

Mr. Payne.

COLLECTION OF SMALL DEBTS.

ANALYSIS

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A BILL INTITULED

AN ACT to facilitate the Collection of Small Debts, without adding to the Debts of Poor People Legal Charges, and securing to the Trader of Amounts due to him. Title.

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

1. This Act may be cited as the Collection of Small Debts Act 1916. Short Title.

10 2. The Public Trustee, personally or through his subagents in the towns of the Dominion, is hereby empowered to garnishee and shall garnishee the wages or salary of any person who is proved to the satisfaction of the Public Trustee or his subagent to owe an account to any trader or merchant or others, not exceeding in all 15 twenty-five pounds, according to the scale set forth in the Schedule hereto. Public Trustee empowered to garnishee wages, &c.

3. All proceedings for the recovery of debts of twenty-five pounds or less, other than those proceedings prescribed herein, are hereby declared null and void, and any other Act or Acts relating to the recovery of debts are hereby amended accordingly. Proceedings under any other Act null and void.

20 4. Any person wishing to recover a debt of twenty-five pounds or less shall furnish three copies of the account owing in detail, accompanied by a letter addressed to the Public Trustee, Wellington, whereupon the Public Trustee, either personally or by his agent, shall communicate in writing with the person alleged to owe the 25 debt, and the communication shall demand the person to say, in writing, if he owes the debt or not, and in the case of any dispute the Public Trustee shall summon the parties to appear before him, and the parties shall appear before him, without counsel on either side, and the parties shall each state his view of the case, and after hearing

the views of both parties, the Public Trustee shall order such inquiry to be made as he may think fit, or shall give his decision at once, directing that the account said to be owing shall be accepted as owing or that it be amended so as to exclude disputed items, or in any way which will render the account acceptable to both parties. 5  
 When the Public Trustee has had the account proved to his satisfaction he shall make an order for the payment of such sums per week, and shall garnishee the debtor's wages or salary as he is empowered to do by section *two* hereof, or if the debtor elects to pay the amount per week as set forth by the Schedule without the Public Trustee 10  
 actually serving notice of garnishee on the debtor's employer, the garnishee order shall be stayed as long as the debtor keeps up his payments.

## Schedule.

## SCHEDULE.

THE Public Trustee may garnishee the wages or salary of any debtor according to the following scale:—

Wages or salary earned being under £2, the weekly payment shall be 6d. in the pound.

Over £2 and under £3, the weekly payment shall be 6d. in the pound for the first £2 and 9d. in the pound for the other pound.

Over £3, the weekly payment shall be 1s. in the pound for each pound of the wages or salary earned.

For the purpose of computing the weekly payments on amounts not even pounds, 10s. shall not be counted; but amounts over 10s. shall be counted as £1. Example: the weekly payment on wages £3 10s. shall be 1s. 9d. per week; and on £3 11s. to £4, 2s. 9d. per week.