

Supplementary Order Paper.

HOUSE OF REPRESENTATIVES.

Monday, the 30th Day of January, 1922.

TRAMWAYS AMENDMENT BILL.

Mr. HARRIS, in Committee, to move the following amendments:—

Clause 2: To omit the words “has been” where they occur in line 20 and in lines 26 and 27, and substitute the words “shall hereafter be.”

Clause 2: To add the following subclauses:—

“(6.) Upon the conclusion of such inquiry the applicant may apply by petition to the Supreme Court or a Judge thereof for such conditional order to become absolute upon the issue of a further Order in Council in that behalf, as the evidence taken before such Commission and the recommendations of the Commission thereon may justify, and the Court or Judge, after hearing all parties concerned, and, if thought fit, such further evidence as the case may require, may, if satisfied that the applicant is suffering undue hardship arising from exceptional circumstances beyond his control, and that the amendment or variation applied for is not contrary to the public interest, make an order giving relief in such terms and subject to such conditions as may be just.

“(7.) No authorizing order shall be amended or varied upon application by any person to whom the authority conferred by the order has been delegated, unless the local authority empowered by the order shall consent thereto, or, failing such consent, unless such Court or Judge as aforesaid shall be satisfied, and shall certify, that the amendment or variation applied for is in the public interest.”

To add the following new clauses:—

A. Such Commission shall take into account all the circumstances of the applicant, including the whole business and undertaking of the applicant under the authorizing order, and otherwise in case where any other tramway, ferry, or other public service is carried on in conjunction with the tramway undertaking under the authorizing order, and the Commission shall certify whether the amendment or variation (if any) recommended is in the public interest or otherwise.

B. No further order amending or varying an authorizing order upon the application of a delegate shall be made and published until the expiration of one month after the report of the Commission shall have been served upon the local authority.
