

STATUTES AMENDMENT BILL

EXPLANATORY NOTE

Clause 1 relates to the Short Title.

Air Services Licensing

Clause 3 repeals and replaces section 22 of the Air Services Licensing Act 1951, which requires holders of licences to be covered against liability for certain kinds of loss and damage. At present cover must be unlimited. The new provision allows the Licensing Authority to approve what he considers to be an appropriate level of cover. References to liability for death and bodily injury have not been re-enacted, as this is now covered by the Accident Compensation Act 1972.

Apiculture

Clause 5 and 6 prohibit the importation into New Zealand of any honey, honey-dew, royal jelly, or other products derived from bees or bee products without first obtaining a permit from the Minister of Agriculture (whose style has also been changed from Minister of Agriculture and Fisheries).

Building Societies

Clause 8: Section 43 of the Building Societies Act 1965 provides that if a society lends money on mortgage and takes some additional security for the loan it must give notice to the mortgagor in a prescribed form showing details of the additional security taken. An exemption from the requirements of the section is provided where the additional security is a guarantee given by an individual. This clause extends the exemption to include guarantees given by the Housing Corporation of New Zealand.

Bush Workers

Clause 10 makes 2 amendments to section 5 of the Bush Workers Act 1945, which relates to Inspectors. First, the powers of Inspectors are extended to empower them to make inspections, examinations, and tests, and to take samples and photographs. Where a sample is taken, the Inspector must deliver part of it to the employer or person in charge of the bush undertaking if requested.

Secondly, there is imposed on Inspectors a general duty of non-disclosure of information obtained in the exercise of their functions under the principal Act, otherwise than to a Coroner or with the consent of the Minister.

Clause 11 increases the maximum fine for offences against the principal Act.

Construction

Clause 13 provides as follows:

- (a) The Chief Safety Engineer is to be known as the Chief Construction Safety Engineer:
- (b) Provision is made for the appointment of additional Construction Safety Engineers:
- (c) Safety Inspectors are to be known as Construction Safety Inspectors.

Clause 14 amends section 7 of the principal Act, which relates to the powers and duties of Inspectors.

Subclause (1) empowers an Inspector to make tests and take photographs in order to ascertain whether or not the provisions of the Act are being complied with.

Subclause (2) amends the provision whereby an Inspector may not disclose any information which he acquires during the course of his duties.

The amendment provides that such information may be disclosed with the consent of the Minister of Labour, or to a Coroner if the information relates to the circumstances of a fatal accident.

Domestic Proceedings

Clause 16 amends section 77 (4) of the Domestic Proceedings Act 1968 to provide that an interim maintenance order may be made by a Magistrate for a period of up to 6 months, instead of 3 months as at present. The amendment will not apply to interim maintenance orders made before the commencement of this clause.

Electrical Supply Authorities Association

Clause 18 removes from the principal Act a provision preventing any increase in the remuneration of the President of the Electrical Supply Authorities Association during his term of office.

Electric Power Boards

Clause 20 substitutes for the existing section 27 of the Electric Power Boards Act 1925 a new section enabling the payment to the Deputy Chairman of an Electric Power Board of an annual allowance not exceeding 10 percent of that of the Chairman.

Factories

Clause 22 amends the Factories Act 1946 to empower an Inspector of Factories to make examinations, tests, and inquiries, and take samples and photographs, in order to ascertain whether the Act or any Act relating to public health is being complied with in respect of factories and factory employees.

This clause also empowers an Inspector of Factories to disclose information obtained in the exercise of his functions, with the consent of the Minister of Labour; and requires an Inspector to provide a written report on the circumstances of any accident to a Coroner, if requested by him to do so.

Clause 23 increases the penalties for contraventions of the principal Act, and reviews the gravity of those offences in relation to each other. This is the first general review of penalties under the Act since it was enacted in 1946.

Government Superannuation Fund

Clause 25 grants to the staff of the New Zealand High Commission Office, London, the right to contribute to the Government Superannuation Fund on the basis of 60 percent of the standard rate of contribution. This clause is retrospective to the 1st day of March 1978.

Clause 26 inserts a new section 66B in the principal Act. The new section provides that, notwithstanding the abolition of Flying Qualification Pay and Surveying Pay, any current contributor who is a member of the regular forces may elect, before the 31st day of December 1979, to continue to contribute to the Fund as if the amount of those pays, at the rate applicable at the date of their abolition, had continued to be paid to him as salary.

Health

Clause 28 provides that noise or vibration to a degree that is offensive or is likely to be injurious to health constitutes a nuisance for the purposes of the principal Act.

Hospitals

Clause 30 amends the principal Act to provide that maximum attendance fees paid to members of Hospital Boards are to be fixed by the Minister of Health and the Minister of Finance jointly.

The clause is retroactive in effect, and deems the following maximum fees to have been fixed as from 8 October 1977:

- (a) For Hospital Boards serving populations of up to 50 000, \$9 per member per day;
- (b) For Hospital Boards serving populations from 50 001 to 300 000, \$14 per member per day;
- (c) For Hospital Boards serving populations over 300 000, \$17 per member per day;
- (d) For members acting as Chairman of a Hospital Board committee, a further \$3 per meeting.

These fees are to be payable in respect of a maximum of 80 days per year.

Inland Revenue Department

Clause 32 removes all reference to the office of Chief Deputy Commissioner of Inland Revenue from the principal Act.

Insolvency

Clause 34 amends section 104 of the principal Act (which prescribes the priorities for payment of claims against a bankrupt) by increasing the maximum amount of arrears of wages or salary that may be paid to any person as a preferential payment from \$400 to \$1,500 or such greater amount as is prescribed by Order in Council.

This amendment does not apply in respect of any case where a person has been adjudged bankrupt before the commencement of this clause.

Invercargill Licensing Trust

Clause 36 relates to the maximum remuneration that may be paid to a member of the Trust. The maximum attendance fee is increased from \$5 to \$10, and the maximum amount that may be paid to any member in total during any financial year is increased from \$260 to \$520.

Clause 37 empowers the Trust to sell or dispose of liquor in any theatre within the Trust, whether the theatre is established by the Trust or by any other person.

Joint Council for Local Authorities Services

Clause 39 authorises the Joint Council, in anticipation of its receipts from levies, to borrow money from a bank by way of overdraft.

Judicature

Clause 41 increases from 22 to 25 the number of Judges who, together with the Chief Justice, shall constitute the Supreme Court.

Clause 42 enacts a new section relating to the salaries and allowances of the Judges of the Court of Appeal and to the Judges of the Supreme Court.

Provision is now made for travelling allowances and incidental and minor allowances to be fixed by the Governor-General. The new section will require every Order in Council made under it to be published as if it were a statutory regulation.

Clause 43 repeals the provisions relating to Sheriff's poundage.

Land Drainage

Clause 45 increases the maximum annual allowance payable to the Chairman of a Drainage Board from \$400 to \$800 per year, and provides for the payment to the Deputy Chairman of a Board of an annual allowance not exceeding 10 percent of that of the Chairman.

Clause 46 increases the maximum remuneration payable to members of Drainage Boards from \$5 per meeting (with an annual maximum of \$260) to \$9 per meeting (for no more than 35 meetings per year).

Licensing Trusts

Clause 48 relates to the maximum remuneration that may be paid to a member of a Trust. The maximum attendance fee is increased from \$5 to \$10, and the maximum amount that may be paid to any member in total during any financial year is increased from \$260 to \$520.

Machinery

Clause 50 makes 2 amendments to section 6 of the Machinery Act 1950, which relates to Inspectors. First, the powers of Inspectors are extended to empower them to make inspections, examinations, and tests, and to take samples and photographs. Where a sample is taken the Inspector must deliver part of it to the person in charge of the machinery concerned if requested.

Secondly, the present duty of non-disclosure of information obtained in the exercise of their functions imposed on Inspectors by the principal Act is relaxed to allow them to disclose matters to a Coroner or with the consent of the Minister.

Clause 51 increases maximum fines for various offences against the principal Act.

Magistrates' Courts

Clause 53 substitutes a new section 6 relating to salaries and allowances of Magistrates. Provision is now made for the payment of a wider range of allowances. These allowances are to be prescribed by Order in Council or, in the case of travelling allowances and incidental and minor allowances, fixed by the Governor-General. The new section will require every Order in Council made under it to be published as if it were a statutory regulation.

Margarine

Clause 55 repeals section 4 of the principal Act, which makes certain acts concerning the manufacture, sale, and export of margarine illegal, and re-enacts it in an amended form. At present the section makes it illegal to mix margarine with certain milk products. The amendment empowers the Minister to authorise persons to do this.

Marriage

Clause 57 shortens the minimum form of words to be said by the parties to a marriage before a marriage celebrant.

Masterton Licensing Trust

Clause 59 relates to the maximum remuneration that may be paid to a member of the Trust. The maximum attendance fee is increased from \$5 to \$10, and the maximum amount that may be paid to any member in total during any financial year is increased from \$260 to \$520.

Meat

Clause 61 empowers the Meat Industry Authority generally to approve the transfer of licences issued under the Meat Act 1964, and in particular to approve the transfer of rural slaughterhouse licences. At present such licences have to be granted anew. The clause also empowers the Authority to give approval to the licensee of an abattoir to have stock intended for export slaughtered in that abattoir. At present such approval is given by the Director-General of Agriculture and Fisheries.

Clause 62 extends the range of decisions of the Authority which may be appealed against to the Supreme Court, and also extends the classes of appellants who may exercise the right of appeal.

Meat Export Control

Clauses 64 and 65 insert directly into the Meat Export Control Act 1921-22 2 amendments at present contained in 2 old Finance Acts, with a view to the later repeal of those Acts in their entirety. The opportunity is taken to repeal a section of the Statutes Amendment Act 1948, that is now spent. The clauses also authorise the Meat Board to open accounts with the Reserve Bank, and the Reserve Bank to grant overdraft accommodation for purposes associated with the development of the meat industry in New Zealand.

Medical and Dental Auxiliaries

Clause 67 makes two amendments to the present regulation-making powers in the principal Act. First, it makes explicit the power to make regulations authorising a Board established under the Act to grant exemptions from all or any of the provisions of the Act or regulations, subject to such conditions as it thinks fit. Secondly, it allows exemptions to be granted in respect of individuals. At present, only classes of persons may be exempted.

Medical Practitioners

Clause 69 makes provision for the appointment by the Minister of a lay person to each of the Association's Divisional Disciplinary Committees.

Mutual Insurance

Clauses 70 and 71 make 2 amendments to the Mutual Insurance Act 1955. Both amendments relate to the issue of premium notes. Such a note is an undertaking by a member of a mutual insurance association to pay, if called upon to do so, a specified sum of money. The specified sum is analogous to uncalled capital in the case of a company. The signing of such a note is a prerequisite to the granting of insurance cover to a member.

Clause 71 does away with the need for this prerequisite where the insurance cover is provisional cover for a term not exceeding 2 months.

Clause 72 makes special provision for the case where an insured under an insurance cover granted by a subsidiary of the association wishes to transfer the cover to the association itself. The association is deemed to hold the necessary signed premium note if the insured—

- (a) Has agreed to become a member of the association; and
- (b) Has been given written notice—
 - (i) Setting out the terms of the note; and
 - (ii) Stating that, if the insured renews the insurance cover in the name of the association, the association will be deemed to hold a premium note in those terms signed by him.

National Art Gallery, Museum and War Memorial

Clause 74: Subclause (1) provides that officers of the National Art Gallery, Museum, and War Memorial are to be appointed after consultation with the Board, and not, as at present, on the recommendation of the Board.

Subclause (2): At present all officers of the Board are appointed under the State Services Act 1962. This amendment provides that any person holding office as the Director of the National Art Gallery may be appointed under contract by the Board for a term not exceeding 5 years and may from time to time be reappointed.

New Zealand Society of Accountants

Clause 76 amends the New Zealand Society of Accountants Act 1958 to provide that the Council of the Society may prescribe by resolution (within the limit specified in section 10 (1) of the New Zealand Society of Accountants Amendment Act 1963) the amount of the fees to be paid by chartered accountants into the Fidelity Fund. At present, such fees are prescribed by rules made by the Council and approved by the Governor-General in Council.

The clause also consequentially revokes rule 4 of the New Zealand Society of Accountants Fidelity Fund Rules 1964.

In order to validate the action of the Council, by a resolution made on 22 February 1978, in purporting to increase the fee from \$20 to \$35 from 1 July 1978, this section will be deemed to have come into force on 21 February 1978.

New Zealand Walkways

Clause 78 makes provision for claims for damage to property to be paid out of money appropriated by Parliament to the services of the Department of Lands and Survey.

Clause 79 amends section 39 of the principal Act which relates to offences.

Subclause (1) (a) makes it an offence to wilfully damage or remove any crop or pasture on or adjacent to a walkway.

Subclause (1) (b) makes it an offence to wilfully damage any pole, marker, indicator, stile, fence, gate, bridge, shelter, notice, or other amenity adjacent to a walkway. At present it is an offence only if such damage is caused to those things situated on a walkway or at an entrance to a walkway.

Subclause (2) makes it an offence to wilfully damage or interfere with any fence, gate, machinery, vehicle, equipment, building, or other structure situated on property adjacent to a walkway.

Poultry Board

Clause 81 provides for staggered retirement dates for the members of the Poultry Board. As most of the members of the Board are required to be members of the Egg Marketing Authority, the retirement dates of both bodies have been brought into line.

Private Savings Banks

Clause 83 amends section 15 of the principal Act, which provides that every savings bank company shall hold at all times certain proportions of deposits in liquid form which are to be available for the payment of depositors. The amendment enables savings banks to use these funds for the payment of depositors by permitting them to hold less than the specified proportions for such periods and subject to such conditions as may be specified by the Minister of Finance.

Rating

Clause 85: The effect of this clause is to exempt from rates land vested in the proprietors of an integrated school under the Private Schools Conditional Integration Act 1975, in the same way as State schools which, being treated as land of the Crown, are exempt from rates under section 4 of the Rating Act 1967.

Real Estate Agents

Clause 87 makes it clear that the registered office of a real estate agent is to be at that agent's principal place of business, and also provides for the Real Estate Agents Licensing Board to determine the matter where application is made to it.

Reserves

Clause 89: Section 61 (2) of the Reserves Act 1977 provides that where a local purpose reserve is vested in an administering body, the administering body will be a leasing authority in respect of that reserve under the Public Bodies Leases Act 1969. The effect of this is that leases of such a reserve must be on one of the tenures provided for by the Public Bodies Leases Act 1969, and be subject to the public auction or public tender provisions of that Act.

This clause confers additional leasing powers on an administering body in which a local purpose reserve is vested. The clause empowers the administering body to lease the reserve for any of the following purposes:

- (a) Community building, play centre, kindergarten, plunket room, or other like purposes:
- (b) Farming, grazing, cultivation, cropping, or other like purposes.

The lease may be for a term of up to 33 years, with or without rights of renewal, perpetual or otherwise, but with no right to acquire the fee simple.

Clause 90: Section 82 of the Reserves Act 1977 provides for the payment out of the Public Account and debiting to the Trust Account of the proceeds of any alienation of revoked reserves which become Crown land on that revocation. The money in the Trust Account may be expended for purposes set out in subsection (1), and by subsection (2) these provisions are applied to proceeds of the alienation of revoked reserves where the revocation took place before the commencement of the Act (including such proceeds held at the commencement of the Act).

Subclause (1) of this clause provides that the proceeds of the alienation of land the reservation of which is revoked and which therefore becomes Crown land are to be paid into the Public Account and credited to the Trust Account, which is the account from which under section 82 (1) the payments are to be made for the purposes mentioned.

The present situation is that although the payments out of the proceeds of alienation are to be made from the Trust Account, section 29 of the Land Act 1948 requires the proceeds to be paid into the Consolidated Account and not into the Trust Account. This amendment rectifies that position.

Subclause (2): Under the repealed Reserves and Domains Act 1953, the proceeds of the alienation of revoked reserves were required to be paid into the Works and Trading Account, which was abolished by the Public Finance Act 1977. Money to the credit of that account was by that Act transferred to the Consolidated Account, and the proceeds of any alienation before the commencement of the Reserves Act 1977 of any revoked reserves held in the Works and Trading Account at the commencement of that Act are now part of the Consolidated Account and cannot be dealt with under section 82.

The effect of this subclause is to transfer such proceeds to the Trust Account, so that section 82 (1) will apply to them, and to provide that the proceeds of any alienation after the commencement of the Reserves Act 1977 of land the reservation of which was revoked before the commencement of that Act will also be dealt with under section 82 (1).

River Boards

Clause 92 increases the maximum annual allowance payable to the Chairman of a River Board from \$400 to \$800 per year, and provides for the payment to the Deputy Chairman of a Board of an annual allowance not exceeding 10 percent of that of the Chairman.

Clause 93 increases the maximum remuneration payable to members of River Boards from \$5 per meeting (with an annual maximum of \$260) to \$9 per meeting (for no more than 35 meetings per year).

Shops and Offices

Clause 95 makes 2 amendments to section 44 of the Shops and Offices Act 1955 which relates to Inspectors. First, the powers of Inspectors are extended to empower them to make inspections, examinations, and tests, and to take samples and photographs. Where a sample is taken the Inspector must deliver part of it to the occupier of the shop, office, warehouse, or store, concerned if requested.

Secondly, the present duty of non-disclosure of information obtained in the exercise of their functions imposed on Inspectors by the principal Act is relaxed to allow them to disclose matters to a Coroner or with the consent of the Minister.

Clause 96 increases the maximum fine for various offences under the principal Act.

Shop Trading Hours

Clause 98 makes one procedural amendment, and one amendment of wording, to section 19 (2) of the Shop Trading Hours Act 1977, which applies to applications for authority to open shops for extended hours.

Subclause (1) extends from 14 to 28 days the minimum time between the date the applicant is informed of the date fixed for the hearing of the application and that latter date; and extends from 3 to 7 days after his being informed of the date fixed for the hearing the time within which the applicant must publish the application in the newspaper and send copies to the various other parties specified in the Act.

Subclause (2) substitutes for section 19 (2) (c) of the principal Act, which some parties have been misreading, 2 separate paragraphs that together have the same effect.

Stamp and Cheque Duties

Clause 100: Section 12 (2) (h) of the Stamp and Cheque Duties Act 1971 provides for an exemption from stamp duty for transferable certificates of deposit, a term defined in section 2 of that Act. The definition excludes a transfer of a certificate of deposit to a trading bank or a savings bank subsidiary of a trading bank from the exemption provision. This clause removes that restriction from the trading banks and savings banks subsidiaries.

Clause 101 corrects a drafting omission.

Statistics

Clause 103 provides for the appointment of more than one Deputy Government Statistician.

Tokelau

Clause 105 empowers the Governor-General by Order in Council to make regulations governing the making and issuing of commemorative coins to be a legal tender only in Tokelau.

Trades Certification

Clause 107 amends the Trades Certification Act 1966.

At present the New Zealand Trades Certification Board may grant diplomas or certificates to persons proficient in any trade only if those persons have duly presented themselves for examination. The clause removes this restriction and validates past actions of the Board, thereby allowing the Board to continue to use other means of assessing proficiency as well as by examination.

The clause also allows the Board to charge fees for issuing diplomas or certificates awarded otherwise than as a result of examination, and to charge fees for replacement diplomas, certificates, or result notices.

Tramways

Clause 109 relates to the proviso to section 5 (1) (c) of the Tramways Amendment Act 1910, which provides that where regulations specify a maximum number of passengers who may be carried in any carriage on a tramway, that maximum shall not be more than 75 percent more than the seating capacity of the carriage. The clause has the effect of removing this restriction in relation to the Kelburn cable car tramway; and consequentially amends the principal Act by inserting a definition of that tramway. The opportunity is taken to insert a provision making clear that the Kelburn cable car tramway is not an electric tramway for the purposes of the Act.

Trustee Savings Banks

Clause 111 amends section 16 of the principal Act, which at present provides for payment of gratuities on retirement or death of officers who have more than 10 years of service. The amendment permits savings banks to make a gratuity payment on the retirement or death of an officer who has served for less than 10 years, subject to the approval of the Minister of Finance.

Clause 112, subclauses (1) and (2) amend subsections (3) and (3A) of section 24 of the principal Act which provide that savings banks must hold at all times certain proportions of deposits in liquid form.

Subclause (1) adds a proviso to subsection (3) which enables savings banks to use these funds for the payment of depositors by permitting them to hold less than the proportions specified for all deposits, other than deposits in current (cheque) accounts, for such periods and subject to such conditions as may be specified by the Minister of Finance.

Subclause (2) adds a similar proviso to subsection (3A) which relates to cash held against deposits in current (cheque) accounts.

Subclause (3) amends section 24 (6) of the principal Act, which governs the conditions under which savings banks can make mortgage advances on the security of leasehold land. The amendment repeals the provision which requires that annual principal repayments be not less than one-fiftieth of the amount advanced.

Universities

Clause 114 amends section 24 of the Universities Act 1961 to enable the University Grants Committee to enter into contracts of employment with staff.

Clause 115 amends section 27 of the principal Act so as to allow Lincoln College and each University to have a professor on the Curriculum Committee. At present Lincoln College and the University of Canterbury are jointly represented by a single professor.

University of Waikato

Clause 117 amends section 18 of the University of Waikato Act 1963 to allow the University to enter into contracts of employment with staff.

Valuation of Land

Clause 119 amends section 25E of the Valuation of Land Act 1951, which provides for the fixing of a special rateable value of land that is used for any purpose that is an "existing use" within the meaning of section 36 of the Town and Country Planning Act 1953.

The corresponding section in the Town and Country Planning Act 1977 is section 90, but that section does not define the term "existing use" and defines the circumstances in which land that before the district scheme becomes operative is being used for a purpose not in conformity with the scheme may continue to be used for that purpose.

This clause makes a consequential amendment to section 25E of the Valuation of Land Act 1951.

Vegetables Levy

Clause 121: Subclause (1) increases the maximum amount of levy which may be levied in respect of vegetables purchased from a grower for the purpose of processing or canning from 0.5 percent to 0.5625 percent of the price paid for the vegetables.

Subclause (2) provides that all amounts of levy received from the growers by any wholesaler, auctioneer, or processor are to be deemed to be held in trust for the Board.

Clause 122 provides for a fine not exceeding \$500 for an offence against the principal Act or any regulations made thereunder.

Victoria University of Wellington

Clause 124 amends section 9 (1) of the Victoria University of Wellington Act 1961 to remove the ineligibility of the Deputy Vice-Chancellor for election as a member of the Council.

Wild Animal Control

Clause 126 substitutes a new subsection (4) in section 9 of the Wild Animal Control Act 1977. The new subsection requires that where the carcass of any wild animal, including any specified wild animal, of a kind which may be farmed under any Act is to be sold or delivered to a game depot or game packing house by the person who killed the animal or by his agent or employer, it is an offence against the Wild Animal Control Act 1977 to so sell or deliver that carcass without the ears attached to the hide.

The existing subsection is in similar terms but it applies only where the carcass is whole. The new subsection also widens the class of animals to which the subsection applies.

Clause 127: Subclause (1) allows any carcass seized to be sold. The net proceeds from the sale are then to be held to await the outcome of the prosecution.

Subclause (2): In section 13 (7) (which deals with the issue of search warrants) the reference to "any breach of this section" should be a reference to "any offence against this Act". This subclause corrects the error.

Wool Industry

Clause 129 amends section 32 of the principal Act, which relates to the fixing of a table of minimum prices for wool. At present subsection (3) (b) of that section provides that except in exceptional circumstances there is to be no more than one table of prices during any year ending with 30 June. So unless there are exceptional circumstances, a table of prices must take effect from 1 July.

The amendment enables a table of prices to be fixed at any time; but unless there are exceptional circumstances no more than one table of prices is to be fixed during a season.

Workers' Compensation

Clause 131 substitutes a new section 42 relating to the salary and allowances of the Judge of the Compensation Court. Provision is now made for the payment of a wider range of allowances. These allowances are to be prescribed by Order in Council or, in the case of travelling allowances and incidental and minor allowances, fixed by the Governor-General. The new section will require every Order in Council made under it to be published as if it were a statutory regulation.

Land Valuation Proceedings

Clause 133 authorises the making of regulations prescribing the fees payable in respect of matters relating to proceedings before Land Valuation Tribunals.

Hon. D. S. Thomson

STATUTES AMENDMENT

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99. Sections to be read with Stamp and Cheque Duties Act 1971

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102. Sections to read with Statistics Act 1975

103. Deputy Government Statisticians

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111. Grants to officers on retirement

112. Power to invest money

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113. Sections to be read with Universities Act 1961

114. Officers and staff

115. Constitution of Curriculum Committee

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116. Sections to be read with University of Waikato Act 1963

117. Appointment of professors, lecturers, etc.

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118. Sections to be read with Valuation of Land Act 1951

119. Special rateable values of "existing use" properties

Vegetables Levy

120. Sections to be read with Vegetables Levy Act 1957

121. Levy payable in respect of sale of vegetables

122. Offences and penalties

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123. Sections to be read with Victoria University of Wellington Act 1961

124. Employees as Council members

<p style="text-align: center;"><i>Wild Animal Control</i></p> <p>125. Sections to be read with Wild Animal Control Act 1977</p> <p>126. Ownership of wild animals</p> <p>127. Powers of Forest Officers</p> <p style="text-align: center;"><i>Wool Industry</i></p> <p>128. Sections to be read with Wool Industry Act 1977</p> <p>129. Table of minimum prices</p>	<p style="text-align: center;"><i>Workers' Compensation</i></p> <p>130. Sections to be read with Workers' Compensation Act 1956</p> <p>131. Salary and allowances of Judge</p> <p style="text-align: center;"><i>Land Valuation Proceedings</i></p> <p>132. Sections to be read with Land Valuation Proceedings Act 1948</p> <p>133. Regulations</p>
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A BILL INTITULED

An Act to amend certain enactments of the General Assembly

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

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1. Short Title—This Act may be cited as the Statutes Amendment Act 1978.

Air Services Licensing

2. Sections to be read with Air Services Licensing Act 1951—This section and the next succeeding section shall be read together with and deemed part of the Air Services Licensing Act 1951* (in that section referred to as the principal Act).

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*Reprinted 1967, Vol. 3, p. 1013
Amendments: 1972, No. 46; 1973, No. 115; 1974, No. 74

3. Special conditions (as to insurance, etc.) precedent to grant of licence—(1) The principal Act is hereby amended by repealing section 22 (as amended by section 3 of the Air Services Licensing Amendment Act 1967), and substituting the following section:

15

“22. The Licensing Authority shall not grant or renew any licence (whether or not the applicant is, at the time he applies, actually carrying on the service to which the licence relates) unless the applicant’s liability for loss of or damage to property caused by events occurring in connection with the operation of that service is covered (whether by insurance or otherwise)—

20

“(a) In respect of such kinds of event; and

“(b) Up to such an amount in respect of each kind of event—

as the Licensing Authority thinks appropriate.”

(2) Section 3 of the Air Services Licensing Amendment Act 1967 is hereby consequentially repealed.

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Apiaries

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

*1969, No. 53

Amendments: 1971, No. 82; 1973, No. 49

5. Interpretation—(1) Section 2 (1) of the principal Act is hereby amended by inserting, after the definition of the term “beekeeper”, the following definition:

10 “‘Bee product’ means any honey, honey-dew, beeswax, venom, propolis, or royal jelly; and includes any other product collected by bees or derived from bees or bee products.”

(2) The said section 2 (1) is hereby further amended by repealing the definition of the term “Minister”, (as amended 15 by section 3 (b) of the Ministry of Agriculture and Fisheries Amendment Act 1972), and substituting the following definition:

“‘Minister’ means the Minister of Agriculture.”

6. Importing bee products without permit prohibited—

20 (1) The principal Act is hereby further amended by omitting the heading “*Importation of Bees, Honey, and Appliances*” appearing before section 21 of the principal Act, and substituting the heading “*Importation of Bees, Bee Products, and Appliances*”.

25 (2) Section 21 of the principal Act is hereby amended by omitting the word “honey”, and substituting the words “bee products”.

(3) Section 22 of the principal Act is hereby amended—

30 (a) By inserting in subsection (1) after the words “any bees”, the words “, bee products,”:

(b) By adding to the proviso to subsection (1) the words “, or to introduce bee products or used appliances into New Zealand from any country or place specified in the permit”:

35 (c) By inserting in subsection (5) after the word “bees” in both places where it occurs, the words “, bee products,”.

40 (4) Section 23 (1) of the principal Act is hereby amended by omitting the word “honey” in both places where it occurs, and substituting in each case the words “bee products”.

(5) Section 24A of the principal Act (as inserted by section 2 of the Apiaries Amendment Act 1971) is hereby amended by inserting, after the word "bees" in both places where it occurs, the words ", bee products,".

(6) Section 24B of the principal Act (as inserted by section 3 of the Apiaries Amendment Act 1971) is hereby amended by inserting, after the word "bees" wherever it occurs, the words ", bee products,".

Building Societies

7. Sections to be read with Building Societies Act 1965— 10
This section and the next succeeding section shall be read together with and deemed part of the Building Societies Act 1965* (in that section referred to as the principal Act).

*1965, No. 22

Amendments: 1970, No. 117; 1974, No. 44

8. Security taken from the third party—Section 43 of the principal Act is hereby amended by inserting in the proviso 15 to subsection (1), and also in the proviso to subsection (3), after the words "by an individual", the words "or by the Housing Corporation of New Zealand".

Bush Workers

9. Sections to be read with Bush Workers Act 1945— 20
This section and the next 2 succeeding sections shall be read together with and deemed part of the Bush Workers Act 1945* (in those sections referred to as the principal Act).

*Reprinted 1976, Vol. 3, p. 2365

10. Powers of Inspectors—(1) Section 5 (1) of the principal Act is hereby amended by repealing paragraph (c), and 25 substituting the following paragraph:

"(c) Make such inspections, examinations, tests, and inquiries, and take such samples and photographs, as he thinks necessary to ascertain whether the provisions of this Act have been or are being complied with as regards any bush undertaking or persons working in it; and where any such sample is taken, the Inspector concerned shall, if so requested, deliver part of it to the employer concerned, or to the person appearing to the Inspector 35 to be in charge of the undertaking concerned:".

(2) Section 5 of the principal Act is hereby further amended by adding the following subsection:

“ (4) Except for the purposes of this Act and the exercise of his functions under this Act, or with the consent of the
5 Minister, an Inspector shall not disclose to any person any information that he acquires in the exercise of those functions:

“ Provided that if so requested by a Coroner, an Inspector shall provide him with a written report relating to the cir-
10 cumstances of any fatal accident.”

11. Penalties—(1) The principal Act is hereby further amended by repealing section 16 (as substituted by section 11 of the Bush Workers Amendment Act 1967), and substituting the following section:

15 “ 16. Every person who commits an offence against this Act shall be liable to a fine not exceeding \$2,000 and, if the offence is a continuing one, to a further fine not exceeding \$100 for every day or part of a day during which the offence has continued.”

20 (2) Section 11 of the Bush Workers Amendment Act 1967 is hereby consequentially repealed.

Construction

25 **12. 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).

*Reprinted 1972, Vol. 2, p. 1421

Amendments: 1973, No. 53; 1975, No. 64; 1976, No. 81; 1977, No. 147

13. Construction Safety Engineers and Inspectors—

30 (1) Section 2 of the principal Act is hereby amended by inserting, before the definition of the term “construction work”, the following definition:

“ ‘Construction Safety Inspector’ or ‘Inspector’ means a Construction Safety Inspector appointed under this Act; and, notwithstanding section 5 of this Act, includes, in respect of construction work carried on
35 in or about—

“ (a) Any coal mine, an Inspector of Coal Mines within the meaning of the Coal Mines Act 1925:

“(b) Any mine, an Inspector of Mines within the meaning of the Mining Act 1971:

“(c) Any mining operations within the meaning of the Petroleum Act 1937, an Inspector within the meaning of that Act:” 5

(2) The said section 2 is hereby further amended by repealing the definition of the term “Safety Inspector” (as substituted by section 2 (2) of the Construction Amendment Act 1969).

(3) Section 2 (2) of the Construction Amendment Act 10 1969 is hereby consequentially repealed.

(4) Section 4 of the principal Act is hereby amended by inserting in subsection (1), and also in subsection (2), after the word “Chief”, the word “Construction”.

(5) The said section 4 is hereby further amended by 15 repealing subsection (3), and substituting the following subsections:

“(3) There may also from time to time be appointed as officers of the Department fit persons with suitable engineering experience and qualifications comparable with the standard required for registration under the Engineers Registration Act 1924 to be Construction Safety Engineers. 20

“(4) The Chief Construction Safety Engineer and every Construction Safety Engineer shall have all the powers and functions of a Construction Safety Inspector.” 25

(6) Section 4A of the principal Act (as inserted by section 2 of the Construction Amendment Act 1973) is hereby amended—

(a) By inserting, after the word “Chief” wherever it occurs, the word “Construction”: 30

(b) By omitting from subsection (1) the words “such officer or officers of the Department (possessing suitable engineering experience and qualifications comparable with the standard required for registration under the Engineers Registration Act 1924) as he 35 thinks fit”, and substituting the words “any Construction Safety Engineer”:

(c) By repealing subsection (7).

(7) Section 5 (1) of the principal Act is hereby amended by inserting, after the words “persons to be”, the word “Construction”. 40

(8) Section 5 (4) of the principal Act is hereby amended by omitting the words "Every Inspector", and substituting the words "The Chief Construction Safety Engineer, every Construction Safety Engineer, and every Inspector".

5 (9) Section 5 (5) of the principal Act is hereby amended—

(a) By inserting, before the word "Inspector" where it first occurs, the words "Construction Safety Engineer or";

10 (b) By inserting, before the words "an Inspector", the words "a Construction Safety Engineer or".

14. Powers and duties of Inspectors—(1) Section 7 (1) (d) of the principal Act is hereby amended by omitting the words "examination and inquiry", and substituting the words "examinations, inquiries, and tests, and take such photo-

15 graphs,".

(2) The said section 7 is hereby further amended by repealing subsection (3), and substituting the following subsection:

20 "(3) Except for the purposes of this Act and of the exercise of his functions under this Act, or with the consent of the Minister, an Inspector shall not disclose to any person any information that he acquires in the exercise of those functions:

25 Provided that if so requested by a Coroner, an Inspector shall provide him with a written report relating to the circumstances of any fatal accident."

Domestic Proceedings

15. Sections to be read with Domestic Proceedings Act 1968—This section and the next succeeding section shall be

30 read together with and deemed part of the Domestic Proceedings Act 1968* (in that section referred to as the principal Act).

*1968, No. 62

Amendments: 1970, No. 60; 1971, No. 59; 1972, No. 54; 1974, No. 83; 1975, No. 70; 1976, No. 87

16. Interim maintenance orders—(1) Section 77 (4) of the principal Act (as substituted by section 2 of the Domestic Proceedings Amendment Act 1976) is hereby amended by

35 omitting the figure "3", and substituting the figure "6".

(2) Nothing in subsection (1) of this section shall apply to any order made under section 77 of the Domestic Proceedings Act 1968 before the commencement of this section.

Electrical Supply Authorities Association

17. Sections to be read with Electrical Supply Authorities Association Act 1930—This section and the next succeeding section shall be read together with and deemed part of the Electrical Supply Authorities Act 1930* (in that section referred to as the principal Act). 5

*Reprinted, 1976, Vol. 5

18. Remuneration of President—(1) The principal Act is hereby amended by inserting after section 9, the following section:

“9A. The President may be paid out of the funds of the association an annual allowance, not exceeding such amount as may from time to time be approved by the Minister of Finance, to be fixed from time to time by the Association. The receipt of an allowance under this section shall not constitute a disqualification from election or a cause of forfeiture of office as a member of any Board or Supply Authority.” 10 15

(2) Section 16 of the Statutes Amendment Act 1938 is hereby consequentially repealed.

Electric Power Boards

19. Sections to be read with Electric Power Boards Act 1925—This section and the next succeeding section shall be read together with and deemed part of the Electric Power Boards Act 1925* (in that section referred to as the principal Act). 20

*Reprinted, 1976, Vol. 4, p. 3465

20. Annual allowance to Chairman and Deputy Chairman—(1) The principal Act is hereby amended by repealing section 27 (as amended by section 2 (1) of the Electric Power Boards Amendment Act 1969), and substituting the following section: 25

“27. (1) The Chairman may be paid such annual allowance, not exceeding such amount as may from time to time be approved by the Minister of Finance, out of the funds of the Board as the Board from time to time fixes. 30

“(2) The Deputy Chairman may be paid, in addition to the amount payable to him under section 43 of this Act, such annual allowance, not exceeding 10 percent of the amount paid to the Chairman, out of the funds of the Board as the Board from time to time fixes.” 35

(2) Section 2 of the Electric Power Boards Amendment Act 1969 is hereby consequentially repealed. 40

Factories

21. Sections to be read with Factories Act 1946—This section and the next 2 succeeding sections shall be read together with and deemed part of the Factories Act 1946* (in those sections referred to as the principal Act).

*1946, No. 43

Amendments: 1961, No. 65; 1966, No. 17; 1969, No. 77; 1971, No. 45; 1972, No. 40; 1973, No. 62

22. Powers of Inspectors—(1) Section 5 (1) of the principal Act is hereby amended by omitting paragraph (d), and substituting the following paragraph:

10 “(d) Make such examinations, tests, and inquiries, and take such samples and photographs, as he thinks fit to ascertain whether this Act or any Act relating to public health has been or is being complied with in respect of any factory or the persons employed in any factory.”

15 (2) Section 5 of the principal Act is hereby further amended by inserting, after subsection (2), the following subsection:

20 “(2A) Where in the exercise of his powers under subsection (1) of this section, an Inspector takes a sample from a factory, he shall deliver part of it to the occupier of the factory if the occupier so requests.”

(3) Section 5 of the principal Act is hereby further amended by repealing subsection (3), and substituting the following subsection:

25 “(3) Except for the purposes of this Act and the exercise of his functions under this Act, or with the consent of the Minister, an Inspector shall not disclose to any person any information that he acquires in the exercise of those functions:

30 “Provided that if so requested by a Coroner, an Inspector shall provide him with a written report relating to the circumstances of any fatal accident.”

23. Fines—The principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended—

(a) By omitting from sections 9 (2), 40 (2), 76 (2), 86, 87 (3), and 88 respectively the words “ten dollars”, in each place where they occur, and substituting in each case the expression “\$100”:

- (b) By omitting from sections 18, 51 (1), and 72 (5) respectively the words "four dollars"; in each place where they occur, and substituting in each case the expression "\$100":
- (c) By omitting from sections 34 (5) and 88 respectively the words "two dollars", in each place where they occur, and substituting in each case the expression "\$25": 5
- (d) By omitting from section 35 (2) the words "forty dollars", and substituting the expression "\$100": 10
- (e) By omitting from sections 36 (2), 39 (9), and 40 (1) respectively the words "twenty dollars", in each place where they occur, and substituting in each case the expression "\$100": 10
- (f) By omitting from section 39 (10) the words "one hundred dollars", and substituting the expression "\$500": 15
- (g) By omitting from section 51 (1) the words "twenty dollars", and substituting the expression "\$2,000": 15
- (h) By omitting from section 51 (2) the words "two hundred dollars", and substituting the expression "\$2,000": 20
- (i) By omitting from section 71 (7) the words "four dollars", and substituting the expression "\$200": 20
- (j) By omitting from section 71 (7) the words "one dollar", and substituting the expression "\$15": 25
- (k) By omitting from section 86 the words "fifty dollars", and substituting the expression "\$2,000": 25
- (l) By omitting from section 89 the words "a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months", and substituting the words "a fine not exceeding \$2,000, or to imprisonment for a term not exceeding 3 months, or to both." 30

Government Superannuation Fund

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24. Sections to be read with Government Superannuation Fund Act 1956—This section and the next 2 succeeding sections shall be read together with and deemed part of the Government Superannuation Fund Act 1956* (in those sections referred to as the principal Act). 40

*Reprinted 1975, Vol. 4, p. 3263
Amendments: 1976, No. 30; 1977, No. 153

25. Staff of New Zealand High Commission Office, London—(1) Section 22B of the principal Act (as inserted by section 3 of the Government Superannuation Fund Amendment Act 1967) is hereby amended by adding the following subsections:

5 “(6) Any person who is a contributor subject to the provisions of this section may at any time elect to contribute to the Fund on the basis of 60 percent of his standard rate of contribution.

10 “(7) Every election made pursuant to subsection (6) of this section shall take effect on the date as at which the person becomes a contributor if it is made at the time when he elects to become a contributor, and in any other case shall take effect upon such date as the Board in its discretion

15 approves.”
(2) Section 30 of the principal Act (as substituted by section 6 of the Government Superannuation Fund Amendment Act 1976) is hereby consequentially amended:

20 (a) By inserting in subsection (1) after the expression “this section” the expression “and subsection (6) of section 22B of this Act”:

(b) By inserting in subsection (3), and also in subsections (5), and (6), after the words any “previous section”, the words “or under the provisions of subsection (6) of section 22B of this Act”:

25 (c) By inserting in subsection (4), after the words “this section”, the words “or to subsection (6) of section 22B of this Act.”

(3) This section shall be deemed to have come into force
30 on the 1st day of March 1978.

26. Flying Qualification Pay and Surveying Pay—The principal Act is hereby amended by inserting, after section 66A (as inserted by section 3 of the Government Superannuation Fund Amendment Act 1972); the following section:

35 “66B. Notwithstanding the abolition on the 11th day of October 1977 of Flying Qualification Pay and Surveying Pay (as previously payable under determinations made by the Secretary of Defence pursuant to the State Services Remuneration and Conditions of Employment Act 1969),
40 every contributing member who was contributing to the Fund in respect of Flying Qualification Pay or Surveying

Pay on the 10th day of October 1977 may, by giving notice in writing to the Superintendent of the Fund before the 31st day of December 1979, elect to continue to contribute to the Fund so long as he remains a contributing member as if the amount of such Flying Qualification Pay or Surveying Pay, at the rate applicable on the 10th day of October 1977, had continued to be paid to him as salary.” 5

Health

27. 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). 10

*Reprinted 1972, Vol. 2, p. 1449
Amendments: 1973, No. 111; 1975, No. 78; 1976, No. 91

28. Noise to constitute nuisance for purposes of principal Act—Section 29 of the principal Act is hereby amended by inserting, after paragraph (k), the following paragraph: 15
“(ka) Where any noise or vibration occurs in or is emitted from any building, premises, or land to a degree that is offensive or is likely to be injurious to health:”.

Hospitals

29. Sections to be read with Hospitals Act 1957—This section and the next succeeding section shall be read together with and deemed part of the Hospitals Act 1957* (in that section referred to as the principal Act). 20

*Reprinted 1970, Vol. 3, p. 1865
Amendments: 1971, No. 31; 1971, No. 49; 1972, No. 68; 1973, No. 43; 1975, No. 5; 1975, No. 79; 1976, No. 54; 1977, No. 116; 1977, No. 154

30. Remuneration of members of Board for attending meetings—(1) The principal Act is hereby amended by repealing section 95A (as inserted by section 3 of the Hospitals Amendment Act (No. 2) 1975), and substituting the following section: 25

“95A. (1) Subject to subsection (2) of this section, a Board may pay to each member of the Board (other than the Chairman)— 30

“(a) In respect of every day on which he attends a meeting of the Board, or of a committee of the Board, as a member an amount; and

5 “(b) In respect of a meeting of a committee of the Board where that member has been appointed to act as Chairman, a further amount—

not exceeding the amount for the time being specified in that behalf by the Minister, with the concurrence of the Minister of Finance, by notice in the *Gazette*; and different amounts
10 may be specified for members of different classes of Hospital Board.

“(2) No member of a Board shall be paid under subsection (1) (a) of this section in respect of more than 80 days of any financial year.

15 “(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 (including the Chairman of the committee) who is a member,
20 but not Chairman, of a Board.

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

“(a) A committee appointed under section 44 of this Act:
25 “(b) A joint committee appointed under section 59 (6) of this Act.”

(2) Every payment made by any Board to a member of that Board is hereby deemed to have been as valid and as lawfully made as if—

30 (a) This Act had come into force on the 8th day of October 1977; and

(b) There had been specified by notice in the *Gazette* under section 95A of the principal Act (as substituted by subsection (1) of this section) the following amounts:

35 (i) For Boards the populations of whose districts do not exceed 50 000, \$9 per member per day:

(ii) For Boards the populations of whose districts exceed 50 000 but do not exceed 300 000, \$14 per member per day:

40 (iii) For Boards the populations of whose districts exceed 300 000, \$17 per member per day:

- (iv) For members acting as Chairman of a committee of a Board, a further \$3 per meeting.
- (3) The Hospitals Amendment Act (No. 2) 1975 is hereby consequentially repealed.

Inland Revenue Department

5

31. Sections to be read with Inland Revenue Department Act 1974—This section and the next succeeding section shall be read together with and deemed part of the Inland Revenue Department Act 1974* (in that section referred to as the principal Act).

10

*1974, No. 133
Amendment: 1976, No. 20

32. Chief Deputy Commissioner of Inland Revenue—
(1) The principal Act is hereby amended by repealing—

(a) The definition of the term “Chief Deputy Commissioner of Inland Revenue” in section 2; and

(b) Sections 5 and 6 (4) of the principal Act.

15

(2) Section 6 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsection:

“(3) On the occurrence from any cause of a vacancy in the office of Commissioner (whether by reason of death, resignation, or otherwise), and in any case where the Commissioner is incapacitated by illness, absence, or other sufficient cause from performing the duties of his office, and so long as any such vacancy or incapacity continues, a Deputy Commissioner shall have and may exercise or perform all the powers, duties, and functions of the Commissioner.”

25

(3) Section 6 of the principal Act is hereby further amended by adding the following subsections:

“(7) The person who, immediately before the commencement of this Act held office as the Chief Deputy Commissioner of Inland Revenue shall be deemed to have been appointed as a Deputy Commissioner of Inland Revenue pursuant to subsection (1) of this section.

30

“(8) All references in any enactment, regulation, rule, order, deed, agreement, instrument, notice, or other document whatsoever to the Chief Deputy Commissioner of Inland Revenue shall, unless the context otherwise requires, be deemed to be references to a Deputy Commissioner of Inland Revenue.”

40

(4) Section 7 (3) of the principal Act is hereby consequentially amended by omitting the words “or of the Chief Deputy Commissioner”.

5 (5) Section 13 (1) (b) of the principal Act is hereby consequentially amended by omitting the words “or the Chief Deputy Commissioner”.

Insolvency

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

*1967, No. 54
Amendments: 1972, No. 71; 1976, No. 94

34. Priorities—(1) Section 104 (1) (d) (i) of the principal Act is hereby amended by omitting from the proviso the words “four hundred dollars”, and substituting the words
15 “\$1,500, or such greater amount as is from time to time prescribed by the Governor-General by Order in Council,”.

(2) Subsection (1) of this section shall not apply in respect of any case where a person has been adjudged bankrupt, or there has been an order or election to administer an estate
20 under Part XVII of the principal Act, before the commencement of this Act.

(3) Where a greater amount is prescribed by an Order in Council for the purposes of the proviso to section 104 (1) (d) (i) of the principal Act (as amended by subsection (1) of this
25 section), the greater amount shall not apply in respect of any case where a person has been adjudged bankrupt, or there has been an order or election to administer an estate under Part XVII of the principal Act, before the commencement of the Order.

30 *Invercargill Licensing Trust*

35. Sections to be read with Invercargill Licensing Trust Act 1950—This section and the next 2 succeeding sections shall be read together with and deemed part of the Invercargill Licensing Trust Act 1950* (in those sections referred
35 to as the principal Act).

*Reprinted 1969, Vol. 3, p. 1559
1971, No. 103; 1974, No. 90

36. Remuneration of members increased—(1) Section 9A of the principal Act (as inserted by section 21 of the Licensing Trusts Amendment Act 1962 and amended by section 2 (3) of the Invercargill Licensing Trusts Amendment Act 1971) is hereby amended— 5

(a) By omitting the words “a rate fixed by the Trust not exceeding \$5”, and substituting the words “a rate fixed by the Trust not exceeding \$10”:

(b) By omitting from the proviso the expression “\$260”, and substituting the expression “\$520”. 10

(2) Subsections (3) and (4) of section 2 of the Invercargill Licensing Trusts Amendment Act 1971 are hereby consequentially repealed.

37. Theatre premises—(1) The principal Act is hereby amended by inserting, after section 29c (as inserted by section 13 (1) of the Licensing Trusts Amendment Act 1977), the following section: 15

“29d. (1) For the purposes of this section ‘theatre premises means premises (other than premises in which accommodation is provided, or a restaurant, or a cabaret, or catering premises) that are regularly used for entertainments of the kind in which all the performers whose words or actions constitute the entertainment are physically present and actually perform the entertainment. 20

“(2) The Trust may, in any theatre premises established (whether by the Trust or by any other person) within the Trust District, sell and dispose of liquor for consumption on the theatre premises at any time during the period commencing 2 hours before the start of the first performance on any day (except Good Friday) and ending one hour after the completion of the last performance commencing on that day: 25 30

“Provided that the Trust shall not sell or dispose of liquor in the theatre premises at any time between the hours of 1 o’clock in the morning of any day and 12 noon on that day. 35

“(3) Notwithstanding anything in subsection (2) of this section, any liquor served in any theatre premises before 1 o’clock in the morning of any day may be consumed in the premises by the person to whom it was served at any time before 1.30 o’clock in the morning of that day. 40

“(4) The Trust shall not sell or dispose of liquor in any theatre premises pursuant to this section unless the premises and the services and facilities provided therein are of a standard for the time being approved by the Commission, which
5 may give its approval on and subject to such terms and conditions as it thinks fit.”

(2) Section 33 of the principal Act (as substituted by section 22 of the Licensing Trusts Amendment Act 1962) is hereby amended by inserting in subsection (4) (as amended
10 by section 13 (2) of the Licensing Trusts Amendment Act 1977), after the words “section 29c of this Act”, the words “or of any theatre premises of a standard approved by the Commission under section 29d of this Act”.

(3) Section 35 of the principal Act is hereby amended by
15 inserting in subsection (7) (as substituted by section 23 of the Licensing Trusts Amendment Act 1962 and amended by section 18 (2) of the Licensing Trusts Amendment Act 1974 and section 13 (3) of the Licensing Trusts Amendment Act 1977), after the words “catering premises,”, the words
20 “theatre premises.”

(4) Section 35A of the principal Act (as inserted by section 24 (1) of the Licensing Trusts Amendment Act 1962 and amended by section 18 (3) of the Licensing Trusts Amendment Act 1974 and section 13 (4) of the Licensing Trusts
25 Amendment Act 1977) is hereby amended by inserting in paragraph (d) of subsection (2), after the words “or section 28c of the Licensing Trusts Act 1949”, the words “or section 29d of this Act”.

(5) The said section 35A is hereby further amended by
30 inserting in subsection (2), after paragraph (db) (as inserted by section 13 (5) of the Licensing Trusts Amendment Act 1977), the following paragraph:

“(dc) Premises established and maintained pursuant to
35 section 29d of this Act shall be deemed to be premises in respect of which a theatre licence is in force.”

(6) The said section 35A is hereby further amended by adding to subsection (2) (as amended by section 13 (6) of the Licensing Trusts Amendment Act 1977) the following
40 paragraph:

“(j) In respect of any premises to which paragraph (dc) of this subsection applies, the Trust shall be deemed to be the holder of a theatre licence, and the person for the time being charged with

the management of the premises shall be deemed to be a manager duly appointed under the Sale of Liquor Act 1962.”

Joint Council for Local Authorities Services

38. Sections to be read with Joint Council for Local Authorities Services Act 1977—This section and the next succeeding section shall be read together with and deemed part of the Joint Council for Local Authorities Services Act 1977* (in that section referred to as the principal Act). 5

*1977, No. 127

39. Overdrafts—The principal Act is hereby amended by inserting, after section 20, the following section: 10

“20A. (1) The Joint Council may from time to time, in anticipation of its receipts from any levy imposed under section 20 of this Act, borrow money from a bank by way of overdraft. 15

“(2) Notwithstanding subsection (1) of this section, the Joint Council shall not—

“(a) In its first financial year, borrow money under this section exceeding an amount approved by the Minister; or 20

“(b) In any subsequent financial year, borrow money under this section to such an extent that there is at any time owing by the Joint Council to the bank any sum or sums exceeding in the aggregate 75 percent of the Joint Council’s receipts from the levy for the preceding financial year. 25

“(3) As long as the money borrowed under this section does not exceed the limit specified in subsection (2) of this section, the bank shall not be liable in any manner in respect of any failure of the Joint Council to comply with this section; and nothing in this section shall affect the right of the bank to be repaid, out of the assets of the Joint Council, any money advanced by the bank not exceeding that limit. 30

“(4) The Joint Council shall in each financial year, before applying any part of its receipts from the levy in that year to any other purpose, first apply those receipts towards the repayment of all money for the time being owing under this section. 35

“(5) For the purposes of this section, the amount of any cheque drawn on a bank account of the Joint Council but not presented shall be deemed to be money owing to the bank.”

5

Judicature

40. Sections to be read with Judicature Act 1908—This section and the next 3 succeeding sections shall be read together with and deemed part of the Judicature Act 1908* (in those sections referred to as the principal Act).

*1957, Reprint, Vol. 6, p. 699

Amendments: 1958, No. 40; 1960, No. 109; 1961, No. 11; 1963, No. 133; 1965, No. 62; 1966, No. 67; 1968, No. 18; 1968, No. 59; 1969, No. 86; 1970, No. 72; 1972, No. 130; 1973, No. 8; 1973, No. 69; 1974, No. 57; 1976, No. 134; 1977, No. 32

10 41. Number of Judges of Supreme Court increased—

(1) Section 4 of the principal Act (as inserted by section 4 (1) of the Judicature Amendment Act 1957 and amended by section 2 (1) of the Judicature Amendment Act 1977) is hereby amended by omitting from subsection (1) the
15 expression “22”, and substituting the expression “25”.

(2) Section 2 of the Judicature Amendment Act 1977 is hereby consequentially repealed.

20 42. Salaries and allowances of Judges—(1) There shall be paid to the Judges of the Court of Appeal and to the Judges of the Supreme Court out of the Consolidated Account, without further appropriation than this section,—

(a) Salaries at such rates as the Governor-General, by Order in Council from time to time determines; and

25 (b) Such allowances as are from time to time prescribed by the Governor-General by Order in Council; and

(c) Such additional allowances, being travelling allowances or other incidental or minor allowances, as may be fixed from time to time by the Governor-
30 General.

(2) No Order in Council shall be made under this section except on the recommendation of the Minister of Justice made after consultation by him with the Chief Justice.

35 (3) Any Order in Council made under paragraph (a) or paragraph (b) of subsection (1) of this section, and any determination made under paragraph (c) of that subsection and any provision of any such order or determination, may

be made so as to come into force on a date to be specified in that behalf in the order or determination, being the date of the making of the order or determination or any other date, whether before or after the date of the making of the order or determination or the date of the commencement of this section. 5

(4) Every such Order in Council or determination, and every provision of any such order or determination, in respect of which no date is specified as aforesaid shall come into force on the date of the making of the order or determination. 10

(5) Every Order in Council made under subsection (1) of this section shall be deemed to be a regulation for the purposes of the Regulations Act 1936.

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

(a) Section 3 of the Judicature Amendment Act 1970:

(b) Section 17 (2) of the Judicature Amendment Act 1972:

(c) Section 8 of the Judicature Amendment Act 1974.

43. Poundage abolished—(1) The principal Act is hereby amended by repealing sections 37 to 39. 20

(2) Section 42 of the principal Act is hereby amended by omitting the words “and all poundage levied as aforesaid”.

Land Drainage

44. Sections to be read with Land Drainage Act 1908—This section and the next 2 succeeding sections shall be read together with and deemed part of the Land Drainage Act 1908* (in those sections referred to as the principal Act). 25

*1957 Reprint, Vol. 7, p. 471

Amendments: 1958, No. 73; 1964, No. 95; 1965, No. 90; 1967, No. 87; 1968, No. 88; 1971, No. 106; 1972, No. 74; 1974, No. 93; 1975, No. 83; 1976, No. 97

45. Annual allowance to Chairman and Deputy Chairman—(1) The principal Act is hereby amended by repealing section 11A (as inserted by section 16 of the Statutes Amendment Act 1950), and substituting the following section. 30

“11A. (1) The Chairman may be paid such annual allowance, not exceeding \$800, out of the funds of the Board as the Board from time to time fixes, but no alteration in the amount of that allowance shall take effect during the term of office of any Chairman. 35

“(2) For the purposes of subsection (1) of this section, a person reappointed as Chairman shall be deemed to be a new Chairman.

5 “(3) The Deputy Chairman may be paid, in addition to the amount payable to him under section 13B of this Act, such annual allowance, not exceeding 10 percent of the amount paid to the Chairman, out of the funds of the Board as the Board from time to time fixes.”

10 (2) Notwithstanding anything in section 11A of the principal Act (as substituted by subsection (1) of this section), the allowance of the Chairman of any Board who is in office at the commencement of this Act may, by resolution of the Board passed within 6 months after that date, be increased once during his term of office.

15 (3) The following enactments are hereby consequentially repealed:

- (a) Section 16 of the Statutes Amendment Act 1950:
- (b) The Land Drainage Amendment Act 1975.

20 **46. Remuneration of members**—(1) The principal Act is hereby amended by repealing section 13B (as inserted by section 3 of the Land Drainage Amendment Act 1968), and substituting the following section:

25 “13B. The Board may, out of the funds of the Board, pay to each member of the Board other than the Chairman remuneration at such rate (not exceeding \$9) per meeting of the Board, or committee thereof, attended by him as the Board from time to time fixes:

“Provided that no such member shall so be paid in respect of more than 35 such meetings in any financial year.”

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

- (a) The Land Drainage Amendment Act 1968:
- (b) The Land Drainage Amendment Act 1971.

Licensing Trusts

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

*Reprinted 1969, Volume 3, p. 2285
 Amendments: 1970, No. 76; 1971, No. 107; 1974, No. 12; 1974, No. 95; 1975, No. 139; 1976, No. 167; 1977, No. 90

48. Remuneration of members increased—(1) Section 8A of the principal Act (as inserted by section 3 of the Licensing Trusts Amendment Act 1962 and amended by section 2 (3) of the Licensing Trusts Amendment Act 1971) is hereby amended— 5

(a) By omitting the words “a rate fixed by the Trust not exceeding \$5”, and substituting the words “a rate fixed by the Trust not exceeding “\$10”:

(b) By omitting from the proviso the expression “\$260”, and substituting the expression “\$520”. 10

(2) Subsections (3) and (4) of section 2 of the Licensing Trusts Amendment Act 1971 are hereby consequentially repealed.

Machinery

49. Sections to be read with Machinery Act 1950— 15
This section and the next 2 succeeding sections shall be read together with and deemed part of the Machinery Act 1950* (in those sections referred to as the principal Act).

*Reprinted 1972, Vol. 3, p. 2543

Amendments: 1974, No. 100; 1976, No. 37; 1977, No. 185

50. Powers of Inspectors—(1) Section 6 (1) of the principal Act is hereby amended by repealing paragraph (d), 20
and substituting the following paragraph:

“(d) Make such inspections, examinations, tests, and inquiries, and take such samples and photographs, as he thinks necessary to ascertain whether the provisions of this Act have been or are being complied with as regards any machinery or the persons working with it or in its vicinity; and where any such sample is taken, the Inspector concerned shall, if so requested, deliver part of it to the owner of, or the person appearing to the Inspector to be in charge of, the machinery concerned.” 25 30

(2) Section 6 of the principal Act is hereby further amended by adding the following subsection:

“(3) Except for the purposes of this Act and the exercise of his functions under this Act, or with the consent of the Minister, an Inspector shall not disclose to any person any information that he acquires in the exercise of those functions: 35

“Provided that if so requested by a Coroner, an Inspector shall provide him with a written report relating to the circumstances of any fatal accident. 40

(3) Section 7 of the principal Act is hereby consequentially repealed.

51. Penalties—(1) The principal Act is hereby further amended by repealing section 29 (as substituted by section 7 (1) of the Machinery Amendment Act 1969, and amended by section 2 (2) of the Machinery Amendment Act 1971), and substituting the following section:

“29. (1) Every person who commits an offence against this Act shall be liable on summary conviction—

10 “(a) In the case of an offence against section 11 of this Act, to imprisonment for a term not exceeding 6 months:

“(b) In the case of an offence against section 18 of this Act, to a fine not exceeding \$1,000:

15 “(c) In the case of an offence against section 31 (3) of this Act, to a fine not exceeding \$100 for every day on which the default continues:

“(d) In the case of an offence against section 32 of this Act, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months:

20 “(e) In the case of an offence against a provision of this Act not specified in paragraphs (a) to (d) of this subsection, or against any regulation made under this Act for which no specific penalty is elsewhere provided, to a fine not exceeding \$2,000 and, if the offence is a continuing one, to a further fine not exceeding \$100 for every day or part of a day during which the offence has continued.

25 (2) A fine imposed in respect of an offence against section 31 (3) of this Act shall be irrespective of any fine to which the defendant is liable in respect of the original offence concerned.

30 (3) Section 11 of the principal Act is hereby consequentially amended by omitting the words “and shall be liable on summary conviction to imprisonment for a term not exceeding 6 months”.

35 (4) Section 18 of the principal Act (as substituted by section 3 of the Machinery Amendment Act 1961) is hereby consequentially amended by omitting the words “, and shall be liable on summary conviction to a fine not exceeding \$250,” (as inserted by section 3 (1) of the Machinery Amendment Act 1963).

(5) Section 31 (3) of the principal Act is hereby consequentially amended by omitting the words “and shall be liable to a fine not exceeding \$10 for every day during which the default continues”.

(6) Section 32 of the principal Act is hereby consequentially amended by omitting the words “and shall be liable to a fine not exceeding \$200, or to imprisonment for a term not exceeding 3 months,”.

(7) Section 39 (1) (k) of the principal Act is hereby consequentially amended by omitting the expression “\$500” (as substituted by section 3 of the Machinery Amendment Act 1971) and the expression “\$20”, and substituting, respectively, the expressions “\$2,000” and “\$100”.

(8) The following enactments are hereby consequentially repealed:

(a) Section 3 of the Machinery Amendment Act 1963:

(b) The Machinery Amendment Act 1971.

Magistrates' Courts

52. 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).

*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; 1975, No. 87; 1977, No. 160

53. Salaries and allowances of Magistrates—(1) The principal Act is hereby amended by repealing section 6 (as substituted by section 3 (1) of the Magistrates' Courts Amendment Act 1970), and substituting the following section:

“6. (1) There shall be paid to every Magistrate out of the Consolidated Account, without further appropriation than this section,—

“(a) A salary at such rate as the Governor-General, by Order in Council, from time to time determines; and

“(b) Such allowances as are from time to time prescribed by the Governor-General by Order in Council; and

“(c) Such additional allowances, being travelling allowances or incidental or minor allowances, as may be fixed from time to time by the Governor-General.

“(2) The salary of a Magistrate shall not be diminished by an Order in Council under this section during the continuance of his appointment.

5 “(3) Any Order in Council made under paragraph (a) or paragraph (b) of subsection (1) of this section and any determination made under paragraph (c) of that subsection, and any provision of any such order or determination, may be
10 made so as to come into force on a date to be specified in that behalf in the order or determination, being the date of the making of the order or determination or any other date, whether before or after the date of the making of the order or determination or the date of the commencement of this section.

15 “(4) Every such Order in Council or determination, and every provision of any such order or determination, in respect of which no date is specified as aforesaid shall come into force on the date of the making of the order or determination.

20 “(5) Every Order in Council made under subsection (1) of this section shall be deemed to be a regulation for the purposes of the Regulations Act 1936.”

(2) The Magistrates' Courts Amendment Act 1970 is hereby consequentially repealed.

(3) The Magistrates' Travelling Allowances Regulations 1952 are hereby revoked.

25 (4) Notwithstanding anything in the foregoing provisions of this section, the travelling and other allowances payable to every Magistrate in accordance with the Magistrates' Travelling Allowances Regulations 1952 shall continue to be paid
30 in accordance with those regulations (as in force immediately before the passing of this Act) until those allowances are replaced by allowances prescribed or fixed under section 6 of the principal Act (as substituted by subsection (1) of this section).

Margarine

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

*1957 Reprint, Vol. 9, p. 275
Amendments: 1964, No. 100; 1972, No. 127

55. **Illegal acts**—(1) The principal Act is hereby amended by repealing section 4 (as amended by section 2 (2) of the Margarine Amendment Act 1964 and section 4 of the Margarine Amendment Act 1972), and substituting the following section: 5

“4. (1) No person shall—

“(a) Mix, colour, stain, or powder, margarine (other than polyunsaturated margarine) with any other ingredient or material so as to imitate butter; or

“(b) Manufacture, sell, or offer for sale, as butter any margarine or other substance containing, or with which there is mixed, any animal fats, animal or vegetable oils, or extraneous butterfat or oil: 10

“(c) Export, or attempt to export, margarine unless it is distinctly shipped and invoiced as margarine. 15

“(2) Except with the consent of the Minister of Agriculture and Fisheries, no person shall mix margarine (other than polyunsaturated margarine) with butter, butterfat, or milk.

“(3) Nothing in this section or in any regulations made under section 10 of this Act shall make it unlawful to include milk fat in polyunsaturated margarine.” 20

(2) The following enactments are hereby consequentially repealed:

(a) The Margarine Amendment Act 1964:

(b) Section 4 of the Margarine Amendment Act 1972. 25

Marriage

56. **Sections to be read with Marriage Act 1955**—This section and the next succeeding section shall be read together with and deemed part of the Marriage Act 1955* (in that section referred to as the principal Act). 30

*1957 Reprint, Vol. 9, p. 365

Amendments: 1959, No. 11; 1966, No. 70; 1970, No. 84; 1976, No. 8

57. **Place and form of marriage before marriage celebrant**—Section 31 (3) of the principal Act (as substituted by section 6 of the Marriage Amendment Act 1976) is hereby amended by omitting the words “I call on the people present here to witness that”. 35

Masterton Licensing Trust

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

*Reprinted 1969, Volume 4, p. 2399
 Amendments: 1971, No. 110; 1974, No. 102

59. Remuneration of members increased—(1) Section 9A of the principal Act (as inserted by section 12 of the Licensing Trusts Amendment Act 1962 and amended by section
 10 2 (3) of the Masterton Licensing Trust Amendment Act 1971) is hereby amended—

(a) By omitting the words “a rate fixed by the Trust not exceeding \$5”, and substituting the words “a rate fixed by the Trust not exceeding \$10”:

15 (b) By omitting from the proviso the expression “\$260”, and substituting the expression “\$520”.

(2) Subsections (3) and (4) of section 2 of the Masterton Licensing Trust Amendment Act 1971 are hereby consequentially repealed.

20 *Meat*

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

*1964, No. 71
 Amendments: 1966, No. 73; 1968, No. 38; 1972, No. 37; 1973, No. 72; 1974, No. 103; 1975, No. 10; 1975, No. 119; 1976, No. 22; 1976, No. 100

25 61. Powers of Meat Industry Authority—(1) Section 5L (2) of the principal Act (as inserted by section 3 of the Meat Amendment Act 1976) is hereby amended by inserting, after the word “renew”, the word “transfer”.

30 (2) Section 40 of the principal Act (as substituted by section 34 (1) of the Meat Amendment Act 1976) is hereby amended—

(a) By inserting in the heading, after the word “grant”, the word “, transfer,”:

(b) By inserting in subsection (3), after the word “renewed”, the words “or transferred”.

(3) Section 62 of the principal Act is hereby amended by repealing subsection (2) (as amended by section 46 of the Meat Amendment Act 1976), and substituting the following subsections: 5

“(2) It shall not be lawful to export from New Zealand any meat derived from stock slaughtered in an abattoir unless the licensee of the abattoir has approval from the Authority to slaughter stock at that abattoir to provide meat intended for export, subject to such terms and conditions as the Authority may approve. 10

“(2A) Any approval given by the Authority under subsection (2) of this section shall be subject to such terms and conditions as the Director-General may specify.” 15

(4) Section 62 (3) of the principal Act is hereby consequentially amended by omitting the words “Director-General” (as substituted by section 46 (b) of the Meat Amendment Act 1976), and substituting the word “Authority”. 20

(5) Any approval given by the Director-General pursuant to section 62 (2) of the principal Act (before the commencement of subsection (3) of this section) shall be deemed to have been given by the Authority pursuant to the said section 62 (2) (as substituted by subsection (3) of this section). 25

(6) Section 46 (a) of the Meat Amendment Act 1976 is hereby consequentially repealed.

62. Appeals against decision of Authority—(1) Section 78A of the principal Act (as inserted by section 53 of the Meat Amendment Act 1976) is hereby amended by repealing subsection (1), and substituting the following subsections: 30

“(1) In every case where the Authority—

“(a) Gives or refuses to give an undertaking to issue an export slaughterhouse licence, an abattoir licence, a packing house licence, or a cannery licence; or 35

- “(b) Grants or refuses to grant a rural slaughterhouse licence, a custom-killing premises licence, or an itinerant slaughterman’s licence; or
- 5 “(c) Refuses to grant an application for the renewal or transfer of a licence; or
- “(d) Cancels any licence; or
- “(e) Gives directions or attaches conditions to a licence which appear to unduly restrict the business of the licensee; or
- 10 “(f) Imposes requirements or fixes maximum numbers by notice given under section 35 (1), section 36 (1), or section 57 (1) of this Act; or
- “(g) Determines a dispute referred to it under section 58 of this Act; or
- 15 “(h) Refuses to give approval for an abattoir to slaughter stock to provide meat intended for export under section 62 (2) of this Act—

there shall be a right of appeal to the Supreme Court.

“(1A) The following persons and no others may exercise
20 the right of appeal:

- “(a) The person in respect of whose notice seeking an undertaking to grant a licence, or whose application for a licence, the decision of the Authority was given:
- 25 “(b) The holder of the licence in respect of which the decision of the Authority was given:
- “(c) The holder of a licence already granted by the Authority who, prior to the decision being given, has made written representations to the Authority, or has appeared and been heard at a hearing on
30 the matter.”

(2) Section 78A (3) of the principal Act is hereby consequentially amended by omitting the words “appellant was notified of the decision appealed against”, and substituting
35 the words “decision appealed against was given”.

(3) Section 78c (3) of the principal Act (as inserted by section 53 of the Meat Amendment Act 1976) is hereby consequentially amended by inserting, after the word “licence”, the words “or undertaking to issue a licence”.

Meat Export Control

63. Sections to be read with Meat Export Control Act 1921-22—This section and the next 2 succeeding sections shall be read together with and deemed part of the Meat Export Control Act 1921-22* (in those sections referred to as the principal Act). 5

*1957, Reprint, Vol. 9, p. 489

Amendments: 1959, No. 52; 1960, No. 71; 1962, No. 85; 1965, No. 33; 1966, No. 47; 1968, No. 92; 1969, No. 95; 1970, No. 146; 1971, No. 37; S.R. 1974/123

64. Particular powers of Board—Section 14 of the principal Act is hereby amended by repealing subsection (6) (as added by section 40 of the Finance Act 1954), and substituting the following subsection: 10

“(6) With the approval of the Minister of Agriculture, and subject to such conditions as he may impose, the Board may advance money or give credit to, or give guarantees or indemnities or securities in respect of the payment of money or the performance of contracts or obligations by, any person who carries on any business in New Zealand or elsewhere connected with the killing, processing, export, or sale of New Zealand meat.” 15

65. New sections inserted—(1) The principal Act is hereby further amended by inserting, after section 15, the following sections: 20

“**15A. Board may subsidise superannuation scheme for staff**—The Board may, out of its funds, subsidise any fund or scheme established, with the approval of the Governor-General in Council, for the purpose of providing superannuation or retiring allowances for the members of its staff. 25

“**15B. Board may establish accounts with Reserve Bank**—(1) For the purposes of encouraging the development of the meat industry in New Zealand, the Minister of Agriculture after consultation with the Minister of Finance may, from time to time, authorise the Board to make payments in respect of the meat industry from any account established under subsection (2) of this section. 30

“(2) The Board may establish such accounts with the Reserve Bank of New Zealand as may be necessary for the purposes of subsection (1) of this section on such terms and conditions as the Minister of Finance may in writing approve, 35

and the Reserve Bank shall grant the Board and the Board shall receive from the Reserve Bank, accommodation by way of overdraft in aid of any such account, and that account may be overdrawn accordingly.

- 5 “(3) Money drawn from any such account may be paid into any account established under section 15 of this Act and, notwithstanding the provisions of that section, applied for the purposes of this section.”

(3) The following enactments are hereby consequentially
10 repealed:

- (a) Section 37 of the Finance Act (No. 2) 1935:
- (b) Section 40 of the Finance Act 1954:
- (c) The Meat Export Control Amendment Act 1968.
- (4) Section 31 of the Statutes Amendment Act 1948 is

15 hereby repealed.

(5) Section 15B of the principal Act (as inserted by subsection (1) of this section) shall be deemed to have come into force on the 1st day of October 1978.

Medical and Dental Auxiliaries

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

*1966, No. 42

Amendments: 1968, No. 93; 1969, No. 96; 1972, No. 81; 1974, No. 104

- 25 **67. Regulations**—Section 40 (1) of the principal Act is hereby amended by repealing paragraph (u), and substituting the following paragraph:

30 “(u) Limiting the application of section 32 of this Act in relation to any particular registrable occupation, and exempting, or providing for the exemption by a Board subject to such conditions as it thinks fit, of any specified person or specified class of persons from all or any of the provisions of this Act or of any regulations made under this Act:”.

35 *Medical Practitioners*

- 68. Sections to be read with Medical Practitioners Act 1968**—This section and the next succeeding section shall

be read together with and deemed part of the Medical Practitioners Act 1968* (in that section referred to as the principal Act).

*1968, No. 46

Amendments: 1970, No. 142; 1972, No. 82; 1973, No. 74; 1977, No. 118; 1977, No. 163

69. Divisional Disciplinary Committees—(1) Section 41 of the principal Act is hereby amended by omitting from subsection (1) the word “appoint”, and substituting the words “resolve that there shall be”.

(2) The said section 41 is hereby further amended by repealing subsection (2), and substituting the following subsections:

“(2) In the case of the Auckland, Wellington, Canterbury, and Otago Divisions, or of any group that includes any of those Divisions, the Divisional Disciplinary Committee shall consist of—

“(a) Six registered medical practitioners who shall be appointed by the Council of the Association; and

“(b) One person, not being a medical practitioner, who shall be appointed by the Minister;—

and 4 of those members shall form a quorum.

“(2A) In every case other than those provided for by subsection (2) of this section, the Divisional Disciplinary Committee shall consist of—

“(a) Three registered medical practitioners who shall be appointed by the Council of the Association; and

“(b) One person, not being a medical practitioner, who shall be appointed by the Minister—

and 2 of those members shall form a quorum.”

(3) The said section 41 is hereby further amended—

(a) By inserting in subsection (4), after the words “Divisional Disciplinary Committee”, the words “appointed by the Council”:

(b) By adding to that subsection the words “appointed by it”.

Mutual Insurance

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

*1957 Reprint, Vol. 10, p. 615

Amendments: 1963, No. 103; 1964, No. 14; 1968, No. 96; 1971, No. 113; 1977, No. 74

71. **Premium note**—Section 18 (1) of the principal Act is hereby amended by inserting, after the words “insurance cover”, the words “(other than provisional insurance cover for a term not exceeding 2 months)”.

5 72. **Transfer of insurance cover granted by a subsidiary**—
The principal Act is hereby amended by inserting, after section 18, the following section:

“18A. (1) For the purposes of this section, a subsidiary of an association is a company that is a subsidiary of that
10 association for the purpose of section 158 of the Companies Act 1955.

“(2) Where an insured under any insurance cover granted by a subsidiary of an association wishes to renew that cover in the name of the association as insurer, the association shall
15 be deemed to hold the signed premium note required by section 18 of this Act if (before or after the commencement of this section) the insured—

“(a) Has agreed to become a member of the association;
and

20 “(b) Has been given written notice—

“(i) Setting out the terms of the premium note which, but for this section, the association would have had to obtain from the insured before renewing the insurance cover in the name of the association as insurer, and

25 “(ii) Stating that, if the insured renews the insurance cover in the name of the association as insurer, the association will be deemed to hold a premium note in those terms signed by him.”

30 *National Art Gallery, Museum, and War Memorial*

73. **Sections to be read with National Art Gallery, Museum, and War Memorial Act 1972**—This section and the next succeeding section shall be read together with and deemed part of the National Art Gallery, Museum, and War
35 Memorial Act 1972* (in that section referred to as the principal Act).

74. Officers of Board—(1) Section 25 (1) of the principal Act is hereby amended by omitting from the proviso the words “on the recommendation of”, and substituting the words “after consultation with”.

(2) Section 25 of the principal Act is hereby further amended by adding the following subsection: 5

“(3) Notwithstanding the foregoing provisions of this section, the person holding office as the Director of the National Art Gallery may be appointed by the Board under contract for a term not exceeding 5 years, and may from time to time be reappointed.” 10

New Zealand Society of Accountants

75. Sections to be read with New Zealand Society of Accountants Act 1958—This section and the next succeeding section shall be read together with and deemed part of the New Zealand Society of Accountants Act 1958* (in that section referred to as the principal Act). 15

*1958, No. 42

Amendments: 1963, No. 139; 1968, No. 137; 1971, No. 118; 1974, No. 109; 1977, No. 69

76. Prescribed fees to be paid into Fidelity Fund—(1) Section 10 (1) of the New Zealand Society of Accountants Amendment Act 1963 (as substituted by section 5 (1) of the New Zealand Society of Accountants Amendment Act 1977) is hereby amended by inserting, after the words “the Council”, the words “by resolution”. 20

(2) Section 12 (2) (h) of the principal Act (as substituted by section 2 (2) of the New Zealand Society of Accountants Amendment Act 1977) is hereby consequentially amended by inserting, after the word “under”, the words “section 10 (1) of the New Zealand Society of Accountants Amendment Act 1963 or”. 25

(3) Section 25 (1) of the New Zealand Society of Accountants Amendment Act 1963 (as amended by section 18 (2) of the New Zealand Society of Accountants Amendment Act 1968) is hereby consequentially amended by repealing paragraph (a). 30

(4) Rule 4 of the New Zealand Society of Accountants Fidelity Fund Rules 1964 is hereby consequentially revoked. 35

(5) This section shall be deemed to have come into force on the 21st day of February 1978.

New Zealand Walkways

77. Sections to be read with New Zealand Walkways Act 1975—This section and the next 2 succeeding sections shall be read together with and deemed part of the New Zealand Walkways Act 1975* (in those sections referred to as the principal Act).

*1975, No. 31

Amendments: 1976, No. 110; 1977, No. 166

78. **Damage to property**—(1) Section 30 of the principal Act is hereby amended by inserting, after the word “State,” the words “and money required for the discharge of any liability for damage to property incurred in respect of a walkway,”.

(2) Section 31 (1) of the principal Act is hereby amended by adding the words “and to meet any liability for damage to property incurred in respect of a walkway”.

79. **Offences**—(1) Section 39 (1) of the principal Act is hereby amended—

(a) By inserting in paragraph (h), after the words “removes any”, the words “crop, pasture,”:

(b) By omitting from paragraph (j) the words “or at any entrance to a walkway”, and substituting the words “or adjacent to any walkway, or at any entrance to a walkway”.

(2) The said section 39 (1) is hereby further amended by inserting, after paragraph (j), the following paragraph:

“(ja) Wilfully damages or interferes with any fence, gate, machinery, vehicle, equipment, building, or other structure situated on property adjacent to a walkway; or”.

Poultry Board

80. Sections to be read with Poultry Board Act 1976—This section and the next succeeding section shall be read together with and deemed part of the Poultry Board Act 1976* (in that section referred to as the principal Act).

*1976, No. 136

81. **Terms of office of members of Board**—Section 5 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsection:

“(3) The terms of office of the persons holding office as members of the Board on the 1st day of January 1979 shall expire as follows:

“(a) For the representative of the Government resident in the North Island, with the 30th day of June 1980: 5

“(b) For the representative of the Government resident in the South Island, with the 30th day of June 1979:

“(c) For the members of the Board appointed pursuant to section 4 (2) (b) (i) and (v) of this Act, with the 30th day of June 1981: 10

“(d) For the members appointed pursuant to section 4 (2) (b) (ii) and (iii) of this Act, with the 30th day of June 1980: 15

“(e) For the member appointed pursuant to section 4 (2) (b) (iv) of this Act, with the 30th day of June 1979.”

Private Savings Banks

82. Sections to be read with Private Savings Banks Act 1964—This section and the next succeeding section shall be read together with and deemed part of the Private Savings Banks Act 1964* (in that section referred to as the principal Act). 20

*1964, No. 9

Amendments: 1970, No. 18; 1972, No. 122; 1977, No. 24

83. Money to be available for payment of depositors—Section 15 of the principal Act is hereby amended by adding the following proviso: 25

“Provided that a savings bank company may hold such lesser aggregate sum as may be permitted from time to time by the Minister, for such period and subject to such conditions as he may specify.” 30

Rating

84. Sections to be read with Rating Act 1967—This section and the next succeeding section shall be read together with and deemed part of the Rating Act 1967* (in that section referred to as the principal Act). 35

*1967, No. 123

Amendments: 1969, No. 104; 1970, No. 119; 1972, No. 98; 1973, No. 90; 1974, No. 117; 1976, No. 138; 1977, No. 172

85. Exemption of integrated schools from rates—(1) Section 4 (3) of the principal Act (as enacted by section 3 (1) of the Rating Amendment Act 1970) is hereby amended by inserting, after paragraph (a), the following paragraph:

5 “(aa) Land vested in the proprietors of an integrated school (as defined in the Private Schools Conditional Integration Act 1975) and used and occupied by or for the purposes of the school, other than land held as an endowment.”

10 (2) Clause 4 of the First Schedule to the principal Act (as amended by section 3 (2) (b) of the Rating Amendment Act 1970) is hereby further amended by inserting, after the words “paragraph (a)”, the words “or paragraph (aa)”.

Real Estate Agents

15 **86. Sections to be read with Real Estate Agents Act 1976**—This section and the next succeeding section shall be read together with and deemed part of the Real Estate Agents Act 1976* (in this section referred to as the principal Act).

*1976, No. 9
Amendment: 1977, No. 173

20 **87. Principal place of business of real estate agent**—(1) Section 52 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) The registered office shall be at the licensee’s principal place of business.”

25 (2) The said section 52 is hereby further amended by adding the following subsection:

30 “(5) For the purposes of this section and of section 54 (1) of this Act, the Board may, on application made in writing in that behalf by either the licensee or the Institute, determine which place of business of that licensee is his principal place of business.”

Reserves

35 **88. Sections to be read with Reserves Act 1977**—(1) This section and the next 2 succeeding sections shall be read together with and deemed part of the Reserves Act 1977* (in those sections referred to as the principal Act).

(2) Section 90 of this Act shall be deemed to have come into force on the 1st day of April 1978.

*1977, No. 66

89. Leasing powers in respect of local purpose reserves—
Section 61 of the principal Act is hereby amended by inserting, after subsection (2), the following subsections:

“(2A) In addition to the powers of leasing conferred by subsection (2) of this section, the administering body, in the case of a local purpose reserve that is vested in the administering body, may lease all or any part of the reserve to any person, body, voluntary organisation, or society (whether incorporated or not) for any of the following purposes: 5

“(a) Community building, playcentre, kindergarten, plunket room, or other like purposes: 10

“(b) Farming, grazing, cultivation, cropping, or other like purposes.

“(2B) A lease granted pursuant to subsection (2A) of this section shall be subject to the following provisions: 15

“(a) The lease shall be for a term not exceeding 33 years, with or without a right of renewal, perpetual or otherwise, for the same or any shorter term, but with no right of acquiring the fee simple, and, subject to paragraph (b) of this subsection, shall be on such other conditions as the administering body determines: 20

“(b) The lease shall include a condition that the land leased shall be used solely for such purposes as are specified in the lease, and that upon breach of that condition the administering body may terminate the lease in such manner as is prescribed or implied in the lease, whereupon the land, together with all improvements, shall revert to the lessor without compensation being payable to the lessee for improvements or otherwise.” 25 30

90. Application of proceeds of land where reservation revoked—(1) Section 82 (1) of the principal Act is hereby amended by omitting the words “the following provisions shall apply”, and substituting the words “the proceeds of the alienation shall be paid into the Public Account and credited to the Trust Account, and the following provisions shall thereupon apply”. 35

(2) Section 82 of the principal Act is hereby further amended by repealing subsection (2), and substituting the following subsections: 40

“ (2) Notwithstanding anything in any other Act, all money held in the Works and Trading Account immediately before the commencement of this Act representing the proceeds of the alienation of land the reservation of which had been
 5 revoked shall at the commencement of this Act be deemed to have been transferred to the Trust Account, and subsection (1) of this section shall apply with respect to the money so transferred as if it were the proceeds of the alienation after the commencement of this Act of land the reser-
 10 vation of which had been revoked under the provisions of this Act.

“ (3) Where before the commencement of this Act the land comprised in a reserve became Crown land on the revocation of the reservation thereof under the provisions of any former
 15 enactment, then, notwithstanding anything in any other Act, subsection (1) of this section shall apply with respect to the proceeds of any alienation of the land received after the commencement of this Act as if the reservation had been revoked under the provisions of this Act.”

20

River Boards

91. 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).

*1957 Reprint, Vol. 13, p. 937
 Amendments: 1958, No. 91; 1968, No. 104; 1971, No. 126; 1974, No. 119;
 1975, No. 102; 1976, No. 118

25

92. Annual allowance to Chairman and Deputy Chairman—(1) The principal Act is hereby amended by repealing section 48A (as inserted by section 30 of the Statutes Amendment Act 1950), and substituting the following section:

“48A. (1) The Chairman may be paid such annual allow-
 30 ance, not exceeding \$800, out of the funds of the Board as the Board from time to time fixes, but no alteration in the amount of that allowance shall take effect during the term of office of any Chairman.

“ (2) For the purposes of subsection (1) of this section, a
 35 person reappointed as Chairman shall be deemed to be a new Chairman.

“(3) The Deputy Chairman may be paid, in addition to the amount payable to him under section 66A of this Act, such annual allowance, not exceeding 10 percent of the amount paid to the Chairman, out of the funds of the Board as the Board from time to time fixes.” 5

(2) Notwithstanding anything in section 48A of the principal Act (as substituted by subsection (1) of this section), the allowance of the Chairman of any Board who is in office at the commencement of this Act may, by resolution of the Board passed within 6 months after that date, be increased 10 once during his term of office.

(3) The following enactments are hereby consequentially repealed:

- (a) Section 30 of the Statutes Amendment Act 1950: 15
- (b) The River Boards Amendment Act 1975. 15

93. Remuneration of members—(1) The principal Act is hereby further amended by repealing section 66A (as inserted by section 3 of the River Boards Amendment Act 1968), and substituting the following section:

“66A. The Board may, out of the funds of the Board, pay to 20 each member of the Board other than the Chairman remuneration at such rate (not exceeding \$9) per meeting of the Board, or committee thereof, attended by him as the Board from time to time fixes:

“Provided that no such member shall so be paid in respect 25 of more than 35 such meetings in any financial year.”

(2) The following enactments are hereby consequentially repealed:

- (a) The River Boards Amendment Act 1968: 30
- (b) The River Boards Amendment Act 1971. 30

Shops and Offices

94. 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). 35

*1957 Reprint, Vol. 14, p. 431

Amendments: 1959, No. 14; 1965, No. 8; 1965, No. 131; 1971, No. 127; 1972, No. 42; 1974, No. 121; 1975, No. 104

95. Penalties for offences—(1) The principal Act is hereby amended by repealing section 38, and substituting the following section:

“38. (1) Every person who commits an offence against this Act shall be liable on summary conviction—

- 5 “(a) In the case of an offence against section 18 (3) of this Act, to a fine not exceeding \$100:
- “(b) In the case of an offence against section 28 (3) of this Act, to a fine not exceeding \$100:
- “(c) In the case of an offence against section 30 (3) of this Act, to a fine not exceeding \$50:
- 10 “(d) In the case of an offence against section 35 of this Act, to a fine not exceeding \$50:
- “(e) In the case of an offence against section 36 of this Act, to a fine not exceeding \$1,000, or to imprisonment for a term not exceeding 3 months:
- 15 “(f) In the case of an offence against a provision of this Act not specified in paragraphs (a) to (e) of this subsection, or against any regulation made under this Act in respect of which no specific penalty is elsewhere provided, to a fine not exceeding \$2,000 and, if the offence is a continuing one, to a further fine not exceeding \$100 for every day or part of a day during which the offence has continued.
- 20 “(2) A fine imposed in respect of an offence against section 28 (3) of this Act shall be irrespective of any fine to which the defendant is liable in respect of the original offence concerned.”
- 25 (2) Section 18 (3) of the principal Act is hereby consequentially amended by omitting the words “shall be liable on summary conviction to a fine not exceeding \$100”, and substituting the words “commits an offence against this Act”.
- 30 (3) Section 28 (3) of the principal Act is hereby consequentially amended by omitting the words “, and shall be liable on summary conviction to a fine not exceeding \$100 for every day during which the default continues. Any fine imposed under this section shall be irrespective of any fine
- 35 to which the defendant is liable in respect of the original offence”.
- (4) Section 30 (3) of the principal Act is hereby consequentially amended by omitting the words “shall be liable on summary conviction to a fine not exceeding \$50”, and
- 40 substituting the words “commits an offence against this Act”.

(5) Section 35 of the principal Act is hereby consequentially amended by omitting the words “, and shall be liable on summary conviction to a fine not exceeding \$50 for each such offence”.

(6) Section 36 of the principal Act is hereby consequentially amended by omitting the words “and shall be liable on summary conviction to a fine not exceeding \$1,000, or to imprisonment for a term not exceeding three months,”. 5

(7) The Shops and Offices Amendment Act 1975 is hereby consequentially repealed. 10

96. Powers of Inspectors—(1) Section 44 (1) of the principal Act is hereby amended by repealing paragraph (a), and substituting the following paragraphs:

“(a) Enter any shop, office, warehouse, or store at all reasonable hours by day and night, and enter by day any place that he has reasonable cause to believe to be a shop, office, warehouse, or store, or to have a shop, office, warehouse, or store within its premises: 15

“(aa) Make such inspections, examinations, tests, and inquiries, and take such samples and photographs, as he thinks necessary to ascertain whether the provisions of this Act have been or are being complied with as regards any shop, office, warehouse, store, or place, or any persons working in it; and where any such sample is taken, the Inspector concerned shall, if so requested, deliver part of it to the occupier of the shop, office, warehouse, store, or place, concerned.” 20 25

(2) Section 44 of the principal Act is hereby further amended by adding the following subsections: 30

“(6) Except for the purposes of this Act and the exercise of his functions under this Act, or with the consent of the Minister, an Inspector shall not disclose to any person any information that he acquires in the exercise of those functions: 35

“Provided that if so requested by a Coroner, an Inspector shall provide him with a written report relating to the circumstances of any fatal accident.

“(7) Every person who acts in contravention of subsection (6) of this section commits an offence against this Act.” 40

(3) Section 46 of the principal Act is hereby consequentially repealed.

Shop Trading Hours

97. Sections to be read with Shop Trading Hours Act 1977—This section and the next succeeding section shall be read together with and deemed part of the Shop Trading Hours Act 1977* (in that section referred to as the principal Act).

*1977, No. 8

98. Applications—(1) Section 19 (2) of the principal Act is hereby amended by omitting the expressions “14” and “3”, and substituting, respectively, the expressions “28” and “7”.

(2) The said section 19 (2) is hereby further amended by repealing paragraph (c), and substituting the following paragraphs:

“(c) Every industrial union of employers registered in respect of shops of that kind:

“(ca) Every organisation of employers functioning in respect of shops of that kind:”.

Stamp and Cheque Duties

99. Sections to be read with Stamp and Cheque Duties Act 1971—This section and the next 2 succeeding sections shall be read together with and deemed part of the Stamp and Cheque Duties Act 1971* (in those sections referred to as the principal Act).

*1971, No. 51

Amendments: 1972, No. 6; 1974, No. 36; 1974, No. 135; 1975, No. 22; 1976, No. 120; 1977, No. 97

100. Extension of exemption relating to transferable certificates of deposit—(1) Section 2 of the principal Act is hereby amended by repealing paragraphs (b) and (c) of the definition of the term “transferable certificate of deposit” (as inserted by section 2 (2) of the Stamp and Cheque Duties Amendment Act 1972 and amended by notice dated the 9th day of March 1978 and published in the *Gazette* on the 22nd day of March 1978 at page 661), and substituting the following paragraphs:

“(b) Is evidence of the deposit of a sum of not less than \$12,000 for a term of not less than 30 days or of such other sum or for such other term as may from time to time be determined by the Minister of Finance by notice in the *Gazette*; and

“(c) Is transferable by the holder of the certificate by a special form of transfer to any person.”.

(2) The notice made under the principal Act and dated the 8th day of November 1973 and published in the *Gazette* on the 15th day of November 1973 at page 2357 and the notice made under the principal Act and dated the 9th day of March 1978 and published in the *Gazette* on the 22nd day of March 1978 are hereby consequentially revoked. 5

101. Objections against exercise of Commission’s discretion—Section 73 (1) (d) of the principal Act is hereby amended by inserting, after the words “paragraphs (a) and (b)”, the words “of subsection (2)”. 10

Statistics

102. Sections to be read with Statistics Act 1975—This section and the next succeeding section shall be read together with and deemed part of the Statistics Act 1975* (in that section referred to as the principal Act). 15

*1975, No. 1

103. Deputy Government Statisticians—The principal Act is hereby amended by repealing section 17, and substituting the following section: 20

“17. (1) There shall from time to time be appointed under the State Services Act 1962 as many Deputy Government Statisticians as may be necessary for the effective and efficient carrying out of the functions and duties of the Department. 25

“(2) Subject to the control of the Statistician, each Deputy Government Statistician shall perform such general official duties (including the exercise of functions, duties, and powers of the Statistician) as are for the time being assigned to him by the Statistician. 30

“(3) On the occurrence from any cause of a vacancy in the office of Statistician (whether by reason of death, resignation, or otherwise) and in the case of absence from duty of the Statistician (from whatever cause arising), and so long as any such vacancy or absence continues, a Deputy Government Statistician shall have and may exercise all the functions, duties, and powers of the Statistician. 35

(4) The fact that a Deputy Government Statistician exercises any function, duty, or power of the Statistician shall be conclusive evidence of the authority of that Deputy Government Statistician to do so.”

5

Tokelau

104. Sections to be read with Tokelau Act 1948—This section and the next succeeding section shall be read together with and deemed part of the Tokelau Act 1948* (in that section referred to as the principal Act).

*Reprinted 1976, Vol. 5, p. 4489

10

105. Commemorative coins—Section 4 (3) of the principal Act (as amended by section 3 (1) (c) of the Tokelau Amendment Act 1976) is hereby further amended by adding the words “, and to the making and issuing of commemorative coins to be a legal tender only in Tokelau”.

15

Trades Certification

106. Sections to be read with Trades Certification Act 1966—This section and the next succeeding section shall be read together with and deemed part of the Trades Certification Act 1966* (in that section referred to as the principal Act).

*1966, No. 6
Amendment: 1972, No. 109

107. Functions and powers of Board—(1) Section 6 (1) (b) of the principal Act is hereby amended by omitting the word “such”.

(2) Section 6 (2) (d) of the principal Act is hereby amended by adding the words “, for the award of any diploma or certificate, or for the replacement of any diploma, certificate, or result notice”.

(3) All things done under the principal Act before the passing of this Act which would have been valid if subsection (1) and subsection (2) of this section had been in force when the things were done are hereby validated and declared to have been lawfully done.

Tramways

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

*1957 Reprint, Vol. 15, p. 855

Amendments: 1959, No. 83; 1969, No. 109; 1973, No. 96; 1976, No. 125

109. Regulations—(1) Section 5 (1) (c) of the Tramways Amendment Act 1910 is hereby amended by inserting in the proviso, after the word “car”, the words “(other than a car forming part of the Kelburn cable car tramway)”.

(2) Section 2 of the principal Act is hereby consequentially amended by inserting, after the definition of the expression “former enactment”, the following definition:

“‘Kelburn cable car tramway’ means the funicular tramway authorised to be constructed by the Order in Council made on the 10th day of July 1899 and published in the *Gazette* on the 17th day of August 1899 at page 1520.”

(3) The said section 2 is hereby further amended by adding, as subsection (2), the following subsection:

“(2) It is hereby declared that, for the purposes of this Act, the Kelburn cable car tramway is not a tramway the motive power for whose carriages is electricity.”

Trustee Savings Banks

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

*Reprinted 1973, Vol. 2, p. 1663

Amendments: 1975, No. 23; 1976, No. 27; 1977, No. 23; 1977, No. 180

111. Grants to officers on retirement—Section 16 of the principal Act is hereby amended by adding the following subsection:

“(3) On retirement from the service of any savings bank of any officer whose total length of service is less than 10 years, or on the death of any such officer (whether before or after his retirement), the Board may pay to him or to his dependants or any of them, by way of gratuity, such amount as may be approved from time to time or in any particular case by the Minister.”

112. Power to invest money—(1) Section 24 (3) (b) of the principal Act (as substituted by section 2 of the Trustee Savings Banks Amendment Act 1958) is hereby amended by adding the following proviso:

5 “Provided that a savings bank may hold such lesser aggregate sum as may be permitted from time to time by the Minister, for such period and subject to such conditions as he may specify.”

(2) Section 24 (3A) of the principal Act (as inserted by section 10 (2) of the Trustee Savings Banks Amendment Act 1972) is hereby amended by adding the following proviso:

10 “Provided that a savings bank may hold a lesser aggregate sum than that prescribed by Order in Council of such amount as may be permitted from time to time by the Minister, for
15 such period and subject to such conditions as he may specify.”

(3) Section 24 (6) (f) of the principal Act (as added by section 2 of the Trustee Savings Banks Amendment Act 1966) is hereby amended by repealing the proviso.

Universities

20 **113. Sections to be read with Universities Act 1961**—This section and the next 2 succeeding sections shall be read together with and deemed part of the University Act 1961* (in those sections referred to as the principal Act).

*1961, No. 54

Amendments: 1962, No. 109; 1966, No. 7; 1970, No. 148; 1971, No. 137; 1977, No. 35

25 **114. Officers and staff**—Section 24 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

30 “(1) The University Grants Committee shall have power to appoint, upon such conditions, for such term, and upon such notice as it thinks fit, such officers and servants as may be necessary for the purposes of this Act.”

115. Constitution of Curriculum Committee—Section 27 (2) (e) of the principal Act (as substituted by section 2 of the Universities Amendment Act 1966) is hereby amended—

35 (a) By omitting the word “Six”, and substituting the word “Seven”; and

(b) By omitting the words “the University of Canterbury or”.

University of Waikato

116. Sections to be read with University of Waikato Act 1963—This section and the next succeeding section shall be read together with and deemed part of the University of Waikato Act 1963* (in that section referred to as the principal Act). 5

*1963, No. 8

Amendments: 1966, No. 8; 1970, No. 108; 1977, No. 37

117. Appointment of professors, lecturers, etc.,—Section 18 of the principal Act is hereby amended by repealing paragraph (b), and substituting the following paragraph: 10

“(b) To appoint, upon such conditions, for such term, and upon such notice, as it thinks fit, all professors, lecturers, teachers, officers, and servants of the University and of all other institutions controlled by the Council: 15

“Provided that, in the case of the dismissal of a professor or member of the academic staff, no decision shall be taken by the Council until the Council has considered any recommendation made in that behalf by a committee of the Academic Board, which shall be appointed in that behalf by the Academic Board, unless— 20

“(i) The Academic Board, having had a reasonable opportunity to appoint such a committee, has failed to do so; or

“(ii) The committee so appointed, having had a reasonable opportunity to make such a recommendation, has failed to do so:” 25

Valuation of Land

118. Sections to be read with Valuation of Land Act 1951—This section and the next succeeding section shall be read together with and deemed part of the Valuation of Land Act 1951* (in that section referred to as the principal Act). 30

*Reprinted 1970, Vol. 3, p. 2615

Amendments: 1971, No. 138; 1972, No. 111; 1976, No. 128

119. Special rateable values of “existing use” properties—(1) Section 25E of the principal Act (as inserted by section 6 of the Valuation of Land Amendment Act 1970) is hereby amended by repealing paragraph (b), and substituting the following paragraph: 35

“(b) Is used for any purpose for which the owner or occupier is entitled to use the land pursuant to section 90 of the Town and Country Planning Act 1977:”.

- 5 (2) The said section 25E of the principal Act is hereby further amended by omitting from subsection (1) (c) the words “the purpose that is an existing use as aforesaid”, and substituting the words “that purpose”.

Vegetables Levy

- 10 **120. Sections to be read with Vegetables Levy Act 1957—**
This section and the next 2 succeeding sections shall be read together with and deemed part of the Vegetables Levy Act 1957* (in those sections referred to as the principal Act).

*1957 Reprint, Vol. 16, p. 399

Amendments: 1960, No. 93; 1972, No. 112; 1975, No. 108

121. Levy payable in respect of sale of vegetables—

- 15 (1) Section 3 (4) of the principal Act (as substituted by section 2 of the Vegetables Levy Amendment Act 1960) is hereby amended by omitting the words “half of one percent”, and substituting the expression “0.5625 percent”.

- 20 (2) Section 3 of the principal Act is hereby further amended by inserting, after subsection (8), the following subsection.

- “(8A) Notwithstanding any rule of law to the contrary, the amount of any levy collected or purported to have been collected by any wholesaler, auctioneer, or processor pursuant to this section shall be deemed to be money held in trust for
25 the Federation by that wholesaler, auctioneer, or processor, as the case may be, until that amount has been paid to the Federation pursuant to subsection (8) of this section.

- 122. Offences and penalties—**The principal Act is hereby further amended by inserting, after section 6, the following
30 section:

- “6A. Every person commits an offence against this Act and is liable on summary conviction to a fine not exceeding \$500, who acts in contravention of or fails to comply in any respect with any provision of this Act, or of any regulations for the
35 time being in force under this Act.”

Victoria University of Wellington

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

*1961, No. 51

Amendments: 1966, No. 13; 1969, No. 112; 1970, No. 110; 1977, No. 39

124. Employees as Council members—Section 9 (1) of the principal Act (as amended by section 57 (3) of the Massey University Act 1963) is hereby further amended by inserting, after the expression “Vice-Chancellor,” the words “the Deputy Vice-Chancellor.” 10

Wild Animal Control

125. Sections to be read with Wild Animal Control Act 1977—This section and the next 2 succeeding sections shall be read together with and deemed part of the Wild Animal Control Act 1977* (in those sections referred to as the principal Act). 15

*1977, No. 111

126. Ownership of wild animals—Section 9 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection: 20

“(4) Where the carcass of any wild animal, including any specified wild animal, of a kind which may be farmed under any Act is to be sold or delivered to a game depot or game packing house by the person who killed the animal or by his agent or employer, it shall be an offence against this Act to so sell or deliver that carcass without the ears attached to the hide.” 25

127. Powers of Forest Officers—(1) Section 13 of the principal Act is hereby amended by inserting, after subsection (3), the following subsection: 30

“(3A) Notwithstanding subsection (2) of this section, where the carcass of any wild animal is seized or removed from any place, it may be sold. The net proceeds received from the sale shall be paid into the Forest Service Deposit Account and shall be dealt with in accordance with subsection (2) of this section as if those proceeds and not the carcass had been the article seized.” 35

(2) Section 13 (7) of the principal Act is hereby amended by omitting the words "breach of this section", and substituting the words "offence against this Act".

Wool Industry

5 **128. Sections to be read with Wool Industry Act 1977—**
This section and the next succeeding section shall be read together with and deemed part of the Wool Industry Act 1977* (in that section referred to as the principal Act).

*1977, No. 92

10 **129. Table of minimum prices—**Section 32 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsection:

"(3) Except in circumstances that are in his opinion exceptional, the Minister shall not approve—

15 "(a) Any basis of calculation resulting in a table of prices the average price derived from which, calculated in accordance with section 33 of this Act, is greater by more than 10 percent or less by more than 5 percent than the average price, so calculated, derived from the table of prices for the time
20 being in force; or

"(b) More than one basis of calculation during any period of 12 months ending with the 30th day of June."

Workers' Compensation

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

*Reprinted 1966, Vol. 4, p. 3323

Amendments: 1967, No. 29; 1967, No. 122; 1968, No. 121; 1970, No. 113; 1971, No. 44; 1972, No. 125

30 **131. Salary and allowances of Judge—**(1) The principal Act is hereby amended by repealing section 42 (as substituted by section 3 (1) of the Workers' Compensation Amendment Act 1970), and substituting the following section:

“42. (1) There shall be paid to the Judge of the Compensation Court out of the Consolidated Account, without further appropriation than this section,—

“(a) A salary at such rate as the Governor-General by Order in Council, from time to time determines; and 5

“(b) Such allowances as are from time to time prescribed by the Governor-General by Order in Council; and

“(c) Such additional allowances, being travelling allowances or other incidental or minor allowances, as may be fixed from time to time by the Governor-General. 10

“(2) The salary of the Judge shall not be diminished during the continuance of his appointment. 15

“(3) Any Order in Council made under paragraph (a) or paragraph (b) of subsection (1) of this section and any determination made under paragraph (c) of that subsection, and any provision of any such order or determination, may be made so as to come into force on a date to be specified in that behalf in the order or determination, being the date of the making of the order or determination or any other date, whether before or after the date of the making of the order or determination or the date of the commencement of this section. 20

“(4) Every such Order in Council or determination, and every provision of any such order or determination, in respect of which no date is specified as aforesaid shall come into force on the date of the making of the order or determination. 25

“(5) Every Order in Council made under subsection (1) of this section shall be deemed to be a regulation for the purposes of the Regulations Act 1936.” 30

(2) Section 3 of the Workers' Compensation Amendment Act 1970 is hereby consequentially repealed.

Land Valuation Proceedings

132. Sections to be read with Land Valuation Proceedings Act 1948—This section and the next succeeding section shall be read together with and deemed part of the Land Valuation Proceedings Act 1948* (in that section referred to as the principal Act). 35

*Reprinted, 1968, Vol. 2, p. 1595

Amendments: 1970, No. 25; 1977, No. 15; 1977, No. 157

133. Regulations—Section 40 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) Without limiting the general power to make regulations conferred by subsection (1) of this section, regulations may be made under that section prescribing the fees payable in respect of any matters relating to proceedings before Land Valuation Tribunals.”