

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]
House of Representatives, 20 October 1960

Words struck out by the Committee are shown in roman enclosed in panel: words inserted are underlined with a double rule, or have double rule down side.

Hon. Mr Skinner

RABBITS AMENDMENT

ANALYSIS

Title	4. Ratepayers list
1. Short Title	5. Special procedure where electors do not exceed forty in number
<i>Division of District into Wards</i>	<i>Wallabies</i>
2. New sections inserted	6. Delegation of powers of destroying wallabies
14A. Provision for division of district into wards	7. Liberation of wallabies prohibited
14B. Redivision of wards, etc.	8. Keeping live wallabies
3. Ward representation	9. Regulations

A BILL INTITULED

An Act to amend the Rabbits Act 1955

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

1. Short Title—This Act may be cited as the Rabbits Amendment Act 1960, and shall be read together with and deemed part of the Rabbits Act 1955 (hereinafter referred to as the principal Act).

10 *New*
1A. **Additional members of Rabbit Destruction Council**—
(1) Subsection (2) of section 3 of the principal Act is hereby
amended—
15 (a) By omitting from paragraph (a) the word “Two”,
and substituting the word “Three”:
(b) By omitting from paragraph (b) the word “Three”,
and substituting the word “Four”.
20 (2) Notwithstanding anything to the contrary in section 3
of the principal Act, as amended by section 3 of the Rabbits
Amendment Act 1959, the term of office of each of the
additional members appointed to the Council in consequence
of the enactment of subsection (1) of this section shall expire
with the fifth day of April, nineteen hundred and sixty-four.

Division of District into Wards

2. **New sections inserted**—The principal Act is hereby amended by inserting, after section 14, the following sections:

“14A. **Provision for division of district into wards**—(1) On the recommendation of the Council, the Minister may direct that any district, whether constituted before or after the commencement of this section, shall be divided into such number of wards as the Minister may specify for the purposes of the election of members. 5

“(2) Where pursuant to section 15 or section 18 of this Act two or more districts are united to form one district, the Minister may thereupon or at any time thereafter, on the recommendation of the Council, direct that the united district shall be divided into such number of wards as the Minister may specify for the purposes of the election of members. 10 15

“(3) On receipt of a direction from the Minister pursuant to subsection (1) or subsection (2) of this section, the Board of the district shall forthwith, by notice published in the *Gazette*, divide the district into wards with such names and boundaries as are assigned to them by the Board. 20

“(4) On the constitution of a new district otherwise than by the union of two or more existing districts, the Governor-General, on the recommendation of the Minister made at the request of the Council, may, by the Order in Council constituting the district, for the purposes of the election of members,— 25

“(a) Divide the district into such number of wards, and with such names and boundaries, as the Order in Council may provide:

“(b) Fix the number of members to be elected for each ward of the district: 30

“Provided that there shall be at least one member for each ward:

“Provided also that for this purpose regard shall be had to the matters specified in subsection (2) of section 25A of this Act, which was enacted by section 3 of the Rabbits Amendment Act 1960. 35

“(5) The number of wards in any district shall not at any time be more than nine.

“14B. **Redivision of wards, etc.**—If so directed by the Minister on the recommendation of the Council, the Board of any district, howsoever constituted and whether constituted before or after the commencement of this section, shall, by notice published in the *Gazette*,— 40

“(a) Where the boundaries of the district are altered by the inclusion therein of any area, divide or redivide the district into wards, or include the area in one or more existing wards, or form the area into one or more new wards: 45

- 5 “(b) Where the boundaries of the district are altered by the exclusion therefrom of any area, divide or redivide the district into wards, or include the remaining portion of any ward, part of which has been so excluded from the district, in one or more of the existing wards:
- “(c) Alter the boundaries of any ward of the district, or wholly redivide the district into wards:
- 10 “(d) Name or rename any ward:
- “(e) Alter the number of elective members for any ward:
- “ (f) Abolish all wards in the district.”

3. Ward representation—The principal Act is hereby amended by inserting, after section 25, the following section:

- 15 “25A. (1) Upon the division or redivision of any district into wards pursuant to a direction of the Minister, the Board of the district shall, by notice published in the *Gazette*, fix the number of members to be elected for each ward of the district:

“Provided that there shall be at least one member for each ward.

- 20 “(2) In determining the representation of the different wards the Board shall take into account the rateable value, the area of land, the number of ratepayers in each ward, and such additional factors of any kind as the Board considers relevant.

- 25 “(3) Where—

- “(a) An undivided district is divided by a Board into wards; or
- “ (b) A district divided into wards is redivided; or
- “ (c) The wards of a divided district are abolished; or
- 30 “(d) The number of elective members for any ward of a divided district is altered,—

- the change shall not take effect until the next general election of members of the Board or, in the case of a newly constituted united district, the first election of all the members of the
- 35 Board for that district, except to such extent as may be necessary for providing for the holding of that election.”

- 4. Ratepayers list**—Section 26 of the principal Act is hereby amended by adding to subsection (1) the words “Where a district is divided into wards, the list shall be divided so as
- 40 to show the ratepayers of each ward.”

5. Special procedure where electors do not exceed forty in number—The principal Act is hereby amended by repealing section 36, and substituting the following section:

- 45 “36. (1) Where the total number of electors on the roll for any district does not exceed forty, but not otherwise, the provisions of subsection (3) of this section shall apply with respect to the election of any member or members to the Board.

“(2) Where the total number of electors on the roll for any ward of a district does not exceed forty, but not otherwise, the provisions of subsection (3) of this section shall apply with respect to the election of any member or members to represent that ward on the Board.

“(3) If within the time limited for the receipt of nominations there is received by the Returning Officer a nomination paper in proper form signed by a majority in number of the electors who are on the roll for the district or ward, as the case may be, and who also possess in their own right a majority of the votes exercisable by all the electors for the district or ward, as the case may be, and nominating the required number of qualified persons to fill all the vacancies on the Board in respect of the district or ward, as the case may be, then, notwithstanding that other nominations have been received, the Returning Officer may, at the place and on the day appointed for the receipt of nominations, publicly declare the person or persons so nominated by a majority of the electors to be duly elected, and such person or persons shall be deemed to be duly elected without the taking of a poll.”

Wallabies and Opossums

New

5A. Power to destroy opossums—Section 55 of the principal Act, as inserted by section 2 of the Rabbits Amendment Act 1959, is hereby amended by adding to paragraph (b) the words “and opossums or either of them”.

6. Delegation of powers of destroying wallabies—The principal Act is hereby amended by inserting, after section 55, the following section:

“55A. (1) Subject to the provisions of this section, any Board which is authorised under section 55 of this Act to exercise powers conferred by this Act for the purpose of destroying wallabies within its district may delegate such of those powers as it thinks fit to another Board that has a like authority within its district.

“(2) Any Board which, under subsection (1) of this section, accepts from any other Board a delegation of any such powers of destroying wallabies may from time to time appoint a committee or committees, and may delegate to any such committee all or any of the powers which the Board may exercise, whether by delegation as aforesaid or by virtue of paragraph (b) of section 55 of this Act, for the purpose of destroying wallabies.

“(3) Any person, whether or not he is a member of the Board, may be appointed as a member of any committee established by a Board under subsection (2) of this section:

5 “Provided that, except with the consent of the Minister, no person shall be appointed as a member of the committee unless he is an elective member of a Board or is an Inspector appointed under Part III of this Act.

10 “(4) A Board may pay to any member of any committee established by the Board under subsection (2) of this section the travelling expenses actually and reasonably incurred by him in attending any meeting of the committee or in attending to any business of the committee pursuant to a resolution of the committee.

15 “(5) It shall be lawful for a Board from time to time to enter into contracts of insurance insuring members of any committee established by the Board under subsection (2) of this section against loss from personal accident arising out of and in the course of the exercise of their powers or duties as members, and to pay the premiums payable in respect of
20 the contracts.

25 “(6) Any Board that establishes a committee under subsection (2) of this section shall appoint a Chairman from among the members of the committee, and may pay to that Chairman such annual allowance, not exceeding one hundred pounds, as may from time to time be fixed by the Board, but no alteration in the amount of that allowance shall take effect during the term of office of any such Chairman.

30 “(7) Where, under section 55 of this Act, any Board is authorised to exercise for the purpose of destroying wallabies all the powers conferred on the Board for the purpose of destroying rabbits, the general rate which the Board may make and levy under section 64 of this Act may, in addition to being made and levied for the purposes of the general revenue of the Board, be made and levied by the Board for
35 the purpose of providing funds for the destruction of wallabies.

40 “(8) Where, under section 55 of this Act, any Board is authorised to exercise for the purpose of destroying wallabies all the powers conferred on the Board for the purpose of destroying rabbits, there may from time to time be paid to the Board, for the purpose of assisting it to carry out effectively the destruction of wallabies in its district, such sums as the Minister, on the recommendation of the Council, may approve.

“(9) Any Board which has made and levied a general rate as aforesaid and which has delegated to any other Board any powers of destroying wallabies within its district may pay out of its funds to that Board such sums as it deems necessary for the purpose of destroying wallabies.”

5

“(10) All sums paid to a Board under subsection (9) of this section shall be used by the Board for purposes connected with the destruction of wallabies, and no such sum shall be used for any other purpose.

“(11) Any Board which, under subsection (1) of this section, accepts from any other Board a delegation of any powers of destroying wallabies, may from time to time appoint such officers and other employees as it thinks necessary for the purpose of carrying out effectively the destruction of wallabies within its district and within the district of that other Board.”

15

Struck Out

7. Liberation of wallabies prohibited—Section 105 of the principal Act is hereby amended by inserting, after the word “rabbits” wherever that word appears, the words “or wallabies”.

20

8. Keeping live wallabies—Section 106 of the principal Act, as substituted by subsection (1) of section 10 of the Rabbits Amendment Act 1959, is hereby amended by inserting, after the word “rabbit” wherever that word appears, the words “or wallaby”.

25

9. Regulations—Section 117 of the principal Act is hereby amended by inserting in paragraph (d) of subsection (1), after the word “rabbits” wherever that word appears, the words “and wallabies”.

New

30

7. Power to levy differential rates—Subsection (3) of section 65 of the principal Act is hereby amended by inserting in paragraphs (a), (b), (c), and (d), after the word “rabbits” in each place where it occurs, the words “wallabies, and opossums, or any of them”.

35

8. Grants to Boards—Section 77 of the principal Act is hereby amended by inserting, after the word “rabbits” in each place where it occurs, the words “wallabies, and opossums”.

9. Liberation of wallabies and opossums prohibited—Section 105 of the principal Act is hereby amended by inserting, after the word “rabbits” wherever that word appears, the words “wallabies, or opossums”.

5 **10. Keeping live wallabies and opossums**—Section 106 of the principal Act, as substituted by subsection (1) of section 10 of the Rabbits Amendment Act 1959, is hereby amended by inserting, after the word “rabbit” wherever that word appears, the words “wallaby, or opossum”.

10 **11. Regulations**—Section 117 of the principal Act is hereby amended by repealing paragraph (d) of subsection (1), and substituting the following paragraph:

15 “(d) Prohibiting or restricting or authorising the Rabbit Board for the district to prohibit or restrict the poisoning, trapping, or shooting of rabbits, wallabies, and opossums, or any of them, or the hunting of all or any of them, whether with dogs or otherwise, in any rabbit district or part thereof.”