

New Zealand.



ANALYSIS.

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1885, No. 48.

AN ACT in restraint of the making of Contracts with Local Bodies by any Members thereof. Title.
[22nd September, 1885.]

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

1. The Short Title of this Act is “The Local Bodies Contractors Act, 1885.” Short Title.

2. In this Act—
 “Local body” means and includes every Borough Council, County Council, Road Board, Town Board, Harbour Board, River Board, Drainage Board, Education Board, and District Boards and Trustees appointed under the provisions of “The Hospitals and Charitable Institutions Act, 1885.” Definition of local body.

3. Any member of any local body who enters into any contract for the supply of anything or the performance of any work with the local body of which he is a member, or who knowingly supplies anything whatever to such local body shall not be entitled to payment for the same, and any sum paid in respect of any such contract or supply shall be recovered, together with ten pounds in addition thereto, with full costs of suit, by any person who shall sue for the same in a Court of competent jurisdiction. Members of local bodies contracting with them to forfeit contract money and penalty besides.

The amount recovered as having been improperly paid shall be handed over to the local body from whose funds it was paid, and the person suing shall be entitled to the ten pounds with the full costs of suit.

4. Any member of any local body who knowingly gives or joins in giving authority for, or who is a party or consents to, any such payment as aforesaid shall pay the sum of twenty pounds, with full costs of suit, to any person who shall sue for the same in a Court of competent jurisdiction. Penalty for authorizing payment of such contract moneys.

Repeal.

5. The provisions of this Act shall supersede the provisions of all enactments heretofore passed imposing pecuniary penalties on members of local bodies or on persons entering into contracts with such bodies for work or for the supply of anything, or who supply anything to such bodies, but no further or otherwise.

No action, suit, prosecution, or other proceeding shall hereafter be commenced or instituted for enforcing or recovering any penalty or sum of money imposed or made payable by any of the said enactments; and all actions, suits, prosecutions, or other proceedings pending at the time of passing this Act shall cease to be further prosecuted on the defendant tendering to the prosecutor the sum of twenty pounds with full costs of all proceedings taken before such tender. The amount of costs to be paid shall, on application of the defendant, be fixed by the Registrar or Clerk of the Court in which the proceedings have been taken, who shall grant a certificate stating the amount to be paid.