

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Friday, the 17th Day of October 1969

STATUTES AMENDMENT BILL

Proposed Amendments

Right Hon. Mr MARSHALL, in Committee, to move the following amendments:

New Clause

To insert, after clause 3, the following new clause:

3A. Remuneration of Chairman—(1) Section 17 of the principal Act (as amended by section 2 of the Auckland Electric Power Board Act 1963 and section 7 (1) of the Decimal Currency Act 1964) is hereby further amended by omitting from subsection (1) the words “such annual allowance as may from time to time be fixed by the Board not exceeding one thousand dollars”, and substituting the words “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 Board”.

(2) Section 2 of the Auckland Electric Power Board Act 1963 is hereby consequentially repealed.

That clauses 2, 3, and 3A be a separate Bill, and that for clause 2 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Auckland Electric Power Board Act 1921–22

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

1. Short Title—This Act may be cited as the Auckland Electric Power Board Amendment Act 1969, and shall be read together with and deemed part of the Auckland Electric Power Board Act 1921–22 (hereinafter referred to as the principal Act).

New Clause

To insert, after clause 49, the following new clause:

49A. Salaries 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 Revenue Account, without further appropriation than this Act, salaries at the following rates:

(a) To the Chief Justice of New Zealand, at the rate of \$13,925 a year:

(b) To the President of the Court of Appeal, at the rate of \$13,270 a year:

(c) To each of the other Judges of the Court of Appeal or of the Supreme Court, at the rate of \$12,620 a year.

(2) The Judicature Amendment Act 1967 is hereby repealed.

(3) This section shall be deemed to have come into force on the 15th day of June 1969.

That clauses 48, 49, 49A, and 50 be a separate Bill, and that for clause 48 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Judicature Act 1908

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

1. Short Title—This Act may be cited as the Judicature Amendment Act 1969, and shall be read together with and deemed part of the Judicature Act 1908 (hereinafter referred to as the principal Act).

New Clause

To insert, after clause 81, the following new clause:

81A. Salary of Controller and Auditor-General—(1) The principal Act is hereby amended by repealing section 15 (as substituted by section 2 (1) of the Public Revenues Amendment Act 1967), and substituting the following section:

“15. There shall be paid to the Controller and Auditor-General out of the Consolidated Revenue Account, without further appropriation than this section, a salary at the rate of \$10,445 a year.”

(2) The Public Revenues Amendment Act 1967 is hereby repealed.

(3) This section shall be deemed to have come into force on the 15th day of June 1969.

Clause 83: To omit this clause, and substitute the following clause:

83. Regulations—Section 118 of the principal Act is hereby amended by adding to subsection (1) the following paragraph:

“(c) For requiring information to be supplied to the Audit Office concerning deficiencies in money or stores of any local authority within the meaning of Part XII of this Act, and prescribing the cases in which, the persons by whom, and the manner in which such information shall be supplied.”

That clauses 81, 81A, 82, and 83 be a separate Bill, and that for clause 81 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Public Revenues Act 1953

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

1. Short Title—This Act may be cited as the Public Revenues Amendment Act 1969, and shall be read together with and deemed part of the Public Revenues Act 1953 (hereinafter referred to as the principal Act).

Clauses 84 and 85: To omit these clauses.

Clause 116: To omit from lines 20 and 21 on page 36 the words “and for the period for which it would otherwise be lawful”; also to insert in line 35 on page 36, after the words “Public Works Act 1928”, the words “, or issued under any other Act,”.

Clause 117: To insert in line 16 on page 37, after the word “transferor”, the words “, or if he fails to do so by the transferee,”.

New Clauses

To insert, after clause 124, the following heading and new clauses:

Electoral

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

*1957, Reprint, Vol. 4, p. 341

Amendments: 1958, No. 64; 1959, No. 60; 1960, No. 4; 1963, No. 85; 1965, No. 17; 1967, No. 149; 1969, No. 19

126. Governor-General may appoint polling places—Section 91 of the principal Act is hereby amended by adding to subsection (1) the following proviso:

“Provided that where a building suitable for use as a polling place is situated within the limits of any district and within half a mile of the boundary of an adjoining district, the Governor-General may appoint that building to be a polling place for both districts.”

That clauses 125 and 126 be a separate Bill, and that for clause 125 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Electoral Act 1956

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

1. Short Title—This Act may be cited as the Electoral Amendment Act (No. 2) 1969, and shall be read together with and deemed part of the Electoral Act 1956 (hereinafter referred to as the principal Act).

New Clauses

To insert, after clause 126 (as proposed to be inserted by this Supplementary Order Paper), the following heading and new clauses:

Industrial Conciliation and Arbitration

127. Sections to be read with Industrial Conciliation and Arbitration Act 1954—(1) This section and the next succeeding section shall be read together with and deemed part of the Industrial Conciliation and Arbitration Act 1954* (in that section referred to as the principal Act).

(2) This section and the next succeeding section shall be deemed to have come into force on the 15th day of June 1969.

*1957 Reprint, Vol. 6, p. 443

Amendments: 1958, No. 70; 1960, No. 110; 1961, No. 125; 1961, No. 126; 1962, No. 52; 1963, No. 49; 1964, No. 131; 1965, No. 134; 1966, No. 66; 1967, No. 150; 1968, No. 86

128. Salaries of Judge and additional Judge of Court—

(1) Section 19 of the principal Act (as substituted by section 3 (1) of the Industrial Conciliation and Arbitration Act 1967) is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) There shall be paid to the Judge of the Court out of the Consolidated Revenue Account, without further appropriation than this section, a salary at the rate of \$12,620 a year.”

(2) Section 20 of the principal Act (as amended by section 4 (1) of the Industrial Conciliation and Arbitration Amendment Act 1967) is hereby amended by repealing subsection (3A), and substituting the following subsection:

“(3A) There shall be paid to an additional Judge of the Court appointed under subsection (2) of this section, out of the Consolidated Revenue Account, without further appropriation than this section, a salary at the rate of \$11,095 a year:

“Provided that, while the person holding office as an additional Judge on the 15th day of June 1969 continues to hold that office his salary shall be at the rate of \$12,620 a year.”

That clauses 127 and 128 be a separate Bill, and that for clause 127 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Industrial Conciliation and Arbitration Act 1954

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

1. Short Title and commencement—(1) This Act may be cited as the Industrial Conciliation and Arbitration Amendment Act 1969, and shall be read together with and deemed part of the Industrial Conciliation and Arbitration Act 1954 (hereinafter referred to as the principal Act).

(2) This Act shall be deemed to have come into force on the 15th day of June 1969.

New Clauses

To insert, after clause 128 (as proposed to be added by this Supplementary Order Paper), the following heading and new clauses:

Magistrates' Courts

129. Sections to be read with Magistrates' Courts Act 1947—(1) 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).

(2) This section and the next succeeding section shall be deemed to have come into force on the 15th day of June 1969.

*1957 Reprint, Vol. 8, p. 647

Amendments: 1959, No. 73; 1960, No. 112; 1961, No. 20; 1963, No. 100; 1964, No. 99; 1966, No. 69; 1967, No. 42

130. Salaries of Magistrates—(1) Section 6 of the principal Act is hereby amended by repealing subsection (1) (as substituted by section 3 (1) of the Magistrates' Courts Amendment Act 1967), and substituting the following subsection:

“(1) Every Magistrate shall be paid a salary at the rate of \$8,920 a year.”

(2) Section 3 of the Magistrates' Courts Amendment Act 1967 is hereby consequentially repealed.

That clauses 129 and 130 be a separate Bill, and that for clause 129 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Magistrates' Courts Act 1947

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

1. Short Title and commencement—(1) This Act may be cited as the Magistrates' Courts Amendment Act 1969, and shall be read together with and deemed part of the Magistrates' Courts Act 1947 (hereinafter referred to as the principal Act).

(2) This Act shall be deemed to have come into force on the 15th day of June 1969.

New Clauses

To insert, after clause 130 (as proposed to be inserted by this Supplementary Order Paper), the following heading and new clauses:

Parliamentary Commissioner (Ombudsman)

131. Sections to be read with Parliamentary Commissioner (Ombudsman) Act 1962—(1) This section and the next succeeding section shall be read together with and deemed part of the Parliamentary Commissioner (Ombudsman) Act 1962* (in that section referred to as the principal Act).

(2) This section and the next succeeding section shall be deemed to have come into force on the 15th day of June 1969.

*1962, No. 10

Amendments: 1967, No. 106; 1968, No. 138

132. Salary of Commissioner—(1) Section 7 of the principal Act is hereby amended by repealing subsection (1) (as substituted by section 2 (1) of the Parliamentary Commissioner (Ombudsman) Amendment Act 1967), and substituting the following subsection:

“(1) There shall be paid to the Commissioner out of the Consolidated Revenue Account, without further appropriation than this section, a salary at the rate of \$10,445 a year.”

(2) The Parliamentary Commissioner (Ombudsman) Amendment Act 1967 is hereby repealed.

That clauses 131 and 132 be a separate Bill, and that for clause 131 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Parliamentary Commissioner (Ombudsman) Act 1962

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

1. Short Title and commencement—(1) This Act may be cited as the Parliamentary Commissioner (Ombudsman) Amendment Act 1969, and shall be read together with and deemed part of the Parliamentary Commissioner (Ombudsman) Act 1962 (hereinafter referred to as the principal Act).

(2) This Act shall be deemed to have come into force on the 15th day of June 1969.

New Clauses

To insert, after clause 132 (as proposed to be inserted by this Supplementary Order Paper), the following heading and new clauses:

Workers' Compensation

133. Sections to be read with Workers' Compensation Act 1956—(1) 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).

(2) This section and the next succeeding section shall be deemed to have come into force on the 15th day of June 1969.

*Reprinted 1966, Vol. 4, p. 3323

Amendments: 1967, No. 29; 1967, No. 122; 1968, No. 121

134. Salary and allowances of Judge—(1) The principal Act is hereby amended by repealing section 42 (as substituted by section 2 (1) of the Workers' Compensation Amendment Act (No. 2) 1967), and substituting the following section:

"42. (1) There shall be paid to the Judge of the Compensation Court out of the Consolidated Revenue Account, without further appropriation than this section, a salary at the rate of \$10,445 a year, together with such travelling allowances as may be fixed from time to time by the Governor-General.

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

(2) The Workers' Compensation Amendment Act (No. 2) 1967 is hereby repealed.

That clauses 133 and 134 be a separate Bill, and that for clause 133 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Workers' Compensation Act 1956

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

1. Short Title and commencement—(1) This Act may be cited as the Workers' Compensation Amendment Act 1969, and shall be read together with and deemed part of the Workers' Compensation Act 1956 (hereinafter referred to as the principal Act).

(2) This Act shall be deemed to have come into force on the 15th day of June 1969.

EXPLANATORY NOTE

Clause 3A: The present annual allowance payable to the Chairman of the Auckland Electric Power Board by the Board may not exceed \$1,000. The clause provides that in future the annual allowance fixed by the Board shall not exceed such amount as may from time to time be approved by the Minister of Finance.

Clause 49A increases the salaries of the Judges of the Court of Appeal and of the Supreme Court, as from 15 June 1969, from \$12,800 to \$13,925 a year in the case of the Chief Justice, from \$12,200 to \$13,270 a year in the case of the President of the Court of Appeal, and from \$11,600 to \$12,620 a year in the case of the other Judges.

Clause 81A increases the salary of the Controller and Auditor-General from \$9,600 to \$10,445 a year as from 15 June 1969.

Clause 83: The new clause 83 proposed to be substituted allows regulations to be made under the Public Revenues Act 1953 requiring information to be supplied to the Audit Office concerning deficiencies in money or stores of any local authority within the meaning of Part XII of this Act, and prescribing the cases in which, the persons by whom, and the manner in which such information shall be supplied.

Clauses 84 and 85: It is proposed to omit these clauses which amend the Public Works Act 1928.

Clause 116: The first amendment removes the express provision that existing uses, etc. of natural water are to be protected by the Act only for the period for which they are otherwise lawful. The second amendment extends the new subsection (2A) so as to protect uses, etc. of natural water authorised by Order in Council made under other Acts in addition to those authorised by Order in Council made under the Public Works Act 1928.

Clause 117: This amendment provides that notice of a transfer of water rights shall be given by the transferee if the transferor fails to give the notice.

Clause 126 amends section 91 of the Electoral Act 1956 to enable any building suitable as a polling place situated within an electoral district and within half a mile of the boundary of an adjoining electoral district to be appointed as a polling place for both districts.

Clause 128: Subclause (1) increases the salary of the Judge of the Court of Arbitration, as from 15 June 1969, from \$11,600 to \$12,620 a year.

Subclause (2) increases the salary of an additional Judge of the Court of Arbitration. This salary is at present \$10,200 a year, but the present holder receives a salary of \$11,600. The new rate of salary will be \$11,095 a year from 15 June 1969, but in the case of the present holder of the office his new rate of salary will be \$12,620 a year from 15 June 1969.

Clause 130 increases the salaries of Magistrates from \$8,200 to \$8,920 a year as from 15 June 1969.

Clause 132 increases the salary of the Ombudsman from \$9,600 to \$10,445 a year as from 15 June 1969.

Clause 134 increases the salary of the Judge of the Compensation Court from \$9,600 to \$10,445 a year as from 15 June 1969.
