

duly passed, and the other shall be appointed by the appellant in writing as hereinafter provided.

(2.) No person shall be capable of acting as an assessor except an engineer duly registered under the said Act.

(3.) If by reason of death, sickness, removal, or any other cause the Magistrate named as provided by clause (2) of Regulation 3 hereof shall be unable to discharge the duties referred to in Regulation 4 hereof any other Magistrate may discharge such duties in the place of the Magistrate so named.

(4.) If by reason of death, sickness, removal, or any other cause the Magistrate so named as aforesaid shall not be present at the time and place fixed for the hearing of the appeal, any other Magistrate for the time being present may act in the place of the Magistrate so named, and if no other Magistrate be available the assessors may from time to time adjourn the hearing of the appeal for such period not exceeding fourteen days and to such place as they think fit.

(5.) If by reason of death, sickness, or any other cause any assessor appointed as aforesaid shall not be present at the time and place fixed for the hearing of the appeal, then the Board or the appellant, as the case may be, shall either at the time of hearing or previously thereto make a fresh appointment of an assessor and give notice in writing thereof forthwith to the Magistrate and to the other party, and the Magistrate may adjourn the hearing of the appeal for such time not exceeding fourteen days as he thinks fit.

3. NOTICES BY PARTIES.

(1.) Any person wishing to appeal shall give notice in the form set out in the Schedule hereto, and shall specify therein the name of the person whom he appoints to act as assessor on his behalf at the hearing of the appeal, and such assessor shall give in writing his consent to act.

(2.) Within a period of twenty-one days after receipt of such notice of appeal the Board shall inform the appellant of the name of the Magistrate before whom the appeal will be heard and of the assessor appointed by the Board, and shall at the same time forward to such Magistrate a copy of the Board's decision and the notice of appeal therefrom, together with a notice of the appointment of an assessor by the Board.

4. TIME OF HEARING.

(1.) The Magistrate shall fix a convenient time and place for the hearing of the appeal, such time to be not more than forty-two days after the receipt by the Board of the notice of appeal referred to in Regulation 3 hereof.

(2.) The Magistrate shall cause at least seven days' previous notice of such time and place to be given to each assessor, the Board, and the appellant.

5. PROCEDURE AT HEARING.

(1.) The Board of Appeal may, in its discretion, receive any evidence that it thinks fit (whether on oath or otherwise), and may act on any statement, document, information, or matter which in the opinion of the Board of Appeal may assist it to deal with the matters before it, whether the same would be legally admissible in a Court of law or not.

(2.) In the matters not expressly provided for in the said Act or by these regulations the procedure of the Board of Appeal shall be such as the Magistrate may determine.

(3.) The Board of Appeal may from time to time adjourn the hearing or consideration or determination of the appeal as it thinks fit.

(4.) At the hearing of the appeal the appellant may himself appear or may be represented by some other person on his behalf, and the Board may be represented by any member thereof appointed by the Board, or by some other person appointed by the Board, but no solicitor or counsel shall appear or be heard.

(5.) If the appellant or his representative fails to appear at the hearing, the Board of Appeal may determine the appeal in his absence on such evidence as is available. If he appears, the evidence shall be taken in his presence or in the presence of his representative or both.

(6.) The determination made in respect of an appeal shall be in writing signed by the Magistrate and a copy of such determination shall be forwarded by the Magistrate to the appellant and to the Board, and the Board shall forthwith give effect to such determination. The Magistrate shall advise the Board whether or not the determination was unanimously arrived at.

6. COSTS, FEES, AND EXPENSES.

(1.) If the appeal is allowed the appellant shall be entitled to costs to be determined by the Board of Appeal.

(2.) If the appeal is disallowed the appellant shall not be entitled to costs, and if in the opinion of the Board of Appeal the appeal is frivolous the Board of Appeal may direct that costs to be determined by the Board of Appeal shall be paid to the Board by the appellant, and such costs shall be a debt due to the Crown by the appellant.

(3.) The costs that may be allowed under this regulation may include allowances to the appellant or officials of the Board, as the case may be, and to witnesses at a rate not exceeding the scale of allowances to witnesses for the time being in force under the Magistrates' Courts Act, 1908, or any Act for the time being amending or replacing that Act.

(4.) The assessors hearing any appeal may be paid such fee as may be considered reasonable by the Board of Appeal, but so that in no case shall the fee payable to any assessor exceed £2 2s. per diem.

7. SERVICE OF DOCUMENTS.

Any notice required to be given or document required to be served under these regulations may be given or served by registered-post letter, and if sent to an appellant may be addressed as provided by Regulation 4 of the Engineers Registration Regulations, 1925.

SCHEDULE.

NOTICE OF APPEAL.

To the Chairman,  
Engineers Registration Board,  
Wellington.

TAKE notice that I [Full name], of [Full postal address and occupation], do hereby appeal under section twelve of the Engineers Registration Act, 1924, against the decision of the Engineers Registration Board conveyed to me by notice from the Registrar dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, [Here insert either "declining my application for registration" or "removing my name from the Register"].

The following are the grounds upon which I make my appeal:—

[Here insert fully the grounds of appeal.]

And I do hereby appoint [Name in full], of [Full postal address and occupation] as my assessor for the purposes of this appeal.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
[Signature of Appellant.]

I hereby consent to act as an assessor for the purpose of this appeal.—[Signature of Assessor for Appellant.]

F. D. THOMSON,  
Clerk of the Executive Council.

*Fixing the Date on which the Ashley River Improvement Act, 1925, shall come into Force.*

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 10th day of November, 1925.

Present:

THE HONOURABLE J. G. COATES PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred by section one of the Ashley River Improvement Act, 1925, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby fix the eleventh day of November, one thousand nine hundred and twenty-five, as the date on which the Ashley River Improvement Act, 1925, shall come into force.

F. D. THOMSON,  
Clerk of the Executive Council.

*Amending Regulations for the Conservation and Use of the Rotorua Sanatorium, Thermal Springs, and Grounds.*

CHARLES FERGUSSON, Governor-General.

IN pursuance of the powers and authorities conferred upon me by the three-hundred-and-twenty-ninth section of the Land Act, 1908, the Tourist and Health Resorts Control Act, 1908, and of all other powers and authorities enabling me on that behalf, I, General Sir Charles Fergusson, Baronet, Governor-General of the Dominion of New Zealand, do hereby revoke that portion of the First Schedule of regulations relative to the charges for baths, games, and treatment of patients in the Government Sanatorium, made on the twenty-second day of May, one thousand nine hundred and twenty-three, seventeenth day of July, one thousand nine hundred and twenty-four, seventeenth day of April, one thousand nine hundred and twenty-five, and published in the *New Zealand Gazette* of the thirty-first day of May, one thousand nine hundred and twenty-three, twenty-fourth day of July, one thousand nine hundred and twenty-four, and twenty-third