

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, the 6th Day of December 1977

STATUTES AMENDMENT BILL

Proposed Amendments

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

Accident Compensation

Clause 3 (1): Proposed new section 82: To omit from subsection (4) the words "1st day of October 1978 shall be paid into the Consolidated Revenue Account", and substitute the words "7th day of August 1978 shall be applied against amounts paid by him to the Commission under subsection (2) or subsection (3) of this section".

Clause 3 (2): To omit the words "1st day of October", and substitute the words "7th day of August".

Apprentices

Clause 14: To omit the proposed new section 4A, and substitute the following section:

4A. Temporary District Commissioners—(1) Where—

(a) The office of District Commissioner in any locality is vacant; or

(b) The Commissioner is satisfied that any District Commissioner is, through illness, absence, or other sufficient reason, unable to exercise and perform all his powers and functions—

the Commissioner may, by writing under his hand, authorise a suitable officer of the Public Service to exercise and perform all or any of the powers and functions of the District Commissioner in that locality until the office is filled or, as the case may be, the inability ceases; and every person so authorised may exercise and perform those powers and functions accordingly.

(2) While he exercises or performs any power or function that he has been authorised to exercise or perform under subsection (1) of this section, a person so authorised shall be deemed to be a District Commissioner.

(3) No authorisation of any person under subsection (1) of this section, and no acts done by any person so authorised in pursuance of that authority, shall in any proceedings be questioned on the ground that the occasion for the authorisation has not arisen or had ceased.

Medical Practitioners

Clause 63: To omit from the proposed new section 40 (2) (c) the words "and being of eminence and distinction in the community".

Private Savings Banks

Clauses 73 to 75: To omit these clauses.

Rotorua Town Lands

Clause 93: To omit from the proposed proviso to section 4 (2) the words "Administrative Division of the Supreme Court", and substitute the words "appropriate Land Valuation Tribunal".

Trustee Savings Banks

Clause 107: To insert in the proposed new section 20 (1), after the word "open", the words "or establish".

To insert in the proposed new section 20 (1), after the words "trustee savings bank", the words "(including itself)".

Clause 108: To omit subclause (1), and substitute the following subclause:

(1) Section 24 (1) of the principal Act is hereby amended by adding the following paragraph:

"(g) In such other manner as may be prescribed by regulations under this Act."

University of Auckland

Clauses 109 and 110: To omit these clauses.

University of Otago

Clauses 111 and 112: To omit these clauses.

Valuers

Clause 114 (3): To omit the expression "\$500", and substitute the expression "\$1,000".

New Clauses

To add, after section 120, the following headings and new clauses:

Broadcasting

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

*1976, No. 132

Amendment: 1977, No. 45

122. Powers of Corporation in relation to property—Section 46 of the principal Act is hereby amended by inserting, after paragraph (a), the following paragraph:

"(aa) With the consent of the local authority in which the road or street or reserve or the control thereof is vested, and subject to any conditions on which that consent is given, establish, instal, erect, alter, operate, and maintain relay stations on roads or

streets or on reserves for road or street purposes, and the local authority shall have power, and be deemed always to have had power, to give such consent:".

That clauses 121 and 122 be a separate Bill, and that for clause 121 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Broadcasting Act 1976

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 Broadcasting Amendment Act (No. 2) 1977, and shall be read together with and deemed part of the Broadcasting Act 1976 (hereinafter referred to as the principal Act).

Machinery

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

*Reprinted 1972, Vol. 3, p. 2543

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

124. **Amusement devices**—(1) Section 21A of the principal Act (as inserted by section 4 (1) of the Machinery Amendment Act 1963) is hereby amended by repealing subsections (4) and (5), and substituting the following subsections:

“(4) If the Inspector is of the opinion that an application is in order, he shall issue to the applicant, either unconditionally or subject to such conditions as are specified therein, a certificate of registration in the prescribed form.

“(5) Unless sooner revoked under regulations made under this Act, every certificate of registration shall expire either 2 years or such lesser period as may therein be specified after the date of its issue.”

(2) The said section 21A is hereby further amended by inserting in subsection (11), after paragraph (e), the following paragraphs:

“(ea) Prescribing minimum ages for operators of amusement devices:

“(eb) Requiring changes of ownership of amusement devices to be notified:

“(ec) Prescribing circumstances in which amusement devices are to be inspected or examined:

“(ed) Requiring the owners of amusement devices to inspect or examine them in specified circumstances and keep records of each inspection or examination:

“(ee) Imposing general duties on owners or operators of amusement devices or both of them:”.

That clauses 123 and 124 be a separate Bill, and that for clause 123 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Machinery Act 1950

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 Machinery Amendment Act 1977, and shall be read together with and deemed part of the Machinery Act 1950 (hereinafter referred to as the principal Act).

Quarries

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

*1957 Reprint, Vol. 13, p. 1

Amendments: 1961, No. 64; 1971, No. 158; 1972, No. 97; 1973, No. 88; 1975, No. 101

126. Restricting employment of women and young persons—The principal Act is hereby amended by repealing section 21, and substituting the following section:

“21. (1) No person under 15 years of age shall be employed in any capacity in or about any quarry.

“(2) No woman or girl shall be employed below ground in a tunnel except to do occasionally any class of work that she usually does above ground.

“(3) A person who is under 16 years of age shall not be employed below ground in any tunnel nor be employed on any dredge.

“(4) A person who is under 18 years of age shall not be employed as a lander or bracedman over any shaft; nor, except in cases of a breakage or some other emergency, shall he be employed in or about any quarry for more than—

“(a) Forty-eight hours (excluding meal times) in any 1 week; or

“(b) Eight hours (excluding meal times) in any 1 day.”

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 Quarries Act 1944

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 Quarries Amendment Act 1977, and shall be read together with and deemed part of the Quarries Act 1944 (hereinafter referred to as the principal Act).

EXPLANATORY NOTE

Accident Compensation

Clause 3 (1) and (2): The amendments provide for the commencement date to be 7 August 1978 instead of 1 October 1978, and delete a reference to the Consolidated Revenue Account.

Apprentices

Clause 14: The amendment omits the proposed new section 4A, and substitutes a new section. The new section restricts the power of delegation to the Commissioner of Apprenticeship and provides for the powers of a District Commissioner to be delegated only if that office is vacant or the District Commissioner is unable to exercise and perform his powers and functions.

Medical Practitioners

Clause 63: Omits the requirement that the lay member of the Medical Practitioners Disciplinary Committee must be a person of eminence and distinction in the community.

Private Savings Banks

Clauses 73 to 75 are omitted.

Rotorua Town Lands

Clause 93: The amendment substitutes a reference to the appropriate Land Valuation Tribunal for the reference to the Administrative Division of the Supreme Court.

Trustee Savings Banks

Clause 107: The amendment makes it clear that a trustee savings bank may establish an account with itself.

Clause 108: The amendment omits subclause (1) which empowers the Minister to approve securities as Government securities, and substitutes a new subclause.

The new subclause empowers trustee savings banks to invest money in such manner as may be prescribed by regulations.

University of Auckland

Clauses 109 and 110 are omitted.

University of Otago

Clauses 111 and 112 are omitted.

Valuers

Clause 114 (3): The amendment increases the maximum penalty which may be imposed by the Valuers Registration Board from \$500 to \$1,000.

Broadcasting

Clause 122: Doubts have arisen as to the powers of local authorities to consent to the erection of relay stations on roads or streets or road or street reserves.

This clause authorises the Broadcasting Corporation of New Zealand, with the consent of the controlling local authority, to erect and maintain relay stations on roads or streets or road or street reserves, and authorises the local authority to give such consent. The clause also validates such consents already given.

Machinery

Clause 124 amends section 21A of the Machinery Act 1950 so as to extend the purposes for which regulations relating to amusement devices may be made. Regulations may now prescribe minimum ages for operators of amusement devices, require changes of ownership of amusement devices to be notified, require inspection of amusement devices in certain circumstances, and impose general duties on the owners and operators of amusement devices.

Quarries

Clause 126 amends the provision restricting the employment of women and young persons in or about a quarry.

At present, no woman of any age and no male person under 16 years of age may be employed in or about a quarry, except in a clerical capacity or, in respect of women, as a nurse or cleaner.

The new provisions, which follow section 179 (1)-(4) of the Mining Act 1971, are as follows:

- (a) No person under 15 years of age may be employed in or about a quarry.
- (b) No woman or girl may be employed below ground in a tunnel except to do occasionally any class of work that she usually does above ground.
- (c) A person who is under 16 years of age may not be employed below ground in a tunnel nor be employed on a dredge.
- (d) A person who is under 18 years of age may not be employed as a lander or bracedman over a shaft; nor, except in cases of a breakage or other emergency, may he be employed for more than 48 hours in any week or for more than 8 hours in any day.