

*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 October, 1939.*

*Hon. Mr. Mason.*

## STATUTES AMENDMENT.

### ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p style="text-align: center;"><i>Administration.</i></p> <p>2. Executors' commission may be apportioned.</p> <p style="text-align: center;"><i>Air Force.</i></p> <p>3. Offences in relation to uniforms and badges.</p> <p style="text-align: center;"><i>Air Navigation.</i></p> <p>4. Extending power to make regulations under the Air Navigation Act, 1931.</p> <p style="text-align: center;"><i>Births and Deaths Registration.</i></p> <p>5. Repealing provisions as to registration of fathers of illegitimate children. Repeal.</p> <p style="text-align: center;"><i>Chattels Transfer.</i></p> <p>6. Application of Chattels Transfer Act to book debts. Repeals.</p> <p style="text-align: center;"><i>Cinematograph Films.</i></p> <p>7. Extending quota provisions.</p> <p style="text-align: center;"><i>Coal-mines.</i></p> <p>8. Application of moneys appropriated to assist the coal-mining industry. Repeals.</p> <p style="text-align: center;"><i>Companies.</i></p> <p>9. This section and next three sections to form part of Companies Act, 1933.</p> | <p>10. Application for membership of a company not to be contained in a proposal for insurance. Commencement.</p> <p>11. Date for making declaration of solvency where private company passes winding-up resolution by entry in minute-book.</p> <p>12. Provisional liquidator may be appointed by private company where resolution for a creditors' voluntary winding-up is passed by entry in minute-book.</p> <p style="text-align: center;"><i>Co-operative Companies.</i></p> <p>13. Surrenders of shares by co-operative fish-marketing companies.</p> <p style="text-align: center;"><i>Deaths by Accidents Compensation.</i></p> <p>14. Damages may be placed in trust when apportioned.</p> <p style="text-align: center;"><i>Deeds Registration.</i></p> <p>15. Transfer of deeds to custody of libraries and museums.</p> <p style="text-align: center;"><i>Dogs Registration.</i></p> <p>16. Sections 25 and 26 of Dogs Registration Act, 1908, amended.</p> <p style="text-align: center;"><i>Education.</i></p> <p>17. Officers of Public Service engaged as teachers may be placed under control of Minister of Education.</p> |
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57. Restriction on use of certain names.	67. Official report to be in shorthand, and such parts as are directed to be transcribed. Repeal. Consequential amendment.
58. Section 41 of principal Act amended as to imprisonment in default of payment of fine.	68. Secretary for War Pensions. Consequential amendments.
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A BILL INTITULED

AN ACT to amend certain Acts of the General Assembly of New Zealand. 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 Statutes Amendment Act, 1939. Short Title.

*Administration.*

10    2. Where the Court allows a commission or percentage under section twenty of the Administration Act, 1908, in any case in which there are or have been two or more administrators or trustees, whether acting at the same time or at different times, the Court may, in its discretion, apportion the total amount allowed among the administrators or trustees in such manner as it thinks fit, and, in particular, may divide the

Executors' commission may be apportioned. See Reprint of Statutes, Vol. III, p. 135

amount in unequal shares or may make the allowance to one or more of the administrators or trustees to the exclusion of the other or others.

*Air Force.*

Offences in relation to uniforms and badges.

1937, No. 6  
See Reprint of Statutes, Vol. II, p. 595

Ibid., p. 519

Ibid., Vol. I, p. 438

3. (1) This section shall be read together with and 5  
deemed part of the Air Force Act, 1937.

(2) Section sixty of the Defence Act, 1909, shall apply, with the necessary modifications, to the uniform of the Air Force as if the Air Force were part of His Majesty's Military Forces as defined in subsection four 10  
of that section.

(3) Section thirty-one of the Police Offences Act, 1927, is hereby amended by inserting in subsection three, after the word "naval", the words "or air force".

(4) Section two of the Military Decorations and 15  
Distinctive Badges Act, 1918, is hereby amended by inserting, after the word "naval", the words "or air force".

*Air Navigation.*

Extending power to make regulations under the Air Navigation Act, 1931.

Ibid., Vol. I, p. 424

4. (1) Section three of the Air Navigation Act, 20  
1931, is hereby amended by inserting, after the word "necessary", the words "or expedient".

(2) Section five of that Act is hereby amended by repealing paragraph (m), and substituting the following 25  
paragraph:—

"(m) Regulating the making of signals and other communications by or to aircraft and persons carried therein, and regulating the use of the Royal New Zealand Air Force ensign or of the New Zealand Civil Air 30  
ensign or of any other ensign that may be established or authorized for purposes connected with air navigation."

*Births and Deaths Registration.*

Repealing provisions as to registration of fathers of illegitimate children.

Ibid., Vol. VIII, p. 36

Ibid., Vol. II, p. 904

5. (1) This section shall be read together with and 35  
deemed part of the Births and Deaths Registration Act, 1924 (in this section referred to as the principal Act).

(2) All entries in any register heretofore made by any Registrar pursuant to the provisions of section 40  
fifteen of the Destitute Persons Act, 1910, shall, on the passing of this Act, be deemed to be expunged and deleted.

(3) In making a certified copy of the entry in any register of the birth of an illegitimate child, the Registrar-General or the Registrar, as the case may be, shall omit from the copy any entry made in the  
5 register pursuant to the provisions of the said section fifteen.

(4) Every certified copy made pursuant to the *last preceding* subsection shall, if otherwise correct, be deemed to be a true copy of the original entry in the  
10 register.

(5) Section twenty-five of the principal Act is hereby amended by omitting from subsection three the words " Except as provided in section fifteen of the Destitute Persons Act, 1910 "

15 (6) Section fifteen of the Destitute Persons Act, 1910, is hereby repealed. Repeal.

*Chattels Transfer.*

6. (1) This section shall be read together with and deemed part of the Chattels Transfer Act, 1924 (in  
20 this section referred to as the principal Act).

Application of Chattels Transfer Act to book debts.

(2) For the purposes of the principal Act book debts shall be deemed to be chattels, and shall be deemed to be situate in the place where the grantor of the instrument comprising them longest resided  
25 or carried on business during the period of six months next before the execution of the instrument.

See Reprint of Statutes, Vol. I, p. 632

(3) For the purposes of any instrument comprising book debts each debt shall be deemed to be a separate chattel, and shall be described by setting forth the  
30 amount of the debt and the name of the debtor or firm of debtors so far as is reasonably necessary to show by whom the debt is owing.

(4) For the purposes of this section and of the principal Act the term " book debts " means debts  
35 owing to any person in the course of his trade or business, but does not include any debt secured or charged on land, or any debt owing to any person for or in respect of any milk, cream, or butterfat supplied by him to any butter factory, cheese factory,  
40 condensed-milk factory, or milk-powder factory.

(5) The definition of the term “chattels” in section two of the principal Act is hereby amended as follows:—

(a) By inserting, after the word “wool”, the words “and also includes book debts”; and 5

(b) By inserting, after the word “choses-in-action” in paragraph (a), the words “(not being book debts)”.

Repeals.

(6) This section is in substitution for sections thirty-one and thirty-two of the principal Act, and those sections are hereby accordingly repealed. 10

#### *Cinematograph Films.*

Extending quota provisions. See Reprint of Statutes, Vol. I, p. 817

7. (1) The First Schedule to the Cinematograph Films Act, 1928, is hereby amended by adding the following words:— 15

“In respect of the year ending 31st December, 1940	20 per cent. of quota films.	
“In respect of the year ending 31st December, 1941	20 per cent. of quota films.	
“In respect of the year ending 31st December, 1942	20 per cent. of quota films.	20
“In respect of the year ending 31st December, 1943	20 per cent. of quota films.	
“In respect of the year ending 31st December, 1944	20 per cent. of quota films.”	25

(2) The Second Schedule to the Cinematograph Films Act, 1928, is hereby amended by adding the following words:—

“In respect of the year ending 30th September, 1940	20 per cent. of quota films.	30
“In respect of the year ending 30th September, 1941	20 per cent. of quota films.	
“In respect of the year ending 30th September, 1942	20 per cent. of quota films.	
“In respect of the year ending 30th September, 1943	20 per cent. of quota films.	35
“In respect of the year ending 30th September, 1944	20 per cent. of quota films.”	

#### *Coal-mines.*

Application of moneys appropriated to assist the coal-mining industry. Ibid., Vol. V, p. 843

8. (1) This section shall be read together with and deemed part of the Coal-mines Act, 1925 (in this section referred to as the principal Act). 40

(2) All moneys that may from time to time be appropriated by Parliament for the purpose of assisting or encouraging prospecting for, or production of, coal 45

shall be apportioned and applied, whether by way of loans, grants, subsidies, or otherwise, as the Minister thinks fit, subject nevertheless to the special terms (if any) of the appropriation.

5 (3) Without limiting the general powers herein-  
before conferred upon the Minister, it is hereby declared  
that subject as aforesaid any of the moneys referred  
to in the *last preceding* subsection may, if the Minister  
thinks fit, be applied, whether by way of loans, grants,  
10 subsidies, or otherwise, for any of the purposes  
following, namely:—

(a) The purchase of machinery, working plant, or  
appliances, and the erection, fitting up, or  
connecting thereof:

15 (b) The extraction, rectification, storage, and  
transport of oil derivable or derived from  
coal:

(c) The erection, reconstruction, or repair of  
dwellings by the owners of any coal-mine for  
20 the use of persons employed therein.

(4) Any loans, grants, subsidies, or other application  
of moneys under this section may be made either  
unconditionally or upon or subject to such conditions as  
the Minister thinks fit.

25 (5) The Minister may for the purposes of this  
section, in the name and on behalf of His Majesty,  
make and enforce such agreements, and execute such  
instruments, as he thinks fit.

(6) This section is in substitution for section one  
30 hundred and fifty-eight of the principal Act and section  
three hundred and ninety-three of the Mining Act, 1926,  
and those sections are hereby accordingly repealed.

Repeals.

See Reprint  
of Statutes,  
Vol. V, p. 1143

*Companies.*

9. This section and the next *three succeeding*  
35 sections shall be read together with and deemed part  
of the Companies Act, 1933 (in those sections referred  
to as the principal Act).

10. (1) No form of proposal for insurance by any  
company that contains or purports to be an application  
40 for shares in or membership of the company shall be  
issued by or on behalf of the company.

(2) Where any person makes a proposal for  
insurance to any company, the company shall not allot  
any shares to that person or admit him to membership

This section  
and next  
*three* sections  
to form  
part of  
Companies  
Act, 1933.

1933, No. 29

Application  
for  
membership  
of a company  
not to be  
contained in  
a proposal  
for insurance.

of the company without first receiving an application for shares or membership that is contained in a document separate from the proposal for insurance.

(3) If a company acts in contravention of this section, the company, and every officer of the company who is in default, shall be liable to a fine not exceeding *one hundred* pounds. 5

(4) Nothing in this section shall affect the validity of any policy of insurance or of any allotment of shares or admission to membership. 10

Commencement. (5) This section shall come into force on the first day of *January*, nineteen hundred and *forty*. 10

Date for making declaration of solvency where private company passes winding-up resolution by entry in minute-book. 11. In the application of subsections one and two of section two hundred and twenty-six of the principal Act to a private company where a resolution for a voluntary winding-up of the company is proposed to be passed or is passed by means of an entry in its minute-book in accordance with section three hundred of the principal Act, the said subsections one and two shall be construed as if the date mentioned in subsection one were the date on which the resolution is passed. 20

Provisional liquidator may be appointed by private company where resolution for a creditors' voluntary winding-up is passed by entry in minute-book. 12. Where a private company passes a resolution for a creditors' voluntary winding-up by means of an entry in its minute-book in accordance with section three hundred of the principal Act, the company may at the same time, or at any subsequent time before the date of the meeting of creditors to be summoned as provided in subsection seven of the said section three hundred, appoint the Official Assignee to be the provisional liquidator of the company; and thereupon the Official Assignee shall become the provisional liquidator and shall continue to act as such until he or another person becomes liquidator and is capable of acting as such. 30

#### *Co-operative Companies.* 35

Surrenders of shares by co-operative fish-marketing companies. 1933, No. 49 13. (1) This section shall be read together with and deemed part of the Act heretofore known as the Co-operative Pig-marketing Companies Act, 1933 (in this section referred to as the principal Act). 35

(2) The principal Act may hereafter be cited as the Co-operative Companies Act, 1933, and that Act is hereby consequentially amended by omitting the word "Pig-marketing" from the Title and from section one. 40



- (3) For the purposes of this section the term “co-operative fish-marketing company” means a company which is incorporated under the Companies Act, 1933 (whether before or after the passing of this Act), the principal object of which is the treatment for human consumption, or the marketing, of fish supplied to the company by its shareholders, and of the shares issued by which not less than three-fifths in nominal value are held by persons engaged in supplying fish to the company. For the purposes of this subsection the principal business which a company for the time being carries on shall be deemed to be the principal object of the company, notwithstanding that it may have authority to carry on any other business.
- (4) The provisions of sections three to nine of the principal Act shall, with the necessary modifications, apply to co-operative fish-marketing companies.
- (5) Any company entitled to be registered under the principal Act as a co-operative fish-marketing company may be registered under the Companies Act, 1933, under a name which contains the word “co-operative”:

Provided that if at any time after it is so registered under the Companies Act, 1933, it ceases to be entitled to be registered under the principal Act, or its registration under that Act is cancelled, the Registrar of Companies may call upon it to take steps to change its name so as to remove the signification that it is a co-operative company, and the company shall, not later than *one* month from the date of the notice from the Registrar, take the appropriate steps under the Companies Act, 1933, to change its name.

(6) If any company fails to comply with the proviso to the *last preceding* subsection, the chairman and every director thereof shall be severally liable on summary conviction to a fine of *five* pounds for every day during which the default continues.

*Deaths by Accidents Compensation.*

14. (1) This section shall be read together with and deemed part of the Deaths by Accidents Compensation Act, 1908 (in this section referred to as the principal Act).

Damages may be placed in trust when apportioned. See Reprint of Statutes, Vol. VI, p. 427

(2) Where any damages are recovered under the principal Act by or on behalf of two or more parties, the Court may in its discretion, either unconditionally or upon or subject to such conditions as it thinks fit, order that the moneys so recovered, or any part thereof, be held upon trusts providing for the taking of successive interests therein by two or more of the parties, or for the payment to any of the parties out of the moneys or out of the income thereof, or partly out of income and partly out of capital, as the case may be, of periodic payments or of a lump sum. Where an order is made under this subsection it shall not be necessary to apportion the moneys under section six of the principal Act; if any such apportionment has been previously made, the Court shall have regard to it in addition to any other relevant considerations, but an order under this subsection may, if the Court thinks fit, involve a variation of any such apportionment.

(3) For the purpose of giving effect to an order under the *last preceding* subsection, or for the purpose of enabling the Court to consider whether any such order should be made, the Court may in its discretion, upon or subject to such conditions as it thinks fit, order that the provisions of section thirteen of the Public Trust Office Amendment Act, 1913, shall apply with respect to any damages claimed, awarded, or received by or on behalf of any party, notwithstanding that he may not be an infant or a person of unsound mind. Every order made under this subsection shall have effect according to its tenor.

(4) Any order made under this section may be at any time in like manner varied or revoked.

*Deeds Registration.*

15. (1) Notwithstanding anything to the contrary in section forty-five of the Deeds Registration Act, 1908, the Registrar of Deeds may at any time deliver to the person in charge of the Alexander Turnbull Library, or of any other library or museum approved for the purposes of this section by the Minister of Internal Affairs, any instrument deposited in the Deeds Register Office for safe custody which in the opinion of the Registrar is no longer required to be securely kept in the Register Office.

See Reprint  
of Statutes,  
Vol. VIII,  
p. 979

Transfer of  
deeds to  
custody of  
libraries and  
museums.  
*Ibid.*,  
Vol. VII,  
p. 1156

(2) Every such instrument shall be kept in safe custody in the library or museum by the officer for the time being in charge thereof, and shall be available for inspection by the Registrar on demand.

5 (3) The Registrar may at any time require the return to him of any instrument delivered to any person under the authority of this section, and in any such case it shall be the duty of the person for the time being responsible for the safe custody of the  
10 instrument to return it to the Registrar accordingly.

*Dogs Registration.*

16. The Dogs Registration Act, 1908, is hereby amended as follows:—

Sections 25 and 26 of Dogs Registration Act, 1908, amended. See Reprint of Statutes, Vol. I, p. 210

15 (a) By omitting from section twenty-five the words “ or cattle ”, and substituting the words “ cattle, or poultry ”:

(b) By omitting from section twenty-six the words “ or sheep ” wherever they occur, and substituting in each case the words “ sheep, or  
20 poultry ”.

*Education.*

17. (1) The Governor-General may by Order in Council declare that officers of the Public Service who are employed as teachers in any Native school or in  
25 any other school under the control of the Education Department shall, on a date to be specified in that behalf, cease to be subject to the Public Service Act, 1912, and thereafter the teachers for the time being employed in any school to which any such Order in  
30 Council relates (whether appointed before or after the date when the Order in Council takes effect) shall be under the control of the Minister of Education.

Officers of Public Service engaged as teachers may be placed under control of Minister of Education. Ibid., Vol. VII, p. 522

(2) Any Order in Council under the *last preceding*  
35 subsection may relate to all schools under the control of the Department of Education, or may relate to any specified school or to schools of any specified class.

(3) By an Order in Council under this section relating to any school or to schools of a specified class or by a subsequent Order in Council the Governor-  
40 General may make regulations as to—

(a) The method and terms of appointment of teachers employed in any such school:

- (b) The rights of appeal by teachers in respect of their dismissal, suspension, or transfer, the constitution of tribunals for the purpose of hearing appeals, and the procedure to be adopted on the hearing of appeals: 5
- (c) The staffing of any such school:
- (d) The rates of salaries and allowances to be paid to the teachers for the time being employed in any such school, and the conditions of their employment (including conditions as to leave of absence): 10
- (e) Any other matters in relation to such schools or to the teachers employed therein.
- (4) Any Order in Council under this section may be at any time in like manner revoked or amended. 15
- (5) Section twelve of the Education Amendment Act, 1921-22, shall be read subject to the provisions of this section.

See Reprint  
of Statutes,  
Vol. II, p. 1101

*Evidence.*

This section  
and *next three*  
sections to  
form part of  
Evidence  
Act, 1908.  
*Ibid.*,  
Vol. III, p. 106  
Proof of  
convictions.

18. This section and the *next three succeeding* 20  
sections shall be read together with and deemed part  
of the Evidence Act, 1908 (in those sections referred  
to as the principal Act).

19. (1) Where in any proceedings it may be neces- 25  
sary to prove the conviction of any person of an  
indictable offence a certificate containing the substance  
of the conviction for the offence, purporting to be  
signed by the Registrar or other officer having the  
custody of the records of the Court where the offender  
was convicted, shall, upon proof of the identity of the 30  
person, be sufficient evidence of the conviction without  
proof of the signature or official character of the  
person appearing to have signed the certificate.

(2) A fee of *five* shillings shall be payable for any 35  
such certificate.

(3) The mode of proving a previous conviction 35  
authorized by this section shall be in addition to and  
not in exclusion of any other authorized mode of  
proving the conviction.

Repeal.

20. The *last preceding* section is in substitution for 40  
subsections two and three of section twelve of the  
principal Act, and those sections are hereby accordingly  
repealed.

21. (1) In this section, unless the context otherwise requires,—

5 “Affidavit” includes any affirmation, statutory or other declaration, acknowledgment, examination, or attestation or protestation of honour:

10 “British representative” means an Ambassador, Envoy, Minister, Chargé d’Affaires, Secretary of Embassy or Legation, Consul-General, Consul, Vice-Consul, Pro-Consul, Consular Agent, High Commissioner, Trade Commissioner, or Tourist Commissioner of a country within the British dominions (including New Zealand), and includes any person lawfully acting for any such officer:

15 “Oath” includes an affirmation and a declaration:

“Swear” includes affirm, declare, and protest.

(2) Every British representative exercising his functions in any place outside New Zealand may, in that place, administer any oath and take any affidavit, and also do any notarial act which any Notary Public can do within New Zealand; and every oath, affidavit, and notarial act administered, sworn, or done by or before any such representative shall be as effectual as if duly administered, sworn, or done by or before any lawful authority in New Zealand.

(3) Any document purporting to have affixed, impressed, or subscribed thereon or thereto the seal and signature of any person authorized by this section to administer an oath in testimony of any oath, affidavit, or act being administered, taken, or done by or before him shall be admitted in evidence without proof of the seal or signature being the seal or signature of that person, or of the official character of that person.

35 *Family Protection.*

22. (1) Notwithstanding anything to the contrary in Part III of the Administration Act, 1908, or in the Statute of Distributions as defined in section fifty-three of that Act, the provisions of Part II of the Family Protection Act, 1908, shall, with the necessary modifications, apply with respect to every person who dies without leaving a will, in the same manner as if he had died leaving a will providing for the distribution

Powers as to oaths and notarial acts outside New Zealand.

Cf. Commissioners for Oaths Act, 1889 (Imp.), 52 & 53 Vict., c. 10, ss. 6, 11; 54 & 55 Vict., c. 50, s. 2, Halsbury’s Statutes of England, Vol. VIII, p. 244

Part II of Family Protection Act applied to intestate estates.

See Reprint of Statutes, Vol. III, pp. 144, 298

of his estate as on an intestacy, and as if the grant of administration of his estate were the grant of probate of his will.

(2) Where any person dies leaving a will but intestate as to any part of his estate, an order may be made by the Court under Part II of the Family Protection Act, 1908, affecting that part of his estate in the same manner as if the will had provided for distribution of that part as on an intestacy. 5

(3) This section shall apply with respect to the estates of persons dying either before or after the passing of this Act. 10

Orders may be made affecting parts of estate held by trustees.

**23.** (1) For the purposes of Part II of the Family Protection Act, 1908, no real or personal property that is held upon trust for any of the beneficiaries in the estate of any deceased person shall be deemed to have been distributed or to have ceased to be part of the estate of the deceased by reason of the fact that it is held by the executors or administrators after they have ceased to be executors or administrators in respect of that property and have become trustees thereof, or by reason of the fact that it is held by any other trustees. 15 20

(2) This section shall apply with respect to the estates of persons dying either before or after the passing of this Act. 25

#### *Forests.*

This section and *next five* sections to form part of Forests Act, 1921-22.

See Reprint of Statutes, Vol. III, p. 425

Definition of forest produce extended.

**24.** This section and the *next five succeeding* sections shall be read together with and deemed part of the Forests Act, 1921-22 (in those sections referred to as the principal Act). 30

**25.** Section two of the principal Act is hereby amended by omitting the definition of the term "forest produce", and substituting the following definition:—

“ ‘Forest produce’ includes trees and other plants, and the products of trees and other plants, and also includes earth, rock, sand, shingle, and minerals when found in or removed from any land set apart as a State forest or any other land for the time being administered by the Minister.” 35 40

26. Section six of the principal Act is hereby amended by repealing paragraph (c), and substituting the following paragraph:—
- 5 “(c) The planting and maintenance of State forests, and the culture, harvesting, transport, sale, or other distribution of forest produce.”
27. The powers conferred by the principal Act to deal with forest produce shall be subject to the provisions of the Coal-mines Act, 1925, the Mining Act, 1926, the Petroleum Act, 1937, and the Iron and Steel Industry Act, 1937.
- 10 28. Section thirty-eight of the principal Act is hereby amended by repealing paragraph (d), and substituting the following paragraph:—
- 15 “(d) For the culture, growth, protection, maintenance, and sale or other disposal of any forest produce, and for purposes incidental thereto.”
- 20 29. All acts of any nature done before the passing of this Act that by virtue of the *last five preceding* sections would have been valid and lawful if they had been done after the passing of this Act shall be deemed to have been validly and lawfully done.
- 25 *High Commissioner.*
- 30 (1) Whenever in his opinion temporary assistance is necessary, the High Commissioner for New Zealand in the United Kingdom may employ such person or persons as he thinks fit for any period or periods not exceeding *six* months in any case.
- 35 (2) As soon as practicable after any person is employed under this section the High Commissioner shall advise the Government of the name of the person employed, the period during which he is employed or during which it is proposed to employ him, and the remuneration paid or payable to him.
- (3) The employment of any person under this section may be terminated at any time by the High Commissioner.
- 40 (4) Except as otherwise provided in this section, the provisions of section nine of the High Commissioner Act, 1908, shall, with the necessary modifications, apply
- Section 6 of principal Act amended.
- Limitation of power to license the taking of forest produce. See Reprint of Statutes, Vol. V, pp. 843, 943 1937, Nos. 27, 33
- Section 38 of principal Act amended.
- Validation of prior acts.
- Authorizing High Commissioner to appoint temporary officers.
- See Reprint of Statutes, Vol. III, p. 687

with respect to every person employed under this section as if he were an officer appointed under that section.

*Hospitals and Charitable Institutions.*

Repeal.  
See Reprint  
of Statutes,  
Vol. III, p. 766

31. Subsection four of section ninety-four of the Hospitals and Charitable Institutions Act, 1926, is hereby repealed. 5

*Impounding.*

Remedies for  
trespass by  
cattle on  
unfenced land  
in certain  
cases.  
Ibid., Vol. I,  
p. 213

32. (1) This section shall be read together with and deemed part of the Impounding Act, 1908 (in this section referred to as the principal Act). 10

(2) Notwithstanding anything to the contrary in the principal Act, the occupier of any unfenced land trespassed upon by cattle may claim the same trespass rates or damages under the principal Act as if the land had been fenced if he proves that the trespass on to his land or on to any land adjoining his land and not fenced therefrom was not directly or indirectly or wholly or partly due to the fact that his land or the adjoining land, as the case may be, was not fenced. 15 20

*Industrial and Provident Societies.*

Limitation on  
registration of  
Societies.  
Ibid.,  
Vol. III,  
pp. 1029, 1055  
Cf. 2 & 3  
Geo. VI, c. 16,  
s. 10 (1),  
(9) (Imp.)

33. (1) This section shall be read together with and deemed part of the Industrial and Provident Societies Act, 1908 (in this section referred to as the principal Act). 25

(2) Notwithstanding anything to the contrary in section two of the Industrial and Provident Societies Amendment Act, 1923, a society shall not be registered under the principal Act unless it is shown to the satisfaction of the Registrar— 30

(a) That the society is a *bona fide* co-operative society; or

(b) That, in view of the fact that the business of the society is being, or is intended to be, conducted— 35

(i) Mainly for the purpose of improving the conditions of living, or otherwise promoting the social well-being, of members of the working classes; or



(ii) Otherwise for the benefit of the community,—

5 there are special reasons why the society should be registered under the principal Act rather than as a company under the Companies Act, 1933.

1933, No. 29

(3) In this section the term “ co-operative society ” does not include a society which carries on, or intends to carry on, business with the object of making profits  
10 mainly for the payment of interest, dividends, or bonuses on money invested or deposited with, or lent to, the society or any other person.

#### *Infants.*

34. (1) Section fifteen of the Infants Act, 1908, is  
15 hereby amended by omitting from the definition of the term “ child ” the words “ boy or girl under the age of fifteen years ”, and substituting the words “ person under the age of twenty-one years ”.

Amendment of definition of “ child ” in respect of adoption of children.

(2) Section eighteen of the Infants Act, 1908, is  
20 hereby amended by omitting from paragraph (c) of subsection one the words “ fifteen years ”, and substituting the words “ twenty-one years ”.

See Reprint of Statutes, Vol. III, p. 1074

#### *Juries.*

35. This section and the *next three succeeding* sections shall be read together with and deemed part of the Juries Act, 1908 (in those sections referred to as the principal Act).

This section and *next three sections* to form part of Juries Act, 1908.

36. The Sheriff shall keep in his office the lists sent and delivered to him by the Jury Officers as  
30 provided by section twenty-five of the principal Act, and so as to make up such a number of special jurymen as he considers necessary he shall take from those lists consecutively and enter in a book consecutively the names, in the order in which they stand  
35 in the lists, of all men who are known to him to be, or from their descriptions appear to him to be, qualified, whether by reason of their education, training, or occupation or otherwise, to determine difficult questions in relation to scientific, technical,  
40 business, or professional matters.

Ibid., Vol IV, p. 399

Special jury-book

Cases in which special jury may be ordered.

37. Except with the consent of all the parties, no action, issue, or criminal case shall be tried before a Judge with a special jury unless in the opinion of the Supreme Court or a Judge thereof difficult questions in relation to scientific, technical, business, or professional matters are likely to arise. 5

Repeals.

1936, No. 22  
1936, No. 58

38. The *last two preceding* sections are in substitution for subsection four of section seventy-one and the proviso to section eighty-four of the principal Act, section four of the Judicature Amendment Act, 1936, and section forty of the Statutes Amendment Act, 1936, and those enactments are hereby accordingly repealed. 10

#### *Labour Department.*

Assistant Secretaries of Labour.

39. (1) There shall from time to time be appointed as officers of the Public Service such number of Assistant Secretaries of Labour as may be deemed necessary. The Assistant Secretaries shall, under the control of the Secretary, perform such general official duties as they are called upon to perform by the Secretary. 15 20

(2) On the occurrence from any cause of a vacancy in the office of Secretary, and in case of the absence from duty of the Secretary (from whatever cause arising), and so long as the vacancy or absence continues, every Assistant Secretary shall have and may exercise such of the powers, duties, and functions of the Secretary as relate to the general official duties which he has been called upon to perform under the *last preceding* subsection. 25 30

(3) The fact that an Assistant Secretary exercises or performs any power, duty, or function of the Secretary shall be conclusive evidence of his authority so to do.

1936, No. 4

(4) For the purposes of this section the powers, duties, or functions of the Secretary shall be deemed to include such of the powers of the Minister as the Secretary may for the time being be authorized to exercise pursuant to a delegation under section five of the Labour Department Amendment Act, 1936. 35 40

Repeal.

(5) This section is in substitution for section three of the Labour Department Amendment Act, 1936, and that section is hereby accordingly repealed.

(6) This section shall be deemed to have come into force on the first day of April, nineteen hundred and thirty-nine.

*Local Elections and Polls.*

5 40. (1) This section shall be read together with and deemed part of the Local Elections and Polls Act, 1925.

Power to postpone local elections.

See Reprint of Statutes, Vol. V, p. 447

(2) The Governor-General may by Order in Council postpone for any period not exceeding *one* year the holding of any election required by any Act to be held for the purpose of filling any elective offices in, under, or in connection with any local authority.

10 (3) The persons holding those elective offices on the date of the Order in Council shall, unless they sooner retire or become disqualified for holding office, continue in office until their successors come into office.

15 (4) In any case where any election is postponed under this section the election to be held next after the postponed election shall be held on the same date as it would have been held if there had been no postponement.

20 (5) This section shall continue in force until the *thirty-first* day of *December*, nineteen hundred and *forty*, and no longer.

*Marriage.*

25 41. (1) This section shall be read together with and deemed part of the Marriage Act, 1908 (in this section referred to as the principal Act).

As to marriage of persons under sixteen years of age.

30 (2) A certificate of marriage shall not be issued by any Registrar under the principal Act if either of the persons intending marriage is under the age of sixteen years at the date of the notice of intended marriage given under section seventeen of that Act.

Ibid., Vol. III, p. 826

35 (3) No Officiating Minister shall celebrate a marriage between two Natives under the provisions of paragraph (b) of subsection one of section two hundred and thirty-two of the Native Land Act, 1931, if either of the Natives is under the age of sixteen years.

Ibid., Vol. VI, p. 188

40 (4) No marriage shall be deemed to have been unduly solemnized by reason only of an infringement of the provisions of this section.

(5) All marriages contracted and solemnized before the passing of this Act that by virtue of this section would have been valid and lawful if this section had been in force when they were contracted and solemnized shall be deemed to have been and to be valid and binding, and the issue born of such marriages (whether born before or after the passing of this Act) shall be deemed to have been born in lawful wedlock: 5

Provided that this section shall not render valid any such marriage in any case where either of the parties to the marriage has thereafter before the passing of this Act lawfully intermarried with any other person; nor shall this section affect any estate, right, or interest in any real or personal property to which any person has become absolutely entitled (whether beneficially or otherwise) before the passing of this Act, or affect any proceedings commenced in any Court before the passing of this Act or any decree, order, or judgment made or given (whether before or after the passing of this Act) in any such proceedings. 10 15 20

Repeal.  
1933, No. 5

(6) This section is in substitution for section two of the Marriage Amendment Act, 1933, and that section is hereby accordingly repealed.

*Married Women's Property.*

Repealing  
restrictions on  
married women  
entering into  
partnership.

See Reprint  
of Statutes,  
Vol. III, p. 864

Extension of  
protection  
afforded by  
section 6 of  
Mental  
Defectives  
Amendment  
Act, 1935.  
1935, No. 7

42. Section twenty-nine of the Married Women's Property Act, 1908, is hereby repealed. 25

*Mental Defectives.*

43. Section six of the Mental Defectives Amendment Act, 1935, is hereby amended by inserting, after subsection six thereof, the following new subsection:— 30

“(6A) No claim or demand or action for damages in respect of any wrongful act or default committed by any person at any time during his absence on leave from any institution or house in which he has been detained as a patient under the principal Act, or at any time after his discharge as a patient, shall be made or brought against His Majesty or against any person acting under the authority of the principal Act in the matter of the grant of leave of absence to or the discharge of such patient.” 35 40

excised boundaries has legislative authority (LA) (3)  
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44. This section and the *next four succeeding*  
 sections shall be read together with and deemed part  
 of Part XIII of the Mining Act, 1926 (hereinafter in  
 5 those sections referred to as the principal Act).

This section  
 and *next four*  
 sections to  
 form part of  
 the Mining  
 Act, 1926.

45. (1) All moneys that may from time to time  
 be appropriated by Parliament for the purpose of  
 assisting or encouraging prospecting for, or production  
 of, gold or any other metal or mineral shall be  
 10 apportioned and applied, whether by way of loans,  
 grants, subsidies, rewards, or otherwise, as the Minister  
 thinks fit, subject nevertheless to the special terms  
 (if any) of the appropriation, and subject also to the  
 provisions following, that is to say:—

See Reprint  
 of Statutes,  
 Vol. V, p. 1150

Application  
 of moneys  
 appropriated  
 to assist the  
 mining  
 industry.

15 (a) In any case where such assistance or encourage-  
 ment is given by way of reward for  
 the discovery of a new mining-field, the  
 Minister may agree with any local authority  
 20 that that authority shall pay such portion  
 of the reward as is agreed on, not exceeding  
 one-half, and that the residue shall be paid  
 by him; and in every such case the local  
 authority shall be liable to pay its portion  
 accordingly:

25 (b) In any case where any local authority itself  
 offers any reward under the provisions of the  
 principal Act, the Minister may pay such  
 portion thereof as is agreed on, not exceeding  
 one-half:

30 (c) In any case where any local authority, being  
 liable to pay any money in respect of any  
 such reward, makes default in duly paying  
 the same, the Minister may pay it on behalf  
 35 of the local authority, and all money so paid  
 by him shall be a charge upon and be  
 deducted from all goldfields revenue, or other  
 money, due or accruing due to the local  
 authority under any Act.

40 (2) Without limiting the general powers herein-  
 before conferred upon the Minister, it is hereby  
 declared that, subject to the special terms (if any) of  
 the appropriation, any of the moneys appropriated  
 by Parliament, as mentioned in the *last preceding*

subsection, may, if the Minister thinks fit, be applied, whether by way of loans, grants, subsidies, or otherwise, for the purpose of purchasing machinery, working plant, or appliances, and for erecting, fitting up, or connecting the same. 5

(3) Any loans, grants, subsidies, rewards, or other application of moneys under this section may be made either unconditionally or upon or subject to such conditions as the Minister thinks fit.

Power to make and enforce agreements.

46. The Minister may for the purposes of Part XIII of the principal Act, in the name and on behalf of His Majesty, make and enforce such agreements, and execute such instruments, as he thinks fit. 10

Certain mining privileges not to be forfeited without consent.

47. In any case where moneys are advanced or paid to any person who has an interest in a mining privilege and any instrument referring to the mining privilege is completed between that person and the Minister on behalf of His Majesty and duly registered under the principal Act, the mining privilege shall not, so long as any moneys remain payable to the Minister on behalf of His Majesty, be liable to forfeiture for any cause whatsoever except with the consent in writing of the Minister, and no certificate of abandonment shall be given in respect of the mining privilege without the like consent. 15 20

Repeals.

48. Sections three hundred and eighty-four to three hundred and ninety-two, sections four hundred and nineteen, four hundred and twenty-two, and four hundred and twenty-six, and paragraph (c) of section four hundred and twenty-five of the principal Act are hereby repealed. 25 30

#### *Mortgagors and Lessees Rehabilitation.*

Power of Court of Review to interpret and amend orders. 1936, No. 33

49. (1) This section shall be read together with and deemed part of the Mortgagors and Lessees Rehabilitation Act, 1936 (in this section referred to as the principal Act). 35

(2) Where it appears to the Court of Review that the meaning of any order made under the principal Act is not clear or that the intention of the Court or of an Adjustment Commission cannot be carried out because of any defect in or omission from the order, the Court may, on the application of any person affected by the order, make an order interpreting or 40

amending the prior order or supplementing it so that the defect or omission may be rectified and the intent and purpose of the order fulfilled.

(3) Any order made under the *last preceding* subsection shall have effect according to its tenor.

*National Expenditure Adjustment.*

50. Section forty of the National Expenditure Adjustment Act, 1932, is hereby repealed.

Certain applications under National Expenditure Adjustment Act, 1932, not to be referred to Adjustment Commissions. 1932, No. 8

*New Zealand Centennial.*

10 51. (1) This section shall be read together with and deemed part of the New Zealand Centennial Act, 1938.

(2) With the prior consent of the Minister any Borough Council may in any year make and levy a separate rate, of such amount as the Minister approves, over all rateable property in the borough for the purpose of meeting any expenditure which that Council has incurred or may incur in connection with its participation in approved Centennial celebrations.

Authorizing Borough Councils to make and levy separate rates for Centennial purposes. 1938, No. 21

20 (3) This section shall remain in force until the thirty-first day of *March*, nineteen hundred and forty-one, and shall then be deemed to be repealed.

25 52. Section eighteen of the New Zealand Centennial Act, 1938, is hereby amended by inserting in subsection one, after the word "establishment", the words "or maintenance".

Local authorities may expend moneys on maintenance of memorials.

*New Zealand University.*

30 53. (1) This section shall be read together with and deemed part of the New Zealand University Act, 1908 (in this section referred to as the principal Act).

(2) Notwithstanding the provisions of the principal Act or of the University statutes or of any regulations made thereunder, it shall be lawful for the Senate of the University of New Zealand, during the continuance of the present war and within a reasonable time thereafter, to confer and award degrees, diplomas, certificates of proficiency, scholarships, prizes, bursaries, and exhibitions, and to declare that students have passed in any section or sections, or subject or subjects, with or without having kept terms or complied with

Power for Senate to confer diplomas, &c., on students on war service notwithstanding that Acts or regulations have not been wholly complied with.

See Reprint of Statutes, Vol. II, p. 1121

the statutes or regulations of the University of New Zealand or of any constituent college or of the New Zealand School of Agriculture upon such tests, certificates, or otherwise as the Senate may in its discretion from time to time deem sufficient: 5

Provided that the powers conferred by this section shall not be exercised in favour of any students unless they prove to the satisfaction of the Senate—

- (a) That they have been prevented from complying with all or any of the provisions of the said Act, statutes, or regulations or have been otherwise prejudicially affected in the course of their studies by reason of the fact that, whether before or after the passing of this Act, they have been called up for naval, military, or air service or have been required for any special civilian war service; and 10 15
- (b) That they have attained such a standard of proficiency that if they had not been called up or required for that special service they would have qualified to receive the degree, diploma, certificate of proficiency, scholarship, prize, bursary, exhibition, or pass that they wish the Senate to grant them. 20

*Offenders Probation.*

54. (1) This section shall be read together with and deemed part of the Offenders Probation Act, 1920 (in this section referred to as the principal Act). 25

(2) The Court releasing any person on probation under the principal Act may impose all or any of the conditions following, namely:— 30

- (a) That he shall enter into a recognizance, with or without sureties, to be of good behaviour: 30
- (b) That he shall, within such period and by such instalments as may be directed by the Court, pay the costs, or some portion of the costs, of the prosecution in relation to the offence in respect of which he is released on probation and in relation to any other offence of which he may be convicted or in respect of which he may be brought up for sentence at the same time: 35 40

Conditions of release on probation. See Reprint of Statutes, Vol. II, p. 493



5 (c) That he shall, within such period and by such instalments as may be directed by the Court, pay such sums as the Court may direct by way of satisfaction or compensation for any loss suffered by any persons through or by means of the offence in respect of which he is released on probation or through or by means of any other offence of which he may be convicted or in respect of which he may be brought up for sentence at the same time.

10 (3) This section is in substitution for subsection two of section ten of the principal Act, and that subsection and paragraph (a) of section three of the Offenders Probation Amendment Act, 1930, are hereby  
15 accordingly repealed.

Repeals.

*Petroleum.*

55. (1) Section nineteen of the Petroleum Act, 1937, is hereby amended by repealing subsection two.

20 (2) Section twenty of the Petroleum Act, 1937, is hereby amended by inserting in subsection one, after paragraph (a), the following paragraph:—

“(aa) Land that is part of a road or street.”

Authorizing mining operations on roads and streets with consent of appropriate Minister after consultation with local body.  
1937, No. 27

*Police Offences.*

25 56. This section and the next three succeeding sections shall be read together with and deemed part of the Police Offences Act, 1927 (in those sections referred to as the principal Act).

30 57. (1) Except with the consent of the Governor-General in Council or as expressly provided in any Act other than this Act, no association of persons, whether a body corporate or not, shall exercise the functions for which it is formed under a name which—

35 (a) Contains the word “Royal”, or “Imperial”, or “Parliament”, or “National”, or “State”, or any word which suggests, or is calculated to suggest, the patronage of His Majesty or of any member of the Royal Family or connection with Parliament or with His Majesty’s Government or any Department thereof; or  
40

This section and next three sections to form part of Police Offences Act, 1927.  
See Reprint of Statutes, Vol. II, p. 500  
Restriction on use of certain names.

- (b) Contains the word "Municipal", or "Chartered", or suggests, or is calculated to suggest, connection with any municipality or other local authority, or with any society or body incorporated by Royal Charter; or 5
- (c) Contains the word "Bank", "Bankers", "Banking", "Co-operative", "Trust", or "Trustee", or the words "Stock Exchange".

(2) Where any Act provides for the registration of any association of persons, the registering authority may refuse registration if in its opinion the use of the name by which the association desires to be registered is prohibited by the *last preceding* subsection. 10

(3) The provisions of this section shall, with the necessary modifications, apply to an individual carrying on business under any name or style other than his own. 15

(4) Any association or individual who does any Act in contravention of the provisions of this section commits an offence and shall be liable on summary conviction to a fine of *fifty* pounds. 20

(5) Nothing in this section shall apply to the use by any association or individual of any name that was in use in New Zealand by that association or individual on the passing of this Act. 25

Section 41  
of principal  
Act amended as  
to imprisonment  
in default of  
payment of fine.

58. Section forty-one of the principal Act is hereby amended as follows:—

- (a) By omitting from paragraph (a) the words "and in default of payment thereof may be imprisoned for any term not exceeding forty-eight hours": 30
- (b) By omitting from paragraph (b) the words "and in default of payment thereof may be imprisoned for any term not exceeding seven days": 35
- (c) By omitting from paragraph (c) the words "and in default of payment thereof to fourteen days' imprisonment".

Offences in  
relation to  
intoxicating  
liquor at  
dances.

59. (1) Every person who, having the control or management of any dance being held in any hall, supplies intoxicating liquor to any person in the hall, or permits any liquor to be taken into or consumed in the hall, commits an offence and is liable on summary conviction to a fine of *twenty* pounds. 40

(2) Every person who, while a dance is being held in any hall, drinks any intoxicating liquor in the hall, or has any liquor in his possession or control in the hall or in the vicinity of the hall, or supplies liquor to any  
5 person in the hall, commits an offence and is liable on summary conviction to a fine of *ten pounds*.

(3) For the purposes of the *last preceding* sub-section liquor shall be deemed to be in the vicinity of a hall wherein a dance is being held if it is shown  
10 that the liquor was in the possession or control of any person attending or proceeding to attend the dance, or was consumed or intended for consumption by any person so attending.

(4) Any constable who has reason to suspect that  
15 there is any breach by any person of the provisions of this section in or in the vicinity of a hall where a dance is being held may without warrant enter the hall, or any place in the vicinity thereof, and examine the same and search for intoxicating liquor therein and  
20 may seize and remove any liquor found therein and the vessels containing the liquor. Any liquor so seized in respect of which any person is convicted of an offence under this section, together with the vessels containing the liquor, shall be forfeited to the Crown.

(5) Nothing in this section shall apply in relation to any liquor in any licensed premises or in any dwellinghouse.

(6) For the purposes of this section,—

“Hall” means any building where any public  
30 dance is held or where any dance is held to which admission is obtained upon payment of subscriptions, either in money or by way of supplying refreshments, and whether upon general or individual invitation, or otherwise:

“Intoxicating liquor” and “liquor” shall have  
35 the meaning assigned to those terms by section four of the Licensing Act, 1908.

*Public Works.*

60. This section and the *next four succeeding*  
40 sections shall be read together with and deemed part of the Public Works Act, 1928 (in those sections referred to as the principal Act).

See Reprint  
of Statutes,  
Vol. IV, p. 237

This section  
and *next four*  
sections to  
form part of  
Public Works  
Act, 1928.

Ibid.,  
Vol. VII, p. 622

Improvement  
of farm lands.

**61.** The Minister may, by arrangement with, and at the expense of, the owner or the occupier of any farm lands, whether privately owned or not, carry out such works as he thinks fit for the purpose of improving those lands:

5

Provided that no work shall be done under the authority of this section until the estimated cost of that work has been paid to the Minister.

Power to take  
particular  
estates or  
interests or  
land subject  
thereto.

**62.** (1) The power conferred by the principal Act on the Minister or a local authority, as the case may be, to take or contract for the purchase of land for a public work shall include the power—

10

(a) To take or contract for the purchase of and to hold the land subject to any particular estate, interest, easement, *profit à prendre*, or encumbrance to which the land is for the time being subject:

15

(b) To take or contract for the purchase of, separately, any particular estate or interest in the land, whether for the time being subsisting separately or not:

20

(c) To take or contract for the purchase of, separately, any easement or *profit à prendre* over the land, whether for the time being subsisting or not.

25

Repeal.

(2) This section is in substitution for section twelve of the principal Act, and that section is hereby accordingly repealed.

Time for  
claiming  
compensation  
for damage  
may be  
extended.

**63.** The period of twelve months after the execution of the works allowed by section forty-five of the principal Act for the making of any claim for compensation in respect of damage done may, on application made either before or after the expiration of that period, be extended by a Judge of the Supreme Court, upon or subject to such conditions as he thinks fit, to such period, not exceeding five years from the execution of the works, as the Judge thinks fit.

30

35

Costs in  
claims for  
compensation.  
Cf. 9 & 10  
Geo. V, c. 57,  
s. 5 (Imp.)

**64.** (1) Subject to the provisions of this section, the costs of an inquiry by a Compensation Court under Part III of the principal Act shall be in the discretion of the Court, which may direct to and by whom and in what manner those costs or any part thereof shall be paid.

40

(2) Where the respondent has made an offer of any amount for compensation pursuant to the provisions of subsection one of section fifty-four of the principal Act and the compensation awarded does not exceed the amount so offered, the Court shall, unless for special reasons it thinks it proper not to do so, order the claimant to bear his own costs and to pay the costs of the respondent in so far as the costs of either party are incurred after the making of the offer.

(3) Where the *last preceding subsection* does not apply the Court shall, unless for special reasons it thinks it proper not to do so, order the respondent to bear his own costs and to pay the costs of the claimant. Without limiting the generality of the foregoing provision, it is hereby declared that the fact that the Court in any case considers that the amount claimed was unreasonably high, having regard to the compensation awarded, shall be a special reason that the Court may take into consideration for the purposes of this subsection.

(4) This section is in substitution for section eighty-four of the principal Act, and that section is hereby accordingly repealed. Repeal.

*Rating.*

65. Section twenty-seven of the Rating Act, 1925, is hereby amended by omitting from subsection one the words "on the application of any local authority", and substituting the words "on application being made in that behalf".

Section 27 of Rating Act, 1925, amended. See Reprint of Statutes, Vol. VII, p. 988

*River Boards.*

66. It shall be lawful, and be deemed always to have been lawful, for any River Board from time to time to enter into contracts of insurance insuring members of the Board against loss from personal accident arising out of and in the course of the exercise of their powers or duties as members of the Board, and to pay the premiums payable in respect of such contracts.

River Boards may insure members against personal accident while engaged in duties.

*Shorthand Reporters.*

Official report  
to be in  
shorthand,  
and such parts  
as are directed  
to be  
transcribed.

See Reprint  
of Statutes,  
Vol. II, p. 167

Repeal.

Consequential  
amendment.

Secretary for  
War Pensions.  
1938, No. 7

Consequential  
amendments.  
1935, No. 4

1936, No. 27

67. (1) This section shall be read together with and deemed part of the Shorthand Reporters Act, 1908 (in this section referred to as the principal Act).

(2) The report to be made by the authorized reporter who attends any proceedings pursuant to an order made under section four of the principal Act shall be made in shorthand. Upon being directed so to do by the presiding Judge, Magistrate, or Justices, the authorized reporter shall, as soon as practicable, make or cause to be made in longhand writing, typewriting, or in such other mode as may be directed, a transcription of the report or of so much thereof as may be directed.

(3) The *last preceding* subsection is in substitution for section nine of the principal Act, and that section is hereby accordingly repealed.

(4) Section eleven of the principal Act is hereby amended by omitting the word "thereof", and substituting the words "(if any)".

*War Pensions and War Veterans' Allowances.*

68. (1) There shall be an officer of the Social Security Department established under the Social Security Act, 1938, to be known as the Secretary for War Pensions, who, in respect of war pensions and of war veterans' allowances, shall have the powers and functions exercised by the Commissioner of Pensions before the abolition of that office.

(2) The officer holding office on the passing of this Act as the Secretary for War Pensions shall be deemed to have been duly appointed to that office.

(3) The War Veterans' Allowances Act, 1935, is hereby consequentially amended as follows:—

(a) By repealing the definition of the term "Commissioner" in section two thereof:

(b) By substituting references to the Secretary for War Pensions for the references to the Commissioner in section four thereof:

(c) By repealing section fifteen thereof.

(4) Section six of the War Pensions Amendment Act, 1936, is hereby consequentially amended by substituting a reference to the Secretary for War Pensions for the reference to the Commissioner in subsection three thereof.

*Wool Industry Promotion.*

69. (1) This section shall be read together with and deemed part of the Wool Industry Promotion Act, 1936 (in this section referred to as the principal Act).

Changing name of New Zealand Wool Publicity Committee.  
1936, No. 48

(2) The name of the body corporate established under the principal Act is hereby changed, and the body corporate shall hereafter be called the New Zealand Wool Council.

(3) The change of name shall not affect any rights or obligations of the Council, or render defective any legal proceedings by or against the Council, and any proceedings that might have been continued or commenced against it by its former name may be continued or commenced against it by its new name.

(4) The principal Act is hereby consequentially amended as follows:—

(a) By omitting from section two the definition of the term “ Committee ”, and substituting the following definition:—

“ ‘ Council ’ means the New Zealand Wool Council established under this Act: ”

(b) By omitting from subsection one of section three the words “ Publicity Committee ”, and substituting the word “ Council ”:

(c) By omitting the word “ Committee ” wherever else it occurs, and substituting in each place the word “ Council ”.

*Workers' Compensation.*

70. (1) This section shall be read together with and deemed part of the Workers' Compensation Act, 1922 (in this section referred to as the principal Act).

Power to establish separate Court for workers' compensation cases.

(2) Notwithstanding anything to the contrary in the principal Act, the Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:—

See Reprint of Statutes, Vol. V, p. 597

(a) Establishing a Court of Record to exercise the jurisdiction conferred on the Court of Arbitration by the principal Act, and conferring on the Court so established all or any of the powers conferred by that Act on the Court of Arbitration:

- (b) Providing for the Court so established to have a seal which shall be judicially noticed:
- (c) Providing for the appointment of the member or members of the Court, regulating the terms of appointment, and fixing the remuneration and travelling-allowances payable, so that any such regulations may make different provision in respect of different members of the Court: 5
- (d) Regulating the procedure of the Court:
- (e) Prescribing forms and fees in connection with any matters provided for by the regulations: 10
- (f) Making any other provisions consistent with this section and with the principal Act which he thinks necessary and advisable in order to give full effect to the provisions of this section and of that Act. 15