

By-laws of the Matatua District Maori Council, under the Maori Councils Act, 1900, and the Health Act, 1920, approved.

Native Minister's Office,
Wellington, 3rd November, 1945.

IT is hereby notified that His Excellency the Governor-General has been pleased to approve of the following by-laws made by the Maori Council of the Matatua Maori District, under the provisions of section 16 of the Maori Councils Act, 1900.

H. G. R. MASON, Native Minister.

Approved—

C. L. N. NEWALL, Governor-General.

THE MAORI COUNCIL OF THE MATATUA MAORI DISTRICT
By-Laws

The Maori Council of the Matatua Maori District, constituted under the Maori Councils Act, 1900, and its amendments, and the Health Act, 1920, hereby makes the following by-laws, such by-laws to come into operation upon approval thereof by the Governor-General and the publication of the same in the *Gazette*.

INTERPRETATION

In these by-laws, except where inconsistent with the context or when otherwise expressly provided, the following expressions shall have the meanings attached thereto—

- “The said Acts” means the Maori Councils Act, 1900, and its amendments, and the Health Act, 1920;
- “The Council” means the Maori Council of the Matatua Maori District constituted under the said Acts;
- “Committee” or “Village Committee” means the Village Committee of a Maori kainga, village, or pa appointed by the Maori Council under the provisions of the said Acts;
- “District” means the Matatua Maori District proclaimed by the Governor-General under the provisions of the said Acts;
- “Native Township” means a township constituted under the Native Townships Act, 1910;
- “Prescribed” means prescribed by rules or regulations made under the said Acts or by these by-laws.

A.—GENERAL PROVISIONS

1. Upon the death of any Maori, the particulars required to be registered concerning such death shall be furnished to the nearest Registrar of Births and Deaths of Maoris within two weeks after the date of death, and in accordance with Part IV of the regulations providing for the registration of births and deaths of Maoris.

Failure to comply shall render the offender liable for a first offence to a penalty not exceeding £2.

2. In every case of death, where the deceased has not been attended by a qualified practitioner or by a district health nurse, the committee shall investigate the circumstances surrounding such death with regard to the nature of illness, duration, treatment, and names of persons who treated or were in attendance on deceased, and report the result of this investigation to the Registrar of Births, Deaths, and Marriages of Maoris.

3. Human corpses shall be buried, if the death occurs between the 15th day of March and the 15th day of September (both days inclusive) in any year, within four days after death; and if the death occurs between the 16th day of September and the 14th day of March (both days inclusive), within three days after death, unless the Medical Officer of Health or any person authorized by him shall otherwise direct.

4. Where death has occurred from an infectious disease, the corpse shall be buried within twenty-four hours after death. The corpse shall be removed from the dwelling, tent, hospital, or place where death occurred, to the cemetery without being allowed to lie in state at any intermediate village, and no tangi shall be held.

5. It shall be the duty of the nearest relatives of the deceased, or, in their absence, of the owner or occupier of the house or premises wherein deceased died, to comply with the provisions of by-laws 3 and 4; and all or any of them shall be deemed guilty of a breach thereof as the Council may deem fit, and shall be liable to a penalty not exceeding £5 for each offence.

6. No human corpse shall be buried, except with the permission of the Council, in any other place than a burial-ground recognized by the inhabitants of a Maori kainga, or reserved or set apart by them or some duly constituted authority as a burial-ground.

7. No human corpse shall be permitted to lie in state inside or in front of any meetinghouse but may, if encased in a casket, lie in state at some other spot in the vicinity that may be indicated by the chairman of the committee.

B.—BUILDINGS

8. No person shall erect a dwellinghouse upon any site not having natural or artificial subsoil drainage sufficient to prevent such site being damp, or upon any site having matter thereon which may prove injurious to the health of the occupants of such buildings. The ground underlying every dwellinghouse shall be so formed and graded that no water can flow or lodge thereon or under any part of such building. Where the site of an erected dwellinghouse is considered injurious to the health of the occupants, the Council may order the owner or occupier to remove such building to a more healthy site.

9. Every person who shall erect a dwellinghouse shall construct every room intended to be used as a living-room or sleeping-room so that the same shall be not less than 8 ft. 6 in.

in height from the floor to the ceiling in every part; provided that every room intended to be used as aforesaid with a sloping or unceilinged roof shall be not less than 8 ft. in height from the floor to the roof, over one-half the superficial area of such room, and no wall thereof shall have a height of not less than 5 ft. before any slope of the roof commences.

10. Every person who shall erect a dwellinghouse shall provide that for every sleeping-room therein there shall be at least 63 square feet of floor-space to each adult or every two children under ten years of age sleeping in that room; and there shall be a window-space clear of frames equal in area to at least one-tenth of the area of the floor of such room, of which window-space at least one-half shall be made to open.

11. Every person who shall erect a dwellinghouse must provide each sleeping-room with a boarded floor so that there shall be between the underside of every joist, plate, stringer, and bearer on which such floor may be laid or supported and the upper surface of the ground a space of 6 in. at least in each part, and he shall cause the area below such floor to be thoroughly ventilated by some effectual method.

12. In the case of houses already erected the Council may require the owner or occupier of any dwellinghouse which does not comply with Section B, clauses 10 and 11, to make such alterations or additions as may be deemed necessary.

13. The Council may, or shall if the Medical Officer of Health so directs, order the removal or destruction of any building in a dirty and unwholesome state, if in its opinion it is unsuitable for human habitation, or if the owner or occupier thereof fails after due notice to clean, renovate, or himself remove or destroy the same.

14. The chairman of the committee, or any person duly authorized by the committee in that behalf, may, by notice in writing, direct the owner or occupier of any house or other building in a dirty and unwholesome state to clean or cause the same to be cleaned within a time to be specified in such notice.

15. Any person refusing or neglecting to comply with notice for removals, alterations, or cleaning under clauses 8, 10, 11, 12, 13, and 14 shall be liable to a fine not exceeding £1 for the first offence and £5 for every subsequent offence, and in the case of persistent refusal or neglect to comply, the committee may order the work to be done. Any costs incurred by the committee in and about such removals, alterations, or cleanings shall be a debt due to the committee, recoverable as liquidated damages by process in a Magistrates' Court.

16. The committee may, in its discretion, ease or modify the application of the foregoing clauses 8, 12, 13, and 14 in the case of any old, ill, or feeble person occupying any such buildings as aforesaid, so that such clauses shall not press heavily on such person. The chairman of the committee shall report the case and all the circumstances to the chairman of the Council, whereupon the Council shall consider such case and decide whether it shall devote part of its funds towards cleaning and otherwise improving the dwellings of such sick, old, or feeble persons.

17. The owner or occupier of a dwellinghouse shall be held responsible for preventing more persons sleeping in any room thereof than are allowed by the floor-space laid down in clause 10. Failure to comply with this shall render him liable to a penalty not exceeding 5s. for a first offence and not exceeding 10s. for every subsequent offence.

Movable and Temporary Dwellings

18. Every person who shall own or occupy temporarily a tent, shed, whare, or similar structure shall be responsible that the same is clean, dry, weatherproof, and ventilated. Each adult and every two children under ten years of age shall be provided with 20 square feet of floor-space.

19. Every person who shall own or occupy a tent, shed, whare, or similar structure which is in such a state as to be a nuisance or injurious to health, or which is so overcrowded as to be injurious to the health of the inmates, whether or not members of the same family, shall be deemed guilty of an offence, and shall be liable to a penalty not exceeding £1 for the first offence, and not exceeding £5 for every subsequent offence.

Meeting-houses

20. All provisions of the clauses in these by-laws relating to buildings used as a dwellinghouse shall apply to meeting-houses.

21. All meeting-houses shall be provided with sufficient private accommodation for each sex to the satisfaction of the Medical Officer of Health.

22. No sweepings or rubbish shall be deposited under the floor of a meeting-house.

23. The committee shall direct the carrying-out of any necessary alterations or additions under these by-laws, and in the event of the owner or persons concerned in the meeting-house refusing to carry out such alterations or additions such meeting-house may be closed down until the by-laws are complied with.

C.—DRAINAGE

24. The Council shall make such by-laws regarding drainage to suit the particular circumstances of their district as the Medical Officer of Health approves.

25. It shall be an offence for any person to cause any waste water from any dwellinghouse in a Maori kainga to be discharged over the ground in such a manner as to cause a nuisance, or into any dry ditch, or watercourse flowing through a Maori kainga.

26. Where any system of drainage for the disposal of waste water is installed in any dwellinghouse it shall be an offence if the owner or occupier does not keep such drainage system clean.