

STATUTES AMENDMENT BILL

EXPLANATORY NOTE

Clause 1 relates to the Short Title.

Auckland Electric Power Board

Clause 3 amends the Auckland Electric Power Board Act 1921–22 so that, with regard to filling any extraordinary vacancy in the office of a member of the Board, the Board will be in the same position as a Borough Council not divided into wards for the purposes of representation. This means that it will not be necessary to hold an election to fill an extraordinary vacancy unless another such vacancy remains unfilled or unless not less than 5 percent of the electors or 500 electors, whichever is the less, demand that an election be held.

Births and Deaths Registration

Clause 5 amends section 17A of the principal Act so that where a woman changes by deed poll a surname acquired on marriage she may request that her birth certificate be not endorsed with a memorial of the change. This means that where such a request is made copies of her birth certificate showing her maiden name may still be obtained.

Clause 6 amends section 21 of the principal Act. Subsections (7) and (8) of this section permit a copy of the original birth entry of an adopted child to be issued, or the entry itself inspected, if the Registrar-General or the Registrar is satisfied that the particulars recorded in the original entry are material for the purpose for which the copy or the inspection is required.

Section 23 of the Adoption Act 1955, which deals with secrecy of adoption records, is in more restrictive terms.

This clause—

- (a) Requires the Registrar-General, and not the Registrar, to be satisfied in every case not only that the particulars are material for the purpose for which the copy or inspection is required but also that the supply of a copy of the original entry or an inspection of it would not be a contravention of the principles set out in section 23 of the Adoption Act 1955.
- (b) Provides for the matter to be referred to a Magistrate in case of a dispute.

Boilers, Lifts, and Cranes

Clause 8 re-enacts in an amended form section 55 of the principal Act, and increases the maximum fine for offences against that Act from \$200 to \$1,000. An amendment to this effect was made by section 11 of the Boilers, Lifts, and Cranes Amendment Act 1969, but that section incorrectly refers to subsection (1) instead of subsection (2). This amendment rectifies the position.

British Nationality and New Zealand Citizenship

Clause 10: Section 6 of the British Nationality and New Zealand Citizenship Act 1948 provides that every person born in New Zealand after the commencement of that Act shall be a New Zealand citizen by birth. Paragraph (a) of the proviso to that section declares that this provision does not apply if at the time of his birth his father possessed such immunity from suit and legal process as is accorded in New Zealand to an envoy of a foreign sovereign power accredited to Her Majesty and was not a New Zealand citizen.

The immunities from jurisdiction of diplomatic agents and their families and the members of their staffs and their families are now defined by the Diplomatic Privileges and Immunities Act 1968, and this clause consequentially re-enacts in an amended form paragraph (a) of the proviso referred to above in order to refer to the immunity from jurisdiction conferred by or pursuant to that Act.

Chattels Transfer

Clause 12 deems the Judicial District of Westland to be a separate provincial district for the purpose of the registration of instruments under the Chattels Transfer Act 1924. This is designed to overcome the problem caused in that judicial district by the general provision which requires such instruments to be registered in a Supreme Court Office in the provincial district within which the chattels comprised in the instrument are situated. Part of that judicial district is in the Westland Provincial District and the other part is in the Nelson Provincial District, the southern boundary of the Nelson Provincial District being in part the Grey River. This clause is to come into force on a date to be appointed for the commencement thereof by the Governor-General by Order in Council.

Clause 13 repeals two subsections dealing with chattels within the possession, order, and disposition of bankrupts. These sections will be redundant when the Insolvency Act 1967 comes into force and the repeal takes effect from the commencement of that Act.

Consumer Council

Clause 15 alters the annual balance date of the Consumer Council from 31 March to 31 December.

Clause 16 makes consequential amendments.

Crimes

Clause 18: These amendments are consequential on the Mental Health Act 1969. Section 138 of the Crimes Act 1961 makes it an offence punishable by 7 years' imprisonment for a person to have or attempt to have sexual intercourse with a woman or girl who is an idiot or imbecile, if he knows or has good reason to believe that she is an idiot or imbecile. The terms "idiot" and "imbecile" were defined in section 2 of the Mental Health Act 1911, in Classes III and IV of the definition of "mentally defective person". Those two terms (together with the term "feeble minded") are replaced in the Mental Health Act by the term "mentally subnormal", which in that Act means suffering from subnormality of intelligence as a result of arrested or incomplete development of mind.

This clause rewrites section 138 of the Crimes Act, as from 1 April 1970 (the date of commencement of the Mental Health Act), so as to refer to a woman or girl who is "severely subnormal" instead of one who is an idiot or imbecile. Subsection (1) of the substituted section has in other respects the same wording as the present section. Subsection (2) is new and defines the term "severely subnormal" for the purposes of the section. Such a person must be mentally subnormal to the extent that she is incapable of living an independent life or of guarding herself against serious exploitation or common physical dangers.

Clause 19 consequentially amends a reference to section 138 in Part I of the First Schedule to the Summary Proceedings Act 1957, under which Magistrates' Courts may exercise summary jurisdiction in such cases.

Crown Proceedings

Clause 21: Section 15 (1) of the Crown Proceedings Act 1950 provides that any debt or damages payable to the Crown and not exceeding \$100 may be sued for and recovered in a Magistrate's Court on behalf of the Crown by and at the suit of any person appointed in that behalf by a warrant under the hand of the Attorney-General or the Solicitor-General, and judicial notice shall be taken of the signature on any such warrant. The provision is used extensively, and the clause extends its application so as to enable Crown Counsel in the office of the Solicitor-General to sign the warrants.

Dairy Board

Clause 23 amends section 57 of the Dairy Board Act 1961. The Dairy Board is exempt from income tax on income derived by the Board in the exercise of its functions and powers under Part II of that Act. The Board has authority by regulations made under Part III of the Act to purchase and dispose of vells and the clause exempts from income tax income derived by the Board from this source. The exemption is retrospective in so far as it applies to income other than interest earned on money standing to the credit of an account established by the Board for the purpose of recording transactions relating to vells and invested from time to time by the Board.

Extradition

Clause 25: Section 5 (7) of the Extradition Act 1965 provides that in every extradition treaty made between New Zealand and a foreign country provision shall be made to the effect that the Minister may in his discretion refuse to surrender an offender who is a New Zealand citizen. Some countries however are forbidden by their law to permit the extradition of their citizens in any case. It is therefore considered desirable that New Zealand law should clearly permit the conclusion, in appropriate cases, of treaties containing a simple ban on the extradition of citizens of either country.

This clause therefore amends section 5 (7) to allow the inclusion in a treaty of a provision to the effect that no New Zealand citizen shall be surrendered.

Clause 26: Section 16 of the principal Act requires certain official documents made outside New Zealand to be authenticated by being signed by or sealed with the official seal of a Minister of the country in which they are made. Because in some countries official seals are those of Ministries or Departments, and not of Ministers, this clause amends section 16 to provide for such cases.

Clause 27: Subclause (1) includes within the definition of an extradition offence the offences of aiding, inciting, counselling, or procuring the doing of acts outside New Zealand which, if done in New Zealand, would be crimes. *Subclause (2)* rewrites Part II of the First Schedule to the principal Act for the purpose of substituting, in the list of crimes that are extradition offences, a reference to section 5 of the Narcotics Act 1965 for references to the corresponding sections of the repealed Dangerous Drugs Act 1927. *Subclause (3)* is a consequential repeal.

Factories

Clause 29 repeals sections 41, 42, and 43 of the Factories Act 1946 which prescribe safety provisions in respect of machinery in factories. The matters to which those sections relate are dealt with in sections 12, 15, 16, 17, and 19 of the Machinery Act 1950. The sections proposed to be repealed are therefore redundant.

Foreign Affairs

Clause 31 provides that the department which is described in the External Affairs Act 1943 as the Ministry of External Affairs, and which is commonly known as the Department of External Affairs, shall be called the Ministry of Foreign Affairs. Consequential changes are made in the designations of the Minister and the Secretary.

Geothermal Energy

Clause 33: At present all ground water heated by geothermal energy is subject to the provisions of the Geothermal Energy Act 1953. The clause excludes such water from the operation of the Act in those cases where the temperature to which the water has been heated by geothermal energy does not exceed 70°C.

Guardianship

Clause 35 enables the father of a child to apply to the Supreme Court or a Magistrate's Court for an order declaring that he is a guardian of the child. Uncertainty as to the father's status as a guardian may arise where the father is not married to the mother of the child. In such a case the father will be a natural guardian of the child only if—

- (a) He was married to the mother when the child was conceived; or
- (b) He and the mother were living together as husband and wife at the time the child was born.

Harbours

Clause 37 repeals section 231 of the Harbours Act 1950, and substitutes a new section. The present section 231 requires the international code signals G. or P.T. to be used by ships requiring a pilot in day time. As from 1 April 1969, the international code signal P.T. has been given a new significance in the International Code of Signals, and this amendment is necessary to avoid confusion. Any method of signalling the code signal G. may be used.

Clause 38: Subclause (1) amends section 241 (1) (b) of the principal Act, first to rectify an oversight in the Harbours Amendment Act 1965, where the phrase "other competent person to be authorised in that behalf by the Minister" was mistakenly omitted from the paragraph instead of the phrase "Inspector of Machinery" and secondly, to empower the making of regulations for the inspection and testing of cargo containers.

Clause 38: Subclause (2) amends section 241 (1) (bb) to empower the making of regulations prescribing fees for the inspection and testing of cargo containers.

Clause 38: Subclause (3) consequentially repeals section 10 of the Harbours Amendment Act 1965.

Historic Places

Clause 40: Present membership of the New Zealand Historic Places Trust includes two members appointed to represent the historical, archaeological, founders', pioneers', and early settlers' associations and societies in New Zealand. The clause repeals this provision and in place of those two members correspondingly increases the number of members of the Trust elected by associate members from one to three as from 1 April 1970 when the clause comes into force.

Clause 41 is a consequential amendment to section 13 (1) of the principal Act by reason of the number of members of the Trust elected by associate members being increased from one to three. This clause likewise comes into force on 1 April 1970.

Immigration

Clause 43: Section 3 (h) of the Immigration Act 1964 provides that Part I of that Act, relating to prohibited immigrants, does not apply to any person accorded immunity from suit and legal process pursuant to the Diplomatic Immunities and Privileges Act 1957, not being a person accorded such immunity by reason only of his being a member of the domestic staff of any other person accorded such immunity pursuant to that Act.

Immunities from jurisdiction of diplomatic agents and their families and the members of their staffs and their families are now defined by the Diplomatic Privileges and Immunities Act 1968, which confers no such immunity on any member of the domestic staff of any person accorded immunity, and provides that private servants of members of a mission are not entitled to immunity from jurisdiction except to the extent admitted by the receiving State.

This clause consequentially re-enacts paragraph (h) of section 3 in an amended form in order to refer to the immunity from jurisdiction now conferred by the Diplomatic Privileges and Immunities Act 1968.

Industries and Commerce

Clause 45 empowers the Minister of Industries and Commerce, on behalf of Her Majesty the Queen, to acquire shares in any company incorporated under the Companies Act 1955 and having as its principal objects the promotion of the export trade of New Zealand and the development of overseas markets for New Zealand products.

Invercargill Licensing Trust

Clause 47 increases the maximum remuneration that may be paid to the Chairman of the Invercargill Licensing Trust from \$1,000 to \$1,200. In other respects the clause merely re-enacts the existing section 9 of the principal Act as amended in 1953 and 1964, and consequentially repeals the existing amending sections.

Judicature

Clause 49 increases the total number of Judges of the Supreme Court from 15 to 16.

Clause 50 provides that Mr Justice Henry is to be deemed for superannuation purposes to have been permanently appointed as a Judge of the Supreme Court on 21 February 1955, the date on which he was appointed as a temporary Judge.

Land Settlement Promotion and Land Acquisition

Clause 52: Section 35B (1) of the Land Settlement Promotion and Land Acquisition Act 1952 provides that Part IIA of that Act (which imposes restrictions on the acquisition of certain classes of land by persons who are not New Zealand citizens and by overseas corporations) applies to certain kinds of transactions referred to in the subsection where the purchaser or lessee is not a New Zealand citizen or is an overseas corporation and the transaction relates to land of any of the kinds described in paragraph (f) of the subsection, namely, land zoned for any public utility, amenity, reserve, or public work, and other land of 5 acres or over except land zoned for commercial, industrial, or residential purposes.

This clause, which is to come into force on 1 November 1969, re-enacts paragraph (f) in an amended form defining more specifically and with some changes the categories of land to which Part IIA applies. Part IIA is to apply to the following categories of land:

- (a) Land of 1 acre or over which under any operative regional planning scheme or proposed or operative district scheme is designated or zoned as a reserve, or as a public park, or for recreation purposes, or as private open space, or for preservation as a place of or containing an object of historical or scientific interest or natural beauty, or any proposed such purpose:
- (b) Land of 5 acres or over which under any proposed or operative district scheme is zoned for rural purposes or is so zoned that farming is a predominant or conditional use in the zone:
- (c) Land of 1 acre or over that is not included in any proposed or operative district scheme:
- (d) Land that is or forms part of any island that is less than 100 miles from the North Island or the South Island or that is or forms part of any island of the Chatham Islands.

Clause 53: Section 35H of the Land Settlement Promotion and Land Acquisition Act 1952 prescribes the matters that are to be taken into account when application is made to the Court for its consent to a transaction to which Part IIA applies. Paragraph (a) of subsection (3) provides that the Court may not grant its consent if the transaction relates to land of any of the categories specified in that paragraph.

Subclause (1) of this clause substitutes new paragraphs (a) and (aa) for paragraph (a), and redefines the categories of land in order to conform to the amendment made by *clause 52*.

Subclause (2) provides for consequential amendments.

Subclause (3) amends section 35H (4) of the principal Act, which requires the Court to consent to a transaction under which the purchaser is a mortgagee exercising his power of sale, provided certain conditions are complied with, including a condition that the purchase price must not exceed the aggregate of the amount owing under the mortgage, the reasonable expenses of the sale, and other money expended by the mortgagee in the protection of his security.

The effect of this subclause is to require the Court to consent where the purchase price does not exceed by more than \$100 the aggregate amount referred to above. At the time of sale, a mortgagee may not know exactly all the expenses involved, and this amendment will allow a margin for contingencies.

This clause also is to come into force on 1 November 1969.

Law Practitioners

Clause 55: Section 107 (1) of the Law Practitioners Act 1955 provides that a District Law Society may impose an annual levy on members of the Society who are engaged in practice on their own account, whether in partnership or otherwise. The clause amends this provision so as to provide that the levy may be imposed on all members of the Society.

Licensing Trusts

Clause 57: At present, the maximum remuneration that may be paid under the Licensing Trusts Act 1949 to Chairmen of Trusts is as follows:

- (a) In the cases of the Ashburton, Clutha, Mataura, and Oamaru Trusts, \$800:
- (b) In the case of any other Trust, \$600.

This clause increases the maximum amount payable in the cases mentioned in paragraph (a) above to \$900 and also includes the Mount Wellington and Porirua Trusts in that group. In the case of any other Trust the maximum is increased to \$700. In other respects the clause merely re-enacts the existing section 8 of the principal Act as amended in 1953 and 1964, and consequentially repeals the existing amending sections.

Local Authorities (Members' Interests)

Clause 59 amends the First Schedule to the Local Authorities (Members' Interests) Act 1968 (which specifies the local authorities and public bodies to which the Act applies), as follows:

- (a) *Subclause (1)* declares the classes of public bodies referred to in the subclause to be local authorities for the purposes of the Act. That Part already declares combined school controlling authorities and secondary schools governing bodies to be local authorities for the purposes of the Act, but this amendment substitutes a more up-to-date description of the various kinds of bodies under the Education Act 1964 to which the Local Authorities (Members' Interests) Act applies.
- (b) *Subclause (2)* is consequential on *subclause (1)*. The classes of bodies to be omitted are included in those inserted by *subclause (1)*.

- (c) References to individual secondary schools' governing bodies are omitted from Part II, which relates to particular local authorities and public bodies to which the Act applies. Those governing bodies are now included in the general classes of governing bodies included by *subclause (1)* and their omission from Part II is consequential on that subclause.
- (d) The Auckland Regional Planning Authority is omitted from Part II. By section 25 of the Auckland Regional Planning Authority Act 1963, the Authority is to cease to exist on a date agreed upon between it and the Auckland Regional Authority, and its functions are to be taken over by the Auckland Regional Authority. The Auckland Regional Planning Authority has now ceased to exist under that provision, and this clause consequentially omits it from Part II of the First Schedule to the Local Authorities (Members' Interests) Act 1968.

Local Elections and Polls

Clause 61: The effect of the repeal of section 5 (1) of the Local Elections and Polls Act 1966 will be that the triennial general elections of members of the Auckland Electric Power Board will be held on the same day as the triennial general elections of local authorities generally. That is, instead of the next election of the Board being held on the second Saturday in October in the year 1970, it will be held on the second Saturday in October in the year 1971, and triennially thereafter.

Local Government Commission

Clause 63 amends section 18 of the Local Government Commission Act 1967. It provides that in determining any objection to a provisional area scheme, the Local Government Commission may uphold the objection wholly or partly, and abandon or modify the scheme as a result of the objection, or dismiss the objection. This provision will also apply to provisional local schemes, as, by section 28 of the Act, section 18 applies to such schemes.

Marginal Lands

Clause 65 amends the constitution of the Marginal Lands Board. The Chairman of the Soil Conservation and Rivers Control Council is omitted from the Board, and the number of members to be appointed by the Minister as being persons experienced in the management of marginal lands is increased from 2 to a maximum of 4.

Masterton Licensing Trust

Clause 67 increases the maximum remuneration that may be paid to the Chairman of the Masterton Licensing Trust from \$800 to \$900. In other respects the clause merely re-enacts the existing section 9 of the principal Act as amended in 1953 and 1964, and consequentially repeals the existing amending sections.

Meat Export Control

Clause 69 provides that the members of the New Zealand Meat Producers Board who are in office on 1 September 1970 (including those whose term of office expires on that day) are to continue in office until 1 April 1971. This is consequential on a proposal of the Board to alter its annual balance date and annual report date from 30 June to 30 September, and a proposal that the producers' representatives on the Board be elected in March instead of August.

Clause 70 provides for the Chairman of the Board to be elected on the second Wednesday in April each year instead of the second Wednesday in September. This amendment will not operate until the year 1971.

Medical and Dental Auxiliaries

Clause 72 amends subsection (5) of section 35 of the principal Act so as to make it clear that the costs first referred to in that subsection are the costs incurred in respect of the appeal, including the costs and expenses of the Appeal Tribunal.

Military Decorations and Distinctive Badges

Clause 74 amends section 3 of the Military Decorations and Distinctive Badges Act 1918, which makes it an offence to dispose of or acquire a military decoration except with the permission of the Minister of Defence or by way of a testamentary disposition. The amendment will authorise the Secretary of Defence to give permission for the disposal or acquisition of a military decoration.

Municipal Corporations

Clause 76: Section 165 of the Municipal Corporations Act 1954 provides that a Borough Council may, with the approval of the Minister, purchase land on a system of time payment by instalments over a period not exceeding 20 years with interest at such rate as the Minister approves.

This clause provides that the Minister's approval is not required to the purchase of land from the Crown on deferred payment licence under the Land Act 1948. The term of any such deferred payment licence may be up to 30 years, which is the maximum term for such licences under the Land Act 1948.

New Zealand Army

Clause 78 amends section 10A of the New Zealand Army Act 1950, which relates to apprentices in the Army. The amendment will enable an indenture of apprenticeship to be discharged without the consent of the Minister of Defence.

New Zealand Ports Authority

Clause 80: Section 22 (4) of the New Zealand Ports Authority Act 1968 provides that where before the date of the commencement of the Act power has been given by any special Act to a harbour board to borrow money, then so far as the power has not been fully exercised at that date it may be exercised in accordance with the special Act as if the New Zealand Ports Authority Act had not been passed.

This clause amends that subsection to make it clear that it allows the expenditure of money authorised by any such special Act as well as the exercise of any unexercised borrowing powers, and also allows a harbour board (without a further special Act) to raise a supplementary loan under section 44 of the Local Authorities Loans Act 1956 (i.e., up to one-tenth of the amount originally authorised for an undertaking) where the amount authorised is found insufficient to complete the undertaking.

Public Revenues

Clause 82 allows the Controller and Auditor-General to discharge his obligations in respect of his annual report by preparing a first report (to be laid before Parliament within 14 days after the public accounts have been laid before Parliament) and one or more supplementary reports.

Clause 83: Under section 118 of the Public Revenues Act 1953 regulations may be made with regard to a number of matters affecting the care and management of public money and the purchase and safe custody, and the rendering of accounts, in respect of public stores. This clause extends that section so that regulations may be made under it in respect of the money and stores of local authorities (within the meaning of Part XII of the Act).

Public Works

Clause 85 amends section 125 of the principal Act, which relates to the dedication of roads or streets required to give access to land sold without an existing frontage to a road or street.

The new road or street must, if the local authority requires it, be given a sealing coat of tar, bitumen, or other suitable material.

The amendment provides that, if tar is used, two sealing coats must be given.

Quantity Surveyors

Clause 87 amends section 3 of the Quantity Surveyors Act 1968 to enable deputies to be appointed for all the members of the Quantity Surveyors Registration Board.

Rangitaiki Land Drainage

Clause 89 amends section 19 of the principal Act which contains special provisions as to land in Edgcumbe Township. In particular the Valuer-General is required to determine a special rateable value for the land in the township. In 1956 the township included approximately 264 acres within its boundaries. In 1964 Edgcumbe was constituted a county town and it now includes approximately 375 acres within its boundaries. However section 19 of the principal Act is still limited to the 1956 area of 264 acres. The amendment made by this clause will cause the section to have effect with regard to all land for the time being within the boundaries of the county town of Edgcumbe.

Rating

Clause 91: The proviso to section 30 (1) of the Rating Act 1967 provides that where there are two or more occupiers of any rateable property, it will be sufficient to show on the valuation roll prepared for annual value rating purposes the names of two of the owners or occupiers, followed by the words "and another" or "and others", as the case requires.

The effect of this clause will be that in such cases the name of only one of the owners or occupiers need be shown on the roll, followed by the words "and another" or "and others", as the case requires.

Reserves and Domains

Clause 93 amends section 31 (a) of the Reserves and Domains Act 1953. At present, revenue from public reserves vested in the Crown (other than domains) is paid into the Consolidated Revenue Account. The clause provides that the revenue from those reserves will be paid into the Public Account to the credit of the Trust Account to be applied without further appropriation in purchasing, improving, or developing public domains, recreation reserves, or scenic reserves, as directed by the Minister of Lands.

Standards

Clause 95 amends section 12 of the Standards Act 1965 by adding to subsection (1) a new paragraph (i) to enable the Standards Council to appoint up to three of its own members as members of its Executive Committee.

Clause 96 re-enacts section 47 (1) (c) of the Standards Act 1965 in an amended form. Paragraph (c) incorrectly refers to the principal Act instead of to the Standards Council. So much of the Second Schedule to the Fees and Travelling Allowances Act 1951 as relates to the Standards Act 1941 should have been repealed by this paragraph. This amendment rectifies the position as from 1 April 1966 (the date of commencement of the Standards Act 1965).

Taranaki Scholarships Trust Board

Clause 98 amends section 12 of the Taranaki Scholarships Trust Board Act 1957 so as to vary the examination requirements, and the attendance or residence and enrolment requirements, relating to the award of Taranaki Scholarships. The revised provisions will enable scholarships to be awarded on the results of the University Bursaries Examination if the Board thinks fit as well as on the results of the Entrance Scholarships Examination, and will make provision for scholarships to be awarded on the appropriate level of attainment at a University notwithstanding that a candidate has delayed his matriculation at a University for a year for a reason acceptable to the Board. Section 12 (d) of the principal Act is amended so as to permit a Taranaki Scholarship without emoluments to be tenable with a University Junior Scholarship.

Clause 99 amends section 13 of the Taranaki Scholarships Trust Board Act 1957 so as to provide for the Universities Entrance Board to transmit to the Taranaki Scholarships Trust Board the results of the Universities Bursaries Examination as well as the results of the Entrance Scholarships Examination.

Tariff and Development Board

Clause 101 increases the maximum number of members of the Tariff and Development Board from six to eight. The minimum number of members of the Board remains at four.

Tramways

Clause 103 reduces from 21 days to 5 days the minimum period of training required to have been undergone by an applicant for a tram driver's certificate in respect of the Kelburn Cable Car. The minimum period of 21 days will continue to apply in every other case. Applicants who obtain certificates in respect of the Kelburn Cable Car after having undergone the shorter period of training will be granted certificates that apply only to that Cable Car.

Trustee

Clause 105 amends section 4 of the Trustee Act 1956 so as to provide that debentures, stock, bonds, or other securities of Catchment Commissions and of the Marlborough, Nelson, Taranaki, and Tauranga Harbour Boards shall be authorised investments for trustees. The Harbour Boards are included among the Boards enumerated in subsection (1) (d) of the section, being Boards whose loans do not have to be secured by a special rate.

University of Otago

Clause 107 provides for the addition to the Council of the University of an additional member to be elected by the lecturers at the University and of two further additional members to be appointed by the Executive of the Otago University Students' Association Incorporated.

Clause 108 amends section 8 of the University of Otago Amendment Act 1961 so as to bring it into line with corresponding provisions in the other University Acts. The clause provides that persons do not become ineligible for the Council by reason only of acting as examiners, assessors, or moderators, and that employment by the University does not render a person ineligible for the Council if the amount paid to him in any financial year does not exceed \$1,500.

Victoria University of Wellington

Clause 110 provides for the election to the Council of the University of an additional member, who shall be a member of the academic staff of the University, to be elected by that staff; and for the appointment to the Council of a further additional member, who shall be appointed by the Executive of the Victoria University of Wellington Students' Association (Incorporated), and shall be a person who has attended lectures at the University within the period of 2 years immediately preceding his appointment.

Clause 111 provides for the appointment to the Professorial Board of the University of three additional members, who shall be students enrolled in a course for a degree or diploma of the University and shall be appointed by the Council of the University on the recommendation of the Executive of the Victoria University of Wellington Students' Association (Incorporated).

Waikato Valley Authority

Clause 113 amends section 4 (2) of the principal Act relating to the membership of the Waikato Valley Authority. At present, the City of Hamilton is represented by one member, and the clause increases this representation to two members.

Clause 114 requires the members of Hamilton City Council within 1 month of the clause coming into force to elect the additional member. The new member will hold office for the remainder of the term for which other elected members of the Authority in office at the time of his election hold office.

Water and Soil Conservation

Clause 116 amends section 21 of the principal Act as from its commencement by rewriting subsection (2) so as to—

- (a) Extend to 1 April 1970 the period for giving notices in respect of existing uses, etc., of natural water:
- (b) Extend to 31 December 1969 the period during which the National Water and Soil Conservation Authority may authorise by public notice the discharge of natural water or waste into natural water where this has been lawfully happening in accordance with an Act or otherwise during the 3 years that ended on 9 September 1966:
- (c) Make it clear that only lawful and actual uses, etc., can be protected by the giving of such notices, and then only for the period for which they are otherwise lawful:
- (d) Confirm rights for the use, etc., of natural water where the right was conferred by Order in Council under the Public Works Act 1928 before 1 April 1968, but was not being exercised during the said 3 year period, subject however to the rights being substantially exercised by 31 March 1975.

Clause 117 authorises the transfer of rights granted or authorised under the Water and Soil Conservation Act 1967 to any succeeding owner or occupier of the land in respect of which the right is granted or authorised. Notice of the transfer is to be given to the Board, and the transfer shall have no effect until the notice has been given.

Weights and Measures

Clause 119 inserts a new section which authorises the making of regulations prescribing the matters in respect of which fees are payable under the principal Act. The present powers to prescribe fees are very limited and do not enable the promulgation of an up-to-date and flexible scale prescribing fees for the testing of sophisticated weighing and measuring equipment.

Wheat Board

Clause 121 increases the amount which the New Zealand Wheat Board may expend by way of unauthorised expenditure in any financial year from \$400 to \$800.

Clause 122: Subsection (2) of section 30 of the Wheat Board Act 1965 provides that where wheat is sold by the Board payment is to be made by the purchaser to the authorised broker on behalf of the Board. This clause substitutes a new subsection (2) which enables the Board to decide whether payment is to be made to the broker or direct to the Board.

Wool Labelling

Clause 124 amends section 3 of the Wool Labelling Act 1949 by inserting a new subsection (6A) allowing the terms "all wool" and "pure wool" to be marked on wool products which contain, besides at least 80 percent of pure wool, any natural fibres of cashmere or mohair, or any hair of alpaca, camel, llama, or vicuna.

Right Hon. Mr Marshall

STATUTES AMENDMENT

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71. Sections to be read with Medical and Dental Auxiliaries Act 1966
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A BILL INTITULED

An Act to amend certain enactments of the General Assembly

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

5

1. Short Title—This Act may be cited as the Statutes Amendment Act 1969.

Auckland Electric Power Board

2. Sections to be read with Auckland Electric Power Board Act 1921–22—This section and the next succeeding section shall be read together with and deemed part of the Auckland Electric Power Board Act 1921–22* (in that section referred to as the principal Act).

*1921–22, No. 17 (Local)

3. Election to fill extraordinary vacancy—The principal Act is hereby amended by inserting, after section 12, the following section:

“12A. Section 52 of the Local Elections and Polls Act 1966 shall, so far as it is applicable and with all necessary modifications, apply to the Board as if the Board were a Borough Council not divided into wards for the purposes of representation.”

Births and Deaths Registration

4. Sections to be read with Births and Deaths Registration Act 1951—This section and the next two succeeding sections shall be read together with and deemed part of the Births and Deaths Registration Act 1951* (in those sections referred to as the principal Act).

*1957 Reprint, Vol. 1, p. 591

Amendments: 1959, No. 25; 1961, No. 23; 1963, No. 76; 1964, No. 79

5. Registration of change of name—Section 17A of the principal Act is hereby amended—

- 5 (a) By adding to paragraph (a) of subsection (5) the words “except where the person was a woman and the change related only to a surname acquired on marriage and he has received from her a written request to the contrary”:
- 10 (b) By inserting in paragraph (b) of subsection (5), after the words “in every case”, the words “, other than one to which such a request as is mentioned in paragraph (a) of this subsection applies,”:
- (c) By omitting from paragraph (c) of subsection (5) the word “thereafter”, and substituting the words “after entry of the memorial”.

15 **6. Registration of adoptions**—(1) Section 21 of the principal Act (as substituted by section 4 (1) of the Births and Deaths Registration Amendment Act 1961) is hereby amended—

- 20 (a) By omitting from subsection (7), and also from subsection (8), the words “or the Registrar is satisfied”, and substituting in each case the words “is satisfied”:
- (b) By adding to subsection (7) the words “and that the supply of a copy of the original or any former entry would not be a contravention of the principles set out in section 23 of the Adoption Act 1955”:
- 25 (c) By adding to subsection (8) the words “and that the inspection would not be a contravention of the principles set out in section 23 of the Adoption Act 1955”.

30 (2) Section 21 of the principal Act (as so inserted) is hereby further amended by adding the following subsection:

- 35 “(9) In case of a dispute as to whether a person should be supplied with a copy of the original or any former entry pursuant to subsection (7) of this section or permitted to inspect any such original or former entry pursuant to subsection (8) of this section, the Registrar-General shall, upon that person’s request, submit the matter to a Magistrate, whose decision shall be final.”

Boilers, Lifts, and Cranes

7. Sections to be read with Boilers, Lifts, and Cranes Act 1950—This section and the next succeeding section shall be read together with and deemed part of the Boilers, Lifts, and Cranes Act 1950* (in that section referred to as the principal Act). 5

*1957 Reprint, Vol. 1, p. 631
Amendments: 1966, No. 100; 1969, No. 5

8. General penalty—(1) Section 55 of the principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964 and section 11 of the Boilers, Lifts, and Cranes Amendment Act 1969) is hereby repealed, and the following section 10 substituted:

“55. (1) Every person who fails to comply with any requirement, obligation, or provision imposed or required to be observed by this Act commits an offence.

“(2) Except where otherwise expressly provided by this Act, every person who commits an offence against this Act shall be liable on summary conviction to a fine not exceeding \$1,000.” 15

(2) Section 11 of the Boilers, Lifts, and Cranes Amendment Act 1969 is hereby repealed. 20

(3) This section shall come into force on the 1st day of January 1970.

British Nationality and New Zealand Citizenship

9. Sections to be read with British Nationality and New Zealand Citizenship Act 1948—This section and the next succeeding section shall be read together with and deemed part of the British Nationality and New Zealand Citizenship Act 1948* (in that section referred to as the principal Act). 25

*Reprinted, 1967, Vol. 3, p. 1645

10. Citizenship by birth—Section 6 of the principal Act is hereby amended by repealing paragraph (a) of the proviso, 30 and substituting the following paragraph:

“(a) His father was a person upon whom any immunity from jurisdiction was conferred by or under the Diplomatic Privileges and Immunities Act 1968, and was not a New Zealand citizen; or” 35

Chattels Transfer

11. Sections to be read with Chattels Transfer Act 1924—
This section and the next two succeeding sections shall be
read together with and deemed part of the Chattels Transfer
5 Act 1924* (in those sections referred to as the principal Act).

*Reprinted 1968, Vol. 2, p. 1447

12. Mode of registration—(1) Section 5 of the principal
Act (as amended by section 3 (1) of the Chattels Transfer
Amendment Act 1925) is hereby further amended by adding
the following proviso:

10 “Provided further that for the purpose of registration that
part of New Zealand which is for the time being included in
the Judicial District of Westland shall be deemed to be a
separate provincial district.”

15 (2) This section shall come into force on a date to be
appointed for the commencement thereof by the Governor-
General by Order in Council.

13. Abolition of reputed ownership—(1) The principal Act
is hereby amended by repealing subsection (2) of section 18
and subsection (4) of section 57.

20 (2) This section shall come into force on the date appointed
for the commencement of the Insolvency Act 1967.

Consumer Council

14. Sections to be read with Consumer Council Act 1966—
This section and the next two succeeding sections shall be read
25 together with and deemed part of the Consumer Council Act
1966* (in those sections referred to as the principal Act).

*1966, No. 21

15. Accounts—Section 27 of the principal Act is hereby
amended by omitting from subsection (3) the words “financial
year ending with the thirty-first day of March”, and sub-
30 stituting the words “year ending with the 31st day of
December”.

16. Consequential amendments—The principal Act is hereby further amended—

(a) By omitting from section 32 the word “financial”:

(b) By omitting from subsection (1) of section 37 the words “thirtieth day of June”, and substituting the words “31st day of March”:

(c) By omitting from the said subsection (1) the words “financial year”, and substituting the words “year ended with the 31st day of December”.

Crimes

10

17. Sections to be read with Crimes Act 1961—(1) This section and the next two succeeding sections shall be read together with and deemed part of the Crimes Act 1961* (in the next succeeding section referred to as the principal Act).

(2) This section and the next two succeeding sections shall come into force on the 1st day of April 1970.

*1961, No. 43

Amendments: 1963, No. 120; 1966, No. 98

18. Sexual intercourse with severely subnormal woman or girl—The principal Act is hereby amended by repealing section 138, and substituting the following section:

“138. (1) Every one is liable to imprisonment for a term not exceeding 7 years who has or attempts to have sexual intercourse with any woman or girl who is severely subnormal, if he knows or has good reason to believe that she is severely subnormal.

“(2) For the purposes of this section, a woman or girl is severely subnormal if she is mentally subnormal, within the meaning of the Mental Health Act 1969, to the extent that she is incapable of living an independent life or of guarding herself against serious exploitation or common physical dangers.”

19. Consequential amendment—Part I of the First Schedule to the Summary Proceedings Act 1957 (as substituted by section 4 (1) (h) of the Summary Proceedings Amendment Act 1961) is hereby amended by omitting from the second column the words “idiot or imbecile”, where they appear opposite the reference in the first column to section 138 of the Crimes Act 1961, and substituting the words “severely subnormal”.

Crown Proceedings

20. Sections to be read with Crown Proceedings Act 1950—
 This section and the next succeeding section shall be read
 together with and deemed part of the Crown Proceedings Act
 5 1950* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 3, p. 517
 Amendments: 1958, No. 61; 1962, No. 120

**21. Recovery in Magistrate's Court on behalf of Crown of
 amounts not exceeding \$100—**Section 15 of the principal Act
 is hereby amended by inserting, after subsection (1), the
 following subsections:

10 “(1A) The Attorney-General or the Solicitor-General may
 from time to time delegate the power of appointment con-
 ferred by subsection (1) of this section to a barrister or
 solicitor of the Supreme Court holding an appointment as
 Crown Counsel in the office of the Solicitor-General, and
 15 judicial notice shall be taken of the signature of any such
 barrister or solicitor.

“ (1B) Where any Crown Counsel purports to act pursuant
 to any delegation under this section he shall be presumed to be
 acting in accordance with the delegation in the absence of
 20 proof to the contrary.

“ (1C) Every such delegation shall be revocable at will, and
 no such delegation shall prevent the exercise of the power of
 appointment by the Attorney-General or the Solicitor-General.

25 “ (1D) Until any such delegation is revoked it shall continue
 in force according to its tenor. In the event of the Attorney-
 General or Solicitor-General by whom any such delegation
 has been made ceasing to hold office, it shall continue to have
 effect as if made by the person for the time being holding
 office as Attorney-General or Solicitor-General, as the case
 30 may be.”

Dairy Board

22. Sections to be read with Dairy Board Act 1961—
 This section and the next succeeding section shall be read
 together with and deemed part of the Dairy Board Act
 35 1961* (in that section referred to as the principal Act).

*Reprinted 1967, Vol. 3, p. 1695

23. Exemption from taxation—(1) Section 57 of the prin-
 cipal Act is hereby amended by adding, as subsections (2) and
 (3), the following subsections:

“(2) The Board shall be exempt from income tax on all income derived by the Board from the purchase and disposal by the Board of vells under regulations made pursuant to paragraph (a) of subsection (1) or paragraph (b) of subsection (2) of section 40 of this Act. 5

“(3) For the purposes of subsection (2) of this section, the term ‘income’ includes interest earned on any money standing to the credit of any account established by the Board for the purpose of recording transactions relating to vells and invested from time to time by the Board.” 10

(2) The Board shall be deemed always to have been exempt from income tax on all income derived by the Board before the 31st day of May 1969 from the purchase and disposal by the Board of vells under regulations made pursuant to paragraph (a) of subsection (1) or paragraph (b) of subsection (2) of section 40 of the principal Act, but that income shall not include interest earned as described in subsection (3) of section 57 of the principal Act (as added by subsection (1) of this section). 15

Extradition 20

24. Sections to be read with Extradition Act 1965—This section and the next three succeeding sections and the Schedule to this Act shall be read together with and deemed part of the Extradition Act 1965* (in those sections referred to as the principal Act). 25

*1965, No. 44

Amendment: 1967, No. 75

25. Restrictions on surrender—Section 5 of the principal Act is hereby amended by inserting in subsection (7), after the words “provision shall be made”, the words “either to the effect that no New Zealand citizen shall be surrendered or”.

26. Authentication of documents—Section 16 of the principal Act is hereby amended by inserting in subsection (1), after the words “some other Minister”, the words “, or sealed with the official seal of a Ministry or Department,”. 30

27. Extradition offences—(1) Section 2 of the principal Act is hereby amended by adding to paragraph (c) of subsection (2) the word “; or”, and also by inserting in that subsection, after paragraph (c), the following paragraphs: 35

5 “(d) Aiding, inciting, counselling, or procuring the doing or omission of an act outside New Zealand which, in New Zealand, would be murder, or inciting, counselling, or attempting to procure the doing or omission of any such act that is not in fact committed (being any case to which section 68 of the Crimes Act 1961 applies); or

10 “(e) Aiding, inciting, counselling, or procuring the doing or omission of an act outside New Zealand which, in New Zealand, would be a crime other than murder (being any case to which subsection (3) of section 69 of the Crimes Act 1961 applies) and which is an extradition offence—”.

15 (2) The First Schedule to the principal Act is hereby amended by repealing Part II, and substituting the new Part II set out in the Schedule to this Act.

(3) The Insolvency Act 1967 is hereby consequentially amended by repealing subsection (2) of section 170.

Factories

20 **28. Sections to be read with Factories Act 1946**—This section and the next succeeding section shall be read together with and deemed part of the Factories Act 1946* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 4, p. 775
Amendments: 1961, No. 65; 1966, No. 17

25 **29. Sections 41, 42, and 43 of the principal Act repealed**—The principal Act is hereby amended by repealing sections 41, 42, and 43.

Foreign Affairs

30 **30. Sections to be read with External Affairs Act 1943**—(1) This section and the next succeeding section shall be read together with and deemed part of the Act heretofore known as the External Affairs Act 1943* (in that section referred to as the principal Act).

(2) This section and the next succeeding section shall come into force on the 1st day of March 1970.

*1957 Reprint, Vol. 4, p. 765

35 **31. Change of names of department, Minister, and Secretary**—(1) The principal Act is hereby amended—

(a) By omitting from the Title the word “external”, and substituting the word “foreign”:

(b) By omitting the word “External” in each place where it appears in sections 1, 2, 3, and 5, and substituting in each case the word “Foreign”.

(2) Every reference to the Department of External Affairs in the Schedule to the Parliamentary Commissioner (Ombudsman) Act 1962 and the Second and Third Schedules to the State Services Act 1962, and (unless the context otherwise requires) every reference in any other enactment or document to the Department of External Affairs or the Ministry of External Affairs, shall be read as a reference to the Ministry of Foreign Affairs. 5 10

(3) Every reference to the Minister of External Affairs in section 3 (7) of the Geneva Conventions Act 1958, section 6 of the Antarctica Act 1960, section 13 of the Extradition Act 1965, section 4 (2) of the Fisheries (Agreement with Japan) Act 1967, and section 2 of the Diplomatic Privileges and Immunities Act 1968, and (unless the context otherwise requires) in any other enactment or document, shall be read as a reference to the Minister of Foreign Affairs. 15

(4) Unless the context otherwise requires, every other reference in any enactment or document to the Secretary of External Affairs shall be read as a reference to the Secretary of Foreign Affairs. 20

(5) The Diplomatic Privileges and Immunities Act 1968 is hereby consequentially amended by repealing paragraph (i) of subsection (6) of section 5. 25

Geothermal Energy

32. Sections to be read with Geothermal Energy Act 1953—
This section and the next succeeding section shall be read together with and deemed part of the Geothermal Energy Act 1953* (in that section referred to as the principal Act). 30

*1957 Reprint, Vol. 5, p. 637
Amendment: 1966, No. 50

33. Definition of “geothermal energy”—Section 2 of the principal Act is hereby amended—

- (a) By omitting from the definition of the term “geothermal energy” the words “by geothermal energy”, and by substituting the words “by such energy”: 35
- (b) By adding to the same definition the words “; but does not include water that has been heated by such energy to a temperature not exceeding 70°c:”.

Guardianship

34. Sections to be read with Guardianship Act 1968—

(1) This section and the next succeeding section shall be read together with and deemed part of the Guardianship Act 1968* (in that section referred to as the principal Act).

(2) This section and the next succeeding section shall come into force on the 1st day of January 1970.

*1968, No. 63

35. Declaration as to guardianship of father—The principal Act is hereby amended by inserting, after section 6, the following section:

“6A. (1) Any man who alleges that he is a guardian of a child by virtue of the provisions of section 6 of this Act (other than by virtue of an order under subsection (3) of that section) may apply to the Court for an order declaring that he is a guardian of the child, and, if it is proved to the satisfaction of the Court that the allegation is true and that the man has not been deprived of his guardianship, the Court may make the order.

“(2) The provisions of the Declaratory Judgments Act 1908 shall extend and apply to every application under subsection (1) of this section with all necessary modifications.”

Harbours

36. Sections to be read with Harbours Act 1950—This section and the next two succeeding sections shall be read together with and deemed part of the Harbours Act 1950* (in those sections referred to as the principal Act).

*Reprinted 1966, Vol. 3, p. 2395
Amendments: 1967, No. 77: 1968, No. 139

37. Signals to be displayed by ships requiring a pilot—The principal Act is hereby amended by repealing section 231, and substituting the following section:

“231. If any ship requires the services of a pilot the signal to be used by day or by night shall be the international code signal G. signifying ‘I require a pilot’.”

38. Power to make General Harbour Regulations—
(1) Section 241 of the principal Act (as amended by section 10 of the Harbours Amendment Act 1965) is hereby further amended by omitting from paragraph (b) of subsection (1) the words “or an Inspector of Machinery, or an officer of the

Marine Department holding office as a Port Safety Inspector, of all”, and substituting the words “, an officer of the Marine Department holding office as a Port Safety Inspector, or other competent person to be authorised in that behalf by the Minister, of all cargo containers,”.

5

(2) Section 241 of the principal Act (as amended by section 18 of the Harbours Amendment Act 1968) is hereby further amended by inserting in paragraph (bb) of subsection (1), after the words “of all”, the words “cargo containers,”.

(3) Section 10 of the Harbours Amendment Act 1965 is hereby repealed.

10

Historic Places

39. Sections to be read with Historic Places Act 1954—

(1) This section and the next two succeeding sections shall be read together with and deemed part of the Historic Places Act 1954* (in those sections referred to as the principal Act).

15

(2) This section and the next two succeeding sections shall come into force on the 1st day of April 1970.

*1957 Reprint, Vol. 6, p. 103

Amendments: 1963, No. 55; 1964, No. 90; 1967, No. 79

40. Membership of Trust—(1) Section 5 of the principal Act (as amended by section 2 (2) of the Historic Places Amendment Act 1967) is hereby further amended by repealing paragraph (h) of subsection (1).

20

(2) Section 5 of the principal Act is hereby further amended by omitting from paragraph (k) of subsection (1) the words “One member (being an associate member)”, and substituting the words “Three members (being associate members)”.

25

(3) Section 2 of the Historic Places Amendment Act 1967 is hereby consequentially amended by repealing subsection (2).

41. Rules of Trust—Section 13 of the principal Act is hereby amended by omitting from paragraph (c) of subsection (1) the words “a member”, and substituting the word “members”.

30

Immigration

42. Sections to be read with Immigration Act 1964—This section and the next succeeding section shall be read together with and deemed part of the Immigration Act 1964* (in that section referred to as the principal Act).

35

*1964, No. 43

Amendments: 1965, No. 87; 1966, No. 65; 1968, No. 30

43. Exceptions to operation of Part I of principal Act—
Section 3 of the principal Act is hereby amended by repealing paragraph (h), and substituting the following paragraph:

5 “(h) Any person on whom any immunity from jurisdiction is conferred by or under the Diplomatic Privileges and Immunities Act 1968.”

Industries and Commerce

44. Sections to be read with Industries and Commerce Act 1956—This section and the next succeeding section shall
10 be read together with and deemed part of the Industries and Commerce Act 1956* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 6, p. 577

45. Minister may acquire shares in company to promote export trade of New Zealand—The principal Act is hereby
15 amended by inserting, after section 8, the following section:

“8A. (1) The Minister may from time to time, on behalf of Her Majesty the Queen, subscribe for or otherwise acquire, out of money appropriated by Parliament for the purpose, shares in any company incorporated under the Companies
20 Act 1955 and having as its principal objects the promotion of the export trade of New Zealand and the development of overseas markets for New Zealand products.

“ (2) The Minister may from time to time exercise on behalf of Her Majesty all Her Majesty’s rights and powers
25 as the holder of those shares.”

Invercargill Licensing Trust

46. Sections to be read with Invercargill Licensing Trust Act 1950—This section and the next succeeding section shall
30 be read together with and deemed part of the Invercargill Licensing Trust Act 1950* (in that section referred to as the principal Act).

*1950, No. 33

Amendments: 1953, No. 103; 1954, No. 17; 1959, No. 39; 1961, No. 136; 1962, No. 141; 1964, No. 44; 1967, No. 36; 1967, No. 84; 1968, No. 89.

47. Remuneration of Chairman and expenses of members—
(1) The principal Act is hereby amended by repealing section
9 (as substituted by section 2 (3) of the Licensing Trusts
35 Amendment Act 1953 and amended by section 15 of the Licensing Trusts Amendment Act 1964), and substituting the following section:

“9. (1) The Trust may pay to the Chairman by way of remuneration for his services a sum not exceeding in any year \$1,200.

“(2) No alteration in the amount of the Chairman’s remuneration shall take effect during the term of office of any Chairman. 5

“(3) For the purposes of the foregoing provisions of this section, a person re-elected as Chairman shall be deemed to be a new Chairman.

“(4) The Trust shall pay to the Chairman and to each of 10 its members travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if the Trust were a statutory Board within the meaning of that Act.”

(2) The following enactments are hereby repealed, namely: 15

(a) Subsection (3) of section 2 of the Licensing Trusts Amendment Act 1953:

(b) Section 15 of the Licensing Trusts Amendment Act 1964.

Judicature

20

48. Sections to be read with Judicature Act 1908—This section and the next two succeeding sections shall be read together with and deemed part of the Judicature Act 1908* (in those sections referred to as the principal Act).

*1957 Reprint, Vol. 6, p. 699

Amendments: 1958, No. 40; 1959, No. 20; 1960, No. 109; 1961, No. 11; 1963, No. 133; 1964, No. 93; 1965, No. 62; 1966, No. 67; 1967, No. 85; 1968, No. 18; 1968, No. 59

49. The Judges of the Supreme Court—(1) Section 4 of 25 the principal Act (as inserted by subsection (1) of section 4 of the Judicature Amendment Act 1957 and amended by subsection (1) of section 2 of the Judicature Amendment Act 1961) is hereby further amended by omitting from subsection (1) the word “fifteen”, and substituting the word “sixteen”. 30

(2) Section 2 of the Judicature Amendment Act 1961 is hereby consequentially repealed.

50. Appointment of Hon. Mr Justice Henry—The Honourable Trevor Ernest Henry, who was appointed to be a Judge of the Supreme Court for a limited period on the 21st day of 35 February 1955 and who was appointed permanently on the 23rd day of May 1955, shall be deemed for the purposes of section 76 of the Superannuation Act 1956 to have been appointed as a Judge within the meaning of section 75 of that Act on the 21st day of February 1955. 40

Land Settlement Promotion and Land Acquisition

51. Sections to be read with Land Settlement Promotion and Land Acquisition Act 1952—(1) This section and the next two succeeding sections shall be read together with and
 5 deemed part of the Land Settlement Promotion and Land Acquisition Act 1952* (in those sections referred to as the principal Act).

(2) This section and the next two succeeding sections shall come into force on the 1st day of November 1969.

*1957 Reprint, Vol. 7, p. 553

Amendments: 1959, No. 33; 1961, No. 21; 1963, No. 94; 1968, No. 152

10 52. Transactions to which Part IIA of principal Act applies—Section 35B of the principal Act (as inserted by section 5 of the Land Settlement Promotion and Land Acquisition Amendment Act 1968) is hereby amended by
 15 the following paragraph:

“(f) The transaction relates to—

20 “(i) Any land of 1 acre or over in area which under any operative regional planning scheme or proposed or operative district scheme under the Town and Country Planning Act 1953, is designated or zoned as a reserve, or as a public park, or for recreation purposes, or as private open space, or for preservation as a place of or containing an object of historical or scientific interest or natural
 25 beauty, or any proposed such purpose; or

30 “(ii) Any land of 5 acres or over in area which under any such proposed or operative district scheme is zoned for rural purposes or is so zoned that farming of any kind is a predominant or conditional use in that zone; or

35 “(iii) Any land of 1 acre or over in area which is not included in any proposed or operative district scheme provided and maintained by any Council or other local authority under that Act; or

40 “(iv) Any land being or forming part of any island (except the North Island and the South Island) which is less than 100 miles from the nearest part of the coast of the North Island or of the South Island; or

“(v) Any land being or forming part of any island of the Chatham Islands.”

53. Matters to be considered where purchaser or lessee is not a New Zealand citizen or is an overseas corporation—

(1) Section 35H of the principal Act (as inserted by section 5 of the Land Settlement Promotion and Land Acquisition Amendment Act 1968) is hereby amended by repealing paragraph (a) of subsection (3), and substituting the following paragraphs: 5

“(a) That the land is not designated or zoned as a reserve or as a public park, or for recreation purposes, or as private open space, or for preservation as an object or place of historical or scientific interest or natural beauty, or any proposed such purpose, under any operative regional planning scheme or proposed or operative district scheme under the Town and Country Planning Act 1953; and 10 15

“(aa) That the land is not an island or part of an island which—

“(i) Not being the North Island or the South Island, is less than 100 miles from the nearest part of the coast of the North Island or of the South Island; or 20

“(ii) Forms part of the Chatham Islands.”

(2) Section 35H of the principal Act (as so inserted) is hereby further amended—

(a) By inserting in paragraph (b) of subsection (3), after the words “in paragraph (a)” wherever they occur, the words “or paragraph (aa)”:

(b) By omitting from the said paragraph (b) the words “that paragraph”, and substituting the words “either of those paragraphs”. 30

(3) Section 35H of the principal Act (as so inserted) is hereby further amended by inserting in paragraph (c) of subsection (4), after the words “does not exceed”, the words “by more than \$100”.

Law Practitioners

35

54. Sections to be read with Law Practitioners Act 1955—

This section and the next succeeding section shall be read together with and deemed part of the Law Practitioners Act 1955* (in that section referred to as the principal Act).

*Reprinted 1968, Vol. 2, p. 1621

55. **Annual levy on members**—Section 107 of the principal Act is hereby amended by omitting from subsection (1) the words “members of the Society who are engaged in practice on their own account, whether in partnership or otherwise”, and substituting the words “all members of the Society”.

Licensing Trusts

56. **Sections to be read with Licensing Trust Act 1949**—This section and the next succeeding section shall be read together with and deemed part of the Licensing Trusts Act 1949* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 8, p. 289

Amendments: 1959, No. 39; 1961, No. 136; 1962, No. 141; 1964, No. 44; 1967, No. 36; 1967, No. 89; 1968, No. 89

57. **Remuneration of Chairman and travelling expenses of members**—(1) The principal Act is hereby amended by repealing section 8 (as substituted by section 2 (1) of the Licensing Trusts Amendment Act 1953 and amended by section 3 of the Licensing Trusts Amendment Act 1964), and substituting the following section:

“8. (1) A Trust may pay to the Chairman by way of remuneration for his services a sum not exceeding in any year—

“(a) In the cases of the Ashburton, Clutha, Mataura, Mount Wellington, Oamaru, and Porirua Licensing Trusts, \$900:

“(b) In the case of any other Trust, \$700.

“(2) No alteration in the amount of the Chairman’s remuneration shall take effect during the term of office of any Chairman.

“(3) For the purposes of the foregoing provisions of this section, a person re-elected as Chairman shall be deemed to be a new Chairman.

“(4) The Trust shall pay to the Chairman and to each of its members travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if the Trust were a statutory Board within the meaning of that Act.”

(2) The following enactments are hereby repealed, namely:

(a) Subsection (1) of section 2 of the Licensing Trusts Amendment Act 1953;

(b) Section 3 of the Licensing Trusts Amendment Act 1964.

Local Authorities (Members' Interests)

58. Sections to be read with Local Authorities (Members' Interests) Act 1968—This section and the next succeeding section shall be read together with and deemed part of the Local Authorities (Members' Interests) Act 1968* (in that section referred to as the principal Act). 5

*1968, No. 147

59. Local authorities and public bodies to which principal Act applies—(1) The First Schedule to the principal Act is hereby amended by inserting in Part I, in their appropriate alphabetical order, the following items: 10

“Committees of management of secondary schools	1964, No. 135—The Education Act 1964.	
“Governing bodies of secondary schools	1964, No. 135—The Education Act 1964.	
“Governing bodies of teachers' colleges	1964, No. 135—The Education Act 1964.	15
“Governing bodies of technical institutes	1964, No. 135—The Education Act 1964.	

(2) The First Schedule to the principal Act is hereby amended by repealing so much of Part I as relates to the following classes of public bodies: 20

- (a) Combined school controlling authorities:
- (b) Secondary schools governing bodies.

(3) The First Schedule to the principal Act is hereby further amended by repealing so much of Part II as relates to the following public bodies: 25

- (a) The Akaroa High School Board:
- (b) The Ashburton High School Board:
- (c) The Auckland Grammar Schools Board:
- (d) The Auckland Regional Planning Authority: 30
- (e) The Council of Governors of Nelson College:
- (f) The Gisborne High School Board:
- (g) The Governors of the Wellington College and Girls' High School:
- (h) The Greymouth High School Board: 35
- (i) The Napier High School Board of Governors:
- (j) The New Plymouth High School Board:
- (k) The Otago Boys' and Girls' High Schools Board:
- (l) The Rangiora High School Board:
- (m) The Southland Boys' and Girls' High Schools Board: 40

- 5 (n) The Thames High School Board:
(o) The Timaru High School Board:
(p) The Waimate High School Board:
(q) The Waitaki High School Board:
(r) The Westland High School Board:
(s) The Whangarei High School Board.

Local Elections and Polls

10 **60. Sections to be read with Local Elections and Polls Act 1966**—This section and the next succeeding section shall be read together with and deemed part of the Local Elections and Polls Act 1966* (in that section referred to as the principal Act).

*1966, No. 101
Amendments: 1967, No. 44; 1968, No. 91

15 **61. Date of triennial general elections of Auckland Electric Power Board**—Section 5 of the principal Act is hereby amended by repealing subsection (1).

Local Government Commission

20 **62. Sections to be read with Local Government Commission Act 1967**—This section and the next succeeding section shall be read together with and deemed part of the Local Government Commission Act 1967* (in that section referred to as the principal Act).

*1967, No. 134

25 **63. Objections to provisional scheme**—Section 18 of the principal Act is hereby amended by inserting, after subsection (4), the following subsection:
“(4A) In determining any objection, the Commission may uphold the objection wholly or partly, and may abandon or modify the scheme accordingly, or may dismiss the objection.”

Marginal Lands

30 **64. Sections to be read with Marginal Lands Act 1950**—This section and the next succeeding section shall be read together with and deemed part of the Marginal Lands Act 1950* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 9, p. 279
Amendments: 1958, No. 78; 1962, No. 83; 1965, No. 96

65. Marginal Lands Board—(1) Section 3 of the principal Act is hereby amended—

(a) By repealing paragraph (e) of subsection (1):

(b) By omitting from subsection (4) the words “In the absence from any meeting of the Chairman of the Soil Conservation and Rivers Control Council, any person appointed by him may attend the meeting in his stead.” 5

(2) Section 3 of the principal Act is hereby further amended by repealing paragraph (f) of subsection (1) (as substituted by section 2 (1) of the Marginal Lands Amendment Act 1965), and substituting the following paragraph: 10

“(f) Not more than 4 other members, to be appointed by the Minister as being persons experienced in the management of marginal lands.” 15

(3) Section 2 of the Marginal Lands Amendment Act 1965 is hereby consequentially amended by repealing subsection (1).

Masterton Licensing Trust

66. Sections to be read with Masterton Licensing Trust Act 1947—This section and the next succeeding section shall be read together with and deemed part of the Masterton Licensing Trust Act 1947* (in that section referred to as the principal Act). 20

*1947, No. 35

Amendments: 1953, No. 103; 1959, No. 39; 1961, No. 136; 1962, No. 141; 1964, No. 44; 1967, No. 36; 1967, No. 92; 1968, No. 89

67. Remuneration of Chairman and expenses of members—(1) The principal Act is hereby amended by repealing section 9 (as substituted by section 2 (2) of the Licensing Trusts Amendment Act 1953 and amended by section 9 of the Licensing Trusts Amendment Act 1964), and substituting the following section: 25

“9. (1) The Trust may pay to the Chairman by way of remuneration for his services a sum not exceeding in any year \$900. 30

“(2) No alteration in the amount of the Chairman’s remuneration shall take effect during the term of office of any Chairman. 35

“(3) For the purposes of the foregoing provisions of this section, a person re-elected as Chairman shall be deemed to be a new Chairman.

“(4) The Trust shall pay to the Chairman and to each of its members travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if the Trust
5 were a statutory Board within the meaning of that Act.”

(2) The following enactments are hereby repealed, namely:

(a) Subsection (2) of section 2 of the Licensing Trusts Amendment Act 1953:

10 (b) Section 9 of the Licensing Trusts Amendment Act 1964.

Meat Export Control

68. Sections to be read with Meat Export Control Act 1921–22—This section and the next two succeeding sections shall be read together with and deemed part of the Meat
15 Export Control Act 1921–22* (in those sections referred to as the principal Act).

*1957 Reprint, Vol. 9, p. 489

Amendments: 1959, No. 52; 1960, No. 71; 1962, Nos. 85, 142; 1965, No. 33; 1966, No. 47; 1968, No. 92

69. Term of office of members of Board—Notwithstanding anything in section 2 of the principal Act, but subject to sub-
section (6) of that section, every member of the New Zealand
20 Meat Producers Board who is in office on the 1st day of September 1970 (including a member whose term of office expires on that day) shall, unless he sooner vacates office pursuant to subsection (7) of that section, continue in office until the 1st day of April 1971.

25 70. Appointment of Chairman—(1) Section 5 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsection:

30 “(3) On the second Wednesday in April in the year 1971 and on the same day in each succeeding year, the Board shall hold a meeting for the purpose of appointing a Chairman for the ensuing 12 months.”

(2) This section shall come into force on the 1st day of October 1970.

Medical and Dental Auxiliaries

71. Sections to be read with Medical and Dental Auxiliaries Act 1966—This section and the next succeeding section shall be read together with and deemed part of the Medical and Dental Auxiliaries Act 1966* (in that section referred to as the principal Act). 5

*1966, No. 42
Amendment: 1968, No. 93

72. Appeals from decisions of Boards—Section 35 of the principal Act is hereby amended by inserting in subsection (5), after the word “costs” where it first appears, the words “incurred in respect of the appeal, including the costs”. 10

Military Decorations and Distinctive Badges

73. Sections to be read with Military Decorations and Distinctive Badges Act 1918—This section and the next succeeding section shall be read together with and deemed part of the Military Decorations and Distinctive Badges Act 1918* (in that section referred to as the principal Act). 15

*1957 Reprint Vol. 9, p. 747

74. Offences and penalties—Section 3 of the principal Act is hereby amended by inserting in subsection (1), after the words “Minister of Defence”, the words “or the Secretary of Defence”. 20

Municipal Corporations

75. Sections to be read with Municipal Corporations Act 1954—This section and the next succeeding section shall be read together with and deemed part of the Municipal Corporations Act 1954* (in that section referred to as the principal Act). 25

*1957 Reprint, Vol. 10, p. 377
Amendments: 1958, No. 81; 1959, No. 91; 1960, No. 73; 1961, No. 60; 1962, No. 39; 1963, No. 102; 1964, No. 119; 1966, No. 52; 1968, No. 123

76. Council may purchase land on system of time payment—Section 165 of the principal Act is hereby amended by adding the following additional proviso:

“Provided also that the approval of the Minister to the purchase or to the rate of interest shall not be required in the case of the purchase of land from the Crown on deferred payment licence under the Land Act 1948, and the instalments
5 under any such licence may extend over a period not exceeding 30 years.”

New Zealand Army

77. Sections to be read with New Zealand Army Act 1950—This section and the next succeeding section shall be
10 read together with and deemed part of the New Zealand Army Act 1950* (in that section referred to as the principal Act).

*1957, Reprint, Vol. 11, p. 1

Amendments: 1959, No. 26; 1960, No. 78; 1961, No. 29; 1962, No. 88; 1963, No. 105; 1965, No. 54; 1967, No. 26; 1967, No. 100

78. Army apprentices—Section 10A of the principal Act (as inserted by section 2 of the New Zealand Army Amendment (No. 2) Act 1967) is hereby amended by omitting from sub-
15 section (8) the words “with the consent of the Minister”.

New Zealand Ports Authority

79. Sections to be read with New Zealand Ports Authority Act 1968—This section and the next succeeding section shall be read together with and deemed part of the New Zealand
20 Ports Authority Act 1968* (in that section referred to as the principal Act).

*1968, No 140

80. Borrowing powers of harbour boards—Subsection (4) of section 22 of the principal Act is hereby amended, as from the commencement of that Act—

25 (a) By inserting, after the words “to borrow”, the words “or expend”:

(b) By inserting, after the words “as if this Act”, the words “(except paragraph (d) of subsection (2) of this section)”.

30 *Public Revenues*

81. Sections to be read with Public Revenues Act 1953—This section and the next two succeeding sections shall be read together with and deemed part of the Public Revenues Act 1953* (in those sections referred to as the principal Act).

*Reprinted 1965, Vol. 3, p. 1547

82. Annual report by Controller and Auditor-General—

(1) Section 25 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) The Controller and Auditor-General may discharge his obligation under subsection (1) of this section by preparing and signing a report on the public accounts and on such other matters as he thinks fit, and later, but as soon as practicable, a report or reports supplementary to the first report.” 5

(2) Section 25 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection: 10

“(2) The Controller and Auditor-General shall lay the first report before Parliament within 14 days after the public accounts have been laid before Parliament. Each supplementary report shall be laid before Parliament within 14 days after the date of the signing thereof if Parliament is then in session, and, if not, shall be laid before Parliament within 14 days after the date of the commencement of the next ensuing session.” 15

83. Regulations—(1) Section 118 of the principal Act is hereby amended— 20

(a) By inserting in paragraph (a) of subsection (1), after the words “public money”, the words “or money of a local authority”:

(b) By inserting in paragraph (b) of subsection (1), after the words “public stores” in both places where they appear, the words “or stores of a local authority”. 25

(2) Section 118 is hereby further amended by inserting, after subsection (2), the following subsection:

“(2A) In this section the term ‘local authority’ means a local authority within the meaning of Part XII of this Act.” 30

Public Works

84. Sections to be read with Public Works Act 1928—This section and the next succeeding section shall be read together with and deemed part of the Public Works Act 1928* (in that section referred to as the principal Act). 35

*1957 Reprint, Vol. 12, p. 475

Amendments: 1958, No. 28; 1960, No. 105; 1961, No. 32; 1962, No. 41; 1963, No. 42; 1964, No. 107; 1965, No. 26; 1967, No. 31; 1967, No. 113

85. **Where land sold, road or street to give access to be dedicated to public use**—Section 125 of the principal Act is hereby amended by omitting from subsection (5) (as substituted by section 24 of the Public Works Amendment Act 1948) the words “a sealing coat of tar,” and substituting the words “two sealing coats of tar or a sealing coat of”.

Quantity Surveyors

86. **Sections to be read with Quantity Surveyors Act 1968**—This section and the next succeeding section shall be read together with and deemed part of the Quantity Surveyors Act 1968* (in that section referred to as the principal Act).

*1968, No. 53

87. **Constitution of Board**—(1) Section 3 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection:

15 “(4) The Minister may, on the nomination of any body referred to in subsection (2) of this section, appoint a member of that body to be the deputy of any nominee of that body who is a member of the Board, to act in the event of the absence from any meeting of the Board of the member whose deputy he is.”

20 (2) Section 3 of the principal Act is hereby further amended by omitting from subsection (5) the words “of the Institute”, and substituting the words “of any body referred to in subsection (2) of this section”.

Rangitaiki Land Drainage

88. **Sections to be read with Rangitaiki Land Drainage Act 1956**—This section and the next succeeding section shall be read together with and deemed part of the Rangitaiki Land Drainage Act 1956* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 7, p. 538

89. **Special provisions as to land in Edgecumbe Township**—

35 (1) Section 19 of the principal Act is hereby amended by omitting the words “in the Edgecumbe Township (being the land described in the Third Schedule to this Act and”, and substituting the words “for the time being within the boundaries of the county town of Edgecumbe (being the land”.

40 (2) The Third Schedule to the principal Act is hereby sequentially repealed.

Rating

90. Sections to be read with Rating Act 1967—This section and the next succeeding section shall be read together with and deemed part of the Rating Act 1967* (in that section referred to as the principal Act). 5

*1967, No. 123

91. Annual value rating roll—Section 30 of the principal Act is hereby amended by omitting from the proviso to subsection (1) the words “the names of two of the occupiers or owners, as the case may be, are entered”, and substituting the words “the name of one of the occupiers or owners, as the case may be, is entered”. 10

Reserves and Domains

92. Sections to be read with the Reserves and Domains Act 1953—This section and the next succeeding section shall be read together with and deemed part of the Reserves and Domains Act 1953* (in that section referred to as the principal Act). 15

*1957 Reprint, Vol. 13, p. 323

Amendments: 1958, No. 90; 1960, No. 87; 1963, No. 112; 1964, No. 108; 1965, No. 108; 1966, No. 26; 1967, No. 116; 1967, No. 131; 1968, No. 126

93. Application of revenue from reserves—Section 31 of the principal Act is hereby amended by repealing paragraph (a), and substituting the following paragraph: 20

“(a) Where the reserve is vested in the Crown and no administering body has been appointed to manage or control the reserve, be paid into the Public Account to the credit of the Trust Account and applied, without further appropriation than this paragraph, in purchasing, improving, or developing public domains, recreation reserves, or scenic reserves, as directed by the Minister:” 25

Standards

94. Sections to be read with Standards Act 1965—This section and the next two succeeding sections shall be read together with and deemed part of the Standards Act 1965* (in those sections referred to as the principal Act). 30

*1965, No. 59

95. **Executive Committee**—Section 12 of the principal Act is hereby amended by adding to subsection (1) the following paragraph:

5 “(i) Such members of the Council not exceeding three in number as may be chosen by the Council.”

96. **Repeals and savings**—(1) Section 47 of the principal Act is hereby amended by repealing paragraph (c) of subsection (1), and substituting the following paragraph:

10 “(c) So much of the First Schedule to the Fees and Traveling Allowances Act 1951 as relates to the Standards Council, and so much of the Second Schedule to that Act as relates to the Standards Act 1941.”

(2) This section shall be deemed to have come into force on the 1st day of April 1966.

15 *Taranaki Scholarships Trust Board*

97. **Sections to be read with Taranaki Scholarships Trust Board Act 1957**—This section and the next two succeeding sections shall be read together with and deemed part of the Taranaki Scholarships Trust Board Act 1957* (in those 20 sections referred to as the principal Act).

*1957, No. 108

Amendments: 1961, No. 63; 1962, No. 28; 1966, No. 89

98. **Taranaki Scholarships**—(1) Section 12 of the principal Act is hereby amended by repealing paragraphs (b) and (c), and substituting the following paragraphs:

25 “(b) A scholarship may be awarded to any candidate who has either—

30 “(i) Obtained credit in the Entrance Scholarships Examination or (if the Board thinks fit) an A grade in the University Bursaries Examination, being examinations conducted by the Universities Entrance Board; or

35 “(ii) As a student of a University in New Zealand, been credited in any year (whether before or after the commencement of this paragraph) with passes, at a level of attainment acceptable to the Board for the purpose, in subjects or units which constitute a full-time course within the meaning of the University Bursaries Regulations 1966 or any regulations passed in amendment thereof or substitution therefor:

“(c) The scholarships shall be open to all candidates who have attended a school within the Provincial District of Taranaki for a period of not less than 2 years or who have during such a period resided within that Provincial District and been enrolled as full-time pupils at a correspondence school established by the Minister of Education if,— 5

“(i) In the case of a candidate for an award under subparagraph (i) of paragraph (b) of this section, the attendance or residence and enrolment continued to the 31st day of July of the year in which the candidate sat the examination which qualified him for the award of the scholarship; or 10

“(ii) In the case of a candidate for an award under subparagraph (ii) of paragraph (b) of this section, the attendance or residence and enrolment continued to the 31st day of July of the year immediately preceding the year in which he first matriculated at a University in New Zealand, or (in the case of a candidate who has delayed his matriculation for a reason acceptable to the Board) to the 31st day of July of the year 2 years before that in which he first matriculated as aforesaid.” 20

(2) Section 12 of the principal Act is hereby further amended by inserting, in paragraph (e) (as substituted by section 2 (1) of the Taranaki Scholarships Trust Board Amendment Act 1962), after the words “A scholarship”, the words “(other than a scholarship without emoluments)”. 25

(3) The Taranaki Scholarships Trust Board Amendment Act 1966 is hereby consequentially repealed. 30

99. Board to be advised of results of examinations—Section 13 of the principal Act (as substituted by section 3 of the Taranaki Scholarships Trust Board Amendment Act 1962) is hereby amended by adding the words “and the Universities Bursaries Examination”. 35

Tariff and Development Board

100. Sections to be read with Tariff and Development Board Act 1961—This section and the next succeeding section shall be read together with and deemed part of the Tariff and Development Board Act 1961* (in that section referred to as the principal Act). 40

*1961, No. 123

Amendments: 1964, No. 113; 1965, No. 31; 1967, No. 52

101. Membership of Tariff and Development Board increased—Section 3 of the principal Act is hereby amended by omitting from subsection (2) the word “six”, and substituting the word “eight”.

5

Tramways

102. Sections to be read with Tramways Act 1908—This section and the next succeeding section shall be read together with and deemed part of the Tramways Act 1908*.

*1957 Reprint, Vol. 15, p. 855
Amendment: 1959, No. 83

103. Drivers' certificates for tramways other than electric tramways—(1) Section 75 of the Statutes Amendment Act 1946 is hereby amended by repealing subsection (5), and substituting the following subsection:

“(5) No person shall be examined under this section unless the Board is satisfied:

15 “(a) That he has undergone a course of training for the position of driver of the class of carriage to which the application relates, which course of training shall—

20 “(i) In the case of the Kelburn Cable Car in Wellington, be for a period of not less than 5 days: and

“(ii) In the case of any other class of carriage, be for a period of not less than 21 days; and

25 “(b) That he has had such experience in the operation of the tramway as the Board thinks sufficient, having regard to his training and to any other experience he has had which in the opinion of the Board is relevant to the application.”

(2) Section 75 of the Statutes Amendment Act 1946 is 30 hereby further amended by adding to subsection (6) the following proviso:

35 “Provided that any such certificate so granted to an applicant who has been examined for the position of driver of the Kelburn Cable Car in Wellington shall be made to apply only to that Cable Car unless the applicant has undergone a course of training for a period of not less than 21 days.”

Trustee

104. Sections to be read with Trustee Act 1956—This section and the next succeeding section shall be read together with and deemed part of the Trustee Act 1956* (in that section referred to as the principal Act).

5

*1957 Reprint, Vol. 16, p. 149
Amendments: 1960, No. 101; 1962, No. 107; 1968, No. 24

105. Authorised investments—(1) Section 4 of the principal Act (as amended by section 15 (2) of the Taranaki Harbours Act 1965) is hereby amended—

- (a) By inserting in paragraph (c) of subsection (1), after the words “Catchment Board”, the words “or Catchment Commission”:
 - (b) By inserting in paragraph (d) of subsection (1), after the words “Lyttelton Harbour Board”, the words “the Marlborough Harbour Board”:
 - (c) By inserting in paragraph (d) of subsection (1), after the words “Napier Harbour Board”, the words “the Nelson Harbour Board”:
 - (d) By inserting in paragraph (d) of subsection (1), after the words “Otago Harbour Board”, the words “the Taranaki Harbours Board, the Tauranga Harbour Board”:
 - (e) By omitting from paragraph (e) of subsection (1) (as amended by section 2 (1) of the Trustee Amendment Act 1960) the words “the Marlborough Harbour Board, the Taranaki Harbours Board, the Tauranga Harbour Board”.
- (2) The Trustee Amendment Act 1960 is hereby amended by repealing subsection (1) of section 2.

University of Otago

106. Sections to be read with University of Otago Ordinance 1869—This section and the next two succeeding sections shall be read together with and deemed part of the University of Otago Ordinance 1869*.

*Set out in 1961, No. 48, Fourth Schedule
Amendment: 1966, No. 12

107. Constitution of Council—(1) Section 5 of the University of Otago Amendment Act 1961 is hereby amended by repealing paragraph (e) of subsection (2), and substituting the following paragraph:

5 “(e) Two members, being lecturers who (in accordance with the statutes or regulations of the University) are eligible for election under this paragraph, which members shall be elected by the lecturers who are so eligible:”.

10 (2) Section 5 of the University of Otago Amendment Act 1961 is hereby further amended by repealing paragraph (h) of subsection (2), and substituting the following paragraph:

15 “(h) Two members to be appointed by the Executive of the Otago University Students’ Association Incorporated:”.

(3) The first additional member to be elected under the said paragraph (e) shall hold office for a term expiring with the 30th day of June 1970.

20 (4) Of the two members first appointed under the said paragraph (h) after the commencement of this subsection, one shall be appointed for a term expiring with the 30th day of June 1970, and one shall be appointed for a term expiring with the 30th day of June 1971.

108. Employees as Council members—Section 8 of the University of Otago Amendment Act 1961 is hereby amended by adding to subsection (1) the following provisos:

25 “Provided that the Council may pay to any member for the time being of the Council who has acted, at the request of the Council, as an examiner, assessor, or moderator in any subject or examination a fee or stipend determined in accordance with section 16 of this Act; and no person to whom any such fee or stipend is paid shall be ineligible as aforesaid:

30 “Provided also that no person shall be ineligible as aforesaid by reason of any other employment by the University if the amount paid to him in any financial year in respect of that employment does not exceed \$1,500.

Victoria University of Wellington

109. Sections to be read with Victoria University of Wellington Act 1961—This section and the next two succeeding sections shall be read together with and deemed part of the Victoria University of Wellington Act 1961* (in those sections referred to as the principal Act). 5

*1961, No. 51
Amendment: 1966, No. 13

110. Constitution of Council—(1) Section 6 of the principal Act is hereby amended by repealing paragraph (d) of subsection (2), and substituting the following paragraph:

“(d) Two members, each being a member of the academic staff of the University, to be elected by that staff:”.

(2) Section 6 of the principal Act is hereby further amended by repealing paragraph (h) of subsection (2), and substituting the following paragraph:

“(h) Two members, each being a person who has attended lectures at the University within the period of 2 years immediately preceding his appointment, to be appointed by the Executive of the Victoria University of Wellington Students’ Association (Incorporated):”.

(3) The first additional member to be elected under the said paragraph (d) shall be elected not later than the second Monday in June next following the commencement of this Act, and shall come into office on the first day of July thereafter.

(4) The first additional member to be appointed under the said paragraph (h) shall be appointed not later than the second Monday in June next following the commencement of this Act, and shall come into office on the first day of July thereafter.

111. Constitution of Professorial Board—(1) Section 30 of the principal Act is hereby amended by adding to subsection (2) the following paragraph:

“(i) Three students, to be appointed by the Council from time to time on the recommendation of the Executive of the Victoria University of Wellington Students’ Association (Incorporated), being students who, at the time of appointment, are enrolled in a course for a degree or diploma of the University.”

(2) Section 30 of the principal Act is hereby further amended by adding the following subsections: 40

“(3) Subject to the provisions of this Act, of the members appointed under paragraph (i) of subsection (2) of this section, one shall hold office for a term of 1 year, and two shall hold office for a term of 2 years:

5 “Provided that, of the first members of the Professorial Board to be appointed under the said paragraph (i) after the commencement of this subsection, two shall be appointed for a term of 1 year, and one shall be appointed for a term of 2 years.

10 “(4) Any member appointed under the said paragraph (i) may from time to time be reappointed.

“ (5) The provisions of subsections (1) and (3) of section 11 of this Act, relating to casual vacancies, shall (to the extent that they are applicable) apply to members of the Professorial
15 Board appointed under paragraph (i) of subsection (2) of this section as if they were members of the Council.”

Waikato Valley Authority

112. Sections to be read with Waikato Valley Authority Act 1956—This section and the next two succeeding sections
20 shall be read together with and deemed part of the Waikato Valley Authority Act 1956* (in those sections referred to as the principal Act).

*1956, No. 104

Amendments: 1960, No. 95; 1961, No. 108; 1968, No. 150

113. Constitution of Waikato Valley Authority—Section 4
25 of the principal Act is hereby amended by omitting from paragraph (g) of subsection (2) the words “One member”, and substituting the words “Two members”.

114. Election to fill vacancy—Notwithstanding anything in
30 subsections (3) and (4) of section 6 of the principal Act, the members of the Hamilton City Council shall within one month after this section comes into force elect the additional member provided for by section 109 of this Act, and the member so elected shall, from the date of his election, hold office for the remainder of the term for which other elected members of the Authority in office at the time of his election hold office.

Water and Soil Conservation

115. Sections to be read with Water and Soil Conservation Act 1967—This section and the next two succeeding sections shall be read together with and deemed part of the Water and Soil Conservation Act 1967* (in those sections referred to as the principal Act). 5

*1967, No 135
Amendment: 1968, No. 117

116. Rights in respect of natural water—The principal Act is hereby amended, as from its commencement, by repealing subsection (2) of section 21, and substituting the following subsections:

“(2) Every damming of a river or stream which lawfully existed at the 9th day of September 1966, and every diversion or taking of natural water, and every discharge of natural water or waste into any natural water, and every use of natural water, which had lawfully been happening at any time during the period of 3 years that ended with the 9th day of September 1966 and of which in each case notice in writing is given to the Regional Water Board before the 1st day of April 1970 in accordance with any regulations made under this Act is hereby authorised to the extent that it lawfully existed or had lawfully been so happening and for the period for which it would otherwise be lawful: 10

Provided that the Authority may, by public notice, from time to time before the 31st day of December 1969 authorise, in respect of any specified area or in respect of any specified river, stream, or drain, any discharge of natural water or waste into any natural water, if the discharge was lawfully happening at any time during the aforesaid period of 3 years, and dispense with any notice thereof being given under the foregoing provisions of this subsection to the Regional Water Board. 25 30

“(2A) Every damming of a river or stream, and every diversion or taking of natural water, and every discharge of natural water or waste into any natural water, and every use of natural water, which is authorised by any Order in Council issued under the Public Works Act 1928 before the 1st day of April 1968 and of which in each case notice in writing is given to the Regional Water Board before the 1st day of April 1970 in accordance with any regulations made under this 35

Act is hereby authorised under this Act in accordance with the provisions of that Order in Council, but shall cease to be so authorised after the 31st day of March 1975 unless the rights or powers conferred by the Order in Council are being
5 substantially exercised by that date.”

117. Transfer of rights—The principal Act is hereby amended by inserting, after section 24, the following section:

10 “24A. (1) Any right granted or authorised under section 21 or section 23 of this Act may be transferred, and shall be deemed always to have been transferable, subject to any terms and conditions specified in the right, by the holder of the right or his executor, administrator, or other lawful representative, to any succeeding owner or occupier of the land in respect of which the right is granted or authorised.

15 “(2) Notice in writing of any such transfer shall be given to the Board by the transferor, and the transfer shall have no effect until the notice has been given.”

Weights and Measures

118. Sections to be read with Weights and Measures Act 1925—This section and the next succeeding section shall be read together with and deemed part of the Weights and Measures Act 1925* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 16, p. 631
Amendment: 1968, No. 118

119. Fees—(1) The principal Act is hereby amended by
25 inserting, after section 39, the following section:

“39A. (1) The Governor-General may from time to time, by Order in Council, make regulations prescribing the matters in respect of which fees are to be payable under this Act and the amount of those fees.

30 “(2) Any such regulations may—

“(a) Authorise the increase, reduction, refund, or remission of any fee so prescribed:

“(b) Specify the circumstances in which any such increase, reduction, refund, or remission may take place:

35 “(c) Confer on the Chief Inspector of Weights and Measures the power to determine whether any fees should be increased, reduced, refunded, or remitted:

“(d) Provide for the payment of a reasonable fee in any case not specifically covered by the regulations, but leave the amount of that fee to be fixed, either generally or in each case, by the Chief Inspector of Weights and Measures.” 5

(2) Section 29 of the principal Act is hereby consequentially repealed.

(3) Section 39 of the principal Act is hereby consequentially amended—

(a) By repealing paragraph (f) of subsection (1): 10

(b) By omitting from paragraph (p) of subsection (1) the words “prescribing the fees to be paid for such registration”.

Wheat Board

120. Sections to be read with Wheat Board Act 1965— 15
This section and the next two succeeding sections shall be read together with and deemed part of the Wheat Board Act 1965* (in those sections referred to as the principal Act).

*1965, No. 60

121. Unauthorised expenditure—Section 22 of the principal Act (as amended by section 7 (1) of the Decimal 20 Currency Act 1964) is hereby amended by omitting the words “four hundred dollars”, and substituting the expression “\$800”.

122. Sale of wheat by Board—Section 30 of the principal Act is hereby amended by repealing subsection (2), and 25 substituting the following subsection:

“(2) Payment for wheat sold by the Board shall be made by the purchaser, either to the authorised broker on account of the Board or direct to the Board, at the Board’s discretion, and the terms of payment shall be such as may be agreed 30 upon between the purchaser and the broker, or the purchaser and the Board, or as may be prescribed by regulations under this Act.”

Wool Labelling

123. Sections to be read with Wool Labelling Act 1949— 35
This section and the next succeeding section shall be read together with and deemed part of the Wool Labelling Act 1949* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 16, p. 789

124. Wool products, samples, and containers to be labelled or marked—Section 3 of the principal Act is hereby amended by inserting, after subsection (6), the following subsection:
 “(6A) Notwithstanding anything in subsections (6) and
 5 (7) of this section, in the case of any wool product or part of any wool product which contains not less than 80 percent by weight of wool and otherwise only contains natural fibres of cashmere or mohair, or hair of alpaca, camel, llama, or vicuna, it shall be a sufficient compliance with this section
 10 if the label or mark relating to the product shows in the English language the trade description of the main fabric in the product and describes it as ‘all wool’ or ‘pure wool’.”

SCHEDULE

Section 27 (2)

NEW PART II OF FIRST SCHEDULE TO EXTRADITION ACT 1965

“PART II—CRIMES UNDER OTHER ENACTMENTS

Short Title of Act	Section of Act	Offence
The Insolvency Act 1967	126, 127 (2)	Crimes by bankrupt
The Narcotics Act 1965	5	Dealing with narcotics”