

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives.

23rd October, 1913.

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE COUNCIL.]

Legislative Council, 18th November, 1913.

Hon. Mr. Fraser.

TRAMWAYS AMENDMENT.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Cars to be provided with central passage-way.</p>	<p>ANALYSIS.</p> <p>3. Steps on cars.</p> <p>4. Exemptions.</p>
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A BILL INTITLED

AN ACT to amend the Tramways Act, 1908.

Title.

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

1. This Act may be cited as the Tramways Amendment Act, 1913, and shall form part of and be read together with the Tramways Act, 1908.

Short Title.

2. (1.) ~~On and after the first day of August, nineteen hundred and fourteen,~~ Except as provided in subsection (1A.) hereof, it shall not be lawful for the promoters of any tramway to use thereon any car for the carriage of passengers unless it is provided with a central passage-way from end to end of the car:

Cars to be provided with central passage-way.

Provided that this section shall not apply to any car similar in its interior arrangements to the double-platform bogey car at present in use in Auckland.

New.

which is not provided—

(a.) With an internal passage-way from end to end of the car; and

(b.) With steps fitted in such positions that passengers may safely enter the car or alight therefrom.

(1A.) Where the promoters of a tramway have in use, at the commencement of this Act, cars which are not constructed in accordance with the requirements of subsection (1) hereof—

(a.) Such promoters may continue to use such cars now in use until the first day of June, nineteen hundred and fourteen;

(b.) After the first day of June, nineteen hundred and fourteen, such promoters may continue to use until the first day of

December, nineteen hundred and *fourteen*, a number of such cars now in use not exceeding one-half the number in use by such promoters at the commencement of this Act ;

(c.) After the first day of December, nineteen hundred and *fourteen*, such promoters shall not use or continue to use any cars which are not constructed in accordance with the requirements of subsection *one* hereof. 5

(2.) For every car used in breach of this section the promoters shall be liable to a fine of *fifty* pounds for every day on which the car is so used. 10

Struck out.

Steps on cars.

3. On every carriage steps shall be fitted in such a position that passengers may safely enter or alight therefrom. The first step shall not be more than fourteen inches from the ground, and no steps shall be more than fourteen inches apart. 15

Exemptions.

4. This Act shall not apply to any tramway constructed under the authority of the Taupo Tramway Order No. 1, made on the twenty-ninth day of January, nineteen hundred and eight, under the Tramways Act, 1894, or of the Taupo Tramway Order No. 2, made on the thirteenth day of October, nineteen hundred and thirteen, under the Tramways Act, 1908, *nor to the Foxton-Sandon tramway*, nor to any cable tramway. 20

New.

Repeal.

5. Section eleven of the Tramways Amendment, 1911, is hereby repealed. 25

Section 3 of Amendment Act, 1910, amended.

6. Section three of the Tramways Amendment Act, 1910, is hereby amended as follows :—

(a.) As to subsection one thereof, by inserting, after the word “Minister,” the words “in respect of any tramway and the local authority in whose district a tramway is in course of construction or open for traffic in respect of that tramway” ; and by omitting the words “any tramway,” and substituting the words “the tramway.” 30

(b.) As to subsection two thereof, by inserting, after the word “Minister,” the words “or the local authority” ; and by adding the following proviso :— 35

“Provided that the promoters may appeal within seven days to the Minister from any such order of the local authority, and, in case of such appeal, an order of the local authority shall only take effect when, and to the extent to which, it is confirmed by the Minister.” 40

(c.) As to subsection three thereof, by inserting, after the word “Minister,” the words “or of the local authority.”

Section 11 of Amendment Act, 1910, amended.

7. Subsection one of section eleven of the Tramways Amendment Act, 1910, is hereby amended by adding thereto the following proviso :— 45

“Provided that the Minister may, in respect of any tramway, delegate to some person appointed by him the powers and duties by this section imposed upon the Minister.” 50

Provisions of principal Act, &c., may be suspended in certain cases.

8. (1.) The Governor in Council may, by Proclamation gazetted, suspend at any time in respect of any tramway the operation of—

(a.) The whole or any of the provisions of section two of the Tramways Amendment Act, 1910 :

(b.) Any regulations made under the powers conferred by the principal Act or by section five of the Tramways Amendment Act, 1910 :

(c.) Any provisions of the principal Act and of the Second Schedule thereto, and of any Act amending the principal Act except this Act :

(d.) Any provisions of any authorizing order :

(e.) Any rules or by-laws made by any local authority.

(2.) Any such Proclamation may be revoked by the Governor in Council by Proclamation gazetted.

(3.) Any such suspension may be for a defined time or until the Proclamation is revoked.

(4.) During the period of any such suspension the principal Act and its amendments and the regulations and by-laws made thereunder shall, save as hereinafter provided, be interpreted as if the suspended provisions of the Acts, regulations, and by-laws had not been enacted or made.

(5.) Subsection three of section two of the Tramways Amendment Act, 1910, shall continue in force notwithstanding any suspension of the said section two, and shall (for the purposes of this section of this Act) be read and interpreted with the following amendments :—

(a.) The words “ not later than the twenty-fourth day of December, nineteen hundred and eleven,” shall be omitted therefrom.

(b.) The words “ for a period of not less than one year at any time before the passing of this Act ” shall be omitted therefrom.

(c.) The words “ during any part of the period of suspension ” shall be inserted after the word “ employed.”

(6.) Certificates may be granted under subsection five hereof either during or within three months after the period of suspension, and any such certificate shall continue to have effect notwithstanding the revocation of the suspension, and may be renewed from time to time.

(7.) Nothing herein shall be deemed to render necessary the holding of a certificate by any person employed as a driver or in any other capacity on any tramway or carriage or other rolling-stock during any period of suspension of the provisions of section two of the Tramways Amendment Act, 1910.