

STATUTES AMENDMENT BILL

EXPLANATORY NOTE

Clause 1 relates to the Short Title.

Administration

Clause 3 amends sections 64 and 65 of the Administration Act 1969 so as to increase to \$2,000 the amount that can devolve or be paid in accordance with those sections without a grant of administration. The present figure is \$1,000.

Clause 4 increases the statutory share of a surviving spouse on intestacy from \$12,000 to \$25,000. In addition the surviving spouse will continue to take the personal chattels and a share in the residue of the estate.

The increase applies to the estates of all persons dying on or after the date of the passing of the Bill.

Admiralty

Clause 6 substitutes new subsections (2) and (3) for section 3 (2) of the Admiralty Act 1973 relating to the powers of a Court when exercising its admiralty jurisdiction. The purpose of the new subsections is to make it clear that in exercising its admiralty jurisdiction the Court may at the same time exercise any other civil jurisdiction of the Court, for example, its power to grant equitable remedies, such as specific performance or an injunction.

Aged and Infirm Persons Protection

Clause 8 (1) repeals and replaces section 10 of the principal Act. The effect of the new sections 10 (1) and (2) is to equate the powers of managers appointed under the principal Act with the powers of managers who administer the estates of protected patients under the Mental Health Act 1969; that is, where the manager is or includes the Public Trustee he has the powers set out in the Third Schedule to that Act, and where the manager is any other person or persons he has such of those powers as the Supreme Court confers upon him.

Provision is also made in the new sections 10 (3) and 10 (4) for the necessary applications to the Supreme Court, and in the new section 10 (6) for section 10 to apply to existing as well as future protection orders.

Section 12 of the principal Act is consequentially repealed (*clause 8 (2)*) and the operation of orders made under the repealed provisions is saved (*clause 8 (3)*).

No. 111—1

Clause 9 (1) inserts new subsections (5) and (5A) in section 29A of the principal Act (which relates to the making of interim protection orders by a Magistrate). The effect of this is to add to section 29A provisions as to the powers of interim managers similar to those which, by operation of the new section 10, would apply to managers appointed by the Supreme Court. Orders made by a Magistrate under the repealed section 29A (5) are saved by *clause 9 (2)*.

Agricultural Pests Destruction

Clause 11 empowers the Agricultural Pests Destruction Council to borrow money.

Auckland Electric Power Board

Clause 13 substitutes 200 metres for 10 chains as the distance from a property within which the Board must have a source of supply to be entitled to levy a separate rate on the owner.

Building Research Levy

Clause 15 amends 2 definitions in the Building Research Levy Act 1969.

The first amendment clarifies the definition of the term "builder". Under some methods of organising construction work which have arisen since the enactment of the principal Act, the person organising that work is no longer within the present definition of the term "builder", and thus liability for levy is not clear. It also clarifies the position with regard to a builder carrying out work for his own use.

The effect of this amendment is to maintain the original position in respect of payment of the levy.

The second amendment amends the definition of the term "local authority" following the dissolution of the Waiheke Road Board.

Burial and Cremation

Clause 17 effects two metric changes.

Section (9) (i) requires that no body be buried within 15 feet of the outer wall of any church, chapel, or crematorium. The amendment made by *subclause (1)* changes 15 feet to 5 metres (16.404 feet).

Section 46 (1) makes it unlawful to bury any body in any land not being a cemetery or a burial ground if there is a cemetery or burial ground within 20 miles of the place where death has occurred or of the place whence the body is taken for the purpose of burial. The amendment made by *subclause (2)* changes 20 miles to 32 kilometres (19.884 miles).

Clause 18 amends section 21 of the principal Act to make it clear that, despite the general restrictions contained in that section on the alienation of land comprised in cemeteries, such land may be transferred from one local authority to another for cemetery purposes.

Construction

Clause 20 extends the definition of construction work to include construction work carried out underwater, including work on ships, wrecks, buoys, rafts, and obstructions to navigation.

The definition is also extended to include inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out.

Clause 21 increases the maximum penalty for an offence against the Act from \$1,000 to \$2,000, and for a continuing offence from \$10 a day to \$20 a day.

Costley Training Institution

Clause 23: Section 118 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 empowered the Costley Training Institution Trust Board to expend its funds on contributions to the maintenance of apprentices and assisting children to obtain the benefit of secondary or higher education. All grants made under this section were to be approved by a representative of the Department of Education.

This clause re-enacts this provision as part of the Costley Training Institution Act 1885 but provides that the grants are now to be approved by a representative of the Department of Social Welfare.

Clause 24 provides that a copy of the balance sheet of the Board is to be sent to the Minister of Social Welfare and not to the Minister of Education as at present.

Counties

Clause 26 amends section 137A of the Counties Act 1956 relating to the payment of allowances to the Chairman of a county or of remuneration to other Councillors.

The effect of this clause is as follows:

- (a) Provision may be made by an Order in Council under section 137A for payment of an annual allowance to the Deputy Chairman, which will be payable in addition to any allowance or remuneration to which he is entitled as Chairman of a committee or as a Councillor.
- (b) Different rates of remuneration for Councillors may be fixed in respect of Councillors of specified counties or of counties having different populations.

Dairy Industry

Clause 28 metricates various provisions in the principal Act.

Clause 29 protects facilities constructed before the commencement of *clause 28* which satisfy the present provisions of the principal Act but which may not satisfy the (very slightly) more stringent provisions substituted by that clause.

Dangerous Goods

Clause 31 makes provision for the Chief Inspector of Dangerous Goods to delegate, in writing, all or any of his powers and functions under the principal Act (except his power to grant exemption from any regulation) to an Inspector. Any such delegation is revocable at will.

Domestic Proceedings

Clause 33: Section 53 of the principal Act empowers the Court, on or after the making of a paternity order in respect of any child, to make an order for the payment to the mother of a periodical sum for a period not exceeding 5 years from the birth of the child for or towards the support of the mother if she is unable, at the date of the order, to support herself by reason of having to care for the child.

This clause extends the provision to enable the Court to make such an order if the mother was unable prior to the date of the order to support herself by reason of having to care for the child and also authorises the making of an order for the payment of a lump sum instead of periodic sums.

Clause 34: Section 64 of the principal Act provides for the confirmation of provisional Commonwealth maintenance orders. Where the Court confirms any such order it may, in its discretion, order the defendant to pay any sum, not exceeding \$200, on account of the maintenance of the person in whose favour the order was made between the date of the making of the provisional order and its confirmation by the Court.

This clause removes the limit of \$200.

Electrical Supply Authorities Association

Clause 36: At present the number of votes exercised by delegates of any member at any meeting of the Electrical Supply Authorities Association varies from 2 to 6, depending on the amount of the subscription payable by the member. This clause gives each member one vote irrespective of the amount of the subscription or of the number of delegates.

Clause 37 authorises the Association to invest temporarily surplus money within the industry by placing it on deposit at interest with any power board or electrical supply authority.

Electricity

Clause 39 amends section 14 (3) by substituting for the expression "4 chains" its approximate metric equivalent of 80 metres.

Clause 40 inserts a new section 52A which provides that where the Department supplies electricity to any Electrical Supply Authority in bulk for resale to the corporation of any city, borough, county, or district, the price charged by the Authority to the corporation for the electricity is not to exceed the price charged by the Department, plus the actual cost incurred in delivering the electricity to the corporation.

This clause in effect re-enacts section 36A of the Electricity Distribution Commission Act 1967, which Act was repealed by the Local Government Act 1974.

Electric Power Boards

Clause 42: At present if any member of an Electric Power Board is convicted of an offence punishable by imprisonment, whether or not he is sentenced to imprisonment, his office becomes vacant. This clause brings the provision into line with modern practice whereby the office only becomes vacant if the member is—

- (a) Convicted of any offence punishable by imprisonment for a term of 2 years or more; or

(b) Convicted of any offence punishable by imprisonment for a term of less than 2 years and is sentenced to imprisonment for that offence.

Clause 43 metricates the expression "10 chains" in section 56 (3) of the principal Act. The actual true conversion is just over 201 metres and the distance has been rounded off (to the benefit of the ratepayer) to 200 metres.

Employment Agents

Clause 45 amends section 4 of the principal Act which requires, inter alia, the production of a certificate of character in support of an application for an employment agent's licence. The amendment provides that where the applicant for a licence is a company the certificate of character is to be given in respect of the person who will be charged with the management of the company's business as an employment agent if the licence is granted. It also provides that if that person ceases to be in charge of the business a further certificate of character must be given in respect of his successor.

Clause 46 increases from \$2 to \$5 the fee payable on application for a licence, and from 50 cents to \$5 the fee payable annually on renewal of a licence.

Explosives

Clause 48 makes provision for the Chief Inspector of Explosives to delegate, in writing, all or any of his powers and functions under the principal Act to an Inspector or other officer of the Department of Internal Affairs. Any such delegation is revocable at will.

Clause 49 provides for metric amendments to the principal Act.

Fisheries

Clause 51 allows the Minister of Agriculture and Fisheries some discretion in applying the forfeiture of licence provisions in section 62 of the Fisheries Act 1908.

Harbours

Clause 53 inserts a new section 244A in the principal Act which provides that no person may plant any exotic or introduced plant on tidal lands or in tidal waters, or on the bed or bottom of any harbour, navigable lake, or navigable river except in accordance with the prior written permission of the Minister.

Health

Clause 55 inserts a new section 6A in the Health Act 1956. The new section provides for the appointment of part-time Deputy Medical Officers of Health.

Hospitals

Clause 57 repeals the proviso to section 39 (1) of the principal Act and thereby removes the limit of \$2,000 on the honorarium which may be paid in any year to the Chairman of a Hospital Board.

Clause 58 inserts a new section 95A in the principal Act. The proposed subsections (1) and (2) of the new section empower a Hospital Board to pay—

- (a) Up to \$5 to a member for each meeting of the Board or of a committee of the Board which he attends (with a limit of \$260 in any one year):

(b) Up to \$3, in addition, to a Chairman of a committee for each meeting of that committee which he attends (with a limit of \$156 in any one year).

The proposed subsection (3) extends the foregoing power to a joint committee referred to in section 56 (3) of the principal Act (which relates to the combination of Hospital Boards to establish or maintain an institution).

The term "committee of the Board" is defined in the proposed subsection (4).

Juries

Clause 60 makes amendments to the Juries Act 1908 which are largely consequential on the coming into force of the Electoral Amendment Act 1975. Under section 13 of the Juries Act 1908 the Jury Officer for each jury district is a Registrar of Electors. Such Registrars have been abolished by the Electoral Amendment Act 1975. Under the amendment now proposed the Jury Officer for each jury district is to be the Registrar of the Supreme Court held at the Court town.

Land

Clause 62 makes provision for the grant by the Land Settlement Board of development permits authorising the use of any land comprised in a pastoral lease or pastoral occupation licence for any recreational, tourist, accommodation, safari hunting, or other commercial purpose approved by the Board. The purpose must be authorised by or under the Town and Country Planning Act 1953, and must not be incompatible with soil and water conservation requirements. In addition, the holder of the permit must comply with all local body requirements affecting the land.

The proposed *subsection (9)* provides that if the holder of a pastoral lease or pastoral occupation licence uses the land comprised in the lease or licence for any purpose for which a permit could be issued under the section, he commits a breach of his lease or licence unless he holds such a permit.

Clause 63 empowers the Board to grant grazing permits in respect of Crown land, authorising the grazing of stock on any such land. The permit would not entitle the holder to exclusive occupation of the land, and he would not be given the status of occupier of the land for the purposes of the law of trespass.

Land Drainage

Clause 65 increases the maximum annual allowance which may be paid to the Chairman of a Land Drainage Board from \$250 to \$400.

Legislature

Clause 67 adds the Deputy Clerk of the House of Representatives to the list of officers of the House to whom sections 257 to 269 of the Legislature Act 1908 apply. Those sections relate to the attendance of officers in any Court during or within 10 days before the commencement of any session of Parliament or within 10 days after the end of any session, to the adjournment of the hearing of civil proceedings against officers until after the end of a session, and to the service of certain processes on officers during or within 10 days before the commencement of a session or within 10 days after the end of a session.

Life Insurance

Clause 69 corrects a drafting error in the Life Insurance Amendment Act 1974. Section 13 of that Act purports to add a Twenty-First Schedule to the principal Act. However, there were and are already 23 schedules to that Act. This clause repeals the schedule added by section 13 of the 1974 Act, and adds a new schedule as the Twenty-Fourth Schedule to the same effect.

Local Government

Clause 71 inserts a new section 33A in the Local Government Act 1974 providing for the apportionment of loan liabilities between local authorities affected by a reorganisation scheme of the Local Government Commission. Provision is made in section 33 of that Act for the apportionment of assets and liabilities, but that section does not cover adequately the position regarding loan liabilities where the Order in Council giving effect to a final scheme does not apportion those liabilities, nor does it provide for the duties and rights of the Reserve Bank of New Zealand as Registrar of Stock under the Local Authorities Loans Act 1956 or the position regarding sinking funds. The new section 33A provides that where in a reorganisation scheme more than one local authority assumes the liabilities of another local authority, and the Order in Council giving effect to the scheme does not provide for the manner in which loan liabilities are to be apportioned, those liabilities may be apportioned by agreement between the local authorities. If no agreement can be reached, the apportionment is to be made by 2 independent assessors, one appointed by the former local authority and the other appointed by the other local authorities jointly. A third person is to be appointed by the 2 assessors to act as an arbitrator, to whom any matters on which the assessors cannot agree are to be referred for decision, and that decision is to form part of the decision of the assessors.

The clause also defines the rights and duties of the Registrar of Stock and the position regarding any sinking funds.

Clause 72 substitutes a new section 158 for sections 158 and 159 of the Local Government Act 1974, providing for payment of an annual allowance to the Chairman of a district community council and of remuneration to members of a district community council. The effect of the new section 158 is as follows:

- (a) The Chairman of a district community council may be paid an annual allowance not exceeding half the amount that could be paid to him if the community were a territorial district and he were the Chairman or Mayor of the territorial authority, and under the same conditions as are provided in the present section 158, except that subsection (1) of the new section 158 omits the existing provision that no alteration in the allowance may take effect during the term of office of any Chairman.
- (b) The remuneration of members of a district community council is to be fixed by Order in Council, as in the case of members of territorial authorities. This provision is to come into force on a date to be fixed by Order in Council.

Magistrates' Courts

Clause 74: Under section 37 of the Magistrates' Courts Act 1947 a Magistrate's Court may, by agreement of the parties, hear and determine certain proceedings that would normally be outside its jurisdiction by reason of the amount or value of the subject-matter claimed or in issue.

The amendment now proposed applies that section to proceedings in admiralty so that, in those proceedings, jurisdiction may similarly be conferred by agreement of the parties despite the amount or value of the subject-matter claimed or in issue.

Maori Education Foundation

Clause 76: Subclause (1) recasts subsection (3) of section 24 of the principal Act (as added by section 2 of the Maori Education Foundation Amendment Act 1972) so as to make it clear that, where money is received by the Foundation from any contributor after 1 January 1972 and is not subject to any trust or direction as to whether it is to be applied as capital or income, the Foundation has a discretion as to whether the money is to be received and accounted for as capital or income. *Subclause (2)* amends section 29 of the principal Act by bringing forward the date for completing the annual balance and statement of accounts, and by repealing subsection (2). The change of date is consequential on section 2 of the Maori Education Foundation Amendment Act 1962 which provided for the financial year of the Foundation to end on the last day of December. The repeals are consequential on the changes that are being made by this clause and the next succeeding clause.

Clause 77 requires the Foundation to furnish to the Minister of Education and to the Minister of Maori Affairs a report on its proceedings and operations for its preceding financial year, together with a copy of its accounts for that year and the report of the Audit Office thereon. Copies of these documents are to be laid before Parliament.

Marine Pollution

Clause 79 amends section 37 of the Marine Pollution Act 1974, which requires certain ships to carry insurance against liability for pollution damage, the ships to which the section applies being defined in subsection (1). Paragraph (a) of that subsection applies the provisions of the section to ships carrying more than a specified quantity of oil in bulk, as cargo.

This provision gives effect to Article VII of the International Convention on Civil Liability for Pollution Damage 1969, but inadvertently goes further than that Article, which applies only to ships carrying "persistent" oil in bulk, whereas the term "oil" in section 37 (1) (a) has the meaning as defined in section 2 (1) of the Act, which is wider than the term used in the Convention.

The effect of this amendment is to restrict the application of section 37 to ships carrying "persistent" oil in bulk, so as to conform to Article VII of the Convention.

Clause 80 amends section 38 (4) of the Marine Pollution Act 1974, which provides that notarially certified copies of the contract of insurance or other financial security insuring a ship against civil liability for pollution damage, and of every variation or modification, is to be deposited with the Minister of Transport.

This clause enables the Minister to accept a certificate from the person providing the insurance or security instead of a notarially certified copy.

Marine Reserves

Clause 82: Section 5 of the principal Act sets out the procedure for declaring a marine reserve. This clause amends the provision that notice

is to be given to the owner of land within 5 chains of the boundaries of a proposed marine reserve by substituting for 5 chains the approximate metric equivalent of 100 metres.

Mining

Clause 84 provides for compensation payable under section 39 (3) of the principal Act to be fixed under section 216 instead of section 222.

That change should have been made when the powers conferred by section 39 (1) were restricted to employees of the Crown during the passing of the principal Act.

Clause 85 provides for metrication of the Imperial measurements in the principal Act.

Motor Spirits Distribution

Clause 87 effects metric changes in the Motor Spirits Distribution Act 1953.

Municipal Corporations

Clause 89 amends section 114A of the Municipal Corporations Act 1954 relating to the payment of allowances to the Mayor of a borough or of remuneration to Councillors of a borough or town district.

The effect of this clause is as follows:

- (a) Provision may be made by an Order in Council under section 114A for payment of an annual allowance to the Deputy Mayor of a borough, which will be payable in addition to any allowance or remuneration to which he is entitled as Chairman of a committee or as a Councillor.
- (b) Different rates of remuneration for Councillors may be fixed in respect of Councillors of specified boroughs or town districts or of boroughs or town districts having different populations.

Municipal Insurance

Clause 91: The effect of this clause is to declare the Tauranga Electric Power Board to be a Council for the purposes of the Municipal Insurance Act 1960. The Board will accordingly be qualified to become a member of the New Zealand Municipalities Co-operative Insurance Company Limited.

Pacific Islands Polynesian Education Foundation

Clause 93 adds to section 24 of the principal Act a subsection that provides that, where money is received by the Foundation from any contributor on or after 1 January 1974 and is not subject to any trust or direction as to whether it is to be applied as capital or income, the Foundation has a discretion as to whether the money is to be received and accounted for as capital or income.

Pharmacy

Clause 95 authorises the Pharmacy Authority to consider applications made to it under the Act without a formal hearing in cases where no objections to the application are received.

Clause 96: Section 43 of the principal Act prohibits any person, other than a pharmacist, from establishing, carrying on business, or otherwise holding an interest in a pharmacy without the consent of the Pharmacy Authority. Subsection (3) of that section provides that for the purposes of the section the term "person" does not include a company.

Subclause (1) (b) repeals that definition, and *subclause (2)* sets out a new definition, excluding from the ambit of the term any body of persons, whether incorporated or unincorporated.

Subsection (3) also defines the term "pharmacist" as including, inter alia, an administrator of the estate of a deceased pharmacist. The effect is that the administrator of the estate of a deceased administrator of a pharmacist's estate (and so on ad infinitum) would fall within the definition. *Subclause (1) (a)* limits that part of the definition to the administrator of a pharmacist's estate.

Section 45 of the principal Act provides that, in general, no person shall hold an interest in more than 1 pharmacy without the consent of the Pharmacy Authority. An exemption is provided in respect of a shareholding in a company that is lawfully carrying on business in a pharmacy, and *subclause (3)* widens the exemption to cover an interest in any other body of persons, whether incorporated or unincorporated.

Post Office

Clause 98: At present the Post Office Staff Tribunal is a purely advisory body and has no power to enforce its decisions in respect of the remuneration and conditions of employment of Post Office employees. The effect of this clause is to give the Tribunal the same powers as are given to Single Service Tribunals under the State Services Remuneration and Conditions of Employment Act 1969, including the power to issue determinations and orders to enforce its decisions.

Poultry

Clause 100 amends the Poultry Act 1968 by providing for regulations to be made allowing the Director-General of Agriculture and Fisheries to issue licences for premises on which pheasants may be raised and bred for sale for human consumption. Any pheasants so raised are to be slaughtered and processed in a poultry processing house licensed under the Meat Act 1964, and the source of all pheasants or pheasant products sold must be clearly identified.

Clause 101 amends the Wildlife Act 1953 by providing that pheasants raised on premises licensed under the Poultry Act 1968 are included in the definition of "domestic bird" and are accordingly not included in the definition of "game" for the purposes of the Wildlife Act 1953.

Primary Products Marketing

Clause 103 amends the definition of "primary product" in the principal Act. The effect is to include the products of fruitgrowing generally instead of specifying individual types of fruit.

Clause 104 extends the regulation-making powers in the principal Act to include, in respect of poultry farming, the licensing of laying birds and the collection of levies on laying birds.

Public Bodies Contracts

Clause 106 amends section 3 (3) of the principal Act to increase the amount for which oral contracts may be made by a public body from \$400 to \$1,000.

Clause 107 amends section 4 (3) of the principal Act and inserts a new section 4 (3A) therein. The effect of this is to allow a public body to dispense with the reporting back to it of a contract made on its behalf under a delegated power, if the contract is for an amount equal to one half or less of the monetary limit of the delegate's power to enter into contracts on behalf of the public body.

Quarries

Clause 109 provides for metrication of Imperial measurements in the principal Act.

River Boards

Clause 111 increases the maximum annual allowance which may be paid to the Chairman of a River Board from \$250 to \$400.

The clause also repeals a spent provision.

Secondhand Dealers

Clause 113: Section 12 of the principal Act requires details of all articles, including scrap metal and motor vehicles, dealt with by a licensee to be kept in a register. The amendment requires these details, so far as they relate to scrap metal or motor vehicles, to be kept in a separate register.

Shops and Offices

Clause 115 repeals section 10 of the principal Act and re-enacts it with an amendment to the effect that where the member or the associate member of the Shops and Offices Exemptions Tribunal is unable to carry out his functions, the Minister of Labour may appoint a temporary member of the Tribunal to act in place of the member or associate member.

Clause 116 increases the maximum penalties for offences under sections 18 (3), 28 (3), 30 (3), 35, 36, and 38 of the principal Act.

Summary Proceedings

Clause 118 clarifies the opening words of subsection (7) of section 20A of the principal Act. This section deals with the summary procedure for minor offences.

Trustee Companies

Clause 120 corrects references in the Trustee Companies Act 1967 to the company that is now known as the South British Guardian Trust Company Limited.

Vegetables Levy

Clause 122 makes 3 amendments to the principal Act regarding the levy payable in respect of the sale or export of vegetables.

The first amendment provides that the yearly return, now required to be rendered for each year ending with 30 June, may be rendered the year ending on such other date as the Federation may approve in any particular case.

At present the return provides for export sales of vegetables to be included at the total net return to the grower at f.o.b. prices. The second amendment provides for the omission of the word "net".

The third amendment includes a definition of the term "retailer of vegetables" for the purposes of the levy. In effect, it extends the meaning to include persons and organisations who, for payment or reward, supply meals and light refreshments, whether the meals or light refreshments are supplied by themselves, or as part of a service but does not include any person who purchases vegetables for the use of himself or his family.

Vocational Training Council

Clause 124 requires the accounts of Industrial Training Boards to be audited by the Audit Office, and is retrospective in its effect, commencing from the commencement of the Vocational Training Council Amendment Act 1972.

Wairarapa Cadet Training Farm

Clause 126 inserts a new section 6A in the principal Act authorising payment, out of the trust funds, of fees and allowances to members of the Trust Board in accordance with the Fees and Travelling Allowances Act 1951.

Clause 127 (1) amends section 9 (2) (a) by increasing from \$2,000 to \$6,000 the amount which the Trust Board may, without the consent of the Minister of Agriculture and Fisheries, spend on capital improvements or assets. *Clause 127 (2)* inserts in section 9 a new subsection (2A) which allows the Board unauthorised expenditure of up to \$200 each year.

Wool Labelling

Clause 129 effects a metric change in the definition of the term "wool product" in section 2 of the Wool Labelling Act 1949. Samples, swatches, or specimens of wool products which are not more than 18 inches in length or width in any case and which are cut or taken, in the presence of a prospective purchaser or consumer of the product, from a bolt or piece which is labelled or marked as required by the Act are excluded from that definition. The amendment now proposed changes 18 inches to 450 millimetres (17.7165 inches).

Wool Marketing Corporation

Clause 131: Section 28 of the principal Act requires the Wool Marketing Corporation to prepare a table of minimum prices for wool for the purpose of supplementary payments to growers.

This clause confirms that the table of minimum prices is to be prepared in respect of all wool not having been previously sold, and not just in respect of wool offered for sale.

Hon. Dr Finlay

STATUTES AMENDMENT

ANALYSIS

Title	
1. Short Title	
<i>Administration</i>	
2. Sections to be read with Administration Act 1969	
3. Payment and devolution without administration	
4. Increasing share of surviving wife or husband on intestacy	
<i>Admiralty</i>	
5. Sections to be read with Admiralty Act 1973	
6. Exercise of admiralty jurisdiction	
<i>Aged and Infirm Persons Protection</i>	
7. Sections to be read with Aged and Infirm Persons Protection Act 1912	
8. Statutory powers of manager	
9. Interim protection order	
<i>Agricultural Pests Destruction</i>	
10. Sections to be read with Agricultural Pests Destruction Act 1967	
11. Borrowing powers	
<i>Auckland Electric Power Board</i>	
12. Sections to be read with Auckland Electric Power Board Act 1921-22	
13. Metric amendment	
<i>Building Research Levy</i>	
14. Sections to be read with Building Research Levy Act 1969	
15. Interpretation	
<i>Burial and Cremation</i>	
16. Sections to be read with Burial and Cremation Act 1964	
17. Metric changes	
18. Restrictions on alienation	
<i>Construction</i>	
19. Sections to be read with Construction Act 1959	
20. Interpretation	
21. General penalty	
<i>Costley Training Institution</i>	
22. Sections to be read with Costley Institution Act 1885	
23. Further purposes for which funds may be expended	
24. Yearly balance sheet to be sent to Minister	
<i>Counties</i>	
25. Sections to be read with Counties Act 1956	
26. Remuneration of Chairman and Councillors	
<i>Dairy Industry</i>	
27. Sections to be read with Dairy Industry Act 1952	
28. Metric amendments	
29. Savings	
<i>Dangerous Goods</i>	
30. Sections to be read with Dangerous Goods Act 1974	
31. Delegation by Chief Inspector	

Domestic Proceedings

- 32 Sections to be read with Domestic Proceedings Act 1968
- 33. Maintenance and related orders
- 34. Confirmation of provisional Commonwealth orders

Electrical Supply Authorities Association

- 35 Sections to be read with Electrical Supply Authorities Association Act 1930
- 36 Delegates
- 37 Financial operations

Electricity

- 38. Sections to be read together with Electricity Act 1968
- 39 Transmission lines
- 40 Restriction on Electrical Supply Authorities in respect of charges for resale of electricity supplied by Department

Electric Power Boards

- 41. Sections to be read with Electric Power Boards Act 1925
- 42 Vacation of office by members
- 43 Board may make and levy rate for excess of expenditure over income

Employment Agents

- 44. Sections to be read with Employment Agents Act 1908
- 45 Application for licence by company
- 46 Licence fees increased

Explosives

- 47. Sections to be read with Explosives Act 1957
- 48. Delegation by Chief Inspector
- 49. Metric amendments

Fisheries

- 50 Sections to be read with Fisheries Act 1908
- 51. Forfeiture of licence

Harbours

- 52. Sections to be read with Harbours Act 1950
- 53. Prohibition against planting exotic or introduced plants

Health

- 54. Sections to be read with Health Act 1956
- 55. Part-time Deputy Medical Officers of Health

Hospitals

- 56. Sections to be read with Hospitals Act 1957
- 57. Payment of Chairman
- 58. Remuneration of members of Board for attending meetings

Juries

- 59. Sections to be read with Juries Act 1908
- 60. Jury Officer

Land

- 61. Sections to be read with Land Act 1948
- 62. Recreation permit
- 63. Grazing permit

Land Drainage

- 64. Sections to be read with Land Drainage Act 1908
- 65. Annual allowance to Chairman

Legislature

- 66. Sections to be read with Legislature Act 1908
- 67. Officers of House of Representatives to whom provisions of principal Act apply

Life Insurance

- 68. Sections to be read with Life Insurance Act 1908
- 69. New Schedule added

Local Government

- 70. Sections to be read with Local Government Act 1974
- 71. Apportionment of loan liabilities
- 72. Remuneration of Chairman and members of district community council

Magistrates' Courts

- 73. Sections to be read with Magistrates' Courts Act 1947
- 74. Extension of jurisdiction in admiralty by agreement between the parties

Maori Education Foundation

- 75. Sections to be read with Maori Education Foundation Act 1961
- 76. Financial provisions
- 77. Annual Report

Marine Pollution

- 78. Sections to be read with Marine Pollution Act 1974
- 79. Compulsory insurance for ships
- 80. Certificates

Marine Reserves

- 81. Sections to be read with Marine Reserves Act 1971
- 82. Procedure for declaring a marine reserve

Mining

- 83. Sections to be read with Mining Act 1971
- 84. Compensation
- 85. Metric conversions

Motor Spirits Distribution

- 86. Sections to be read with Motor Spirits Distribution Act 1953
- 87. Metrication

Municipal Corporations

- 88. Sections to be read with Municipal Corporations Act 1954
- 89. Remuneration of Mayor and Councillors

Municipal Insurance

- 90. Sections to be read with Municipal Insurance Act 1960
- 91. Definition of "Council"

Pacific Islands Polynesian Education Foundation

- 92. Sections to be read with Pacific Islands Polynesian Education Foundation Act 1972
- 93. Authorised expenditure

Pharmacy

- 94. Sections to be read with Pharmacy Act 1970
- 95. Applications for consent of Pharmacy Authority
- 96. Restrictions on holding of interest in pharmacies

Post Office

- 97. Sections to be read with Post Office Act 1959
- 98. Post Office Staff Tribunal

Poultry

- 99. Sections to be read with Poultry Act 1968
- 100. Pheasants raised for sale for human consumption
- 101. Amendments to Wildlife Act 1953

Primary Products Marketing

- 102. Sections to be read with Primary Products Marketing Act 1953
- 103. Interpretation
- 104. Regulations

Public Bodies Contracts

- 105. Sections to be read with Public Bodies Contracts Act 1959
- 106. Mode of contracting by public bodies
- 107. Delegation of power to enter into contracts

Quarries

- 108. Sections to be read with Quarries Act 1944
- 109. Metric conversions

River Boards

- 110. Sections to be read with River Boards Act 1908
- 111. Annual allowance to Chairman

Secondhand Dealers

- 112. Sections to be read with Secondhand Dealers Act 1963
- 113. Register of scrap metal to be kept

Shops and Offices

- 114. Sections to be read with Shops and Offices Act 1955
- 115. Shops and Offices Exemptions Tribunal
- 116. Increasing penalties

Summary Proceedings

- 117. Sections to be read with Summary Proceedings Act 1957
- 118. Summary procedure for minor offences

Trustee Companies

- 119. Sections to be read with Trustee Companies Act 1967
- 120. Name of trustee company

Vegetables Levy

- 121. Sections to be read with Vegetables Levy Act 1957
- 122. Levy payable in respect of sale or export of vegetables

Vocational Training Council

- 123. Sections to be read with Vocational Training Council Act 1968
- 124. Audit of accounts

Wairarapa Cadet Training Farm

- 125. Sections to be read with Wairarapa Cadet Training Farm Act 1969
- 126. Fees and allowances of Trust Board members
- 127. Powers of Trust Board

Wool Labelling

- 128. Sections to be read with Wool Labelling Act 1949
- 129. Definition of wool product

Wool Marketing Corporation

- 130. Sections to be read with Wool Marketing Corporation Act 1972
- 131. Table of minimum prices Schedules

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 1975.

Administration

2. **Sections to be read with Administration Act 1969**—This
 section and the next 2 succeeding sections shall be read to- 10
 gether with and deemed part of the Administration Act 1969*
 (in those sections referred to as the principal Act).

*1969, No. 52

Amendments: 1970, No. 45; 1973, No. 47

3. **Payment and devolution without administration**—The 15
 principal Act is hereby amended by omitting the expression
 “one thousand dollars” in each place where it occurs in sec-
 tions 64 and 65, and substituting in each case the expression
 “\$2,000”.

4. **Increasing share of surviving wife or husband on** 20
intestacy—(1) The principal Act is hereby amended by
 omitting from section 77 (1) (a), and also section 79 (2),
 the words “twelve thousand dollars”, and substituting, in
 each case, the expression “\$25,000”.

(2) The amendments effected by subsection (1) of this 25
 section shall apply to the estates of all persons dying on or
 after the date of the passing of this Act, but shall not apply
 to the estates of persons dying before that date.

Admiralty

5. **Sections to be read with Admiralty Act 1973**—This 30
 section and the next succeeding section shall be read together
 with and deemed part of the Admiralty Act 1973* (in that
 section referred to as the principal Act).

*1973, No. 119

6. **Exercise of admiralty jurisdiction**—Section 3 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections:

5 “(2) In exercising the jurisdiction conferred by this Act, the Court may exercise at the same time any of its other civil jurisdiction, whether statutory or otherwise, and all powers incidental thereto.

10 “(3) Nothing in this Act shall derogate from any common law or equitable jurisdiction of the Supreme Court or the Magistrates’ Courts.”

Aged and Infirm Persons Protection

7. **Sections to be read with Aged and Infirm Persons Protection Act 1912**—This section and the next 2 succeeding sections shall be read together with and deemed part of 15 the Aged and Infirm Persons Protection Act 1912* (in those sections referred to as the principal Act).

*1957 Reprint, Vol. 1, p. 115
Amendment: 1969, No. 54

8. **Statutory powers of manager**—(1) The principal Act 20 is hereby amended by repealing section 10, and substituting the following section:

25 “10. (1) Where the manager is the Public Trustee, or the Public Trustee together with any other person or persons, the manager shall have in relation to the protected estate the powers, authorities, and discretions set out in the Third Schedule to the Mental Health Act 1969 subject to the restrictions appearing in that Schedule and to any further restrictions which the Court may impose in the order appointing the manager.

30 “(2) Where the manager is not, or does not include, the Public Trustee, the manager shall have in relation to the protected estate such of the powers, authorities, and discretions set out in the said Schedule (with the necessary modifications) as the Court directs in the order appointing 35 the manager or in any further order which the Court may make upon the application of the manager.

“(3) Without limiting the provisions of this or any other enactment, a manager may apply to the Court—

- “(a) For directions as to the exercise of any of his powers, authorities, and discretions in respect of the protected estate or for the removal or variation of any restriction thereon appearing in the said Schedule or imposed by the Court: 5
- “(b) Where he is a manager appointed before the commencement of this section who is not, or does not include, the Public Trustee, for any order which may be made under subsection (2) of this section in the case of a manager appointed after the commencement of this section: 10
- “(c) Where he is a manager who derives any of his powers from the provisions of an order made under subsection (2) of this section, for any further order contemplated by that subsection: 15
- and on any such application the Court may make such order as it thinks fit.
- “(4) Without limiting the provisions of subsection (3) of this section, an order made under subsections (2), (3) (b), or (3) (c) of this section may confer powers, authorities, and discretions upon a manager to be exercised generally in respect of the protected estate or part thereof, or upon any special occasion, or in respect of any particular subject-matter and may confer those powers either with or without the restrictions appearing in the said Third Schedule or with additional restrictions. 20 25
- “(5) For the purposes of this section the said Schedule shall be read as if—
- “(a) A reference to a patient or a protected patient were a reference to a protected person; 30
- “(b) A reference to a person being mentally disordered were a reference to a person being a protected person; and
- “(c) Except where the context otherwise requires, a reference— 35
- “(i) To the estate were a reference to the protected estate; and
- “(ii) To land, property, or any other asset were a reference to land, property, or other asset forming part of the protected estate. 40
- “(6) This section shall apply in all cases whether the protection order is made before or after the commencement of this section.”

(2) Section 12 of the principal Act is hereby repealed.

(3) Every order made under the repealed sections 10 and 12 of the principal Act and in force at the commencement of this section, shall enure for the purposes of the principal Act as fully and effectually as if the said sections 10 and 12 had not been repealed.

9. Interim protection order—(1) Section 29A of the principal Act (as inserted by the Aged and Infirm Persons Protection Act 1969) is hereby amended by repealing subsection (5), and substituting the following subsections:

“(5) Where an interim protection order is made under subsection (1) of this section the following provisions of this Act shall apply to the interim manager and the protected estate:

“(a) Section 10 (1), where the interim manager is the Public Trustee, or the Public Trustee together with any other person or persons:

“(b) Section 10 (2), where the interim manager is not, or does not include, the Public Trustee:

“(c) Sections 10 (3), 10 (4), and 10 (5)—

as if, in each case, references to the manager were references to the interim manager and references to the Court were references to the Magistrate.

“(5A) In making an interim protection order the Magistrate—

“(a) May confer on the interim manager such further powers as the Court could confer on a manager under section 11 of this Act:

“(b) Shall direct how and to whom the interim manager shall, on the expiry of the order, account for any money and other property that he has taken possession of pursuant to the order.”

(2) Every order made under the repealed section 29A (5) of the principal Act and in force at the commencement of this section, shall enure for the purposes of the principal Act as fully and effectually as if the said section 29A (5) had not been repealed.

Agricultural Pests Destruction

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

*1967, No. 147

Amendments: 1968, No. 65; 1971, No. 74; 1972, No. 45; 1974, No. 62

11. Borrowing powers—The principal Act is hereby amended by inserting, after section 18A (as inserted by section 10 3 of the Agricultural Pests Destruction Amendment Act 1974), the following section:

“18B. The Council may from time to time, with the prior written consent of the Minister of Finance and subject to such conditions as he thinks fit to specify, borrow money and 15 (for the purpose of securing any money so borrowed) mortgage, charge, or pledge any right, title, estate, or interest in any of its property.”

Auckland Electric Power Board

12. 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*. 20

*1921–22, No. 17 (Local)

13. Metric amendment—Section 15 (6) of the Auckland 25 Electric Power Board Amendment Act 1924 is hereby amended by omitting the expression “ten chains”, and substituting the expression “200 metres”.

Building Research Levy

14. Sections to be read with Building Research Levy Act 1969—This section and the next succeeding section shall be read together with and deemed part of the Building Research Levy Act 1969* (in that section referred to as the principal Act). 30

*1969, No. 23

15. Interpretation—(1) Section 2 of the principal Act is hereby amended by repealing the definition of the term “builder”, and substituting the following definition:

- 5 “Builder”, in relation to any construction work, means—
 “(a) In any case where there is a main contract by an employer for the performance of the construction work, the person with whom the contract is made:
 “(b) In any case where there is no such contract and the construction work is performed by any person for the purposes of sale or leasing on his own account, that person:
 “(c) In all other cases, the person responsible for the carrying out of the construction work:”.

15 (2) Section 2 of the principal Act is hereby further amended by omitting from the definition of the term “local authority” the words “, and the Waiheke Road Board”.

Burial and Cremation

16. Sections to be read with Burial and Cremation Act
 20 1964—This section and the next 2 succeeding sections shall be read together with and deemed part of the Burial and Cremation Act 1964* (in those sections referred to as the principal Act).

25

*1964, No. 75
 Amendment: 1968, No. 71

17. Metric changes—(1) Section 9 (i) of the principal Act is hereby amended by omitting the words “fifteen feet”, and substituting the expression “5 metres”.

30 (2) Section 46 (1) of the principal Act is hereby amended by omitting the words “twenty miles”, and substituting the expression “32 kilometres”.

18. Restrictions on alienation—Section 21 of the principal Act is hereby amended by adding the following subsection:

35 “(7) Nothing in this section shall prevent a local authority disposing of land comprised in a cemetery to another local authority if that land is to be held for cemetery purposes by the local authority acquiring it.”

Construction

19. Sections to be read with Construction Act 1959—This section and the next 2 succeeding sections shall be read together with and deemed part of the Construction Act 1959* (in those sections referred to as the principal Act). 5

*Reprinted 1972, Vol. 2, p. 1421
Amendment: 1973, No. 53

20. Interpretation—Section 2 of the principal Act is hereby amended by adding to the definition of the term “construction work” the words “; and also includes any such work carried out underwater, including work on ships, wrecks, buoys, rafts, and obstructions to navigation; and also includes any inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out:”. 10
15

21. General penalty—(1) Section 24 of the principal Act (as substituted by section 3 of the Construction Amendment Act 1967) is hereby amended—
(a) By omitting the expression “\$1,000” (as substituted by section 3 of the Construction Amendment Act 1971), and substituting the expression “\$2,000”: 20
(b) By omitting the expression “\$10”, and substituting the expression “\$20”.
(2) Section 3 of the Construction Amendment Act 1971 is hereby consequentially repealed. 25

Costley Training Institution

22. Sections to be read with Costley Training Institution Act 1885—This section and the next 2 succeeding sections shall be read together with and deemed part of the Costley Training Institution Act 1885* (in those sections referred to as the principal Act). 30

*1885, No. 3
Amendment: 1907, No. 8

23. Further purposes for which funds may be expended—
(1) The principal Act is hereby amended by inserting, after section 4, the following section: 35
“(4A). (1) Notwithstanding anything in this Act, the Trustees may expend money, the property of the Costley Training Institution Trust Board, for all or any of the following purposes, namely: 40

“(a) Contributing towards the maintenance of young people apprenticed to trades or professions or other approved employment:

5 “(b) Assisting boys and girls, in such manner as they think fit, to obtain the benefits of secondary or higher education.

“(2) Such money may be expended for such purposes as aforesaid notwithstanding that the boys and girls to or in respect of whom payments are made do not otherwise qualify
10 for payments under this Act.

“(3) No payment pursuant to this section shall be made to or in respect of any boy or girl unless such boy or girl is approved by an officer of the Department of Social Welfare to be appointed in that behalf by the Minister of Social
15 Welfare.”

(2) The Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 is hereby consequentially amended by repealing section 118.

24. Yearly balance sheet to be sent to Minister—(1) The
20 principal Act is hereby further amended by repealing section 12 (as amended by section 13 of the Costley Training Institution Amendment Act 1907), and substituting the following section:

25 “12. A copy of the balance sheet of such accounts, when certified by the Audit Office, shall be sent in each year by the Trustees to the Minister of Social Welfare.”

(2) The Costley Training Institution Amendment Act 1907 is hereby consequentially amended by repealing section 13.

Counties

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

35 *Reprinted 1969, Vol. 2, p. 1077
Amendments: 1970, No. 58; 1971, No. 63; 1972, No. 132; 1974, No. 8; 1975, No. 8

26. Remuneration of Chairman and Councillors—(1) Section 137A of the principal Act (as substituted by section 6 (1) of the Counties Amendment Act 1975) is hereby amended
40 by inserting in subsection (1), after paragraph (a), the following paragraph:

“(aa) The rate of the annual allowance of the Deputy Chairman of the county appointed under section 70 of this Act, which allowance shall be payable in addition to any allowance or remuneration to which he may be entitled pursuant to paragraph (b) or paragraph (c) of this subsection:” 5

(2) Section 137A of the principal Act (as so substituted) is hereby further amended by inserting in subsection (2) (a), after the word “Chairmen”, the words “or Deputy Chairmen”.

(3) Section 137A of the principal Act (as so substituted) is hereby further amended by inserting in subsection (2), after paragraph (b), the following paragraph: 10

“(ba) Fix different rates of remuneration in respect of Councillors (not being the Chairman of the county or of a standing committee) of specified counties or of counties having different specified populations:” 15

Dairy Industry

27. Sections to be read with Dairy Industry Act 1952—
This section and the next 2 succeeding sections shall be read together with and deemed part of the Dairy Industry Act 1952* (in those sections referred to as the principal Act). 20

*1957 Reprint, Vol. 3, p. 747

28. Metric amendments—(1) Section 13 of the principal Act is hereby amended by omitting the words “fifty yards” and “thirty feet” wherever they occur, and substituting, respectively, the expressions “45 metres” and “10 metres”. 25

(2) Sections 22 and 25 of the principal Act are hereby amended by omitting the word “pound” wherever it occurs, and substituting in each case the word “kilogram”. 30

29. Savings—In relation to pigpens, pigsties, fowlhouses, cesspools, and closets constructed before the commencement of this Act, the principal Act shall be read as if this Act had not been passed.

Dangerous Goods

30. Sections to be read with Dangerous Goods Act 1974—
This section and the next succeeding section shall be read together with and deemed part of the Dangerous Goods Act 1974* (in that section referred to as the principal Act). 35

*1974, No. 26

31. Delegation by Chief Inspector—The principal Act is hereby amended by inserting, after section 18 and after the heading “*Powers of Inspectors*”, the following section:

5 “18A. (1) The Chief Inspector may from time to time in writing under his hand, either generally or particularly, delegate to any Inspector any of his functions or powers under this Act (including this power of delegation), except the power conferred on him under section 36 of this Act to grant exemption to any person from compliance with any require-
10 ment of any regulations made under this Act.

“ (2) Subject to any general or special directions given, or conditions attached, by the person making the delegation, any person to whom any functions or powers are delegated under this section may exercise those functions or powers in
15 the same manner and with the same effect as if they had been conferred on him directly by this section and not by delegation.

“ (3) Every person purporting to act pursuant to any delegation under this section shall, in the absence of proof to the
20 contrary, be presumed to be acting in accordance with the terms of the delegation.

“ (4) Every delegation under this section shall be revocable in writing at will, and no delegation shall prevent the exer-
25 cise of any function or power by the person making the delegation.

“ (5) Any such delegation shall, until revoked, continue in force according to its tenor, notwithstanding any change of holder of the office of Chief Inspector.”

Domestic Proceedings

30 **32. Sections to be read with Domestic Proceedings Act 1968**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Domestic Proceedings Act 1968* (in those sections referred to as the principal Act).

35 *1968, No. 62
Amendments: 1970, No. 60; 1971, No. 59; 1971, No. 54; 1974, No. 83

33. Maintenance and related orders—Section 53 (2) of the principal Act is hereby amended by repealing paragraph (b) and substituting the following paragraph:

“(b) Where the Court is satisfied that, by reason of her having to care for the child, the mother is or has been unable (whether wholly or partially) to support herself, an order for the payment to the mother, for such period not exceeding a period of 5 years from the birth of the child and subject to such conditions as the Court specifies, of—

“(i) Such periodical or lump sum for or towards her future support as the Court thinks reasonable:

“(ii) Such lump sum for or towards her past support as the Court thinks reasonable.”

34. Confirmation of provisional Commonwealth orders—

(1) Section 64 (7) of the principal Act (as amended by section 11 of the Domestic Proceedings Amendment Act 1971) is hereby further amended by omitting the words “not exceeding \$200”.

(2) The Domestic Proceedings Amendment Act 1971 is hereby consequentially amended by repealing section 11.

Electrical Supply Authorities Association

35. Sections to be read with Electrical Supply Authorities Association Act 1930—This section and the next 2 succeeding sections shall be read together with and deemed part of the Electrical Supply Authorities Association Act 1930* (in those sections referred to as the principal Act).

*1957 Reprint, Vol. 4, p. 529

Amendments: 1958, No. 65; 1959, No. 61; 1960, No. 59; 1968, No. 79

36. Delegates—Section 8 of the principal Act (as substituted by section 2 (1) of the Electrical Supply Authorities Association Amendment Act 1959) is hereby amended by repealing subsections (3) and (4) and substituting the following subsection:

“(3) The delegates of any member present at any meeting shall be entitled to exercise on any matter brought before the meeting one vote between them in respect of that member.”

37. Financial operations—Section 13 of the principal Act is hereby amended by adding, after subsection (3), the following subsection:

“(4) Any money belonging to the Association and not immediately required for its purposes may be invested by being placed on deposit at interest with any power board or electrical supply authority on such terms as the Executive
5 Committee, in its discretion, thinks fit.”

Electricity

38. Sections to be read together with Electricity Act 1968—This section and the next 2 succeeding sections shall be read together with and deemed part of the Electricity
10 Act 1968* (in those sections referred to as the principal Act).

*1968, No. 125; 1969, No. 45; 1972, No. 55; 1973, No. 60

39. Transmission lines—Section 14 (3) of the principal Act is hereby amended by omitting the expression “4 chains”, and substituting the expression “80 metres”.

15 **40. Restriction on Electrical Supply Authorities in respect of charges for resale of electricity supplied by Department**—The principal Act is hereby further amended by inserting, after section 52, the following section:

20 “52A. Notwithstanding the provisions of any other enactment or rule of law, where the Department supplies electricity in bulk to an Electrical Supply Authority for resale to the corporation of any city, borough, county, or district, the price or tariff charged by the Authority to the corporation for the electricity shall not be greater than the aggregate of—

25 “(a) The tariff charged for the electricity by the Department to the Authority; and

“(b) A further sum or tariff sufficient to meet the actual cost incurred by that Authority in delivering the electricity to the corporation.”

30

Electric Power Boards

41. Sections to be read with Electric Power Boards Act 1925—This section and the next 2 succeeding sections shall be read together with and deemed part of the Electric Power Boards Act 1925* (in those sections referred to as
35 the principal Act).

*1957 Reprint, Vol. 4, p. 441

Amendments: 1958, No. 25; 1961, No. 30; 1963, No. 40; 1964, No. 85; 1965, No. 81; 1969, No. 61; 1972, No. 128

42. Vacation of office by members—Section 22 (1) of the principal Act is hereby amended by repealing paragraph (e) (as substituted by section 54 (4) of the Criminal Justice Act 1954), and substituting the following paragraphs:

- “(e) Is convicted of any offence punishable by imprisonment for a term of 2 years or more; or
 5
 “(ea) Is convicted of any offence punishable by imprisonment for a term of less than 2 years and is sentenced to imprisonment for that offence; or”.

43. Board may make and levy rate for excess of expenditure over income—Section 56 of the principal Act is hereby amended by omitting from subsection (3) (as added by section 8 of the Electric Power Boards Amendment Act 1927) the expression “10 chains”, and substituting the expression “200 metres”.
 10
 15

Employment Agents

44. Sections to be read with Employment Agents Act 1908—This section and the next 2 succeeding sections shall be read together with and deemed part of the Employment Agents Act 1908* (in those sections referred to as the principal Act).
 20

*Reprinted 1968, Vol. 2, p. 1557

45. Application for licence by company—Section 4 of the principal Act is hereby amended by adding the following subsection:
 25

- “(3) Where the applicant for a licence is a company the certificate of character referred to in subsection (1) (b) of this section shall be given in respect of the director, manager, or other officer of the company who will be charged with the management of the company’s business as an employment agent if the licence is granted. If that person subsequently ceases to be charged with the management of that business as aforesaid, the company shall, within 28 days thereafter, file with the Chief Inspector a certificate of character that complies with subsection (1) (b) of this section in respect of the director, manager, or other officer who is to be charged with the conduct of that business.”
 30
 35

46. **Licence fees increased**—(1) Section 4 (1) (b) of the principal Act (as amended by section 4 of the Employment Agents Amendment Act 1967) is hereby amended by omitting the expression “two dollars”, and substituting the expression
5 “\$5”.

(2) Section 5 of the principal Act (as substituted by section 3 of the Employment Agents Amendment Act 1960) is hereby amended by omitting from subsection (1) (as amended by section 7 of the Decimal Currency Act 1964) the expression
10 “fifty cents”, and substituting the expression “\$5”.

Explosives

47. **Sections to be read with Explosives Act 1957**—This section, the next 2 succeeding sections, and the First Schedule to this Act shall be read together with and deemed part of
15 the Explosives Act 1957* (in those sections referred to as the principal Act).

*1957, No. 19 (1957 Reprint, Vol. 4, p. 731)
Amendments: 1958, No. 66; 1962, No. 65; 1973, No. 45

48. **Delegation by Chief Inspector**—The principal Act is
20 hereby amended by inserting, after section 8, the following section:

“8A. (1) The Chief Inspector may from time to time in writing under his own hand, either generally or particularly, delegate to any Inspector, or other person appointed under
25 the State Services Act 1962 and employed by the Department of Internal Affairs, any of his functions or powers under this Act (including this power of delegation).

“(2) Subject to any general or special directions given, or conditions attached, by the person making the delegation,
30 any person to whom any functions or powers are delegated under this section may exercise those functions or powers in the same manner and with the same effect as if they had been conferred on him directly by this section and not by delegation.

“(3) Every person purporting to act pursuant to any delegation under this section shall, in the absence of proof to the
35 contrary, be presumed to be acting in accordance with the terms of the delegation.

“(4) Every delegation under this section shall be revocable in writing at will, and no delegation shall prevent the exercise of any function or power by the person making the delegation.
40

“(5) Any such delegation shall, until revoked, continue in force according to its tenor, notwithstanding any change of holder of the office of Chief Inspector.”

49. Metric amendments—The principal Act is hereby further amended in the manner indicated in the First Schedule to this Act.

Fisheries

50. Sections to be read with Fisheries Act 1908—This section and the next succeeding section shall be read together with and deemed part of the Fisheries Act 1908* (in that section referred to as the principal Act). 5

*1908, No. 35 (Reprinted 1966, Vol. 3, p. 2321)
Amendments: 1967, No. 49; 1968, No. 27; 1969, No. 6; 1969, No. 57; 1970, No. 42; 1971, No. 72; 1971, No. 148; 1972, No. 59; 1974, No. 86 10

51. Forfeiture of licence—(1) Section 62 of the principal Act (as amended by section 22 (2) (b) of the Fisheries Amendment Act 1963 and section 4 of the Fisheries Amendment Act (No. 2) 1969) is hereby further amended by adding the following subsection: 15

“(2) Notwithstanding subsection (1) of this section, the Minister may, in the circumstances of any particular case and upon application in writing by the person concerned, direct that the provisions of that subsection are not to apply to any licence, permission, or fishing permit otherwise forfeit.” 20

(2) Section 62 (2) of the principal Act (as inserted by subsection (1) of this section) shall apply in respect of every licence, permission, or fishing permit liable to be forfeited, whether before or after the commencement of this Act. 25

Harbours

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

*Reprinted 1966, Vol. 3, p. 2395
Amendments: 1967, No. 77; 1968, No. 139; 1969, No. 81; 1970, No. 68; 1971, No. 7; 1971, No. 58; 1972, No. 4; 1974, No. 30; 1974, No. 31; 1974, No. 87

53. Prohibition against planting exotic or introduced plants—The principal Act is hereby amended by inserting, after section 244, the following section: 35

“244A. (1) No person shall plant on any tidal lands or in any tidal waters, or in or on the bed or bottom of any harbour, navigable lake, or navigable river, any exotic or introduced plant, except in accordance with the prior written permission of the Minister. 40

“(2) The Minister may give any permission under subsection (1) of this section unconditionally or subject to such conditions as he may specify.

5 “(3) Every person who plants any exotic or introduced plant without obtaining the Minister’s permission as required by subsection (1) of this section, or without complying with each condition imposed by the Minister under subsection (2) of this section, shall remove each such plant (and the natural increase, if any, thereof), or comply with such conditions in
10 relation to the plants as may be specified, forthwith upon the receipt of notice in writing under the hand of the Minister requiring him to do so. If any person fails to comply with the terms of any such notice within 1 month after it is received by him, the Minister may do all such things as may be necessary to effect compliance with the notice, and the cost of so
15 doing shall be recoverable from the person concerned in any Court of competent jurisdiction as a debt due to the Crown.

“(4) Every person who does any act in contravention of the provisions of this section or fails to comply with any requirement imposed by or pursuant to this section commits an
20 offence against this Act.

“(5) Section 14 of the Summary Proceedings Act 1957 shall not apply to the laying of any information for an offence against this section.”

25

Health

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

30

*Reprinted 1972, Vol. 2, p. 1449
Amendment: 1973, No. 111

55. Part-time Deputy Medical Officers of Health—The principal Act is hereby amended by inserting, after section 6, the following section:

35 “6A. (1) Notwithstanding anything in section 6 of this Act, but subject to subsection (3) of this section, the Minister may from time to time appoint any person who is employed or is to be employed as a medical officer by a Hospital Board, and who holds a special qualification in public health, to be a
40 Deputy Medical Officer of Health in a part-time capacity.

“(2) No person appointed to be a Deputy Medical Officer of Health under subsection (1) of this section shall be deemed by reason of that appointment to be employed in the Public Service for the purposes of the State Services Act 1962 or in the Government service for the purposes of the Superannuation Act 1956. 5

“(3) No appointment shall be made under subsection (1) of this section except with the written consent of the person proposed to be appointed and pursuant to an agreement between the Minister and the Hospital Board employing that person, which agreement— 10

“(a) Apportions the periods of duty to be performed by that person between the service of the Hospital Board and service as a Deputy Medical Officer of Health; and 15

“(b) Provides for the payment by the Crown to the Hospital Board, towards the remuneration of that person, of such sums as may be agreed, or of sums calculated in such manner as may be agreed, between the Minister and the Board; and 20

“(c) Contains such other terms and conditions, if any, as the Minister or the Board may require.

“(4) Notwithstanding anything in the Hospitals Act 1957, or in any regulation or determination made under that Act, the Hospital Board employing a person, who is appointed to be a Deputy Medical Officer of Health under this section, shall grant to that person leave of absence on full pay, without deduction from the amount of such leave to which he may otherwise be entitled, to the extent necessary to enable him to perform the duties of that appointment. 25 30

“(5) Any agreement under subsection (3) of this section may be terminated by 3 months notice in writing given either by the Minister to the Hospital Board or by the Hospital Board to the Minister, and, on the expiration of any such notice, or on such earlier date as may be agreed between the Minister and the Board, the person appointed pursuant to that agreement shall cease to be a Deputy Medical Officer of Health appointed under this section, without prejudice to his reappointment under this section or to his appointment in any capacity under section 6 of this Act. 35 40

“(6) Any person appointed to be a Deputy Medical Officer of Health under this section may resign that appointment by giving 3 months notice in writing to the Minister.

- “(7) Notwithstanding anything in subsection (5) or subsection (6) of this section, any person appointed to be a Deputy Medical Officer of Health under this section may be summarily dismissed by the Minister, if, in the opinion of
- 5 the Minister, he has misconducted himself or is unfit to perform the duties of a Deputy Medical Officer of Health, and shall be so dismissed if he ceases to be registered as a medical practitioner, or is suspended from practice as a medical practitioner, under the Medical Practitioners Act 1968.
- 10 “(8) No appointment of a person as a medical officer purporting to be made by a Hospital Board under the Hospitals Act 1957 shall be unlawful only by reason of the fact that, at the time of that appointment, the Board intends to make the services of that person available to the Minister for the
- 15 purposes of this section.”

Hospitals

- 56. Sections to be read with Hospitals Act 1957**—(1) This section and the next 2 succeeding sections shall be read together with and deemed part of the Hospitals Act 1957* (in
- 20 those sections referred to as the principal Act).

(2) This section and the next 2 succeeding sections shall be deemed to have come into force on the 1st day of April 1975.

*Reprinted 1970, Vol. 3, p. 1865

Amendments: 1971, No. 31; 1971, No. 49; 1972, No. 68; 1973, No. 43

- 25 **57. Payment of Chairman**—Section 39 (1) of the principal Act (as substituted by section 2 (1) of the Hospitals Amendment Act 1967) is hereby amended by repealing the proviso.

- 58. Remuneration of members of Board for attending meetings**—The principal Act is hereby further amended by
- 30 inserting, after section 95, the following section:

“95A. (1) Subject to subsection (2) of this section, a Board may pay the following remuneration to each member, other than the Chairman, of the Board:

- 35 “(a) For every meeting of the Board, or of a committee of the Board, attended by him as a member, a sum not exceeding \$5:

“(b) In the case of any member of the Board who is appointed to act as a Chairman of any committee of the Board, either generally or for any particular meeting, an additional sum not exceeding \$3 for every meeting of that committee which he attends as Chairman. 5

“(2) No person may be paid in any financial year—

“(a) Under subsection (1) (a) of this section, sums totalling more than \$260:

“(b) Under subsection (1) (b) of this section, sums totalling more than \$156. 10

“(3) The provisions of subsections (1) and (2) of this section shall extend, with the necessary modifications, to authorise the payment, in accordance with those subsections, by a joint committee referred to in section 56 (3) of this Act, of remuneration to every member of that joint committee who is a member, but not a Chairman, of a Board. 15

“(4) In subsection (1) of this section the expression ‘committee of the Board’ means—

“(a) A committee appointed under section 44 of this Act: 20

“(b) A joint committee appointed under section 59 (6) of this Act.”

Juries

59. Sections to be read with Juries Act 1908—This section and the next succeeding section shall be read together with and deemed part of the Juries Act 1908* (in that section referred to as the principal Act). 25

*Reprinted 1965, Vol. 3, p. 1429

Amendments: 1966, No. 36; 1967, No. 15; 1968, No. 87; 1974, No. 91

60. Jury Officer—The principal Act is hereby amended by repealing section 13 (as substituted by section 5 of the Juries Amendment Act 1963), and substituting the following section: 30

“13. (1) There shall be a Jury Officer for each jury district who shall be the Registrar of the Supreme Court held at the Court town. 35

“(2) During the absence or during a vacancy in the office of any such Registrar the Deputy Registrar shall act as Jury Officer.”

Land

61. Sections to be read with Land Act 1948—This section and the next 2 succeeding sections shall be read together with and deemed part of the Land Act 1948* (in those sections 5 referred to as the principal Act).

*Reprinted 1972, Vol. 2, p. 1557
Amendment: 1974, No. 92

62. **Recreation permit**—The principal Act is hereby amended by inserting, after section 66, the following section:
- 10 “66A. (1) Subject to the provisions of this section, the Board may from time to time, either after calling public applications or without competition, grant to any person a recreation permit authorising the occupation and use of any land comprised in a pastoral lease or pastoral
- 15 occupation licence for any commercial undertaking involving the use of the land for any recreational, tourist, accommodation, safari, or other purpose that, in the opinion of the Board, may be properly undertaken on that land.
- “ (2) The Board shall not issue a recreation permit to
- 20 any person other than the holder of the pastoral lease or pastoral occupation licence without the holder’s consent.
- “ (3) The Board shall not grant a recreation permit in respect of any land for any purpose that, in the opinion of the Board, is incompatible with any water or soil conservation
- 25 objectives relating to the land.
- “ (4) As a condition of granting a recreation permit to the holder of any pastoral lease or pastoral occupation licence the Board may require the holder to surrender to the Board any part of the land comprised in the lease or licence in order
- 30 to facilitate erosion-prevention measures.
- “ (5) Every recreation permit shall be deemed to be issued subject to the condition that the holder will comply with all local authority bylaws, regulations, and requisitions, and with the provisions of the Town and Country Planning Act
- 35 1953, so far as they are applicable to the land.
- “ (6) Every recreation permit shall be issued on such other terms and subject to such other conditions (whether as to the payment of fees or otherwise) as the Board may determine, whether generally or in a particular case.
- 40 “ (7) Every holder of a pastoral lease or a pastoral occupation licence who uses or permits to be used any part of the land comprised in the lease or licence for any purpose for which a recreation permit may be issued under this section

commits a breach of the lease or licence, rendering the lease or licence liable to forfeiture in accordance with the provisions of this Act, unless he is the holder of a recreation permit authorising the use of the land for that purpose.”

63. Grazing permit—The principal Act is hereby amended 5
by inserting, after section 68, the following section:

“68A. (1) The Board may from time to time, either after calling public applications or without competition, grant to any person a permit to graze stock on Crown land.

“(2) Every grazing permit shall be issued on such terms and 10
subject to such conditions as to the payment of fees, the numbers of stock that may be carried on the land to which the permit relates, the times of the year when the stock may be grazed on the land, and such other matters as the Board may determine, whether generally or in a particular case. 15

“(3) A grazing permit shall not confer on the holder—

“(a) The exclusive right to occupy the land to which the permit relates:

“(b) The status of occupier of the land for the purposes of the law relating to trespass. 20

“(4) Every grazing permit shall be revocable by the Board, at will and without compensation, by giving 1 month’s notice in writing to the holder.”

Land Drainage

64. Sections to be read with Land Drainage Act 1908— 25
This section and the next succeeding section shall be read together with and deemed part of the Land Drainage Act 1908* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 7, p. 471

Amendments: 1958, No. 73; 1962, No. 113; 1963, No. 65; 1964, No. 95; 30
1965, No. 90; 1967, No. 87; 1968, No. 88; 1971, No. 106; 1972, No. 74;
1974, No. 93

65. Annual allowance to Chairman—(1) Section 11A (1) of the principal Act (as inserted by section 16 of the Statutes Amendment Act 1950 and amended by section 2 (1) of the 35
Land Drainage Amendment Act 1971) is hereby further amended by omitting the expression “\$250”, and substituting the expression “\$400”.

(2) Notwithstanding anything in section 11A of the principal Act (as amended by subsection (1) of this section), 40
the allowance of the Chairman of any Board who is in office

at the date of the passing of this Act may, by resolution of the Board passed within 6 months after that date, be increased once during his term of office.

(3) Section 2 of the Land Drainage Amendment Act 1971 is hereby consequentially repealed.

Legislature

66. Sections to be read with Legislature Act 1908—This section and the next succeeding section shall be read together with and deemed part of the Legislature Act 1908* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 7, p. 831

67. Officers of House of Representatives to whom provisions of principal Act apply—The Sixth Schedule to the principal Act is hereby amended by inserting, after the words “The Clerk of the House of Representatives”, the words “The Deputy Clerk of the House of Representatives”.

Life Insurance

68. Sections to be read with Life Insurance Act 1908—This section and the next succeeding section shall be read together with and deemed part of the Life Insurance Act 1908* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 8, p. 333

Amendments: 1958, No. 77; 1962, No. 79; 1964, No. 98; 1966, No. 23; 1967, No. 90; 1970, No. 77; 1971, No. 108; 1972, No. 78; 1974, No. 146

69. New Schedule added—(1) The Twenty-First Schedule to the principal Act (as added by section 13 of the Life Insurance Amendment Act 1974) is hereby repealed.

(2) The principal Act is hereby amended by adding the following Schedule:

“TWENTY-FOURTH SCHEDULE

Section 3

“TABLE OF DEPOSITS REQUIRED OF COMPANIES CARRYING ON BUSINESS IN NEW ZEALAND ON 26 JULY 1974

Date by which Deposit is to be Made	Minimum Amount to be Deposited by That Date
26 July 1975	\$100,000
26 July 1976	\$200,000
26 July 1977	\$300,000
26 July 1978	\$400,000
26 July 1979	\$500,000”

(3) Section 3 (1) of the principal Act (as substituted by section 3 of the Life Insurance Amendment Act 1974) is hereby amended by omitting the words "Twenty-First Schedule", and substituting the words "Twenty-Fourth Schedule".

5

(4) Subsections (1) to (3) of this section shall be deemed to have come into force on the 26th day of July 1974 (being the date of the commencement of section 3 of the Life Insurance Amendment Act 1974).

(5) The following enactments are hereby consequentially repealed:

(a) Section 13 of the Life Insurance Amendment Act 1974:

(b) The Schedule to that Act.

Local Government

70. Sections to be read with Local Government Act 1974— 15
This section and the next succeeding section shall be read together with and deemed part of the Local Government Act 1974* (in that section referred to as the principal Act).

*1974, No. 66

71. Apportionment of loan liabilities—(1) The principal 20
Act is hereby amended as from its commencement by inserting, after section 33, the following section:

"33A. (1) Where—

"(a) Pursuant to an Order in Council or other instrument giving effect to a proposal in a final scheme,— 25

"(i) Two or more local authorities are united; or

"(ii) The district of a local authority is included in the district of another local authority; or

"(iii) A local authority is abolished and its functions are transferred to another local authority; 30
and

"(b) The Order in Council or other instrument does not make provision in respect of any loan liabilities of the local authorities affected,—

the said loan liabilities shall, notwithstanding anything to the 35
contrary in the Local Authorities Loans Act 1956 or any other enactment, become the loan liabilities of the local authority whose district is formed by the union of the 2 or more districts, or, as the case may be, the local authority in which the district of the other local authority was included, 40
or the local authority to which the functions of the abolished local authority were transferred.

“(2) Where—

“(a) Pursuant to an Order in Council or other instrument giving effect to a proposal in a final scheme,—

5

“(i) A new local authority is constituted comprising or including part only of the district of another local authority then existing; or

10

“(ii) The boundaries of the district of a local authority are altered by the inclusion therein of an area of land forming part of another such district; or

15

“(iii) A local authority is abolished and its district is included in the districts of more than one existing local authority or newly constituted local authorities; or

“(iv) Part of the functions of a local authority are transferred to another local authority; and

“(b) The Order in Council or other instrument does not make provision in respect of any loan liabilities of the local authorities affected,—

20 then, notwithstanding anything to the contrary in the Local Authority Loans Act 1956 or in any other enactment, those loan liabilities shall be apportioned among those local authorities in the manner determined by agreement among the local authorities affected.

25 “(3) If no agreement under subsection (2) of this section is entered into by the local authorities affected before or within 14 days after the coming into force of the Order in Council or other instrument or, in any case where any one or more of those local authorities are new local authorities, 30 within 14 days after the first meeting of each such new local authority or local authorities, assessors shall be appointed as follows to determine how the loan liabilities to which that subsection applies shall be apportioned, namely:

35 “(a) Two independent persons shall be appointed as assessors, one by the local authority from which the loan liabilities are to be transferred and one by the local authority or local authorities to, or among which the loan liabilities are to be apportioned:

40 “(b) The assessors shall, within 7 days after their appointment as such, and before commencing to consider the apportionment of the loan liabilities, appoint a third person to act as arbitrator as between the assessors.

“(4) After making such enquiries as they think fit, the assessors shall, within 2 months after their appointment, determine how the loan liabilities are to be apportioned. Any matters upon which the assessors cannot reach agreement shall be referred from time to time to the arbitrator for decision and that decision shall form part of the assessors’ determination. 5

“(5) The determination of the assessors shall be final and shall have the same force as if it were an agreement between the local authorities affected. 10

“(6) Every person having the possession or custody of any relevant books, papers, accounts, or documents shall allow the assessors and the arbitrator to have access thereto for the purpose of this section.

“(7) Notwithstanding anything to the contrary in the Local Authorities Loans Act 1956 or in any other enactment, a certificate under the common seal of each of the local authorities affected shall be accepted for all purposes as sufficient evidence and verification that the local authority named in the certificate has acquired from the other local authority the duties, obligations, and liabilities (including liabilities under stocks or debentures) and powers in respect of the loan liabilities therein specified, and a copy under the seal of each local authority affected shall be lodged with the Registrar of Stock under the Local Authorities Loans Act 1956. 15 20 25

“(8) Notwithstanding anything to the contrary in this Act, where pursuant to an Order in Council or other instrument a local authority is abolished, that local authority shall continue in existence, for the purposes of this section, until a certificate under subsection (7) of this section has been lodged with the Registrar of Stock. 30

“(9) All principal and interest payable in respect of any stock or debenture issued in respect of any loan or part thereof to which this section applies shall constitute a debt due by the local authority which has assumed responsibility therefor to the registered holder of the stock or holder of the debenture, and the repayment of that principal and interest shall be pledged on the revenues of that local authority. 35

“(10) Subject to section 115 of this Act, where a local authority has made a special rate for the purpose of securing any such loan and the interest thereon, that rate shall be deemed to have been made by the local authority assuming responsibility for the loan, and may be levied each year by the last-mentioned local authority until that loan and any charges associated therewith are paid off. 40 45

“(11) The Registrar of Stock shall, on written application under the seal of the local authority assuming responsibility for the loan liability, substitute the name of that local authority in the stock register for the name of the local authority
5 by which the loan was originally raised.

“(12) The Registrar of Stock shall continue to act as Registrar of the loan or part thereof in terms of the agreement originally made with the local authority which originally raised the loan, as if that agreement had been entered into
10 between the Registrar and the local authority which assumed responsibility for the loan liability.

“(13) Where a local authority has established a sinking fund for the purpose of providing money for the repayment of any loan the liability for which is transferred to any local
15 authority pursuant to this section, the Commissioners of that fund shall transfer to the Commissioners of the local authority which assumed responsibility for that loan all money and other real and personal property held by them for that purpose.

“(14) The Sinking Fund Commissioners of the local authority by whom the sinking fund is transferred under
20 subsection (13) of this section shall go out of office on the coming into force of the Order in Council or other instrument to which subsection (1) or, as the case may be, subsection
25 (2) of this section applies, but shall continue in office after that date for the purposes of completing any transfer under the said subsection (13).

“(15) Where before the commencement of this Act the loan liabilities or part of the loan liabilities of a local authority have been transferred to another local authority or apportioned among several other local authorities pursuant to an Order in Council or other instrument or by agreement or other arrangement between the local authorities concerned
30 made or entered into for the purpose of giving effect to a final scheme, and the transfer or apportionment would have been
35 valid if this section had been in force when the transfer or apportionment was made, that transfer or apportionment is hereby declared to be and always to have been validly made.”

(2) Section 32 (3) of the principal Act is hereby repealed.

40 **72. Remuneration of Chairman and members of district community council**—(1) The principal Act is hereby amended by repealing section 159, and substituting the following section:

“159. (1) The Chairman of a district community council shall be paid such annual allowance, out of the general revenues of the territorial authority, as the authority from time to time fixes, not exceeding half the amount that would be payable to him if the community were the district of a territorial authority and he were the Chairman or Mayor, as the case may be, of the territorial authority: 5

“Provided that where the Chairman of the district community council is also the Chairman or Mayor, as the case may be, of the territorial authority in whose district the community is situated, the allowance payable to him as Chairman or Mayor together with the allowance payable to him as Chairman of the district community council shall not exceed the maximum amount payable to him as Chairman or Mayor of the territorial authority. 10 15

“(2) The Governor-General may from time to time by Order in Council, fix, in respect of members of district community councils—

“(a) The rate of annual allowance or remuneration of those members who are Chairmen of committees of those councils (not being acting Chairmen): 20

“(b) The rate of remuneration of other members:

“(c) The conditions subject to which any such allowance or remuneration payable is to be paid.

“(3) Every Order in Council under subsection (2) of this section may— 25

“(a) Fix different rates of allowances or remuneration in respect of Chairmen of specified standing committees, appointed by specified district community councils or by district community councils of communities having different specified populations: 30

“(b) Fix different rates of remuneration in respect of members (not being the Chairman of the district community council or of a standing committee) of specified district community councils or of district community councils of communities having different specified populations: 35

“(c) Provide that the rate of any allowance or remuneration shall be the actual rate that is to be paid or shall be the maximum rate that may be paid. 40

“(4) Any annual allowance or remuneration paid pursuant to any such order shall be paid out of the general revenues of the territorial authority.”

(2) Section 158 of the principal Act is hereby repealed.

(3) Subsections (2) to (4) of section 159 of the principal Act (as substituted by subsection (1) of this section) and subsection (2) of this section shall come into force on a date
5 to be fixed by the Governor-General, by Order in Council.

(4) Notwithstanding anything in subsection (1) of section 159 of the principal Act (as in force immediately before the passing of that Act), any alteration to the allowance of the Chairman of a district community council made before the
10 passing of this Act which would have been valid if made after the passing of this Act is hereby validated and declared to have been lawfully made.

Magistrates' Courts

73. Sections to be read with Magistrates' Courts Act 1947—This section and the next succeeding section shall be read together with and deemed part of the Magistrates' Courts Act 1947* (in that section referred to as the principal Act).

20 *1957 Reprint, Vol. 8, p. 647
Amendments: 1960, No. 112; 1963, No. 100; 1964, No. 99; 1966, No. 69; 1967, No. 42; 1970, No. 81; 1971, No. 56; 1974, No. 20

74. Extension of jurisdiction in admiralty by agreement between the parties—Section 37 of the principal Act (as amended by section 2 of the Magistrates' Courts Amendment Act 1963) is hereby further amended by inserting, after
25 the words "had jurisdiction", the words "in admiralty or".

Maori Education Foundation

75. Sections to be read with Maori Education Foundation Act 1961—This section and the next 2 succeeding sections shall be read together with and deemed part of the Maori Education Foundation Act 1961* (in those sections referred to as the principal Act).

35 *1961, No. 46
Amendments: 1962, No. 82; 1963, No. 101; 1965, No. 95; 1970, No. 82; 1972, No. 80

76. Financial provisions—(1) Section 24 of the principal Act (as amended by section 2 of the Maori Education Foundation Amendment Act 1972) is hereby further amended by repealing subsection (3), and substituting the following
40 subsection:

“(3) Notwithstanding anything in section 21 of this Act or in the foregoing provisions of this section, where after the 1st day of January 1972 the Foundation receives any money contributed by contributors or any money paid by way of grants, subsidies, donations, or gifts, being money that is not contributed or paid subject to any trust or any express direction by the donor as to whether it is to be applied as capital or as income, the Foundation may in its discretion receive the contribution or payment as either capital or income, and the provisions of this Act relating to capital and income shall in either case apply accordingly.” 5 10

(2) Section 29 of the principal Act is hereby amended—

(a) By omitting from subsection (1) the word “June”, and substituting the word “April”:

(b) By repealing subsection (2). 15

(3) The Maori Education Foundation Amendment Act 1972 is hereby consequentially repealed.

77. Annual report—The principal Act is hereby amended by inserting, after section 30, the following section:

“30A. (1) The Foundation shall, not later than the 30th day of June in each year, furnish to the Minister and to the Minister of Maori Affairs a report of its proceedings and operations for its immediately preceding financial year, together with a copy of its accounts for that year and the report of the Audit Office thereon. 20 25

“(2) A copy of the report and of the accounts with the report of the Audit Office thereon shall be laid before Parliament as soon as practicable after their receipt by the Minister.”

Marine Pollution 30

78. Sections to be read with Marine Pollution Act 1974—This section and the next 2 succeeding sections shall be read together with and deemed part of the Marine Pollution Act 1974* (in those sections referred to as the principal Act). 35

*1974, No. 14
Amendment: 1974, No. 101

79. Compulsory insurance for ships—Section 37 (1) (a) of the principal Act is hereby amended by inserting, before the word “oil” wherever it occurs, the word “persistent”.

80. Certificates—Section 38 (4) of the principal Act is hereby amended by adding the following proviso:

“Provided that the Minister may in his discretion accept a certificate in such form as the Minister thinks fit from the
5 person providing the insurance or other financial security as to the existence of a contract of insurance or other financial security or, as the case may be, as to any variation or modification thereof or thereto instead of notarially certified copies of the contract of insurance or security or variation or
10 modification.”

Marine Reserves

81. Sections to be read with Marine Reserves Act 1971—This section and the next succeeding section shall be read together with and deemed part of the Marine Reserves Act
15 1971* (in that section referred to as the principal Act).

*1971, No. 15

82. Procedure for declaring a marine reserve—Section 5 (1) (d) (i) of the principal Act is hereby amended by omitting the expression “5 chains”, and substituting the
20 expression “100 metres”.

Mining

83. Sections to be read with Mining Act 1971—(1) This section, the next 2 succeeding sections, and the Second Schedule to this Act shall be read together with and deemed part
25 of the Mining Act 1971* (in those sections referred to as the principal Act).

(2) Section 85 of, and the Second Schedule to, this Act shall come into force on a date to be fixed by Order in Council.

30 *1971, No. 25
Amendments: 1972, No. 83; 1973, No. 76

84. Compensation—(1) Section 39 (3) of the principal Act is hereby amended by omitting the words “section 222”, and substituting the words “section 216”.

(2) Section 222 (1) of the principal Act is hereby amended
35 by omitting the words “, or section 39,”.

85. Metric conversions—(1) The principal Act is hereby amended in the manner indicated in the Second Schedule to this Act.

(2) In respect of applications for mining privileges made before the commencement of this section, the principal Act shall have effect as if this section had not been enacted. 5

Motor Spirits Distribution

86. Sections to be read with Motor Spirits Distribution Act 1953—This section and the next succeeding section shall be read together with and deemed part of the Motor Spirits Distribution Act 1953* (in that section referred to as the principal Act). 10

*Reprinted 1972, Vol. 3, p. 2631

87. Metrication—(1) Section 2 of the principal Act is hereby amended by omitting from the definition of the term “retailer” the expression “1 gallon”, and substituting the expression “5 litres”. 15

(2) Section 21A of the principal Act (as inserted by section 7 of the Motor Spirits Distribution Amendment Act 1963 and amended by section 2 (1) of the Motor Spirits Distribution Amendment Act 1968) is hereby amended— 20

- (a) By omitting from subsection (1) the word “gallons”, and substituting the word “litres”;
- (b) By omitting from subsection (1A) the word “gallons” where it first appears, and substituting the word “litres”;
- (c) By omitting from subsection (1A) the expression “24,000 gallons”, and substituting the expression “110,000 litres”. 25

Municipal Corporations

30

88. 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). 35

*Reprinted 1969, Vol. 4, p. 2439

Amendments: 1970, No. 89; 1971, No. 62; 1972, No. 131; 1974, No. 9; 1975, No. 2

89. **Remuneration of Mayor and Councillors**—(1) Section 114A of the principal Act (as substituted by section 5 (1) of the Municipal Corporations Amendment Act 1975) is hereby amended by inserting in subsection (1), after paragraph (a),
5 the following paragraph:

“(aa) The rate of the annual allowance of the Deputy Mayor of the borough appointed under section 46 of this Act, which allowance shall be payable in addition to any allowance or remuneration to which he may be entitled pursuant to paragraph
10 (b) or paragraph (c) of this subsection:”.

(2) Section 114A of the principal Act (as so substituted) is hereby further amended by inserting in subsection (2) (a), after the word “Mayors”, the words “or Deputy Mayors”.

15 (3) Section 114A of the principal Act (as so substituted) is hereby further amended by inserting in subsection (2), after paragraph (b), the following paragraph:

“(ba) Fix different rates of remuneration in respect of other Councillors (not being the Mayor of a borough or the Chairman of a town district) of specified boroughs or town districts or of boroughs
20 or town districts having different specified populations:”.

Municipal Insurance

25 90. **Sections to be read with Municipal Insurance Act 1960**—This section and the next succeeding section shall be read together with and deemed part of the Municipal Insurance Act 1960* (in that section referred to as the principal Act).

30

*1960, No. 29

Amendments: 1972, No. 85; 1973, No. 78

35 91. **Definition of “Council”**—Section 2 of the principal Act is hereby amended by omitting from the definition of the term “Council” (as substituted by section 2 (1) of the Municipal Insurance Amendment Act 1972, and amended by section 2 of the Municipal Insurance Amendment Act 1973) the words “and the Wellington Regional Water Board”, and substituting the words “the Wellington Regional Water Board, and the Tauranga Electric Power Board”.

Pacific Islands Polynesian Education Foundation

92. Sections to be read with Pacific Islands Polynesian Education Foundation Act 1972—This section and the next succeeding section shall be read together with and deemed part of the Pacific Islands Polynesian Education Foundation Act 1972* (in that section referred to as the principal Act). 5

*1972, No. 138

93. Authorised expenditure—Section 24 of the principal Act is hereby amended by adding the following subsection: 10
 “(3) Notwithstanding anything in section 21 of this Act or in the foregoing provisions of this section, where on or after the 1st day of January 1974 the Foundation receives any money paid by way of grants, subsidies, donations, or gifts, being money that is not contributed or paid subject to any trust or any express direction by the donor as to whether it is 15
 to be applied as capital or as income, the Foundation may in its discretion receive the contribution or payment as either capital or income, and the provisions of this Act relating to capital and income shall in either case apply accordingly.”

Pharmacy

20

94. Sections to be read with Pharmacy Act 1970—This section and the next 2 succeeding sections shall be read together with and deemed part of the Pharmacy Act 1970* (hereinafter referred to as the principal Act).

*1970, No. 143

Amendment: 1973, No. 85

25

95. Applications for consent of Pharmacy Authority—Section 36 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections: 30
 “(2) On receiving an application under this section the Minister shall cause the application to be transmitted to the Pharmacy Authority, who shall give notice of the application to every person (other than the applicant) who, in his opinion, may be materially affected by the decision, specifying a period 35
 within which the person may notify the Pharmacy Authority in writing of his objection to the granting of consent to the application.

“(3) On the expiration of the period specified in accordance with subsection (2) of this section, or such further period as the Pharmacy Authority may allow, the Pharmacy Authority shall give notice to the applicant, and to each
5 person to whom he gave notice of the application, of the date when and the place where the application will be considered:

“Provided that, if no objection to the granting of consent is received by the Pharmacy Authority, or if, in the opinion
10 of the Pharmacy Authority, every objection that is received is frivolous or vexatious or otherwise without substance, the Pharmacy Authority may consider and determine the application without complying with this subsection, and in the absence of the applicant and the persons to whom notice of
15 the application was sent.”

96. Restrictions on holding of interest in pharmacies—

(1) Section 43 (3) of the principal Act is hereby amended—

(a) By inserting, after the words “purposes of”, the words
“subsection (1) of”:

20 (b) By repealing the definition of the term “person”.

(2) Section 43 of the principal Act is hereby further amended by adding the following subsection:

“**(5)** For the purposes of this section, the term ‘person’ does not include a company, or any other body of persons
25 (whether incorporated or unincorporated).”

(3) Section 45 (2) (b) of the principal Act is hereby amended by inserting, after the word “company”, the words
“or other body of persons (whether incorporated or unincorporated)”.

30

Post Office

97. Sections to be read with Post Office Act 1959—This section and the next succeeding section shall be read together with and deemed part of the Post Office Act 1959* (in that section referred to as the principal Act).

35 *Reprinted 1970, Vol. 3, p. 2155
Amendments: 1971, No. 120; 1972, No. 123; 1973, No. 2; 1973, No. 86;
1974, No. 64; 1975, No. 24.

98. Post Office Staff Tribunal—(1) Section 201 of the principal Act is hereby amended by adding, after subsection
40 (5), the following subsections:

“(6) The presence of the Chairman and of at least one other member entitled to be present shall be necessary to constitute a sitting of the Tribunal.

“(7) The decision of a majority of the members present at a sitting of the Tribunal shall be the decision of the Tribunal. If the members present are equally divided in opinion, the decision of the Chairman shall be the decision of the Tribunal.” 5

(2) The principal Act is hereby further amended by repealing section 203, and substituting the following section: 10

“203. For the purposes of this Part of this Act, sections 44 to 48 of the State Services Remuneration and Conditions of Employment Act 1969, shall, with any necessary modifications, apply as if the Tribunal were a Single Service Tribunal under that Act. 15

(3) Section 205 of the principal Act is hereby amended—

(a) By omitting from subsection (1) the words “the hearing of”, and substituting the words “assisting in the determination of”:

(b) By inserting in subsection (2), after the word “officer” in both places where it occurs, the words “or a retired officer”. 20

(4) The principal Act is hereby consequentially amended by repealing the definition of the term “Joint Advisory Council” in section 199 and also sections 206 and 207. 25

Poultry

99. Sections to be read with Poultry Act 1968—This section and the next 2 succeeding sections shall be read together with and deemed part of the Poultry Act 1968* (in those sections referred to as the principal Act). 30

*1968, No. 13

100. Pheasants raised for sale for human consumption—

(1) The principal Act is hereby amended by inserting, after section 15, the following section:

“15A. (1) No person shall keep, hold, raise, or breed any poultry (being pheasants) for sale for human consumption except on premises licensed for the purpose by the Director-General pursuant to regulations made under this Act and in accordance with the conditions of the licence and the provisions of those regulations. 35
40

“(2) No person shall slaughter, dress, pack, or can any poultry (being pheasants) or any poultry products produced or derived from pheasants for sale for human consumption—

5 “(a) Elsewhere than in premises licensed under Part IVA of the Meat Act 1964 (as inserted by section 12 of the Meat Amendment Act 1968) as a poultry processing house; and

10 “(b) Unless the poultry (being pheasants) has been obtained from the owner of premises licensed under subsection (1) of this section.

“(3) No person shall sell for human consumption any poultry (being pheasants) or any poultry products produced or derived from pheasants unless they are marked or tagged, or their source is otherwise identified, in such manner and by
15 such method as the Director-General directs.

“(4) Nothing in this section shall limit or effect any provision of the Wildlife Act 1953 or regulation made under that Act relating to pheasants.”

20 (2) Section 18 (1) of the principal Act is hereby amended by inserting, after paragraph (a), the following paragraphs:

“(aa) Providing for the licensing by the Director-General of premises where live poultry is kept, held, bred, or raised, and prescribing the conditions under which a licence may be issued, renewed, or transferred:
25

“(ab) Providing for the revocation or suspension of a licence:”.

(3) The said section 18 (1) is hereby further amended by inserting, after paragraph (m), the following paragraph:

30 “(ma) Providing for the keeping by the owner of any premises licensed under this Act of records of poultry raised, bred, acquired, kept, and disposed of, and for the keeping of records relating to that poultry by the owner of any other premises licensed under
35 this Act or other person:”.

101. Amendments to Wildlife Act 1953—The Wildlife Act 1953 is hereby amended—

40 (a) By inserting in section 2, after the word “turkey” in the definition of “domestic bird”, the words “, or any pheasant kept, held, raised, or bred on premises licensed by the Director-General of Agriculture and Fisheries under the Poultry Act 1968”:

- (b) By inserting in the First Schedule, after the words “any bird” in the item relating to pheasant, the words “, not being a domestic bird,”.

Primary Products Marketing

102. Sections to be read with Primary Products Marketing Act 1953—This section and the next 2 succeeding sections shall be read together with and deemed part of the Primary Products Marketing Act 1953* (in those sections referred to as the principal Act). 5

*1953, No. 10 (1957 Reprint, Vol. 12, p. 117)
Amendment: 1974, No. 111

10

103. Interpretation—(1) Section 2 of the principal Act (as amended by section 2 (1) of the Primary Products Marketing Amendment Act 1974) is hereby further amended by repealing the definition of the term “primary product”, and substituting the following definition: 15

“‘Primary product’ means any product derived from—

“(a) Pig or poultry farming; or

“(b) Bee keeping; or

“(c) Fruit growing; or

“(d) Hop growing.”

20

(2) Section 2 of the Primary Products Marketing Amendment Act 1974 is hereby consequentially repealed.

104. Regulations—(1) Section 3 (2) of the principal Act (as amended by section 3 of the Primary Products Marketing Act 1974) is hereby further amended by inserting, after paragraph (k), the following paragraph: 25

“(ka) Providing for the licensing of the number of laying birds held by a poultry farmer, and for the conditions subject to which licences may be granted, refused, transferred, renewed, or revoked, and subject to which the number of laying birds may be increased or reduced:”.

(2) The said section 3 (2) is hereby further amended by adding to paragraph (1) after the word “hives”, the words “, and, in the case of poultry farming, on laying birds”.

35

Public Bodies Contracts

105. Sections to be read with **Public Bodies Contracts Act 1959**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Public Bodies
5 Contracts Act 1959* (in those sections referred to as the principal Act).

*1959, No. 98
Amendment: 1965, No. 106

106. **Mode of contracting by public bodies**—Section 3 (3)
10 of the principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby amended by omitting the words “four hundred dollars”, and substituting the expression “\$1,000”.

107. **Delegation of power to enter into contracts**—(1) Sec-
15 tion 4 (3) of the principal Act (as amended by the Public Bodies Contracts Amendment Act 1965 and section 7 (1) of the Decimal Currency Act 1964) is hereby amended by omitting the words “for any sum exceeding four hundred dollars”, and substituting the words “, to which this sub-
20 section applies,”.

(2) The said section 4 is hereby further amended by insert-
ing, after subsection (3), the following subsection:

“(3A) Subsection (3) of this section applies to all contracts
25 entered into by a committee, officer, or officers except those contracts which the public body has, by resolution conforming with this subsection, determined, either generally or in any particular case, need not be reported back to it by the committee, officer, or officers. The public body may so resolve
30 in respect of any contract for not more than such fraction as it thinks fit (but not exceeding one half) of the amount specified under subsection (1) of this section as the limit of the delegated power of a committee, officer, or officers.”

(3) The Public Bodies Contracts Amendment Act 1965 is hereby consequentially repealed.

35

Quarries

108. Sections to be read with **Quarries Act 1944**—(1) This section and the next succeeding section shall be read together with and deemed part of the Quarries Act 1944* (in that section referred to as the principal Act).

(2) This section and the next succeeding section shall come into force on a date to be fixed by Order in Council.

*1957 Reprint, Vol. 13, p. 1

Amendments: 1961, No. 64; 1972, No. 97; 1973, No. 88

109. Metric conversions—(1) Section 2 (1) of the principal Act is hereby amended by omitting from paragraph (c) of the definition of the term “quarry” (as substituted by section 2 (1) (a) of the Quarries Amendment Act 1951), the words “fifty feet” and “fifteen feet”, and substituting respectively the words “15 metres” and “4.5 metres”. 5 10

(2) Section 2 (2) of the principal Act (as substituted by section 2 (2) of the Quarries Amendment Act 1951) is hereby amended by omitting the words “fifteen feet”, and substituting the words “4.5 metres”.

(3) Section 16 (1) (b) of the principal Act is hereby amended by omitting the words “one hundred yards”, and substituting the words “90 metres”. 15

(4) Section 27 (3) of the principal Act is hereby amended by omitting the words “fifteen feet”, and substituting the words “4.5 metres”. 20

River Boards

110. Sections to be read with River Boards Act 1908—This section and the next succeeding section shall be read together with and deemed part of the River Boards Act 1908* (in that section referred to as the principal Act). 25

*1957 Reprint, Vol. 13, p. 397

Amendments: 1958, No. 91; 1959, No. 98; 1961, No. 132; 1963, No. 65; 1968, No. 104; 1971, No. 126; 1974, No. 119

111. Annual allowance to Chairman—(1) Section 48A (1) of the principal Act (as inserted by section 30 of the Statutes Amendment Act 1950 and amended by section 2 (1) of the River Boards Amendment Act 1971) is hereby further amended by omitting the expression “\$250”, and substituting the expression “\$400”. 30 35

(2) Section 48A (3) of the principal Act (as so inserted) is hereby repealed.

(3) Section 2 of the River Boards Amendment Act 1971 is hereby consequentially repealed.

(4) Notwithstanding anything in section 48A of the principal Act (as amended by subsection (1) of this section), the allowance of the Chairman of any Board who is in office at the date of the passing of this Act may, by resolution of the Board passed within 6 months after that date, be increased once during his term of office.

Secondhand Dealers

112. Sections to be read with Secondhand Dealers Act 1963—This section and the next succeeding section shall be read together with and deemed part of the Secondhand Dealers Act 1963* (in that section referred to as the principal Act).

*1963, No. 10

Amendments: 1964, No. 110; 1967, No. 117; 1968, No. 107

113. Register of scrap metal to be kept—(1) The principal Act is hereby amended by inserting, after section 12, the following section:

“12A. (1) Every licensee shall keep in the prescribed form a register in which he shall enter, in respect of all scrap metal acquired by him and every secondhand motor vehicle acquired by him for the purpose of wrecking or dismantling it, the date of the acquisition, a full description of the nature and quantity of the metal or (as the case may require) a description of the motor vehicle, and the name, address, and occupation of the person from whom he acquired the metal or motor vehicle.

“(2) If in the course of any transaction scrap metal is delivered by any motor vehicle to any licensee or to any person on his behalf the licensee shall record in the register of scrap metal, together with the other particulars required to be entered, the letters and numerals on the registration plates affixed to the vehicle delivering the scrap metal.

“(3) Subject to the provisions of this section, the provisions of subsections (2), (4), (5), (6), and (7) of section 12 of this Act, so far as they are applicable and with the necessary modifications, shall apply to and in respect of every register required to be kept under this section.”

(2) Section 12 (1) of the principal Act (as amended by section 2 (1) of the Secondhand Dealers Amendment Act 1964) is hereby amended—

(a) By inserting, after the words “by him”, the words “other than scrap metal or a motor vehicle,”;

(b) By repealing the proviso to the subsection.

(3) Subsection (5A) of section 12 of the principal Act (as inserted by section 3 of the Secondhand Dealers Amendment Act 1968) is hereby repealed.

(4) The following enactments are hereby consequentially repealed:

(a) Section 2 (1) of the Secondhand Dealers Amendment Act 1963:

(b) Section 3 of the Secondhand Dealers Amendment Act 1968.

Shops and Offices

114. Sections to be read with Shops and Offices Act 1955—
This section and the next 2 succeeding sections shall be read together with and deemed part of the Shops and Offices Act 1955* (in those sections referred to as the principal Act).

*1957 Reprint, Vol. 14, p. 431

Amendments: 1959, No. 14; 1965, No. 8; 1965, No. 131; 1970, No. 26; 1971, No. 127; 1972, No. 42; 1974, No. 121

115. Shops and Offices Exemptions Tribunal—(1) The principal Act is hereby amended by repealing section 10 (as substituted by section 3 of the Shops and Offices Amendment Act 1959), and substituting the following section:

“10. (1) There is hereby established a Tribunal to be called the Shops and Offices Exemptions Tribunal.

“(2) The Tribunal shall consist of one member appointed by the Governor-General on the recommendation of the Minister.

“(2A) Notwithstanding the provisions of subsection (2) of this section, the Governor-General may from time to time on the recommendation of the Minister appoint one associate member of the Tribunal.

“(2B) The member and the associate member shall hold office during the pleasure of the Governor-General.

“(2C) If the member or associate member is sick, incapacitated, absent, or for any other reason unable to carry out his functions, the Minister may, from time to time, appoint a temporary member to hold office in the place of the member or associate member (as the case may require) for a specified period, or for the period required to hear a specified application or group of applications.

“(2D) An appointment of a temporary member under subsection (2C) of this section shall not be called in question on the ground that the occasion for the exercise of the power of

appointment by the Minister had not arisen at the time of the appointment, or had ceased at that time; nor shall the continuance of an appointment under the said subsection be called in question on the ground that the circumstances which
5 occasioned the exercise of the power of appointment have ceased to exist.

“(2E) The member, the associate member, and any temporary member may each exercise in New Zealand all the powers of the Tribunal.

10 “(3) A person shall not be appointed to the Tribunal under subsections (2), (2A), or (2C) of this section unless he is qualified under the Magistrates’ Courts Act 1947 to be appointed as a Stipendiary Magistrate or has held office as a Stipendiary Magistrate.

15 “(4) Any person appointed to the Tribunal under subsections (2), (2A), or (2C) of this section may hold that office concurrently with any other office held by him.

“(5) There shall be paid out of money appropriated by Parliament for the purpose to any person appointed to the
20 Tribunal under subsections (2), (2A), or (2C) of this section remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951 and the Tribunal is hereby declared to be a statutory Board within the meaning of that
25 Act.

“(6) Proceedings before the Tribunal shall not be held bad for want of form and no appeal shall lie from any decision of the Tribunal.”

(2) The following enactments are hereby consequentially
30 repealed:

(a) Section 3 of the Shops and Offices Amendment Act 1959:

(b) The Shops and Offices Amendment Act 1970.

116. Increasing penalties—The principal Act (as amended
35 by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended—

(a) By omitting from section 18 (3) the words “twenty dollars”, and substituting the expression “\$100”:

40 (b) By omitting from section 28 (3) the words “twenty dollars”, and substituting the expression “\$100”:

(c) By omitting from section 30 (3) the words “ten dollars”, and substituting the expression “\$50”:

- (d) By omitting from section 35 the words “ten dollars”, and substituting the expression “\$50”;
- (e) By omitting from section 36 the words “two hundred dollars”, and substituting the expression “\$1,000”;
- (f) By omitting from section 38 the words “fifty dollars”, and substituting the expression “\$250”;
- (g) By omitting from the said section 38 the words “ten dollars”, and substituting the expression “\$50”.

Summary Proceedings

117. Sections to be read with Summary Proceedings Act 1957—This section and the next succeeding section shall be read together with and deemed part of the Summary Proceedings Act 1957* (in that section referred to as the principal Act).

*Reprinted 1966, Vol. 4, p. 3101
Amendments: 1967, No. 33; 1968, No. 108; 1969, No. 43; 1970, No. 103; 1973, No. 117

118. Summary procedure for minor offences—Section 20A (7) of the principal Act (as inserted by section 7 (1) of the Summary Proceedings Amendment Act 1973) is hereby amended by omitting the words “Unless, before the date specified in the notice referred to in subsection (2) of this section, the defendant indicates in accordance with subsection (5) of this section that he wishes to deny the charge or to appear before the Court for that or any other purpose or pleads guilty in writing in accordance with section 41 of this Act”, and substituting the words “If the defendant pleads guilty in accordance with section 41 of this Act or if, in any case, the defendant does not, by the date specified in the notice referred to in subsection (2) of this section, give written advice to the Registrar in accordance with subsection (5) of this section,”.

Trustee Companies

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

*1967, No. 35
Amendments: 1968, No. 111; 1972, No. 28; 1974, No. 126

120. Name of trustee company—(1) The principal Act, as amended by section 2 of the Trustee Companies Amendment Act 1974, is hereby further amended—

- 5 (a) By omitting from the definition of the term “trustee company” in section 2 the words “the South British Guardian Trust Limited”, and substituting the words “the South British Guardian Trust Company Limited”;
- 10 (b) By omitting from the First Schedule the words “The South British Guardian Trust Limited”, and substituting the words “The South British Guardian Trust Company Limited”.
- (2) The Trustee Companies Amendment Act 1974 is hereby consequentially repealed.

15

Vegetables Levy

121. Sections to be read with Vegetables Levy Act 1957—
This section and the next succeeding section shall be read together with and deemed part of the Vegetables Levy Act 1957* (in that section referred to as the principal Act).

20

*1957, No. 100
Amendments: 1960, No. 93; 1972, No. 112

122. Levy payable in respect of sale or export of vegetables—(1) Section 3 (3A) of the principal Act (as inserted by section 2 (1) of the Vegetables Levy Amendment Act 1972) is hereby amended—

- 25 (a) By omitting the words “the year ending with the 30th day of June 1973, and each subsequent year”, and substituting the words “each year ending with the 30th day of June or such other date as may be approved by the Federation in any particular case”;
- 30 (b) By omitting, from paragraph (b), the word “net”.
- (2) Section 3 of the principal Act is hereby further amended by inserting, after subsection (9) (as substituted by section 2 (3) of the Vegetables Levy Amendment Act 1972),
- 35 the following subsection:

40 “(9A) For the purposes of this section the term ‘retailer of vegetables’ includes any person who or organisation which, for payment or reward, provides meals or light refreshments or provides services which include the provision of meals or light refreshments but does not include any person who purchases vegetables for the use of himself or his family.”

Vocational Training Council

123. Sections to be read with Vocational Training Council Act 1968—This section and the next succeeding section shall be read together with and deemed part of the Vocational Training Council Act 1968* (in that section referred to as the principal Act). 5

*1968, No. 12
Amendment: 1972, No. 113

124. Audit of accounts—Section 15A of the principal Act (as inserted by section 2 (1) of the Vocational Training Council Amendment Act 1972) is hereby amended, as from its commencement, by inserting, after subsection (5), the following subsection: 10

“(5A) All accounts submitted to the Audit Office shall be audited by it; and for that purpose the Audit Office shall have and may exercise all its powers under the Public Revenues Act 1953 in respect of public money and stores, and persons dealing therewith.” 15

Wairarapa Cadet Training Farm

125. Sections to be read with Wairarapa Cadet Training Farm Act 1969—This section and the next 2 succeeding sections shall be read together with and deemed part of the Wairarapa Cadet Training Farm Act 1969* (in those sections referred to as the principal Act). 20

*1969, No. 138 25

126. Fees and allowances of Trust Board members—The principal Act is hereby amended by inserting, after section 6, the following section:

“6A. (1) The Trust Board is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951. 30

“(2) There shall be paid to each member of the Trust Board who is not an officer of the State services, out of the funds of the trust, remuneration by way of fees or allowances, and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.” 35

127. Powers of Trust Board—(1) Section 9 (2) (a) of the principal Act is hereby amended by omitting the expression “\$2,000”, and substituting the expression “\$6,000”.

(2) The said section 9 is hereby further amended by
5 inserting, after subsection (2), the following subsection:

“(2A) The Trust Board may, in any year ending with the 30th day of June, expend out of the funds of the trust for purposes not authorised by this Act or by any other Act or law, such sum or sums as it thinks fit not amounting in the
10 aggregate to more than \$200.”

Wool Labelling

128. Sections to be read with Wool Labelling Act 1949—
This section and the next succeeding section shall be read
together with and deemed part of the Wool Labelling Act
15 1949* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 16, p. 789
Amendment: 1969, No. 117

129. Definition of wool product—Section 2 of the principal Act is hereby amended by omitting from paragraph (f) of the
20 definition of the term “wool product” the expression “eighteen inches”, and substituting the expression “450 millimetres”.

Wool Marketing Corporation

130. Sections to be read with Wool Marketing Corporation Act 1972—This section and the next succeeding section shall
25 be read together with and deemed part of the Wool Marketing Corporation Act 1972* (in that section referred to as the principal Act).

*1972, No. 117
Amendment: 1974, No. 56

131. Table of minimum prices—Section 28 (1) of the principal Act is hereby amended by omitting the words “(being wool offered for sale for the first time)”, and substituting the
30 words “(being wool not having been previously sold)”.



SCHEDULES

Section 49FIRST SCHEDULEMETRICATION OF PROVISIONS OF EXPLOSIVES ACT 1957

Provision Amended	Amendment
Section 26 (1) (a)	By omitting the words "thirty pounds", and substituting the words "15 kilograms".
Section 26 (1) (b) (i)	By omitting the words "ten pounds", and substituting the words "5 kilograms".
Section 26 (1) (b) (ii)	By omitting the words "five pounds", and substituting the words "2.5 kilograms".
Section 26 (1) (b) (iii)	By omitting the words "five pounds", "two pounds", and "one pound", and substituting respectively the words "2.5 kilograms", "2 kilograms", and "1 kilogram".
Section 40 (1)	By omitting from paragraph (a) of the proviso the words "one hundred pounds", and substituting the words "50 kilograms".
Section 41 (2)	By omitting the words "five pounds", and substituting the words "2.5 kilograms".
Section 47 (4) (a)	By omitting the words "fifty-five pounds", and substituting the words "27 kilograms".
Schedule: Class 6	By omitting the words "0.5 grain" and "0.6 grain", and substituting respectively the words "33 milligrams" and "39 milligrams".
Class 7	By omitting the words "600 grains" from both places where they appear, and substituting in each case the words "40 grams".

SECOND SCHEDULESection 85METRICATION OF PROVISIONS OF MINING ACT 1971

Section Amended	Amendment
Section 8 (4) (b)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 8 (4) (c)	By omitting the words "half an acre", and substituting the words "2000 square metres".
Section 8 (4) (d)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 25 (1) (b)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 25 (1) (c)	By omitting the words "half an acre", and substituting the words "2000 square metres".
Section 25 (1) (d)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 29 (1)	By omitting the words "fifty feet", and substituting the words "15 metres".
Section 37 (7) (b)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 37 (7) (c)	By omitting the words "half an acre", and substituting the words "2000 square metres".
Section 37 (7) (d)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 48 (2)	By omitting the words "ten thousand acres", and substituting the words "4000 hectares".
Section 53 (1)	By omitting the words "one hundred acres", and substituting the words "40 hectares".
Section 54 (1)	By omitting the words "one hundred acres", and substituting the words "40 hectares".
Section 60 (2)	By omitting the words "ten thousand acres" and "two hundred square miles", and substituting respectively the words "4000 hectares" and "500 square kilometres".
Section 66 (2) (b)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 66 (2) (c)	By omitting the words "half an acre", and substituting the words "2000 square metres".
Section 66 (2) (d)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 69 (3)	By omitting the words "one thousand acres", and substituting the words "400 hectares".

SECOND SCHEDULE—*continued*METRICATION OF PROVISIONS OF MINING ACT 1971—*continued*

Section Amended	Amendment
Section 88 (3)	By omitting the words "five acres", and substituting the words "2 hectares".
Section 110 (3) (b)	By omitting the words "one chain", and substituting the words "20 metres".
Section 111 (2) (a)	By omitting the words "Five chains", and substituting the words "One hundred metres".
Section 111 (2) (b)	By omitting the words "Three chains", and substituting the words "Sixty metres".
Section 111 (2) (c)	By omitting the words "Five chains", and substituting the words "One hundred metres".
Section 111 (2) (d)	By omitting the words "Three chains", and substituting the words "Sixty metres".
Section 112 (7) (b)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 112 (7) (c)	By omitting the words "half an acre", and substituting the words "2000 square metres".
Section 112 (7) (d)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 153 (1)	By omitting the words "fifteen feet" and "fifty feet", and substituting respectively the words "5 metres" and "15 metres".
Section 176 (1)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 191 (2)	By omitting the words "one hundred feet", and substituting the words "30 metres".
Section 194 (1)	By omitting the words "one inch to two chains", and substituting the words "1 to 1500".
Section 195 (1)	By omitting the words "one inch to two chains", and substituting the words "1 to 1500".