

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,
4th September, 1873.

(Mr. Rolleston.)

Municipal Corporations Amendment.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Provincial Council may bring Act into operation.</p> <p>3. Council may make by-laws for licensing hackney carriages, &c., within certain radius.</p> | <p>4. Council may adopt certain parts of Part X. of "The Municipal Corporations Act, 1867."</p> <p>5. Penalties recoverable in a summary way.</p> <p>6. Interpretation.</p> <p>7. Municipal Acts to be read as one Act.</p> |
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A BILL INTITULED

AN ACT to enlarge the Powers of Municipal Councils to make By-Laws for the Regulation of Hackney Carriages and Borough Stage Coaches, and for other Purposes. 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 shall be "The Municipal Corporations Amendment Act, 1873." Short Title.
2. This Act may be brought into operation in and for any city or borough within any Province by an Act or Ordinance of the Superintendent and Provincial Council of such Province, and shall take effect in and for such city or borough on and from any day which by such Act or Ordinance shall be either fixed or directed to be appointed, and except as aforesaid this Act shall have no effect or operation. Provincial Council may bring Act into operation.
3. It shall be lawful for the Council to make by-laws for the licensing and regulation of hackney carriages and borough stage coaches plying for hire within the circumference of a circle whose radius shall be of a length not exceeding ten miles measured from the principal post office of such city or borough, and by any other by-law to repeal such by-laws. And the Council may, by any by-law to be made under this Act, or under "The Municipal Corporations Act, 1867," (hereinafter called the said Act,) impose reasonable penalties, not exceeding five pounds, for any one offence against such by-law committed within such circle; and every such by-law shall be so framed as to allow the Justices before whom any such penalty may be sought to be recovered, to order a part only of such penalty to be recovered. Council may make by-laws for licensing hackney carriages, &c., within certain radius.

ouncil may adopt
ertain parts of Part
I. of "The Municip-
al Corporations Act,
1867."

4. It shall be lawful for the Council by by-law to adopt, with or without modification, any of the subdivisions or parts not subdivided contained in section one of Part X. of the Thirteenth Schedule of the said Act, or any such provisions of any such subdivision as shall for their construction and effect be separable from and independent of the other provisions thereof; and such subdivisions or provisions, as the case may be, shall come into operation within the circumference of a circle whose radius shall be of the length specified in said Schedule; and the Council may by any such by-law impose any reasonable penalties not exceeding, for any one offence against such by-law, the sum of five pounds: Provided that in any case in which the subdivision part or provision thereby adopted as aforesaid shall impose any greater penalty than five pounds, such greater penalty or any less amount may be imposed by such by-law: Provided also that every such by-law shall be so framed as to allow the Justices before whom any such penalty may be sought to be recovered, to order a part only of such penalty to be paid, if such Justices shall think fit.

Penalties recoverable
in a summary way.

5. Every offence hereby or by the said Act, or by any by-law made hereunder or under the said Act, punishable by a penalty, may be prosecuted; and all fines and penalties imposed hereunder or under the said Act, shall be recoverable in a summary manner before any two Justices of the Peace or a Resident Magistrate, in the manner provided by this Act.

Interpretation.

6. For the purposes of this Act the terms "hackney carriage," "borough stage carriage," shall have the meanings attributed to the said terms respectively in and by section one of Part X. of the Thirteenth Schedule of the said Act.

The word "by-law" in the fourth section of "The Municipal Corporations Act Amendment Act, 1873," shall be held to include and mean every regulation as well as every by-law made under the authority contained in the said Act, when approved and published as therein described.

The expression "the Council" shall mean the governing body of any Municipal Corporation established under the provisions of "The Municipal Corporations Act, 1867," or any Acts supplemental thereto, or of any Municipal Corporation constituted under Act or Ordinance of any Provincial Legislature.

Municipal Acts to be
read as one Act.

7. The said Act, "The Municipal Corporations Act Amendment Act, 1868," "The Municipal Corporations Acts Amendment Act, 1871," "The Municipal Corporations Act Amendment Act, 1872," and this Act, shall be read as one Act.