

Mr. Bowden

WELLINGTON CITY ANTI-VANDALISM

[LOCAL BILL]

ANALYSIS

Title.	3. Council may appoint Wardens.
1. Short Title.	4. Powers of Wardens.
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A BILL INTITULED

AN ACT empowering the Wellington City Council to Title.
appoint Wardens to check Vandalism in relation
to property owned or controlled by any Local
5 Authority in the City of Wellington.

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 Wellington City Short Title.
10 Anti-vandalism Act, 1945.

2. In this Act, unless the context otherwise Interpretation.
requires,—

“ Council ” means the Wellington City Council:
“ Local authority ” has the same meaning as in
15 the Local Government Loans Board Act, 1926.

Council may
appoint
Wardens.

3. (1) The Council may from time to time appoint such persons as it thinks fit to act as Wardens for the protection of property owned or controlled by any local authority within the City of Wellington.

Any such appointment may be for a specified period and may be revoked at any time by the Council. 5

The persons so appointed shall be deemed not to be employees or servants of the Council unless definitely employed by the Council for purposes other than that of a Warden. 10

(2) The Council shall provide for the use of each Warden an arm-band or other distinctive badge approved by the Commissioner of Police for the purpose, and may pay out of its General Account all such expenses connected with the work of Wardens as it thinks fit. 15

Powers of
Wardens.

4. (1) Any Warden may demand the name and address of any person offending against the provision of the *next succeeding* section or aiding and abetting any person so offending, and if the Warden has reasonable ground to suppose that the name or address given is false the Warden may require evidence of the correctness thereof, and if such person fails upon such demand to give his name and address or fails to give such evidence the Warden shall caution him, and if such person still persists in such failure the Warden may apprehend him without warrant and convey him to the nearest police-station, where such person shall be taken into custody and brought before a Magistrate or a Justice as soon as practicable. 20 25 30

(2) Any person required under this section to give his name and address who fails to give the same, or gives a false name or address, or gives false evidence with respect to such name or address, is liable to a fine not exceeding *five* pounds, and any person who offers violence to or assaults, threatens, or attempts to intimidate or obstruct any Warden acting in the exercise of his powers under the *preceding* subsection is liable on summary conviction to a fine not exceeding *twenty* pounds or imprisonment for a term not exceeding *one* month. 35 40

5. (1) Every person commits an offence and is liable on summary conviction to a fine not exceeding *fifty* pounds or imprisonment for a term not exceeding *three* months who, without being authorized by the
5 controlling local authority, breaks, cuts, injures, or removes any fence, building, or erection, or breaks, cuts, injures, or removes any or any part of any wood, tree, shrub, fern, plant, stone, furniture, utensil, tool, seat, or thing of any kind owned or controlled by any
10 local authority in the City of Wellington, or who places any object in or upon any street or public place which may cause loss or injury to the lawful users thereof.

(2) In addition to any penalty imposed for an offence against this section the convicting Magistrate
15 or Justice may order the person convicted of such offence to pay to the local authority a sum not exceeding the estimated cost of making good the injury or loss sustained, and such sum may be recovered as a fine.