

[AS REPORTED FROM THE AGRICULTURAL AND PASTORAL INDUSTRIES
AND STOCK COMMITTEE.]

House of Representatives, 8th September, 1926.

Hon. Mr. Hawken.

NOXIOUS WEEDS AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Borough Councils and Town Boards may appoint Inspectors for their own districts.</p> <p>3. Definition of "clear" amended. Con-sequential repeal.</p>	<p>4. Section 4 of Amendment Act, 1923 (as to clearing weeds) amended.</p> <p>5. Penalty for continued default.</p> <p>6. Consequential repeal.</p>
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A BILL INTITULED

AN ACT to amend the Noxious Weeds 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 Noxious Weeds Amendment Act, 1926, and shall be read together with and deemed part of the Noxious Weeds Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. (1.) A Borough Council or a Town Board may from time to time appoint an Inspector or Inspectors under the principal Act.

Borough Councils and Town Boards may appoint Inspectors for their own districts.

(2.) An Inspector so appointed shall within the limits of the district of the Council or Board appointing him have all the powers of an Inspector appointed under section twenty-three of the principal Act:

Provided that no such Inspector shall have power to enforce within his district the provisions of sections seven and eight of the principal Act.

(3.) For the purposes of the enforcement of section four of the Noxious Weeds Amendment Act, 1923, within the district of a local authority which has appointed an Inspector as aforesaid, the provisions of subsections three and four of the said section four shall be read as if the references to the Minister were references to the Borough Council or the Town Board, as the case may be, and as if the reference to the *Gazette* in subsection three were a reference to a newspaper circulating in the district.

(4.) All sums expended by any Borough Council or any Town Board in enforcing the provisions of the principal Act within its district shall be paid out of its District Fund, and, notwithstanding the provisions of section twenty of the principal Act, all fines recovered thereunder by an Inspector appointed by any Borough Council or Town Board shall be paid into its District Fund.

(5.) Nothing in this section shall abridge or affect the powers of an Inspector appointed under section twenty-three of the principal Act, but no such Inspector shall exercise any powers or functions within the *any borough or town* district, ~~of any local authority which has appointed an Inspector hereunder,~~ except by direction of the Minister, and after written notice has been given to ~~such authority~~ *the Borough Council or Town Board, as the case may be.* 5

(6.) Every appointment of an Inspector for any borough or town district heretofore made under the principal Act and still in force shall enure for the purposes of this section as if it had been made hereunder by the Borough Council or Town Board, as the case may be, and shall, where necessary, be deemed to have been so made. 10

Definition of
"clear" amended.

3. (1.) Section two of the principal Act is hereby amended by repealing the definition of "clear," and substituting the following definition:— 15

"'Clear' means cutting down or grubbing or pulling up the stem or root of any noxious weed."

Consequential
repeal.

(2.) Section two of the Noxious Weeds Amendment Act, 1923, is hereby repealed.

Section 4 of
Amendment Act,
1923 (as to clearing
weeds) amended.

4. Section four of the Noxious Weeds Amendment Act, 1923, is hereby amended as follows:— 20

(a.) By inserting, in subsection one, before the words "in every year," the words "at least once."

(b.) By omitting from subsection five the words "and to keep the same cleared of noxious weeds," and substituting the words "within the time specified by an Inspector by notice in writing under his hand, or by public notification in one or more newspapers circulating in the district in which the occupier's land is situated." 25

Penalty for
continued default.

5. If any person convicted of an offence against section four of the Noxious Weeds Amendment Act, 1923, for failing to comply with any requirement thereof continues in default for more than one month after the date of such conviction, he shall be deemed to have committed a further offence against that section, and shall be liable on conviction to a further fine of not less than five pounds and not more than fifty pounds, and so on for every succeeding conviction after one month of continued default. 30

Consequential
repeal.

6. Section six of the Noxious Weeds Amendment Act, 1923, is hereby repealed. 35