof* shall not apply to any debts contracted previous to the passing of this Act.

Court may direct
payment to be by
instalments.

5. When giving any judgment or making any order for the payment of money, the Court of its own motion, or on the application of any of the parties, may direct that payment be made by instalments of such amount, and at such periodical intervals, as the Court thinks fit. 5

Assignor to be
named in actions
for recovery of
assigned debts.

6. The assignee of a debt shall not be entitled to maintain in any Court any action for the recovery of such debt unless he names the assignor in the plaint-note and summons. 10