

STATUTES AMENDMENT BILL

EXPLANATORY NOTES

Annual Holidays

Clause 2: "Ordinary pay" under Annual Holidays Act, 1944, not to include value of board or lodging except in special circumstances.—This clause amends the definition of "ordinary pay" in the Annual Holidays Act, 1944, so as to exclude all board and lodging provided by the employer under conditions similar to those prescribed by the country-work clauses of industrial awards and agreements. The definition will still include those cases where the workers, such as hotel workers, domestic workers, and certain rural workers, receive board and lodging as part of their ordinary remuneration.

Births and Deaths Registration

Clause 3: Correction of register of deaths where medical certificate incorrect.—It is sometimes found, as a result of post-mortem examination or on receipt of information for statistical purposes, that the causes of death in the certificate given by the medical practitioner who attended the deceased are not correctly stated. This clause authorizes the register of deaths to be altered to show the causes of death correctly.

Canterbury Agricultural College

Clause 4: Minister of Education in relation to College.—This clause effects a transfer from the Minister of Agriculture to the Minister of Education of the functions of the former in relation to the Canterbury Agricultural College.

Clause 5: Representatives of graduates on Board of Governors.—This clause provides for the election of two members of the Board of Governors of the College by the graduates of the College and those who hold diplomas granted by the College.

Cinematograph Films

Clause 6: Extending quota provisions.—The quota provisions of the Cinematograph Films Act, 1928, with respect to the renters' quota of British films expire on the 31st December, 1944, and the provisions with respect to the exhibitors' quota of British films expired on the 30th September, 1944. It is desired to renew these provisions for a further period of five years, and the clause provides accordingly.

Coal-mines

Clause 7: Sections to be read with Coal-mines Act, 1925.

Clause 8: Qualifications of managers of coal-mines.—Owing to the increased development of opencast coal-mining it is necessary to make wider provision as to the qualifications of managers of such mines. This clause, which replaces section 60 of the Coal-mines Act, 1925, together with the amendments to that section, makes the necessary provision. Subclause (1) re-enacts subsection (1) of section 60 (as amended by section 5 (1) of the Coal-mines Amendment Act, 1937), so far as that subsection relates to mines other than opencast mines. Subclause (2) sets out the qualifications now required for managers of opencast mines. Subclause (3) substantially re-enacts section 9 of the Coal-mines Amendment Act, 1941. Subclause (4) substantially re-enacts subsection (2) of section 60 (as amended by section 5 (2) of the Coal-mines Amendment Act, 1937), and subsection (3) of section 5 of the Coal-mines Amendment Act, 1937.

It contains, however, a new provision recognizing two years' practical experience in a quarry or in opencast workings as one of the qualifications for a permit to manage an opencast mine employing not more than eight men. Subclause (5) substantially re-enacts subsection (3) of section 60. Subclause (6) repeals the existing provisions mentioned above.

Clause 9: Underground transport for workmen.—The purpose of this clause is to empower the Minister to require transport for workmen to be provided between the surface and any underground place in any coal-mine.

Commercial Gardens Registration

Clause 10: Alteration of registration year.—This clause changes the registration year in respect of commercial gardens from the period May to April inclusive to the period October to September inclusive. Registrations current at the passing of the Act are extended automatically to 30th September, 1945.

Counties

Clause 11: Contributions by County Councils towards maintenance of cemeteries.—Section 201 of the Counties Act, 1920, authorizes any County Council to contribute not more than £30 a year towards the maintenance or improvement of any cemetery. That amount was fixed as far back as 1904 and is now quite out of keeping with modern requirements. It is desirable in many instances that counties should combine with other local authorities in the provision of cemeteries common to them all, and in such a case the County Council should be in a position to contribute towards the costs of maintaining the cemetery such proportionate amount as is required for the purpose, without any statutory limitation. The purpose of the clause is to remove the £30 limitation altogether, leaving it a matter of arrangement between the local authorities concerned as to what contribution is made by the County Council.

Clause 12: County Councils may recover cost of work done in controlling or eradicating nassella tussock.—Under section 8 of the Statutes Amendment Act, 1943, County Councils may undertake the control and eradication of nassella tussock, and have power to do work on land for that purpose. This clause empowers County Councils, in their discretion, to recover from the owner of land the whole or part of the cost of such work done on his land. Provision is also made for the owner in his turn to recover from a tenant, and the tenant from a sub-tenant, in certain cases.

Counties Insurance Empowering

Clause 13: Provision with respect to management of insurance business of New Zealand Counties Co-operative Insurance Co., Ltd.—The purpose of this clause is to validate an agreement entered into by the above-mentioned company and the State Fire Insurance General Manager on the 27th January, 1944, for the management of the company's insurance business by the State Fire Office. Under the agreement the State Fire Office will provide, at its head office, all necessary advice, accommodation, staff and other things necessary for carrying on the company's business in conformity with the policy laid down by the company's board of directors, and the company will pay to the Office the net cost of all services so rendered. The right of the company to effect its main purpose of securing the insurance business of all County Councils is safeguarded. The present agreement is to remain in force for a period of two years from the 1st May, 1944, and authority is given by this clause for the making of similar agreements in the future. The clause also provides for the audit of the company's accounts by the Audit Office during the currency of any such agreement.

Education

Clause 14: Sections to be read with Education Act, 1914.

Clause 15: Alterations of boundaries of education districts.—This clause will allow changes to be made in the boundaries of education districts in cases where it is desirable that the control of any school or schools should be transferred to the Board of an adjoining district.

Clause 16: Expenditure on hostels for training college students.—This clause authorizes expenditure by Education Boards for the purposes of hostels for students at teachers' training colleges.

Clause 17: Borrowing-powers of Education Boards, &c.—At the present time Education Boards and controlling authorities of technical high schools and combined schools have no borrowing-powers. This clause authorizes borrowing for approved purposes, and it is contemplated that in those cases the Crown will make the advance out of moneys appropriated for the purpose.

Clause 18: Issue of certificates to pupils at certain schools.—Section 95 of the Education Act, 1914, authorizes the grant of certificates to pupils of secondary schools, district high schools, technical high schools, and registered private secondary schools. Owing to shortage of accommodation at these schools a number of pupils are doing post-primary work at other schools, and this clause will enable them to receive certificates in proper cases.

Clause 19: Papanui Technical School to be a separate school.—When the Papanui Branch School was opened in February, 1936, it was considered desirable to administer the school as a branch of the Christchurch Technical School. The Papanui school has now grown to such an extent that the present position is unsatisfactory both to the Technical School Board and to the staff of the Papanui school. The purpose of this clause is to establish the Papanui school as a separate technical school, to provide for the Christchurch Technical School Board having control of both technical schools, and to make appropriate alterations in the constitution and name of the Board.

Clause 20: Deaf children under six years of age may be enrolled in special schools.—At the present time no deaf child under the age of six years may be enrolled in a special school for the deaf established under Part IX of the Education Act, 1914. It is considered desirable that parents of deaf children should be permitted to enrol the children in such special schools before they reach that age, so that they may have a chance of overcoming their disability. The purpose of the clause is to allow this to be done.

Electric-power Boards

Clause 21: Altering procedure for union of electric-power districts.—This clause will enable the Governor-General in Council to issue a Proclamation uniting two or more electric-power districts if the Board of each district makes a special order recommending the union. This will replace the present provision, which requires a petition signed by a majority of the ratepayers in each district and publicly notified in each district before its presentation to the Governor-General.

Clause 22: Altering date for annual meetings of Electric-power Boards.—This clause will require the annual meeting of an Electric-power Board to be held on a date fixed by the Board, being not later than thirty days after the third Saturday in May. It is almost impossible in election years to hold the meeting in the month of May, as required by the present provision.

Factories

Clause 23 : Increase of minimum age for employment in factories.—In view of the raising of the school age from fourteen years to fifteen years, this clause increases by one year the minimum age for employment in a factory and makes a consequential change in the provisions relating to the certificate of fitness required in the case of boys or girls under sixteen years of age.

Government Railways

Clause 24 : Sections to be read with Government Railways Act, 1926.

Clause 25 : Department's liability for goods lost or damaged.—This clause increases the Department's liability in respect of goods, where no special value has been declared, from £10 to £20, and authorizes the fixing of insurance charges to be paid by the consignor to cover additional liability where special value is declared.

Clause 26 : Recovery of possession of Department's houses.—This clause excludes the application of the Fair Rents Act, 1936, in the cases mentioned in the clause and repeals a provision which related to Part I of the War Legislation Amendment Act, 1916.

Clause 27 : Increased authority for subsidy to sick-benefit fund.—This clause increases from £8,000 to £28,000 the maximum amount that may with the approval of the Minister of Finance be paid out of the Working Railways Account as subsidy to sick-benefit funds established for persons employed in the Second Division of the Department.

Clause 28 : Provisions as to motor-vehicles at railway-crossings amended.—Section 9 of the Government Railways Amendment Act, 1928, requires a motorist to keep a vigilant look-out for approaching trains. In view of a recent decision it would appear that this does not apply to approaching rail cars, &c. The purpose of this clause is to require a look-out to be kept for anything approaching on the railway-line.

Clause 29 : General Manager may sub-delegate certain powers.—Section 6 of the Government Railways Amendment Act, 1936, authorizes the delegation of the Minister's statutory powers to the General Manager. There are cases where it is desirable that an appropriate officer of the Department should have the power—*e.g.*, to sign tenancy agreements where they are terminable by notice. This clause authorizes the General Manager, with the prior approval of the Minister, to sub-delegate such powers as it is thought proper to delegate.

Harbours

Clause 30 : Otago Harbour Board's leasing-powers.—Section 138 of the Harbours Act, 1923, provided that every Harbour Board, except the Otago Harbour Board, which had special leasing-powers, should be a leasing authority within the meaning of the Public Bodies' Leases Act, 1908. It has been found that the Otago Harbour Board's leasing-powers are insufficient for certain purposes, and this repeal of subsection (2) of section 138 will make the Otago Harbour Board a leasing authority under the Public Bodies' Leases Act, 1908.

Hospitals and Charitable Institutions

Clause 31 : Medical information not to be disclosed without consent of patient.—The purpose of this clause is to settle the position concerning the disclosure of information relating to the condition or treatment of a patient in hospital. The clause makes it an offence to disclose any such information without the consent of the patient or his representative, except in certain cases. The clause does not affect the right to call witnesses in Court proceedings to give evidence as to the condition or treatment of any patient.

Industrial and Provident Societies

Clause 32 : Cancelling registration of society which has ceased to exist.—If an industrial and provident society ceases to exist, the registration thereof cannot be cancelled without the approval of the Governor-General. The purpose of this clause is to do away with the necessity of obtaining this approval. Section 6 of the Act requires two months' notice to be given before any registration of a society is cancelled, and provides a right of appeal against cancellation.

Industrial Conciliation and Arbitration

Clause 33 : Sections to be read with Industrial Conciliation and Arbitration Act, 1925.

Clause 34 : Application of principal Act to insurance agents.—This clause extends the provisions of the Industrial Conciliation and Arbitration Act to insurance agents who work on a commission basis and are not at present within the Act because they are not employed as servants of their insurance companies.

Clause 35 : Reference of industrial dispute to Council to be approved by committee of management.—This clause provides that an industrial dispute may be referred to a Council of Conciliation only by resolution of the committee of management of the union or, in the case of an industrial association, by resolution of the committee of management of each of the affiliated unions concerned. Subclause (2) provides that a certificate by the president or vice-president of a union will be sufficient evidence of any such resolution. Subclause (3) repeals section 108 of the principal Act (under which references are now made by secret ballot of the members at a special meeting of the union or unions) and also the sections amending section 108. The effect of the clause is to simplify the procedure, and it applies to unions and associations of employers as well as workers.

Industrial Efficiency

Clause 36 : Appointment of officers of Industrial Committees.—This section authorizes any Industrial Committee under Part II of the Industrial Efficiency Act, 1936, with the prior approval of the Minister, to appoint special officers to assist the Committee. Such officers will be remunerated out of the funds raised for the purposes of the plan in connection with which the Committee has been appointed.

Invercargill Licensing Trust

Clause 37 : Sale of liquor in refreshment-rooms.—This clause authorizes the sale of liquor in refreshment-rooms which are not part of an hotel, and has the effect of modifying the operation of section 36 of the Licensing Amendment Act, 1910, and section 10 of the Licensing Amendment Act, 1914.

Clause 38 : Requirements as to liquor sold for delivery to no-license district.—Sections 146 and 147 of the Licensing Act, 1908, impose certain restrictions and requirements in relation to the sale of liquor, and orders for liquor, for delivery within a no-license district. This clause makes those sections applicable to any sale of liquor or order for liquor in the Invercargill district when the liquor is to be sent or taken to a no-license district.

King George the Fifth Memorial Fund

Clause 39 : Expenditure without resolution of Advisory Committee.—Section 11 of the King George the Fifth Memorial Fund Act, 1938, provides that the Board shall not expend moneys or make grants in respect of children's health camps except upon a requisition made by the Director-General of Health pursuant to a resolution of the Advisory Committee. The purpose of the clause is to remove the requirement of a resolution of the Advisory Committee and authorize expenditure or grants to be made on the requisition of the Director-General of Health without such a resolution.

Law Practitioners

Clause 40: Council of a District Law Society may administer trust account of deceased solicitor in certain circumstances.—The purpose of this clause is to enable a District Law Society to administer the trust account of a deceased solicitor where such a course is necessary in the interests of the solicitor's clients. There have been several cases recently where solicitors have died leaving no partners, and the necessary interval that elapsed before a grant of probate or administration could be obtained to enable some one to operate on the trust account caused much hardship to persons urgently requiring payment of moneys held on their behalf in the account. Some of the persons concerned applied to the Law Society, which now desires authority to deal with such cases in the future.

Massey Agricultural College

Clause 41: Minister of Education in relation to college.—This clause effects a transfer from the Minister of Agriculture to the Minister of Education of the functions of the former in relation to the Massey Agricultural College.

Mining

Clause 42: Section 31 of Mining Amendment Act, 1937, amended.—The effect of paragraph (b) of section 31 of the Mining Amendment Act, 1937, is that no person can be required to work at trucking, timbering, or winning ore on any level or in any working-place in a mine unless there is another person nearby. The purpose of this provision is to ensure that assistance is readily available in case of accident. It is considered unnecessary to keep an extra workman on a level in some cases—for example, where the services of only one man are required for trucking between a working-place and the shaft and the work is done in full view of the chamber of the shaft, to which the chamberman makes periodical visits. In order to provide for cases such as this, the present clause empowers an Inspector to grant exemptions from compliance with section 31 (b) of the 1937 Act with respect to particular mines.

Municipal Corporations

Clause 43: Sections to be read with Municipal Corporations Act, 1933.

Clause 44: Borough Council may establish deferred maintenance funds for trading undertakings.—On account of war conditions, Borough Councils, in common with other local authorities, are behind with their maintenance work. In the years succeeding the war there will be much maintenance and repair work facing Borough Councils to make up for the lost time. Many of them are now planning with this object in view, and desire to set aside money for the work to be carried out over a period of years when normal conditions return. As far as their ordinary undertakings are concerned, Borough Councils have the necessary authority to build up funds for this purpose. This condition does not, however, apply to trading undertakings. The rule in regard to trading undertakings is that all maintenance and repair work should be paid for out of the revenues of the undertaking from year to year before depreciation and reserve funds are set aside. The purpose of this clause is to enable Borough Councils to set aside deferred maintenance funds so as to have moneys available to meet the heavy maintenance and repair costs which will arise in the post-war period.

Clause 45: Regulations for protection of public from danger from fire or other emergency in theatres, &c.—This clause empowers the Governor-General in Council to make regulations for the protection of the public from fire and other dangers and for the prevention of panic in theatres and similar buildings required to be licensed by

Borough Councils under Part XXV of the Municipal Corporations Act. The regulations may provide for the employment of uniformed fire-protection watchmen and may also require the attendance of other theatre employees during performances. Provision may also be made for a uniform system for protection against fire and the prevention of panic in any emergency.

New Zealand University

Clause 46 : Extending availability of Taranaki scholarships.—These scholarships at present are limited to candidates who have resided and attended a school within the Taranaki Provincial District for not less than two years. The purpose of this clause is to make the scholarships available to candidates who have resided in the district for the prescribed period and who are enrolled in the Education Department's Correspondence School.

Clause 47 : Two members of Academic Board to be elected by University lecturers.—The purpose of this clause is to give University lecturers representation on the Academic Board. The University Senate proposes to define a lecturer as a person other than a professor who is a full-time teacher in a college and is in receipt of a salary of not less than £400 per annum.

Clause 48 : Representative of technical-school teachers on University Entrance Board.—The purpose of this clause is to give the New Zealand Technical School Teachers' Association representation on the University Entrance Board.

Police Force

Clause 49 : Restoration of rights of members of the Force who joined the Armed Forces.—This clause will restore to Police Force officers who retired from the Force to serve in the Armed Forces, and subsequently rejoin the Force, the rights of seniority held by them on the date of their retirement. Their superannuation rights are covered by section 27 of the Finance Act (No. 2), 1942 (1942, No. 14).

Public Service

Clause 50 : Sections to be read with Public Service Act, 1912.

Clause 51 : Date of election of members of Board of Appeal.—The election of the elective members of the Public Service Appeal Board was postponed from May, 1943, to May, 1944, by the Government Service Boards Elections Emergency Regulations 1943 (Serial number 1943/28). This clause makes the necessary consequential amendment to the statutory provision dealing with the matter.

Clause 52 : Extending right of appeal of General and Educational Divisions.—At a regrading of the Public Service, officers of the General and Educational Divisions previously exercised an unrestricted right of appeal against the maximum salary allotted to them by the Public Service Commissioner. In 1937 it was held that this right of appeal must be within the scope of a scale of salaries determined by the Commissioner. For instance, if the Public Service Commissioner decided to grade Inspectors of Stock in the three grades—*i.e.*, First Grade, Second Grade, and Third Grade—a Second Grade Inspector could appeal to be graded in the First Grade, but an officer already graded in the First Grade would not have a right of appeal as he was already receiving the maximum salary assessed by the Public Service Commissioner for an Inspector of Stock. Prior to 1937 it was thought that a right of appeal existed for a First Grade officer to make a case for a higher maximum for the First Grade than that assessed by the Commissioner. This clause introduces the right of appeal under these circumstances.

Clause 53 : Right of appeal against promotions made as a result of general regrading of Public Service.—At present officers may appeal against the promotion of another officer by a regrading taking place at any time between periods of general regrading of the Public Service. The right of appeal, however, does not at present exist at a time of general regrading. This is an anomaly, and this clause provides for the same right of appeal at a period of general regrading as exists at all other times.

Public Service Superannuation

Clause 54 : Deputies for certain members of Public Service Superannuation Board.—The four *ex officio* members of the Public Service Superannuation Board are the Financial Adviser to the Government, the Government Insurance Commissioner, the Director-General of the Post and Telegraph Department, and the Valuer-General. Provision is already made for the first two to be represented by deputies at meetings of the Board. This clause authorizes the second two to be represented by deputies at meetings of the Board.

Reformatory Institutions

Clause 55 : Liability of relatives of inmates abolished.—Under the Reformatory Institutions Amendment Act, 1932-33, relatives of persons who are inmates of an inebriates' home or institution may be required to pay towards their upkeep. This clause abolishes this liability, in accordance with the general policy of the Social Security legislation.

Samoa

Clause 56 : Sections to be read with Samoa Act, 1921.

Clause 57 : Definition of "Samoa".—The present definition of the term "Samoa" includes every person who has any Polynesian blood whatsoever unless he either is registered as a European or is the legitimate child of a man having no Polynesian blood or registered as a European. The purpose of the amended definition is to bring the law as closely as possible into line with the popular view in Samoa of the position. In effect, the altered definition will include as Samoans all persons having any Polynesian blood except—

- (a) Persons registered as Europeans ;
- (b) Persons who have not been registered as Samoans and who have at least one-quarter non-Polynesian blood which has come down in unbroken male line ; and
- (c) Children under eighteen years of age whose fathers come within paragraph (a) or paragraph (b), unless they are registered as Samoans.

Clause 58 : Crown land may be declared Native land.—This clause authorizes Crown land to be declared Native land held for the benefit of a particular Samoan or group of Samoans. The power is required to enable the Crown, if it takes over Native land, to grant other land in exchange to be held in accordance with the customs and usages of the Samoan race.

Clause 59 : European land may be declared Native land.—When land which has previously been granted by the Crown is acquired by a Samoan it is sometimes desirable that it should revert to the status of Native land—*i.e.*, land vested in the Crown but held by Samoans in accordance with the customs and usages of the Samoan race. This clause makes provision accordingly.

School of Agriculture

Clause 60: Minister of Education in relation to New Zealand School of Agriculture.—This clause effects a transfer from the Minister of Agriculture to the Minister of Education of the functions of the former in relation to the New Zealand School of Agriculture. The clauses under the headings “Canterbury Agricultural College” and “Massey Agricultural College” are related clauses. Subclause (2) provides for the sending of the reports of the School of Agriculture and the agricultural colleges to the Minister of Agriculture as well as to the Minister of Education.

Soil Conservation and Rivers Control

Clause 61: Town districts forming part of a county not to be constituent districts of catchment districts.—This clause amends the definition of “constituent district” in relation to a catchment district so as to include town districts only if they do not form part of a county.

State Supply of Electrical Energy

Clause 62: Sections to be read with State Supply of Electrical Energy Act, 1917.

Clause 63: Minister of Works may purchase and sell electrical appliances and equipment.—This clause empowers the Minister of Works to carry on the business of trading in electrical appliances. It is similar to section 120 of the Electric-power Boards Act, 1925, conferring the same power on Electric-power Boards.

Clause 64: Minister may install electrical appliances and equipment in public or private buildings.—This clause gives the Minister power to install electrical appliances and to charge rent for the use thereof or to accept payment therefor by instalments. Section 118 of the Electric-power Boards Act, 1925, confers the same power on Electric-power Boards.

Clause 65: Cost of installation of electrical appliances and equipment to be charged on land.—This clause makes the cost of installing electrical appliances a charge on the land and recoverable as rates, subject to the prior consent of the owner and any mortgagees being obtained where the installation is to cost more than £30. Electric-power Boards already have the same protection under section 119 of the Electric-power Boards Act, 1925, and section 7 of the Electric-power Boards Amendment Act, 1928.

Tramways

Clause 66: Car-shed labourers may be examined as motormen of “one-man” cars.—This clause gives car-shed labourers the same rights as car-cleaners and car-examiners to apply for examination for electric-tram drivers’ certificates for “one-man” cars (on which one person acts both as driver and conductor).

Urban Farm Land Rating

Clause 67: Supplementary farm-land roll for area added to a borough.—Under the Urban Farm Land Rating Act, 1932, when a farm-land roll has been prepared for a borough containing particulars of all properties in the borough that are to receive the benefits of the Act, the roll, with certain exceptions, remains in force for five years and cannot be altered during that period. Cases have arisen where areas have been added to a borough shortly after the preparation of a farm-land roll and these areas have contained urban farm lands which would otherwise be eligible to receive the benefits of the Act. The purpose of this clause is to enable urban farm lands included in a borough after the farm-land roll has been prepared to be placed in a supplementary farm-land roll and so receive the benefits of the Urban Farm Land Rating Act, 1932.

Workers' Compensation

Clause 68: Sections to be read with Workers' Compensation Act, 1922.

Clause 69: Special provisions as to partly trained workers over twenty-one.— Under section 9 of the Workers' Compensation Act, 1922, where a worker is permanently incapacitated and is at the time of the accident under the age of twenty-one years, or is an indentured apprentice, or an apprentice or improver under an award or industrial agreement, compensation is based on what he would probably have been able to earn if he were then twenty-one years of age, or had completed his apprenticeship, or had ceased to be an improver, as the case may be. The purpose of the present clause is to extend the application of section 9 to pupil nurses, or other persons training for any occupation, who are more than twenty-one years of age and who are not apprentices or improvers. At the present time compensation in such cases can only be based on the rate of pay of the worker at the time of the accident.

Clause 70: Employers to produce indemnity policies when required to do so.— Section 9 of the Workers' Compensation Amendment Act, 1943, requires employers to insure against their liability under the principal Act. Workers have generally no means of proving that an indemnity policy has not been kept in force under the section. The purpose of this clause is to enable an Inspector of Factories to require the production to him of the policy, or a duplicate policy, together with the last premium receipt or renewal notice.

Clause 71: Exempting certain education authorities from obligation to insure against liability under principal Act with respect to teachers, probationary assistants, and training-college students.—The purpose of this clause is to exempt Education Boards and other controlling authorities of teachers' training-colleges, public schools, secondary schools, technical schools, and combined schools, as defined in the Education Act, 1914, from the obligation to insure imposed by section 9 of the Workers' Compensation Amendment Act, 1943, the exemption being limited to liability in respect of teachers, probationary assistants, and training-college students. For a number of years it has been the practice of the Crown, through the Education Department, to indemnify these controlling authorities against liability in respect of those classes of persons where liability exists under the Workers' Compensation Act, 1922.

Hon. Mr. Mason

STATUTES AMENDMENT

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Police Force

49. Restoration of rights of members of the Force who joined the Armed Forces.

<p style="text-align: center;"><i>Public Service</i></p> <p>50. Sections to be read with Public Service Act, 1912.</p> <p>51. Date of election of members of Board of Appeal.</p> <p>52. Extending right of appeal of General and Educational Divisions.</p> <p>53. Right of appeal against promotions made as a result of general regrading of Public Service.</p> <p style="text-align: center;"><i>Public Service Superannuation</i></p> <p>54. Deputies for certain members of Public Service Superannuation Board.</p> <p style="text-align: center;"><i>Reformatory Institutions</i></p> <p>55. Liability of relatives of inmates abolished.</p> <p style="text-align: center;"><i>Samoa</i></p> <p>56. Sections to be read with Samoa Act, 1921.</p> <p>57. Definition of "Samoan."</p> <p>58. Crown land may be declared Native land.</p> <p>59. European land may be declared Native land.</p> <p style="text-align: center;"><i>School of Agriculture</i></p> <p>60. Minister of Education in relation to New Zealand School of Agriculture.</p> <p style="text-align: center;"><i>Soil Conservation and Rivers Control</i></p> <p>61. Town districts forming part of a county not to be constituent districts of catchment districts.</p>	<p style="text-align: center;"><i>State Supply of Electrical Energy</i></p> <p>62. Sections to be read with State Supply of Electrical Energy Act, 1917.</p> <p>63. Minister of Works may purchase and sell electrical appliances and equipment.</p> <p>64. Minister may install electrical appliances and equipment in public or private buildings.</p> <p>65. Cost of installation of electrical appliances and equipment to be charged on land.</p> <p style="text-align: center;"><i>Tramways</i></p> <p>66. Car-shed labourers may be examined as motormen of "one-man" cars.</p> <p style="text-align: center;"><i>Urban Farm Land Rating</i></p> <p>67. Supplementary farm-land roll for area added to a borough.</p> <p style="text-align: center;"><i>Workers' Compensation</i></p> <p>68. Sections to be read with Workers' Compensation Act, 1922.</p> <p>69. Special provisions as to partly trained workers over twenty-one.</p> <p>70. Employers to produce indemnity policies when required to do so.</p> <p>71. Exempting certain education authorities from obligation to insure against liability under principal Act with respect to teachers, probationary assistants, and training-college students.</p>
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A BILL INTITULED

AN ACT to amend certain Enactments of the General Title.
Assembly of New Zealand.

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 Short Title.
Act, 1944.

Annual Holidays

“ Ordinary pay ” under Annual Holidays Act, 1944, not to include value of board or lodging except in special circumstances. 1944, No. 5

2. Section two of the Annual Holidays Act, 1944, is hereby amended by adding to the definition of the term “ ordinary pay ” in subsection one the following proviso:—

“ Provided that the value of any board or lodging or the amount of any payment in respect of board or lodging shall not be included in any case where the board or lodging is provided or the payment is made not as part of his ordinary pay, but because the work done by the worker is in such a locality as to necessitate his sleeping elsewhere than at his genuine place of residence, or because of any other special circumstances: ”.

Births and Deaths Registration

Correction of register of deaths where medical certificate incorrect.

See Reprint of Statutes, Vol. VIII, p. 36 1936, No. 58

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

(2) In any case where a medical practitioner has, pursuant to section eleven of the Statutes Amendment Act, 1936, delivered to the Registrar a certificate stating the causes of death and it is subsequently determined as a result of a post-mortem examination, or in any other manner whatsoever, that the causes of death so stated are materially incorrect, it shall be lawful for the Registrar, on receiving a statement correctly setting out the causes of death and signed by a medical practitioner appearing to the Registrar to have a knowledge of the circumstances, to amend the register to show correctly the causes of death.

(3) If the duplicate of the entry requiring to be amended has been then received by the Registrar-General, the duplicate may be corrected by him on receipt of a notice of the amendment that has been made in the register.

Canterbury Agricultural College

Minister of Education in relation to College. 1930, No. 31

4. Sections five, twelve, thirty, and thirty-six of the Canterbury Agricultural College Act, 1930, are hereby amended by omitting the words “ Minister of Agriculture ” wherever those words occur, and substituting in each place the words “ Minister of Education ”.

5. (1) Section six of the Canterbury Agricultural College Act, 1930, is hereby amended by adding to subsection two the following paragraph:—

Representation of graduates on Board of Governors.

5 “(e) Two members to be elected by the graduates of the University of New Zealand whose names are on the books of the College and the holders of diplomas granted by the College.”

1930, No. 31

(2) Subsection two of section eleven of the said Act is hereby amended as follows:—

(a) By omitting the words “four rolls”, and substituting the words “five rolls”:

15 (b) By inserting, after the words “that section”, the words “and one for the class of electors under paragraph (e) of that section”.

(3) The first election by the graduates whose names are on the books of the College and the holders of diplomas granted by the College shall be held on a date to be fixed by the Board, and the members then elected shall, unless disqualified as provided in section nine of the said Act, continue in office until the first day of January, nineteen hundred and forty-eight.

Cinematograph Films

25 6. (1) The First Schedule to the Cinematograph Films Act, 1928, as amended by subsection one of section seven of the Statutes Amendment Act, 1939, is hereby further amended by adding the following words:—

Extending quota provisions. See Reprint of Statutes, Vol. I, p. 817 1939, No. 39

	“In respect of the year ending 31st December, 1945	20 per cent. of quota films.
30	“In respect of the year ending 31st December, 1946	20 per cent. of quota films.
	“In respect of the year ending 31st December, 1947	20 per cent. of quota films.
	“In respect of the year ending 31st December, 1948	20 per cent. of quota films.
35	“In respect of the year ending 31st December, 1949	20 per cent. of quota films.”

(2) The Second Schedule to the Cinematograph Films Act, 1928, as amended by subsection two of section seven of the Statutes Amendment Act, 1939, is hereby further amended by adding the following words:—

	5
“ In respect of the year ending 30th September, 1945	20 per cent. of quota films.
“ In respect of the year ending 30th September, 1946	20 per cent. of quota films.
“ In respect of the year ending 30th September, 1947	20 per cent. of 10 quota films.
“ In respect of the year ending 30th September, 1948	20 per cent. of quota films.
“ In respect of the year ending 30th September, 1949	20 per cent. of quota films.” 15

Coal-mines

Sections to be
read with
Coal-mines Act,
1925.

See Reprint
of Statutes,
Vol. V, p. 843

Qualifications
of managers
of coal-mines.

7. This section and the *next two succeeding* sections shall be read together with and deemed part of the Coal-mines Act, 1925 (in those sections referred to as the principal Act). 20

8. (1) The following are the qualifications that are required to be held by the managers of coal-mines, other than mines of which all the workings are opencast:—

- (a) In every mine in or about which more than twenty men (including the manager) are employed the manager shall be the holder of a first-class mine-manager's certificate under the principal Act: 25
- (b) In every mine in or about which more than ten but not more than twenty men (including the manager) are employed the manager shall be the holder of a second-class mine-manager's certificate under the principal Act, or of a higher certificate: 30
- (c) In every mine in or about which more than eight but not more than ten men (including the manager) are employed the manager shall be the holder of an underviewer's certificate under the principal Act, or of a higher certificate: 35 40

5 (d) In every mine in or about which more than four but not more than eight men (including the manager) are employed the manager shall be the holder of a fireman-deputy's certificate under the principal Act, or of a higher certificate:

10 (e) In every mine in or about which not more than four men (including the manager) are employed the manager, unless he is the holder of any such certificate as aforesaid, shall be the holder of a permit in writing from an Inspector of Coal-mines.

15 (2) The following are the qualifications that are required to be held by the managers of coal-mines of which all the workings are opencast:—

20 (a) In every mine in or about which more than eight men (including the manager) are employed the manager shall be the holder of a fireman-deputy's certificate, or a higher certificate, under the principal Act, or of a quarry-manager's certificate granted under the Quarries Act, 1944:

1944, No. 13

25 (b) In every mine in or about which not more than eight men (including the manager) are employed the manager, unless he is a holder of a fireman-deputy's certificate or a higher certificate under the principal Act, shall be the holder of a permit in writing from an Inspector of Coal-mines, or of a quarry-manager's certificate granted under the Quarries Act, 1944.

30 (3) Notwithstanding anything in the foregoing provisions of this section, where this section permits the appointment of a manager holding any certificate (granted under the principal Act) lower than a second-class mine-manager's certificate, an Inspector, if he considers it expedient to do so in respect of any particular mine, may by notice in writing require the appointment for that mine of a manager holding
40 a higher certificate than that prescribed by this section

for the mine, but not in any case higher than a second-class mine-manager's certificate. Any notice under this subsection may at any time in like manner be revoked.

(4) No person applying for a permit under this section shall be granted a permit unless the Inspector is satisfied that the applicant has an adequate knowledge of the duties of the manager of a mine of the class to which the application relates, and also that he has an adequate knowledge of the provisions of the principal Act and the regulations thereunder, and unless the Inspector is also satisfied,—

(a) In the case of a person applying for a permit under paragraph (e) of subsection *one* of this section, that during the period of ten years immediately preceding the application the applicant has had in the aggregate at least three years' practical experience in underground workings in a coal-mine, and that he is the holder of a certificate of competency in gas-testing:

(b) In the case of a person applying for a permit under paragraph (b) of subsection *two* of this section, that the applicant has had in the aggregate at least two years' practical experience in a quarry or in opencast workings in a coal-mine.

(5) A permit granted under the *last preceding* subsection shall be effective only with respect to the mine named therein, and may, with the approval of the Minister, but not otherwise, be cancelled by an Inspector if in the opinion of the Inspector the holder thereof is by reason of incompetency, or gross negligence, or misconduct in the performance of duties under the principal Act unfit to continue to hold a permit.

(6) This section is in substitution for section sixty of the principal Act, and that section and section five of the Coal-mines Amendment Act, 1937, and section nine of the Coal-mines Amendment Act, 1941, are hereby accordingly repealed.

Repeals.

See Reprint of Statutes, Vol. V, p. 871
1937, No. 16
1941, No. 15

Underground transport for workmen.

9. (1) The Minister may from time to time, by notice in writing under his hand, require the owner or agent of any coal-mine to make such provision as may be specified in the notice for the transport of workmen underground in the mine.

(2) Any notice under this section may specify a period within which such provision as aforesaid shall be made.

(3) Any notice under this section may at any time
5 be amended or revoked in the manner in which it was given.

(4) If any owner or agent receiving a notice under this section fails to comply with the notice within the period specified therein, he shall be deemed to have
10 committed an offence against the principal Act.

Commercial Gardens Registration

10. (1) This section shall be read together with and deemed part of the Commercial Gardens Registration Act, 1943 (in this section referred to as the principal
15 Act).

Alteration of registration year. 1943, No. 1

(2) Section two of the principal Act is hereby amended by omitting from the definition of the term "registration year" in subsection one the word "May", and substituting the word "October".

20 (3) Every commercial garden registered under the principal Act in respect of the period ending on the thirtieth day of April, nineteen hundred and forty-five, shall be deemed to be registered, without further application or fee, for the registration year ending on the
25 thirtieth day of September, nineteen hundred and forty-five.

Counties

11. Section two hundred and one of the Counties Act, 1920, is hereby amended by omitting the words
30 "any sum not exceeding thirty pounds in any one year", and substituting the words "such sum as it thinks fit".

Contributions by County Councils towards maintenance of cemeteries. See Reprint of Statutes, Vol. V, p. 258

12. (1) This section shall be read together with and deemed part of the Counties Act, 1920.

35 (2) Where, in the exercise of the powers conferred upon it by paragraph (c) of subsection one of section eight of the Statutes Amendment Act, 1943, any County Council has, on or after the first day of October, nineteen hundred and forty-four (whether before or after

County Councils may recover cost of work done in controlling or eradicating nassella tussock. 1943, No. 20

the commencement of this Act), done any work on any land for the purpose of eradicating or preventing the spread of nassella tussock, the whole or any part of the costs, charges, and expenses incurred by the Council in respect of that work may, in the discretion of the Council, be recovered as a debt due to the Council from the owner of the land. 5

(3) If under this section an owner of any land pays to a County Council any moneys in respect of work done on that land, and if at the time of the completion of the work the land on which the work has been done is held by a tenant under the owner by virtue of a tenancy for at least five years certain of which at least three years are then unexpired, the owner may recover as a debt due to him from the tenant all moneys so paid by the owner to the Council. 10 15

(4) If the tenant paying moneys to the owner under the *last preceding* subsection has, at the time of the payment, a tenant under him by virtue of a tenancy for at least five years certain of which at least three years are then unexpired, he may recover as a debt due to him from the last-mentioned tenant all moneys so paid by him to the owner. 20

Counties Insurance Empowering

Provision with respect to management of insurance business of New Zealand Counties Co-operative Insurance Co., Ltd.
1941, No. 6
See Reprint of Statutes, Vol. IV, p. 37

13. (1) This section shall be read together with and deemed part of the Counties Insurance Empowering Act, 1941. 25

(2) Notwithstanding anything in the State Fire Insurance Act, 1908, it shall be lawful for the New Zealand Counties Co-operative Insurance Company, Limited, and the State Fire Insurance General Manager, from time to time to enter into agreements for the management of the company's business by the said General Manager, on such terms and subject to such conditions as may be agreed upon between the company and the said General Manager. 30 35

1933, No. 29

See Reprint of Statutes, Vol. VII, p. 10

(3) While any such agreement as aforesaid remains in force the company's auditor shall, notwithstanding anything in the Companies Act, 1933, be the Audit Office, which for that purpose shall have and may exercise all such powers as it has under the Public Revenues Act, 1926, in respect of public moneys. 40

(4) This section shall be deemed to have come into force on the first day of January, nineteen hundred and forty-four.

Education

5 **14.** This section and the *next six succeeding* sections shall be read together with and deemed part of the Education Act, 1914 (in those sections referred to as the principal Act).

Sections to be read with Education Act, 1914.

See Reprint of Statutes, Vol. II, p. 1007

10 **15.** (1) The Governor-General, on the recommendation of the Minister, may by Order in Council alter the boundaries of any two contiguous education districts by the exclusion of any defined area from one such district and its inclusion in the other district.

Alteration of boundaries of education districts.

15 (2) On the coming into force of any Order in Council under this section, all school-sites situated within any area that by virtue of the Order in Council has been excluded from any district, and any other real or personal property vested in the Board of the district from which that area has been so excluded and held by
20 it for the purposes of any school within that area, shall, without conveyance, transfer, or assignment, vest in the Board of the district within which the area has been
25 included for the estate or interest therein of the Board in which the property was theretofore vested. On application by the Board in which any land or any estate or interest in land is vested pursuant to this section the District Land Registrar, on being satisfied as to the
30 title of that Board, shall, without payment of any fee, make such entries in the Register-books and in any outstanding documents of title as may be necessary to give effect to the provisions of this section.

35 **16.** Notwithstanding anything to the contrary in the principal Act, each Education Board which has control of a teachers' training college shall have, and be deemed always to have had, power to expend from its General Fund such moneys as it thinks fit for the purposes of any hostel for students at the training college.

Expenditure on hostels for training-college students.

Borrowing-
powers of
Education
Boards, &c.

17. (1) Any Board controlling a public school, a secondary school, a technical school, or a combined school may with the prior written consent of the Minister borrow moneys for any purpose approved by him.

5

See Reprint
of Statutes,
Vol. V, p. 415

(2) Each such Board as aforesaid shall be deemed to be a local authority for the purposes of the Local Government Loans Board Act, 1926.

Ibid., Vol. IV,
p. 1010

(3) The power hereby conferred on any Board controlling a secondary school shall be in addition to and not in derogation of any power conferred on that Board under section twenty of the Education Reserves Act, 1928.

10

Issue of
certificates to
pupils at
certain schools.

18. Section ninety-five of the principal Act as amended by section twenty-two of the Education Amendment Act, 1924, is hereby further amended as follows:—

15

(a) By inserting, after the words "Director of Education", the words "in accordance with regulations":

(b) By omitting the words "in accordance with regulations" where they occur after the words "registered private secondary school", and substituting the words "or any other school for the time being approved by the Director for the purpose".

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25

Papanui
Technical
School to be a
separate school.

19. (1) This section shall be deemed to form part of Part VIII of the principal Act.

(2) Notwithstanding anything in section one hundred and thirteen of the principal Act, the Christchurch Technical School and the Papanui Technical School shall hereafter be deemed for the purposes of the principal Act to be separate technical schools, and shall be under the immediate control of a single Board of Managers.

30

(3) The managers shall be elected or appointed in the manner prescribed by regulations as follows, namely:—

35

(a) The controlling authority shall have the power to appoint at least one but not more than three managers:

(b) The members of the various School Committees of the public schools within five miles of either of the said technical schools shall have the power to elect one manager:

40

- (c) The parents of the pupils attending the Christchurch Technical High School shall have the power to elect two managers, of whom one shall be a woman:
- 5 (d) The parents of the pupils attending the Papanui Technical High School shall have the power to elect one manager:
- 10 (e) The Christchurch City Council shall have the power to appoint one manager, and other managers may be appointed or elected by the local authorities of the boroughs or counties of which any part is within five miles of either of the said technical schools, save that the total number of managers appointed or elected under this paragraph shall not exceed the number appointed by the controlling authority:
- 15 (f) The employers and the employees in local industries shall separately have the power to elect at least one and not more than three managers in such manner as the Minister in each case may determine, save that the number of managers so elected by the employers or the employees respectively shall not exceed the number appointed by the controlling authority.
- 20 (4) Upon the constitution of the first Board of Managers as hereinbefore provided the Board shall be known as the Christchurch and Papanui Technical Schools Board and shall for all purposes be deemed to be the same body corporate as the body corporate heretofore known as the Christchurch Technical School Board.
- 30 (5) Until the constitution of the first Board of Managers as aforesaid the said technical schools shall be under the control of the Christchurch Technical School Board.
- 35 **20.** Notwithstanding anything to the contrary in the principal Act, any child who on account of his defective hearing cannot be efficiently taught with other children in an ordinary school, and who has not attained the age of six years, may, with the approval of the Director, be enrolled as a pupil of any special school established under Part IX of the principal Act for the maintenance, education, or training of deaf-children.
- 40

Deaf children under six years of age may be enrolled in special schools.

Electric-power Boards

Altering procedure for union of electric-power districts.

See Reprint of Statutes, Vol. III, p. 7

Altering date for annual meetings of Electric-power Boards.

Ibid., p. 22

21. Section five of the Electric-power Boards Act, 1925, is hereby amended by repealing the proviso to subsection one, and substituting the following proviso:—

“ Provided that no such Proclamation shall be made unless the Board of each of the districts proposed to be united has made a special order recommending that the districts should be united so as to form one district.”

22. Section thirty-three of the Electric-power Boards Act, 1925, is hereby amended by repealing subsection one, and substituting the following subsection:—

“(1) The Board shall hold an annual meeting at the office of the Board on a day to be fixed by the Board, such day being not later than thirty days after the third Saturday in May in each year.”

Factories

Increase of minimum age for employment in factories.

Ibid., p. 212

23. (1) Section twenty-seven of the Factories Act, 1921–22, is hereby amended by repealing paragraph (a), and substituting the following paragraph:—

“(a) A boy or girl under fifteen years of age shall not be employed except in special cases authorized in writing by the Inspector, who shall not give any such authorization except in the case of a boy or girl over fourteen years of age who is exempted under the Education Act, 1914, from the obligation to be enrolled as a pupil at any school:”

(2) Section twenty-nine of the Factories Act, 1921–22, is hereby amended by repealing paragraph (f), and substituting the following paragraph:—

“(f) The certificate shall not be granted unless the Inspector is satisfied that the boy or girl to whom it relates is of the age shown therein, and is fit for the employment, and either is over fifteen years of age or is over fourteen years of age and exempted under the Education Act, 1914, from the obligation to be enrolled as a pupil at any school:”

Ibid., Vol. II, p. 1007

Government Railways

24. This section and the *next five succeeding* sections shall be read together with and deemed part of the Government Railways Act, 1926 (in those sections 5 referred to as the principal Act).

Sections to be read with Government Railways Act, 1926.

See Reprint of Statutes, Vol. VII, p. 812

25. (1) Section eleven of the principal Act is hereby amended by repealing paragraphs (b) and (c), and substituting the following paragraph:—

Department's liability for goods lost or damaged.

10 “(b) He may fix scales of insurance charges to be paid (in addition to any other charges payable) in respect of goods the value of which has been declared in accordance with the provisions of section fifteen of this Act:”.

15 (2) Section fifteen of the principal Act is hereby amended by repealing paragraphs (b) and (c), and substituting the following paragraphs:—

20 “(b) No person shall be entitled to recover for any loss of or damage to or in connection with goods any greater amount than *twenty* pounds per package or unit, fifteen pounds for any horse, eight pounds for any one head of cattle, two pounds for any dog, fifteen shillings for any one sheep, goat, pig, or other quadruped not otherwise specified, and three shillings and sixpence for any bird, unless the person delivering the goods at any railway premises has given to the officer in charge of the premises a statement in writing declaring the nature and value of the goods, has obtained a receipt for the goods specifying the nature and value so declared, and has paid the insurance charges fixed under section eleven of this Act:

30
35 “(c) The Crown shall not be liable in respect of goods the nature and value whereof have been declared as aforesaid beyond the amount of the value so declared:”.

(3) The said section fifteen is hereby further amended by omitting from paragraph (d) all words before the word " subject ".

Recovery of possession of Department's houses. 5
 1936, No. 14 10
 1941, No. 25 15

26. (1) If any dwelling which is situated on any land taken under section sixty-five of the principal Act, or on any other land held by the Crown for railway purposes, is in the occupation of a person other than an employee of the Department, any Magistrate may, on application in that behalf by the General Manager, make an order of ejectment or for recovery of possession, notwithstanding the provisions of the Fair Rents Act, 1936, if he is satisfied either that the dwelling is required by the Department for the occupation of an employee of the Department who is a discharged serviceman within the meaning of Part I of the Rehabilitation Act, 1941, or that the dwelling is situated on land required for the construction or alteration of a railway.

Repeal. (2) Subsection three of section sixty-five of the principal Act is hereby repealed.

Increased authority for subsidy to sick-benefit fund. 20

27. Section five of the Government Railways Amendment Act, 1928, is hereby amended by omitting from subsection one the words " eight thousand pounds ", and substituting the words " twenty-eight thousand pounds ".

Provisions as to motor-vehicles at railway-crossings amended. 25

28. Section nine of the Government Railways Amendment Act, 1928, is hereby amended by omitting from subsection one the words " approaching trains ", and substituting the words " any approaching engine, carriage, or wagon ".

General Manager may sub-delegate certain powers. 1936, No. 2 30

29. (1) In any case where the Minister has pursuant to section four of the Government Railways Amendment Act, 1936, delegated any of his statutory powers to the General Manager, the General Manager may, with the prior approval in writing of the Minister, delegate such of those powers as the Minister thinks fit to any officer of the Department. 35

(2) Every delegation under this section shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Minister or the General Manager. 40

(3) Any delegation under this section may be made subject to such restrictions and conditions as the Minister or General Manager thinks fit, and may be either general or in relation to any particular case.

(4) The fact that any officer of the Department exercises any power of the Minister shall in the absence of proof to the contrary be sufficient evidence of his authority so to do.

5

Harbours

30. Section one hundred and thirty-eight of the Harbours Act, 1923, is hereby amended by repealing subsection two.

Otago Harbour Board's leasing-powers. See Reprint of Statutes, Vol. III, p. 615

Hospitals and Charitable Institutions

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31. (1) This section shall be read together with and deemed part of the Hospitals and Charitable Institutions Act, 1926.

Medical information not to be disclosed without consent of patient.

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(2) Subject to the provisions of this section, no person employed by a Hospital Board (whether as an honorary medical officer or otherwise) shall give to any person not employed by the Board any information concerning the condition or treatment of any patient in any institution without the prior consent of the patient or his representative, whether the patient is still in the institution or not.

Ibid., p. 725

20

(3) Nothing in this section shall apply with respect to—

25

(a) Information in general terms concerning the condition of the patient on the day on which the information is given:

(b) Information communicated by a member of the medical staff of the hospital to the next-of-kin or other near relative of the patient in accordance with the recognized customs of medical practice:

30

(c) Information required in connection with the further treatment of the patient:

35

(d) Information required in the course of his official duties by any officer of the Department of Health, the Social Security Department, the Navy Department, the Army Department, or the Air Department, or by any officer of any of His Majesty's Forces:

(e) Information required by such other persons or class of persons in such circumstances and subject to such conditions as the Minister may from time to time prescribe by notice in writing.

5

(4) Nothing in this section shall be deemed to prohibit the use or disclosure of any information concerning a patient's condition or treatment for the purposes of the advancement of medical knowledge or research:

Provided that where any such disclosure is made in any publication no disclosure shall be made of the name, initials, or identity of the patient, and where any such disclosure is made in any other way every person to whom the disclosure is made who is not employed by the Board shall in respect of the information so disclosed be subject to the provisions of this section in the same manner and to the same extent as if he were employed by the Board.

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15

See Reprint
of Statutes,
Vol. III, p. 108

(5) Nothing in this section shall derogate from section eight of the Evidence Act, 1908, or any other enactment or rule of law relating to evidence in any criminal or civil proceeding.

20

Ibid., Vol. V,
p. 597

(6) For the purposes of this section, the term "representative", in respect of any patient, means his executor or administrator or any dependant within the meaning of the Workers' Compensation Act, 1922, if the patient is dead, one of his parents or his guardian if the patient is an infant, and, in any other case where the patient is unable to give consent, means a person appearing to the Superintendent of the Hospital to be lawfully acting on behalf of the patient or in his interests.

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(7) Every person who acts in contravention of the provisions of this section commits an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds.

Industrial and Provident Societies

Cancelling
registration of
society which
has ceased to
exist.

Ibid., Vol. III,
p. 1031

32. Section six of the Industrial and Provident Societies Act, 1908, is hereby amended as follows:—

(a) By omitting from subparagraph (ii) of paragraph (a) the words "or has ceased to exist":

40

(b) By adding to paragraph (a) the following new subparagraph:—

“(iii) If he has reasonable cause to believe that the society has ceased to exist:”.

5 *Industrial Conciliation and Arbitration*

33. This section and the *next two succeeding* sections shall be read together with and deemed part of the Industrial Conciliation and Arbitration Act, 1925 (in those sections referred to as the principal Act).

Sections to be read with Industrial Conciliation and Arbitration Act, 1925. See Reprint of Statutes, Vol. III, p. 939

10 34. For the purposes of the principal Act, every person who is engaged in procuring proposals or contracts of insurance or in collecting premiums for any person, firm, company, or corporation carrying on any class of insurance business and is remunerated wholly
15 or partly by fees or commission shall be deemed to be a worker employed by that person, firm, company, or corporation, whether or not the relation between them is that of master and servant.

Application of principal Act to insurance agents.

20 35. (1) An industrial dispute shall not be referred for settlement to a Council by an industrial union or association unless and until the proposed reference has been approved by resolution by the committee of management of the union or of each of the unions concerned, as the case may be.

Reference of industrial dispute to Council to be approved by committee of management.

25 (2) A certificate under the hand of the president or vice-president of any such union shall in the absence of proof to the contrary be sufficient evidence that the proposed reference has been approved as aforesaid by the committee of management of his union.

30 (3) This section is in substitution for section one hundred and eight of the principal Act, and that section and section seven of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1937, and section
35 nineteen of the Statutes Amendment Act, 1940, are hereby accordingly repealed.

Repeals.

1937, No. 10
1940, No. 18

Industrial Efficiency

Appointment
of officers
of Industrial
Committees.
1936, No. 40

36. (1) This section shall be read together with and deemed part of the Industrial Efficiency Act, 1936 (in this section referred to as the principal Act).

(2) Any Industrial Committee appointed under Part II of the principal Act may, with the prior written approval of the Minister, appoint such officers as it deems necessary for the efficient carrying out of its functions under the principal Act. 5

(3) Any officer of the Public Service may, with the approval of the Public Service Commissioner, be appointed an officer of an Industrial Committee, to hold office as such concurrently with his office in the Public Service. Except as provided in this subsection nothing in the Public Service Act, 1912, shall apply with respect to the appointment of any officer of an Industrial Committee. 10

See Reprint
of Statutes,
Vol. VII,
p. 522

(4) Officers appointed under this section shall be paid such remuneration as may be approved by the Minister in each case out of levies collected under the principal Act for the purpose of providing funds to defray the expenditure incurred in the carrying-out of the plan in connection with which the Industrial Committee has been appointed: 20

Provided that no officer of the Public Service shall be entitled to receive any fee, reward, or remuneration except with the express authority of the Public Service Commissioner. 25

(5) This section shall be deemed to have come into force on the first day of September, nineteen hundred and forty-four. 30

Invercargill Licensing Trust

Sale of liquor
in refreshment-
rooms.
1944, No. 4

37. The Invercargill Licensing Trust Act, 1944, is hereby amended, as from the passing thereof, as follows:— 35

(a) By inserting in section twenty, after subsection four, the following new subsection:—

“(4A) Notwithstanding anything in the foregoing provisions of this Act, intoxicating liquor may be sold for consumption on the premises in any premises which are maintained by the Trust as a dining-room or 40

refreshment-room and in which accommodation is not provided for the travelling public, and in any such case the dining-room or refreshment-room shall not be deemed to be a public bar or private bar within the meaning of the Licensing Act, 1908:

5

“ Provided that no female or person under the age of twenty-one years shall be employed in the serving of liquor therein.”

10

(b) By inserting in the proviso to section seventeen, before the word “ established ”, the words “ which are maintained by the Trust as a dining-room or refreshment-room and in which accommodation is not provided for the travelling public or premises which have been ”.

15

38. The Invercargill Licensing Trust Act, 1944, is hereby further amended by omitting from the Schedule thereto the words “(except section 143)”, and substituting the words “(except sections 143, 146, and 147)”. Requirements as to liquor sold for delivery to non-license district.

King George the Fifth Memorial Fund

39. Section eleven of the King George the Fifth Memorial Fund Act, 1938, is hereby amended as follows:—

25

(a) By omitting from subsection one the words “ pursuant to a resolution of the Advisory Committee ”: Expenditure without resolution of Advisory Committee. 1938, No. 11

(b) By inserting in subsection four, after the word “ require ”, the words “ the Director-General or ”.

30

Law Practitioners

40. (1) This section shall be read together with and deemed part of the Law Practitioners Act, 1931 (in this section referred to as the principal Act). Council of a District Law Society may administer trust account of deceased solicitor in certain circumstances.

35

(2) If at any time the Council of any District Law Society is satisfied that any solicitor practising within the district of that Society has died, and that any moneys entrusted to that solicitor are held by a banker in any trust account of the solicitor, and if in the opinion of the Council it is expedient that the trust account be administered by the Council, the Council may serve on the banker a notice signed by two members of the Council requiring the banker to pay to the Council all moneys held by the banker in the trust account. See Reprint of Statutes, Vol. IV, p. 1060

40

(3) Upon receipt of the notice the banker shall forthwith pay to the Council all moneys held by him in the trust account to which the notice relates, and the receipt of the Council shall be a complete discharge to the banker from all liability in respect of those moneys. 5

(4) Upon receipt of the moneys the Council shall forthwith cause the moneys to be paid into a separate account at such bank as the Council appoints, and the separate account may be operated on by such persons, being not less than two in number, as the Council 10 appoints in that behalf.

(5) Where any moneys that were held by a solicitor on behalf of any person are paid to the Council of any District Law Society pursuant to this section those moneys shall be held by that Council in trust for that 15 person.

(6) Notwithstanding anything in the foregoing provisions of this section, where any moneys are paid to any Council pursuant to this section any executor or administrator of the solicitor from whose trust account 20 the moneys were paid, or any person claiming to be entitled to a grant of probate of the will or of letters of administration of the estate of that solicitor, or any person claiming to be adversely affected by the payment, may at any time apply to a Judge in Chambers for an 25 order directing the Council to repay the moneys into the bank account from which the moneys were paid or for such other order as the Judge thinks fit. On the hearing of any such application the Judge may make 30 such order as he thinks fit.

(7) For the purposes of this section the terms "bank" and "banker" have the same meaning as in section twenty-one of the Law Practitioners Amendment Act, 1935.

1935, No. 20

Massey Agricultural College

35

Minister of
Education in
relation to
College.
1926, No. 68
1927, No. 4

41. (1) Sections twenty-two and twenty-four of the Massey Agricultural College Act, 1926, as amended by section eight of the Massey Agricultural College Act, 1927, are hereby further amended by omitting the words "Minister of Agriculture" wherever those words occur, 40 and substituting in each place the words "Minister of Education".

(2) Section eight of the Massey Agricultural College Act, 1927, is hereby amended by repealing subsections two and three.

Mining

5 **42.** Section thirty-one of the Mining Amendment Act, 1937, is hereby amended by adding to paragraph (b) the following proviso:—

Section 31 of Mining Amendment Act, 1937, amended. 1937, No. 19

10 “ Provided that an Inspector may from time to time grant in respect of any mine complete or partial exemption from compliance with the provisions of this paragraph.”

Municipal Corporations

15 **43.** This section and the *next two succeeding* sections shall be read together with and deemed part of the Municipal Corporations Act, 1933 (in those sections referred to as the principal Act).

Sections to be read with Municipal Corporations Act, 1933. 1933, No. 30

44. (1) This section shall be deemed to form part of Part XI of the principal Act.

Borough Council may establish deferred maintenance funds for trading undertakings.

20 (2) Notwithstanding anything to the contrary in the principal Act or in any other Act, any Borough Council may from time to time set aside any moneys out of the revenues of any trading undertaking of the Council, whether established under the principal Act or under any other Act, to form a fund sufficient in the
25 opinion of the Council to meet the cost of carrying out in respect of the undertaking any maintenance or repair work that has been or may hereafter be deferred by reason of conditions arising out of the present war.

30 (3) The Council may from time to time apply the moneys so set aside only to the purposes aforesaid, and may invest any moneys so set aside and pay the proceeds of such investment into the said fund.

45. (1) This section shall be deemed to form part of Part XXV of the principal Act.

Regulations for protection of public from danger from fire or other emergency in theatres, &c.

35 (2) The Governor-General may from time to time, by Order in Council, make all such regulations as in his opinion may be necessary or expedient for the protection of the public from danger caused by any

emergency or fear of an emergency (whether arising from fire or earthquake or otherwise) in buildings to which Part XXV of the principal Act applies.

(3) Without limiting the general power hereinbefore conferred, it is hereby declared that regulations may be made under this section for all or any of the following purposes:—

- (a) Requiring and regulating the employment in buildings to which this section applies of qualified persons as fire-protection watchmen, and of other persons, and prescribing their qualifications, training, duties, and powers: 10
- (b) Requiring the provision for and the wearing by any such persons of uniforms or other distinctive indications of their positions: 15
- (c) Prescribing the duties and powers of managers of such buildings:
- (d) Requiring and regulating the keeping of records and the provision, maintenance, repair, testing, and operation of systems of communication: 20
- (e) Prescribing the duties and powers of Borough Councils and other bodies and persons:
- (f) Providing for the education and training of the public in safety precautions, and for the giving of directions to members of the public: 25
- (g) Providing for appeals from decisions made under the regulations:
- (h) Prescribing penalties (not exceeding *fifty* pounds in any case) for breaches of the regulations or of any directions given under the regulations. 30

(4) No regulation made under this section shall be deemed to be invalid on the ground that it delegates to or confers on the Governor-General or any Borough Council or any other person or body any discretionary authority. 35

(5) All regulations made under this section shall be laid before Parliament within fourteen days after the making thereof if Parliament is then in session and, if

not, shall be laid before Parliament within fourteen days after the commencement of the next ensuing session.

New Zealand University

5 **46.** Section seventeen of the New Zealand University Amendment Act, 1914, is hereby amended by omitting from paragraph (c) the words " who have resided and attended a school within the district for not less than two years (such residence and attendance
10 to have continued to within six months of the date of the award) ", and substituting the words " who have resided within the district for not less than two years and during that time have either attended a school within the district or been enrolled as full-time pupils
15 at a correspondence school established by the Minister of Education (such residence and attendance or enrolment to have continued to within six months of the date of the award)".

Extending availability of Taranaki Scholarships.

See Reprint of Statutes, Vol. II, p. 1131

20 **47.** (1) This section shall be read together with and deemed part of the New Zealand University Act, 1908.

Two members of Academic Board to be elected by University lecturers.

(2) In addition to the members referred to in section fifteen of the New Zealand University Amendment Act, 1926, and the member referred to in section
25 Act, 1928, two members of the Academic Board shall be elected by the lecturers of the constituent colleges, the Massey Agricultural College, and the Canterbury Agricultural College.

Ibid., pp. 1121, 1144, 1155

30 (3) The two members to be elected under this section shall be elected for a term of three years, but shall, unless disqualified as provided in section sixteen of the New Zealand University Amendment Act, 1926, be entitled to continue in office until the election of their successors in office:

35 Provided that the first members to be elected hereunder shall be elected for a term expiring on the date of the expiration of the term of office of the members elected pursuant to paragraph (c) of subsection one of the said section fifteen at the first election held after
40 the passing of this Act.

(4) Elections under this section shall be held in accordance with the statutes of the Senate of the University. The statutes of the Senate shall define
45 this section.

Representative of technical-school teachers on University Entrance Board.

See Reprint of Statutes, Vol. II, p. 1147

48. Section twenty of the New Zealand University Amendment Act, 1926, as amended by section four of the New Zealand University Amendment Act, 1929, is hereby further amended by adding to subsection three the following new paragraph:—

“(h) One member to be appointed by the New Zealand Technical School Teachers’ Association.”

5

Police Force

Restoration of rights of members of the Force who joined the Armed Forces. Ibid., Vol. VI, p. 832

49. (1) This section shall be read together with and deemed part of the Police Force Act, 1913. 10

(2) Where any person has (whether before or after the passing of this Act) lawfully voluntarily retired from the Force for the purpose of serving with any of His Majesty’s Naval, Military, or Air Forces in connection with the present war, and has subsequently been reappointed to the Force within six months after the date of his discharge from His Majesty’s Forces or before the expiration of six months from the passing of this Act (whichever is the later), he shall be deemed to have been on leave of absence without pay during the period elapsing between the date of his retirement as aforesaid and the date of his reappointment. 15 20

Public Service

Sections to be read with Public Service Act, 1912.

Ibid., Vol. VII, p. 522

50. This section and the next three succeeding sections shall be read together with and deemed part of the Public Service Act, 1912. 25

Date of election of members of Board of Appeal.

Ibid., p. 555

51. (1) Section fourteen of the Public Service Amendment Act, 1927, is hereby amended by repealing paragraph (a), and substituting the following paragraph:— 30

“(a) An election by ballot shall be held during the month of May, nineteen hundred and forty-seven, and during the month of May in every third year thereafter, to determine the officers who shall be the elected members of the Board of Appeal for each successive triennial period:” 35

(2) The elected members of the Board of Appeal constituted under section thirteen of the Public Service Amendment Act, 1927, holding office at the time of the passing of this Act shall continue to hold office until their successors come into office in accordance with the said section fourteen as amended by this section.

10 **52.** (1) Section seventeen of the Public Service Amendment Act, 1927, is hereby amended by inserting in subsection one, after paragraph (a), the following paragraph:—

Extending right of appeal of General and Educational Divisions.

15 “(aa) Any determination of the Commissioner made pursuant to sections seventeen and twenty-two of the principal Act fixing the maximum salary payable in respect of any position in the General or Educational Division; or”.

(2) The said section seventeen is hereby further amended by omitting from paragraph (a) of subsection one, the words “or relating to the grading of any officer of any other division”.

20 **53.** Section seventeen of the Public Service Amendment Act, 1927, is hereby further amended by inserting in subsection one, after paragraph (c), the following paragraph:—

Right of appeal against promotions made as a result of general regrading of Public Service.

25 “(cc) Any determination of the Commissioner made pursuant to section seventeen of the principal Act which results in the promotion of an officer, if the appointment of the appellant to fill the office or position held by the officer would have involved the promotion of the appellant; or”.

30

Public Service Superannuation

54. (1) This section shall be read together with and deemed part of the Public Service Superannuation Act, 1927.

Deputies for certain members of Public Service Superannuation Board.

35 (2) In the absence from any meeting of the Public Service Superannuation Board of the Director-General of the Post and Telegraph Department or the Valuer-General, he may authorize any officer of his Department to attend the meeting in his stead.

See Reprint of Statutes, Vol. VII, p. 559

40 (3) While any person is attending any meeting of the Board pursuant to this section he shall be deemed for all purposes to be a member of the Board, and the fact that any person so attends shall be sufficient evidence of his authority so to do.

Reformatory Institutions

Liability of
relatives of
inmates
abolished.

1932-33, No. 38

Sections to be
read with
Samoa Act,
1921.

See Reprint
of Statutes,
Vol. II, p. 791

Definition of
" Samoan ".

55. The Reformatory Institutions Amendment Act, 1932-33, is hereby repealed.

Samoa

56. This section and the *next three succeeding* 5
sections shall be read together with and deemed part
of the Samoa Act, 1921 (in those sections referred to
as the principal Act).

57. (1) Section three of the principal Act is hereby
amended by repealing the definition of the term 10
" Samoan ", and substituting the following definition:—

" ' Samoan ' means a person belonging to one or
more of the Polynesian races, whether by pure
or mixed descent, but does not include—

"(a) Any person for the time being regis- 15
tered as a European in accordance with any
regulations or Ordinance in force in Samoa:

"(b) Any person of not more than three-
quarters Polynesian blood who is not for the
time being declared or deemed to be a Samoan 20
under or in accordance with any regulations or
Ordinance in force in Samoa, and of whose
male ancestors in the male line—

"(i) None had more than three-quarters
Polynesian blood; and 25

"(ii) None has at any time while under
the age of eighteen years been
declared or deemed to be a
Samoan under or in accordance
with any regulations or Ordin- 30
ance in force in Samoa:

"(c) Any child of a man to whom para-
graph (a) or paragraph (b) of this definition
for the time being applies if that child is for
the time being under the age of eighteen years 35
and is not for the time being declared or
deemed to be a Samoan under or in accordance
with any regulations or Ordinance in force
in Samoa: ".

(2) For the purposes of the definition of the term "Samoan" in section three of the principal Act, illegitimate relationship shall be recognized as equivalent to legitimate relationship in all cases.

- 5 **58.** (1) The Governor-General may by Warrant under his hand and the Public Seal of New Zealand declare that any Crown land which is not subject to any lease or to any other right, title, estate, or interest vested in any person other than a Samoan shall be
- 10 Native land within the meaning of Part IX of the principal Act, and may indicate with what particularity he thinks fit the person or the family or group of Samoans by whom or on whose behalf it shall be held.
- 15 (2) Any Court having jurisdiction to investigate and adjudicate upon claims and disputes between Samoans affecting Native land shall have full jurisdiction to hear and determine any dispute between Samoans affecting land which has become Native land
- 20 pursuant to the *last preceding* subsection, and may vary or describe with further particularity the person or the family or group of Samoans by whom or on whose behalf the land or any part thereof shall be held.
- 25 **59.** When any Court of competent jurisdiction has declared that any European land held by a Samoan shall be held in accordance with the customs and usages of the Samoan race and the Administrator is satisfied that the land is not subject to any lease or to any
- 30 other right, title, estate, or interest vested in any person other than a Samoan, he may, upon the surrender and cancellation of the Crown grant, if any, and of all other outstanding documents of title, by Warrant under his hand and the Seal of Samoa, declare
- 35 that the land shall be Native land within the meaning of Part IX of the principal Act.

Crown land may be declared Native land.

European land may be declared Native land.

School of Agriculture

- 40 **60.** (1) Section two of the School of Agriculture Act, 1937, is hereby amended by repealing the definition of the term "Minister", and substituting the following definition:—

“ ‘ Minister ’ means the Minister of Education: ”.

Minister of Education in relation to New Zealand School of Agriculture.
1937, No. 26

(2) Section twenty-one of the said Act is hereby amended by inserting in subsection five, after the word "thereof", the words "to the Minister of Agriculture and".

Soil Conservation and Rivers Control

5

Town districts forming part of a county not to be constituent districts of catchment districts.

61. Section two of the Soil Conservation and Rivers Control Act, 1941, is hereby amended by adding to paragraph (b) of the definition of the term "constituent district" in subsection one the words "and not forming part of a county".

10

1941, No. 12

State Supply of Electrical Energy

Sections to be read with State Supply of Electrical Energy Act, 1917.

62. This section and the *next three succeeding* sections shall be read together with and deemed part of the State Supply of Electrical Energy Act, 1917.

See Reprint of Statutes, Vol. III, p. 89

Minister of Works may purchase and sell electrical appliances and equipment.

63. The Minister, on behalf of His Majesty, may purchase or otherwise acquire electrical appliances, fittings, machinery, materials, and equipment and may dispose of the same on such terms as he thinks fit, whether by sale for cash or on terms or by lease with or without purchasing clauses, and generally may do all things that in his opinion may be incidental to any such business.

20

Minister may install electrical appliances and equipment in public or private buildings.

64. The Minister may install electric lines and electrical appliances, fittings, machinery, materials, and equipment in public or private buildings, works, dwellings, and other places, and charge rent for the use thereof, or may accept payment therefor by instalments.

25

Cost of installation of electrical appliances and equipment to be charged on land.

65. Where in exercise of the powers conferred on him by the *last preceding* section the Minister has installed any electric lines or electrical appliances, fittings, machinery, materials, or equipment on any land or in any building on any land, the cost thereof (including the cost of installation) or any rent payable for the use thereof shall be a charge on the land to which electric power is supplied, and may be recovered as rates are recovered under the Rating Act, 1925, and the provisions of that Act as to the recovery of rates shall apply accordingly:

30

35

Ibid., Vol. VII, p. 977

Provided that in any case where the cost exceeds thirty pounds, the foregoing provisions of this section shall not apply to the amount payable to the Minister in respect of that cost or as rent, unless before the installation consent in writing is given thereto by or on behalf of the owner of the land and, where the land is subject to any duly registered mortgage, is also given by or on behalf of the mortgagee or mortgagees.

Tramways

10 **66.** Section two of the Tramways Amendment Act, 1930, is hereby amended by inserting, after the words " car-cleaner or car-examiner ", the words " or car-shed labourer ".

Car-shed labourers may be examined as motormen of " one-man " cars.

See Reprint of Statutes, Vol. VIII, p. 794

Urban Farm Land Rating

15 **67.** (1) This section shall be read together with and deemed part of the Urban Farm Land Rating Act, 1932 (in this section referred to as the principal Act).

Supplementary farm-land roll for area added to a borough.

1932, No. 20

(2) Notwithstanding anything to the contrary in the principal Act, where the boundaries of a borough are altered and any area is included in the borough at any time after a farm-land roll has been made for the borough (whether or not the roll has come into force), the Council may, and shall if application is made to it in that behalf, cause a supplementary farm-land list to be made in accordance with the provisions of the principal Act.

(3) The supplementary farm-land list shall include particulars of all pieces of urban farm land within the area so included, whether containing not less than three acres or containing less than three acres, which are liable to be rated separately by the Council.

(4) All the provisions of the principal Act with respect to applications for the preparation of a farm-land list, the preparation and deposit thereof, notices thereof, objections thereto, the hearing and determination of objections, the completion and signing of the list, and the list becoming the farm-land roll shall, with the necessary modifications, apply with respect to the supplementary farm-land list.

- (5) The supplementary farm-land roll, as and when it is duly completed,—
- (a) Shall be deemed to be part of the farm-land roll:
 - (b) Shall come into force on the first day of April next following the decision of the Council to make the supplementary farm-land list, or, if made pursuant to application in that behalf, next following the making of the application (if only one) or the first of the applications (if more than one), or on such earlier date as may be determined by the Council or the Court: 5
 - (c) Shall continue in force while the farm-land roll is in force. 10 15

Workers' Compensation

Sections to be read with Workers' Compensation Act, 1922. See Reprint of Statutes, Vol. V, p. 597

68. This section and the *next three succeeding* sections shall be read together with and deemed part of the Workers' Compensation Act, 1922 (in those sections referred to as the principal Act). 20

Special provisions as to partly trained workers over twenty-one.

69. Subsection one of section nine of the principal Act is hereby amended as follows:—

- (a) By inserting, after the words "industrial agreement", the words "or is employed under a contract of service under which he is expressly required to undergo any training, instruction, or examination for the purpose of becoming qualified for the occupation to which the contract of service relates,": 25
- (b) By inserting, after the words "had ceased to be an improver", the words "or had become qualified as aforesaid,": 30
- (c) By inserting, after the words "on ceasing to be an improver", the words "or on becoming qualified": 35

70. (1) Section nine of the Workers' Compensation Amendment Act, 1943, is hereby amended by inserting, after subsection two thereof, the following new subsection:—

5 “(2A) Every employer who is for the time being required to keep a policy in force under this section shall, whenever required to do so by an Inspector of Factories appointed under the Factories Act, 1921-22, produce to the Inspector the policy, or a duplicate
10 thereof, together with a receipt or renewal notice issued by or on behalf of the insurer, showing that the policy is then in force.”

(2) The said section nine is hereby further amended by inserting in subsection two, before the words “ this
15 section ”, the words “ subsection one of ”.

71. Section nine of the Workers' Compensation Amendment Act, 1943, is hereby further amended by inserting in subsection four, after paragraph (a) thereof, the following new paragraph:—

20 “(aa) Any Education Board, Board of Governors, Board of Managers, or other authority having immediate control of any public school or secondary school within the meaning of the Education Act, 1914, or of
25 any technical school, technical high school, combined school, or teachers' training college established under that Act, except with respect to workers who are not employed by the Board or other authority at any such school or training college
30 as teachers, probationary assistants, or training-college students:”.

Employers to produce indemnity policies when required to do so.

1943, No. 23

See Reprint of Statutes, Vol. III, p. 198

Exempting certain education authorities from obligation to insure against liability under principal Act with respect to teachers, probationary assistants, and training-college students.

Ibid., Vol. II, p. 1007