

STATUTES AMENDMENT BILL

EXPLANATORY NOTES

Annual Holidays

Clause 2: Offences in respect of holiday cards.—*Subclause (1)* of this clause makes it an offence to lend money on the security of a holiday card, or, with intent to deceive, to alter one in any material particular. *Subclause (2)* makes it clear that an Inspector of Factories may sue for a penalty for an offence under the principal Act. The present section 13 (3) of the Act has been construed as requiring an Inspector of Awards to take such proceedings.

Auckland University College

Clause 3: Section 4 of Auckland University College Amendment Act, 1923 (as to Principal being member of Council), amended.—The effect of section 4 of the above-mentioned Act is that the Principal of the College is an *ex officio* member of the Council. While he holds office, the Professorial Board appoints only one member instead of two; and if there are already two members appointed by the Professorial Board one must retire on the appointment of a Principal. This clause repeals the latter provisions.

Board of Trade

Clause 4: Sections 30 and 31 of Board of Trade Act, 1919 (as to offences against regulations), amended.—Under section 30 of the principal Act, the penalty for an offence against a Board of Trade regulation is a fine not exceeding £200 or imprisonment for a term not exceeding 3 months. Alternatively, the offender may be sued under section 31 for a penalty of £1,000. This clause will allow section 31 to be excluded, and a smaller penalty imposed under section 30, by the regulation, in the case of trivial offences not warranting such heavy punishment.

Cinematograph Films

Clause 5: Extending quota provisions of Cinematograph Films Act, 1928.—The quota provisions of the Cinematograph Films Act, 1928, with respect to the Renters' Quota of British Films expire on the 31st December, 1949, and the provisions with respect to the Exhibitors' Quota of British Films expired on the 30th September, 1949. This clause renews those provisions for a further period of five years.

Divorce and Matrimonial Causes

Clause 6: Affidavit verifying petition.—The purpose of this clause is to enable the affidavit verifying a petition under the Act to be appended to the petition itself, instead of a separate document having to be prepared and filed.

Electoral

Clause 7: Section 28 of Electoral Act, 1927, (as to qualification of electors), amended.—Under section 28 (3) of the Electoral Act, 1927, a person's absence as a member of a Naval or Military Force does not affect his residential qualification. This clause extends the provision to cover service with the Air Force.

Clause 8 (1): Closing of general rolls in Maori electoral districts.—This clause allows different dates to be fixed for closing the European and Maori rolls.

Clause 8 (2): Validating closing of Maori rolls in year 1949.—This clause validates the closing of the Maori rolls on the 20th June, 1949. No Order in Council was issued for the purpose.

Clause 9: Authorizing expenditure on normal commercial advertising for Parliamentary candidates.—This clause authorizes expenditure on normal commercial means of advertising. At present such expenditure is restricted to newspaper advertisements.

Clause 10: Provisions as to cinematograph films at Parliamentary elections.—Under any of the conditions set out in paragraphs (a) to (c) of this clause, the exhibition of cinematograph films and screen advertisements, and expenditure thereon, is not to be deemed to constitute bribery or treating or an illegal practice within the meaning of sections 225, 226, or 230 of the principal Act.

Electricity

Clause 11: Functions of State Hydro-electric Department.—This clause expressly confers on the Department functions which are necessarily incidental to its operation. It will enable new regulations to be made, superseding the Electricity Emergency Regulations 1939 and containing such provisions as remain necessary in connection with the rationing of electricity.

Clause 12: Protection of persons acting under authority of Act or regulations.—The new subsection (1) in this clause protects the Crown, supply authorities, and others against future claims for loss or damage suffered, or expenditure incurred, as a result of acts done in execution or intended execution of regulations made for the purposes set out in section 3 (2) of the Electricity Act, 1945 (as enacted by the *last preceding clause*). It is adapted from section 6 of the Supply Regulations Act, 1947. The new subsection (2) bars claims for expenses incurred in the administration or enforcement of electricity restrictions under the Electricity Emergency Regulations 1939.

Explosive and Dangerous Goods

Clause 13: Section 2 of Explosive and Dangerous Goods Act, 1908 (as to definition of dangerous goods), amended.—The definition of dangerous goods in the Explosive and Dangerous Goods Act, 1908, is too wide to enable adequate restrictions to be placed on the storage and use of fuel oil for commercial and industrial heating purposes, as dangerous goods. This clause brings fuel oil within the scope of the Explosive and Dangerous Goods Amendment Act, 1920, as from 1st April, 1950.

Clause 14: Certificates of proficiency in use of explosives.—This clause authorizes the making of regulations for the issue of certificates of proficiency in the use of explosives for blasting.

Factories

Clause 15: Section 4 of Factories Act, 1946 (as to Inspectors), amended.—Under the proviso to section 4 (1) of the Factories Act, 1946, no Inspector of Factories is to be appointed as an officer of the Public Service unless he has passed a prescribed examination relating to the Act and to factory conditions generally. The effect of this clause is that where an Inspector of Quarries is appointed a Factory Inspector to inspect "factories" forming parts of quarries (thus avoiding inspection by two Inspectors), such an examination is unnecessary. Such Inspectors are at least equally qualified.

Food and Drugs

Clause 16: Section 3 of Food and Drugs Act, 1947 (as to what constitutes "sale"), amended.—"Sale", in the Food and Drugs Act, 1947, means sale for human consumption or use. *Subclause (1)* of this clause extends the meaning of the term to a sale for the purpose of mixing the food or drug with another, if the final product is to be sold for human consumption or use. *Subclause (2)* deals specifically with milk. In a recent case, an analysis of a sample of milk taken from one of two cans showed 45 per cent. of added water. The other can had no water in it, and the contents of the two were to have been mixed at a treating-house before sale for human consumption. The Supreme Court held that the vendor could not be convicted, because the sample of the adulterated milk was not a "true" sample of what was to be sold for human consumption, namely the bulk produced by mixing.

Clause 17: Offence to sell food or drug not complying with prescribed standard.—Under section 6 (2) (a) of the Act, it is an offence to sell a food or drug "containing any substance of which the addition is prohibited by regulations under this Act or which does not comply with the standard prescribed therefor by any such regulation". It has been pointed out that the latter part of this provision applies only to an ingredient, and not to the food or drug itself. The purpose of this clause is to remedy the defect.

Forest and Rural Fires

Clause 18: Moneys owing to a Fire Authority to be recoverable as a debt.—This clause makes it clear that moneys payable under the Act by any person to a Fire Authority shall be recoverable as a debt.

Clause 19: Fire Authority may borrow money.—In times of emergency, either when there has been an outbreak of fire or in special danger of an outbreak of fire, a Fire Authority may suddenly be faced with extraordinary expenditure. The clause gives Fire Authorities power to borrow moneys so that they can meet any such expenditure.

Guardianship of Infants

Clause 20: Making and enforcement of orders for guardianship and custody.—Apart from the special provisions of the Divorce and Matrimonial Causes Act, 1928, the Destitute Persons Act, 1910, and section 6 of the Infants Act, 1908, the only procedure for applying to the Court for the custody of children is by way of application for a writ of Habeas Corpus, a process which is lengthy, complicated, and expensive, and in which the delay often leads to evasion by the person having possession of the children. *Subclause (1)* of this clause provides a simple procedure for obtaining a court order, and contains provisions for enforcement of the order. *Subclause (2)* extends to fathers the right given to mothers, by section 6 of the Infants Act, to apply to the Court for custody. The father has this right at common law, but when jurisdiction under the Infants Act was given to Magistrates, the Magistrates' Courts were not given jurisdiction over applications by fathers, who at present must apply to the Supreme Court.

Harbours

Clause 21: Power of Harbour Board to supply water and electricity.—This clause extends the class of cases in which Harbour Boards may supply electricity, but restricts the circumstances in which they may do so.

Clause 22: Appeal Board.—The definition of the term “employees of the Harbour Board” in section 9 (4) of the Harbours Amendment Act, 1948, excludes a substantial number of regular employees of Harbour Boards because they are not appointed and employed under section 47 of the Harbours Act, 1923. The clause amends this definition accordingly and provides that the employees’ representative on each Appeal Board is to be appointed by the Governor-General. It also makes it clear that nothing in any award or industrial agreement is to prevent an appeal.

Health

Clause 23: Service of closing-orders in respect of insanitary premises that are unoccupied.—Under section 40 of the Health Act, 1920, as amended by section 6 of the Health Amendment Act, 1940, a closing-order in respect of insanitary premises must be served on the occupier and, if the occupier is not the owner, on the owner. Doubt has arisen as to the power to issue a closing-order under the section where there is no occupier to be served. This clause provides that in such a case the order is to be served on the owner or his agent.

Immigration Restriction

Clause 24: Application of Act to arrival or removal of persons by aircraft.—The purpose of this clause is to extend the application of the Immigration Restriction Act, 1908, to persons arriving by aircraft as well as to those arriving by ship, and to authorize the use of aircraft, as well as ships, for deportation or removal pursuant to the Act.

Industrial Conciliation and Arbitration

Clause 25: Provision for appointment of additional Judge of Court of Arbitration.—Under section 2 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1937, as amended by the Industrial Conciliation and Arbitration Amendment Act (No. 3), 1937, an additional Judge of the Court of Arbitration may be appointed. He may be either a Supreme Court Judge appointed temporarily to the Court of Arbitration or a qualified barrister or solicitor appointed permanently to that Court, but only one additional Judge can be in office at a time. This clause authorizes the appointment of a second additional Judge. *Subclause (2)* authorizes an additional Judge to hold another office concurrently, without extra salary. *Subclause (3)* repeals the provision requiring additional nominated members of the Court to be appointed whenever an additional Judge is appointed.

Clause 26: Section 134 of Industrial Conciliation and Arbitration Act, 1925 (as to appeals from Magistrates), amended.—This clause re-enacts the subsection that applies the provisions of the Magistrates’ Courts Act, 1928 (as to appeals from Magistrates to the Supreme Court) to appeals from Magistrates to the Court of Arbitration, so as to substitute references to the appropriate sections of the new Magistrates’ Courts Act, and also to provide for the lodging of appeals with the Clerk of Awards instead of the Registrar of the Supreme Court.

Infants

Clause 27: Legal status of adopted child.—*Subclause (1)* of this clause re-enacts section 21 of the Infants Act, 1908, which has been redrafted to make the status of an adopted child more like that of a natural child. It also disposes of some difficulties of interpretation which had arisen out of the wording of the

present section 21. *Subclause (2)* consequentially repeals section 42 of the Child Welfare Act, 1925 (which amended section 21 of the Infants Act), and also repeals two provisions of the Destitute Persons Act, 1910, under which the natural parent is liable for the maintenance of the adopted child, whether as a destitute person or under an affiliation order.

Judicature

Clause 28: Extending power to make rules conferring specified jurisdiction and powers on Registrars or Deputy Registrars.—Section 28 of the Statutes Amendment Act, 1947, confers on the Rules Committee power to make rules conferring certain jurisdiction and powers on Registrars and Deputy Registrars, but is limited to the Code of Civil Procedure and Rules of the Court of Appeal. This clause gives power to make such rules as aforesaid in the case of Supreme Court and Court of Appeal proceedings under other Acts (for example, the Divorce and Matrimonial Causes Act, 1928).

Juries

Clause 29: Jury lists to be compiled six months later in year.—At present jury lists are compiled between the issue of the warrant therefor (before the end of January) and the 7th March (by which date the notice of the making of the list has to be exhibited). The effect of this clause is that the list will be compiled six months later in the year, which will make the work easier. The amendment in *subclause (5)*, which relates to amending the list, is consequential on the raising of the age-limit for jury service by section 36 of the Statutes Amendment Act, 1945.

Clause 30: Names of persons summoned who are granted exemption.—The effect of this amendment is that jurors who attend but are granted exemption at any session may be called again for service at another session in the same year.

Land

Clause 31: Amending provisions as to acquisition of fee-simple and as to exchange of certain leases or licences for new renewable leases.—The purpose of *subclause (1)* of this clause is to apply the provisions of Part VII of the Land Act, 1948 (relating to the acquisition of the fee-simple), to licences for occupation with right of purchase, commonly known as O.R.P.'s. The effect of paragraphs (b), (c), and (d) of the subclause is that this right is in addition to and not in substitution for the right of purchase conferred by the licence. Under *subclause (2)* the holder of a lease in perpetuity or of a licence for occupation with right of purchase who exercises his right to exchange his lease or licence for a new renewable lease of the same land or, on the expiry of the licence, to take a renewable lease of the land, will be entitled to a renewable lease under the Land Act, 1948.

Land Transfer

Clause 32: Authorizing destruction of office copy of discharged mortgage where outstanding duplicate surrendered.—At present, when a mortgage is discharged and the outstanding duplicate is surrendered and cancelled, the Registrar is not allowed, because of section 4 of the Land Transfer Amendment Act, 1925 (as to destruction of instruments of title), to destroy his office copy until 20 years have elapsed, and then may do so only with the express approval of the Registrar-General. This clause will allow destruction of the office copy when the discharge of mortgage is registered.

Land Valuation Court

Clause 33: Application for extension of time for appeal may be made before or after expiration of time fixed for appeal.—The purpose of this clause is to provide that an application for an extension of the time within which to appeal from an order of a Land Valuation Committee may be made either before or after the expiration of the time fixed for appeal, and may be made notwithstanding that the Committee's order has been sealed as an order of the Court.

Marketing

Clause 34: Records to be kept in respect of production or treatment, &c., of milk. Offences.—The purpose of this clause is to enable a check to be made, where necessary, on declarations of sales and services which are required under the National Milk Scheme (which is made under the authority of section 6 of the Marketing Amendment Act, 1937). Cases have occurred where subsidies under the scheme have been overpaid owing to wrong returns; and in a number of other cases it has been found impossible to check the correctness of returns because the records are inadequate.

Masterton Licensing Restoration

Clause 35: Power of Pahiatua Licensing Committee to grant licence before next annual meeting.—By section 6 of the Masterton Licensing Restoration Act, 1947, the Pahiatua Licensing Committee was empowered to grant licences either at its annual meeting or at any quarterly or special meeting held before June, 1948. The annual meeting in June, 1948, was adjourned until September to allow an applicant to repair his premises in Eketahuna. The work has been done by the owner of the premises at considerable expense, but the application lapsed because in August, 1948, the proposed licensee died in an aircraft accident. By section 28 of the Statutes Amendment Act, 1948, section 6 was amended to allow a new application for the premises to be dealt with at the quarterly meeting in March, 1949, or at a special meeting before June, 1949. However, the Licensing Amendment Act, 1948, came into force in December, 1948, and doubts have arisen as to the jurisdiction of the Committee to grant the licence before the Licensing Control Commission has reviewed the distribution of licences in New Zealand and authorized the Committee to grant this particular licence, and as to whether the applicant must pay a fair price for the licence as if it were a new licence so authorized. The effect of this clause is that the licence may be granted by the Committee at any quarterly or special meeting before June, 1950, on the same terms as those on which it would have been granted in September, 1948, if the then applicant had not died.

Mortgagors and Lessees Rehabilitation

Clause 36: Extending period for applications to Court of Review to interpret or amend orders.—This clause extends until the 31st December, 1950, the time by which applications may be made to the Court of Review to interpret or amend orders of the Court or Adjustment Commissions.

Municipal Corporations

Clause 37: Powers of Borough Councils (as to public recreation and instruction) extended.—Under section 308 of the Municipal Corporations Act, Borough Councils are empowered to spend moneys on certain purposes relating to the health, amusement, and instruction of the public, and in particular they may, under paragraph (f) of subsection one of that section, with the prior

approval of the Minister of Internal Affairs, prepare and publish handbooks, abstracts, or other publications containing information and matters of interest relative to the history, administration, or affairs of their boroughs. For the purpose of giving full effect to these provisions, this clause extends these powers by conferring authority to expend moneys on the purchase of photographic views of the localities concerned.

New Zealand Council of Law Reporting

Clause 38: Restricting publication of new series of reports of decisions of Land Valuation Court.—Under section 12 of the New Zealand Council of Law Reporting Act, 1938, no new series of reports of decisions of the Supreme Court or Court of Appeal may be published except with the consent of the Council of the New Zealand Law Society, given on the ground that the Council of Law Reporting has failed to publish adequate reports within a reasonable time and at a reasonable cost to purchasers. This clause extends the same restriction to reports of decisions of the Land Valuation Court.

New Zealand Institute of Architects

Clause 39: Section 37 of New Zealand Institute of Architects Act, 1913 (as to keeping of lists of members), amended.—Section 37 of the New Zealand Institute of Architects Act, 1913, requires the Council of the New Zealand Institute of Architects to forward annually to the Registrar-General a complete list of the names and addresses of all members of the Institute, and requires the Registrar-General to keep the list open for inspection and to arrange for its publication in the *Gazette*. This clause replaces that section by one requiring the Council to keep an up-to-date list available for public inspection at the registered office of the Institute.

New Zealand Society of Accountants

Clause 40: Section 34 of New Zealand Society of Accountants Act, 1908 (as to keeping of lists of members), amended.—This clause makes the same provision as to the Society of Accountants as the preceding clause makes as to the Institute of Architects.

Opticians

Clause 41: Extending provisions as to qualifications of applicants for registration as opticians.—Section 6 (1) (c) of the Opticians Act, 1928, requires candidates for examination under the Act to undergo not less than three years' training in New Zealand as prescribed by regulations. The purpose of this clause is to enable the Opticians Board to give credit for equivalent training undergone either wholly or partly outside New Zealand.

Police Offences

Clause 42: Sunday trading at bookstalls at aerodromes and bus terminals.—This clause makes in respect of bookstalls at aerodromes and bus terminals, where Sunday passenger transport services are running, the same provision as already exists under section 18 (4) of the Police Offences Act, 1927, in respect of railway bookstalls at stations and railway bus terminals.

Clause 43: Regulations for preventing persons being on ships for unauthorized or improper purposes.—This clause authorizes the making of regulations for the purposes specified therein.

Post and Telegraph

Clause 44: Extending time within which information under section 194 (a) of Post and Telegraph Act, 1928, may be laid.—Section 194 (a) of the Post and Telegraph Act, 1928, relates to the offence of interfering with telephone installations. Owing to the impossibility of making frequent inspections, offences are sometimes not detected until the time allowed for laying an information has elapsed.

Clause 45: Amendments consequential on change of name of employees' organization.—The amendments made by this clause are consequential on the change of name of the New Zealand Post and Telegraph Employees' Association and Officers' Guild, Incorporated, to the New Zealand Post and Telegraph Association (Incorporated).

Poultry-runs Registration

Clause 46: Unauthorized expenditure of Board.—This clause gives the New Zealand Poultry Board the usual powers as to unauthorized expenditure (up to £50 a year).

Prisons

Clause 47: Deputy Controller-General of Prisons.—This clause authorizes the appointment of a Deputy Controller-General of Prisons, who may, under the Controller-General, and subject to his directions, exercise the functions and powers of the Controller-General.

Property Law

Clause 48: Tenancy deemed to be determinable on one month's notice in absence of proof to the contrary.—This section makes it clear that under section 16 of the Property Law Act, 1908, every tenancy is deemed to be a monthly one in the absence of proof to the contrary (*i.e.*, proof of an agreement for some other term).

Public Reserves, Domains, and National Parks

Clause 49: Easements may be granted or reserved over public reserves or public domains.—At present there is no power to grant easements over public reserves or domains. This clause authorizes the Minister of Lands to grant easements over public reserves or domains, or to consent to the granting of any such easement where the reserve is not vested in His Majesty, subject to such terms and conditions as the Minister, in either case, thinks fit to impose.

Royal Society of New Zealand

Clause 50: Constitution of Society and Council altered.—*Subclause (1)* is mainly consequential on the changes in the names of the Wellington, Canterbury, Otago, and Hawke's Bay member bodies of the Society. It also adds the Southland Branch as a member body. *Subclause (3)* adds the Honorary Treasurer as a member of the Council, and provides for the two Vice-Presidents (mentioned below) to be members instead of one Vice-President. *Subclause (4)* adds two members to the Council, to be elected by the Fellows of the Society in every second year. *Subclause (5)* makes the immediate past President an *ex officio* member of the Council for one year. *Subclauses (9)* and *(10)* alter the President's term of office from one year to two years, and provide for two Vice-Presidents instead of one, each of the latter to be eligible for reappointment to that office for a further term of one year. The other subclauses make consequential amendments.

Scaffolding and Excavation

Clause 51: Amending section 3 of Scaffolding and Excavation Act, 1922.—Under the Act an Inspector, before appointment, is required to pass an examination in the erection and use of scaffolding and building-appliances. This clause makes the examination unnecessary where a registered engineer who is an officer of a Government Department is appointed an Inspector under the Act for the purpose of work being done by that Department, as the engineer is fully qualified.

Scientific and Industrial Research

Clause 52: Provision of National Research Fellowships or other awards for scientific research.—The purpose of this clause is to enable regulations to be made for the granting of National Research Fellowships and other awards for the carrying out of independent research in any branch of science.

Shops and Offices

Clause 53: Requisitions as to closing hours for chemists' shops.—Under sections 32 and 35 of the Act, requisitions by occupiers of chemists' shops as to closing-hours may provide for the exemption of specified shops for the purpose of urgent sales. In the case of a combined district, this clause will enable different exemptions to be provided for in respect of the constituent districts of different local authorities.

Clause 54: Section 19 of Shops and Offices Amendment Act, 1927 (as to exemptions from closing-hour provisions), amended.—The effect of *subclause (1)* of this clause is that where exemption from the closing-hour provisions of an award is granted by a Magistrate, the exemption will not affect any other provisions of the award relating to the employment of workers. The effect of *subclause (2)* is that instead of being bound to make exemption orders in the circumstances set out in subsections (4) and (5) of section 19, the Magistrate will have a discretion.

Superannuation

Clause 55: Amendment consequential on change of name of service organization.—The amendment made by this clause is consequential on the change of name of the New Zealand Post and Telegraph Employees' Association and Officers' Guild, Incorporated, to the New Zealand Post and Telegraph Association (Incorporated).

Tenancy

Clause 56: Sections to be read with Tenancy Act, 1948.

Clause 57: No Court fees to be payable in respect of application to fix fair rent.

Clause 58: Section 31 of Tenancy Act, 1948 (as to wrongful eviction), amended.—It is an offence under section 31 of the Act to obtain possession of any dwellinghouse or urban property except pursuant to an order of the Court or with the consent of the tenant. This clause extends the application of the section to any part of any such premises.

Undesirable Immigrants Exclusion

Clause 59: Application of Act to arrival or removal of persons by aircraft.—The purpose of this clause is to extend the application of the Undesirable Immigrants Exclusion Act, 1919, to persons arriving by aircraft as well as to persons arriving by ship, and to authorize the use of aircraft, as well as ships, for deportation or removal pursuant to the Act.

Valuation of Land

Clause 60: Amending provisions as to acquisition of land by the Crown.—Under section 44 of the Valuation of Land Act, 1925, the Valuer-General, if dissatisfied with the value placed on any land by the Land Valuation Court, may require the owner to consent to an increase, failing which the land may be acquired on behalf of the Crown at the increased valuation. Under section 4 of the Valuation of Land Amendment Act, 1933, an owner who is dissatisfied with the valuation may require the Valuer-General to reduce it or arrange for the land to be acquired by the Crown or disposed of at the owner's valuation. In each case notice must be given to the owner or to the Valuer-General, as the case may be, within fourteen days after the hearing of the objection by the Land Valuation Court. Every objection is heard in the first place by a Land Valuation Committee, and, if there is no appeal, the Committee's decision is sealed as an order of the Court without a formal hearing before the Court. Where there is an appeal, there is a hearing before the Court but the Court's decision may not be known to the parties until more than fourteen days after the hearing. The purpose of the clause is to provide for the giving of the above-mentioned notices within fourteen days after the sealing of the order of the Land Valuation Court.

Workers' Compensation

Clause 61: Workers' Compensation Act, 1922, to apply to all occupations.—The effect of this clause is to bring within the scope of the Act all domestic and casual workers (other than members of the employer's family). Formerly such workers were covered only where they had been employed for not less than three consecutive days within the period of twelve months before the accident.

Clause 62: Damage to teeth.—Under this clause the worker is entitled to the reasonable cost of repairing or replacing teeth where the damage to the teeth is combined with facial injuries suffered in an accident arising out of and in the course of his employment. The maximum liability of the employer in any one case is £10.

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

20th October, 1949

Hon. Mr. Mason

STATUTES AMENDMENT

ANALYSIS

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| <p style="text-align: center;"><i>Harbours</i></p> <p>21. Power of Harbour Board to supply water and electricity. Repeal.</p> <p>22. Appeal Board. Commencement.</p> <p style="text-align: center;"><i>Health</i></p> <p>23. Service of closing orders in respect of insanitary premises that are unoccupied.</p> <p style="text-align: center;"><i>Immigration Restriction</i></p> <p>24. Application of Act to arrival or removal of persons by aircraft.</p> <p style="text-align: center;"><i>Industrial Conciliation and Arbitration</i></p> <p>25. Provision for appointment of additional Judge of Court of Arbitration. Repeal.</p> <p>26. Section 134 of Industrial Conciliation and Arbitration Act, 1925 (as to appeals from Magistrates), amended.</p> <p style="text-align: center;"><i>Infants</i></p> <p>27. Legal status of adopted child. Repeals. Commencement.</p> <p style="text-align: center;"><i>Judicature</i></p> <p>28. Extending power to make rules conferring specified jurisdiction and powers on Registrars or Deputy Registrars.</p> <p style="text-align: center;"><i>Juries</i></p> <p>29. Jury lists to be compiled six months later in year. Repeals.</p> <p>30. Names of persons summoned who are granted exemption.</p> <p style="text-align: center;"><i>Land</i></p> <p>31. Amending provisions as to acquisition of fee-simple and as to exchange of certain leases or licences for new renewable leases.</p> <p style="text-align: center;"><i>Land Transfer</i></p> <p>32. Authorizing destruction of office copy of discharged mortgage where outstanding duplicate surrendered.</p> <p style="text-align: center;"><i>Land Valuation Court</i></p> <p>33. Application for extension of time for appeal may be made before or after expiration of time fixed for appeal.</p> <p style="text-align: center;"><i>Marketing</i></p> <p>34. Records to be kept in respect of production or treatment, &c., of milk. Offences.</p> | <p style="text-align: center;"><i>Masterton Licensing Restoration</i></p> <p>35. Power of Pahiatua Licensing Committee to grant licence before next annual meeting. Repeal.</p> <p style="text-align: center;"><i>Mortgagors and Lessees Rehabilitation</i></p> <p>36. Extending period for applications to Court of Review to interpret or amend orders. Repeal.</p> <p style="text-align: center;"><i>Municipal Corporations</i></p> <p>37. Powers of Borough Councils (as to public recreation and instruction) extended.</p> <p style="text-align: center;"><i>New Zealand Council of Law Reporting</i></p> <p>38. Restricting publication of new series of reports of decisions of Land Valuation Court.</p> <p style="text-align: center;"><i>New Zealand Institute of Architects</i></p> <p>39. Section 37 of New Zealand Institute of Architects Act, 1913 (as to keeping of list of members), amended.</p> <p style="text-align: center;"><i>New Zealand Society of Accountants</i></p> <p>40. Section 34 of New Zealand Society of Accountants Act, 1908 (as to keeping of list of members), amended.</p> <p style="text-align: center;"><i>Opticians</i></p> <p>41. Extending provisions as to qualifications of applicants for registration as opticians.</p> <p style="text-align: center;"><i>Police Offences</i></p> <p>42. Sunday trading at bookstalls at aerodromes and bus terminals.</p> <p>43. Regulations for preventing persons being on ships for unauthorized or improper purposes.</p> <p style="text-align: center;"><i>Post and Telegraph</i></p> <p>44. Extending time within which information under section 194 (a) of Post and Telegraph Act, 1928, may be laid.</p> <p>45. Amendments consequential on change of name of employees' organization.</p> <p style="text-align: center;"><i>Poultry-runs Registration</i></p> <p>46. Unauthorized expenditure of Board.</p> <p style="text-align: center;"><i>Prisons</i></p> <p>47. Deputy Controller-General of Prisons.</p> <p style="text-align: center;"><i>Property Law</i></p> <p>48. Tenancy deemed to be determinable on one month's notice in absence of proof to contrary.</p> |
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<p><i>Public Reserves, Domains, and National Parks</i></p> <p>49. Easements may be granted or reserved over public reserves or public domains.</p>	<p><i>Superannuation</i></p> <p>55. Amendment consequential on change of name of service organization.</p>
<p><i>Royal Society of New Zealand</i></p> <p>50. Constitution of Society and Council altered.</p>	<p><i>Tenancy</i></p> <p>56. Sections to be read with Tenancy Act, 1948.</p> <p>57. No Court fees to be payable in respect of application to fix fair rent.</p>
<p><i>Scaffolding and Excavation</i></p> <p>51. Section 3 of Scaffolding and Excavation Act, 1922 (as to Inspectors), amended.</p>	<p>58. Section 31 of Tenancy Act, 1948 (as to wrongful eviction), amended.</p>
<p><i>Scientific and Industrial Research</i></p> <p>52. Provision of National Research Fellowships or other awards for scientific research.</p>	<p><i>Undesirable Immigrants Exclusion</i></p> <p>59. Application of Act to arrival or removal of persons by aircraft.</p>
<p><i>Shops and Offices</i></p> <p>53. Requisitions as to closing-hours for chemists' shops.</p> <p>54. Section 19 of Shops and Offices Amendment Act, 1927 (as to exemptions from closing-hour provisions), amended.</p>	<p><i>Valuation of Land</i></p> <p>60. Amending provisions as to acquisition of land by the Crown.</p>
	<p><i>Workers' Compensation</i></p> <p>61. Workers' Compensation Act, 1922, to apply to all occupations. Repeals.</p> <p>62. Damage to teeth.</p>

A BILL INTITULED

AN ACT to Amend Certain Enactments of the General Assembly of New Zealand. Title.

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 Statutes Amendment Act, 1949. Short Title.

Annual Holidays

- 10 2. (1) Section thirteen of the Annual Holidays Act, 1944, as amended by section six of the Annual Holidays Amendment Act, 1945, and section five of the Statutes Amendment Act, 1947, is hereby further amended by adding to subsection one the following paragraphs:—
- 15 “(f) Advances any money by way of loan or borrows any money on the security of any holiday card to which any uncanceled stamp is affixed:
- 20 “(g) With intent to deceive, alters any holiday card in any material particular.”
- Offences in respect of holiday cards.
1944 No. 5
1945, No. 20
1947, No. 60

(2) The said section thirteen is hereby further amended by inserting in subsection three, after the word "recovered", the words "by any Inspector of Factories".

Auckland University College

5

Section 4 of Auckland University College Amendment Act, 1923 (as to Principal being member of Council), amended.

1923, No. 8

Sections 30 and 31 of Board of Trade Act, 1919 (as to offences against regulations), amended.

See Reprint of Statutes, Vol. VIII, p. 637

3. Section four of the Auckland University College Amendment Act, 1923, is hereby amended as follows:—

(a) By omitting from subsection one all words after the words "a member of the Council":

(b) By repealing subsection two.

10

Board of Trade

4. (1) Section thirty of the Board of Trade Act, 1919, is hereby amended by adding to subsection one the words "or to such less penalty as may be prescribed by the regulation in that behalf".

15

(2) Section thirty-one of the said Act is hereby amended by adding to subsection one the words "unless by the regulation it is expressly provided that this section shall not apply."

Cinematograph Films

20

Extending quota provisions of Cinematograph Films Act, 1928.

See Reprint of Statutes, Vol. I, p. 817
1939, No. 39
1944, No. 25

5. (1) The First Schedule to the Cinematograph Films Act, 1928, as amended by subsection one of section seven of the Statutes Amendment Act, 1939, and subsection one of section six of the Statutes Amendment Act, 1944, is hereby further amended by adding the following words:—

" In respect of the year ending	20 per cent. of	
31st December, 1950	..	quota films.
" In respect of the year ending	20 per cent. of	
31st December, 1951	..	quota films.
" In respect of the year ending	20 per cent. of	
31st December, 1952	..	quota films.
" In respect of the year ending	20 per cent. of	
31st December, 1953	..	quota films.
" In respect of the year ending	20 per cent. of	
31st December, 1954	..	quota films."

30

35

(2) The Second Schedule to the Cinematograph Films Act, 1928, as amended by subsection two of section seven of the Statutes Amendment Act, 1939, and subsection two of section six of the Statutes Amendment Act, 1944, is hereby further amended by adding the following words:—

	“ In respect of the year ending	20	per cent. of
	30th September, 1950	..	quota films.
10	“ In respect of the year ending	20	per cent. of
	30th September, 1951	..	quota films.
	“ In respect of the year ending	20	per cent. of
	30th September, 1952	..	quota films.
	“ In respect of the year ending	20	per cent. of
	30th September, 1953	..	quota films.
15	“ In respect of the year ending	20	per cent. of
	30th September, 1954	..	quota films. ”

Divorce and Matrimonial Causes

6. Section forty-five of the Divorce and Matrimonial Causes Act, 1928, is hereby amended by omitting the words “ file together with ”, and substituting the words “ append to ”.

Affidavit verifying petition.
See Reprint of Statutes, Vol. III, p. 865

Electoral

7. Section twenty-eight of the Electoral Act, 1927, is hereby amended by omitting from subsection three the words “ any Naval or Military Force ”, and substituting the words “ any Naval, Military, or Air Force ”.

Section 28 of Electoral Act, 1927 (as to qualification of electors), amended.

See Reprint of Statutes, Vol. VI, p. 484

8. (1) Section sixty-eight of the Electoral Act, 1927, is hereby amended by inserting, after subsection one, the following subsection:—

30 “ (1A) Notwithstanding anything to the contrary in this section, different dates may be fixed under this section for the closing of the general rolls in Maori electoral districts and for the closing of the general rolls in European electoral districts in any year in which a general election is to be held.”

Closing of general rolls in Maori electoral districts.

See Reprint of Statutes, Vol. VI, p. 500

(2) The general rolls in the Maori electoral districts shall be deemed to have been validly closed on the twentieth day of June, nineteen hundred and forty-nine, notwithstanding that no Order in Council was issued under the said section sixty-eight for that purpose. 5

Authorizing expenditure on normal commercial advertising for Parliamentary candidates.

See Reprint of Statutes, Vol. VI, p. 582

Provisions as to cinematograph films at Parliamentary elections.

See Reprint of Statutes, Vol. VI p. 568

9. Part II of the Third Schedule to the Electoral Act, 1927, is hereby amended by omitting from clause two the words "advertising in newspapers", and substituting the words "advertising by any normal commercial means, so that no money is paid to any person for or in respect of any advertising otherwise than in the ordinary course of that person's business". 10

10. The Electoral Act, 1927, is hereby amended by inserting, before section two hundred and thirty-four, the following section:— 15

"233A. (1) For the purposes of this Act, the exhibition of any cinematograph film shall not be deemed to constitute bribery or treating or an illegal practice, and any payment or contract for payment in respect of any such exhibition shall not be deemed to constitute an illegal practice where the film is wholly or mainly an advertisement. 20

"(2) For the purposes of this section, the expression 'cinematograph film', or 'film', includes any screen advertisement of any description." 25

Electricity

Functions of State Hydro-electric Department. 1945, No. 36

11. Section three of the Electricity Act, 1945, is hereby amended by adding the following as subsection two thereof:—

"(2) Without limiting the functions conferred on the Department by this Act or any other enactment, it is hereby declared that, subject to any regulations made under this Act and to any general or special directions given by the Minister, the functions of the Department shall include— 30

"(a) Promoting, organizing, co-ordinating, continuing, and maintaining the supply of electrical energy: 35

“(b) Regulating, controlling, allocating, and, whenever in the opinion of the General Manager it is necessary, restricting or preventing the use of electrical energy.”

5 **12.** The Electricity Act, 1945, is hereby amended by inserting, after section twenty-two, the following new section:—

Protection of persons acting under authority of Act or regulations.
1945, No. 36

10 “22A. (1) Except as otherwise expressly provided in any regulations made under this Act, no action, claim, or demand whatsoever shall lie or be made or allowed by or in favour of any person against the Crown, or any Minister of the Crown, or any electrical supply authority, or any officer or person, for or in respect of any damage, loss, injury or expenses sustained or incurred, or alleged to have been sustained or incurred, by reason of anything done, continued, ordered or directed, or purporting to be done, continued, ordered or directed, in the exercise or intended exercise of any of the functions specified in subsection two of section three of this Act, whether under
15 the authority of this Act or of any regulations made thereunder and relating to any such function as aforesaid, or under the authority of any orders, directions, requirements, conditions, or instructions made, given, or imposed under this Act or any such regulations and
20 relating to any such function as aforesaid.

25 “(2) Nothing in Regulation nine of the Supply Control Emergency Regulations 1939 shall entitle or be deemed at any time heretofore to have entitled any person to any payment from the Crown or any electrical
30 supply authority in respect of expenses incurred in the execution, administration, or enforcement of, or compliance with, such parts of the Electricity Emergency Regulations 1939, or of any orders, directions, requirements, conditions, or instructions made, given, or
35 imposed under or by virtue of the last-mentioned regulations, as relate to restrictions on the supply or use of electricity.”

Serial Number
1939/131

Serial Number
1939/146

Explosive and Dangerous Goods

Section 2 of Explosive and Dangerous Goods Act, 1908 (as to definition of dangerous goods), amended.

See Reprint of Statutes, Vol. III, p. 177 Commencement.

Certificates of proficiency in use of explosives.

13. (1) Section two of the Explosive and Dangerous Goods Act, 1908, as amended by section two of the Explosive and Dangerous Goods Amendment Act, 1920, is hereby further amended by omitting from the definition of the expression "dangerous goods" the words "when kept or stored in receptacles holding more than two hundred gallons". 5

(2) This section shall come into force on the first day of April, nineteen hundred and fifty. 10

14. Section fifteen of the Explosive and Dangerous Goods Act, 1908, is hereby amended by inserting, after paragraph (p) of subsection one, the following paragraph:—

"(pp) Providing for the issue, to such classes of users of explosives and subject to such restrictions as may be prescribed, of certificates of proficiency in the use of explosives for blasting." 15

Factories

20

Section 4 of Factories Act, 1946 (as to Inspectors), amended.

1946, No. 43
1944, No. 13

15. Section four of the Factories Act, 1946, is hereby amended by inserting, after subsection one, the following subsection:—

"(1A) Any Inspector of Quarries appointed under the Quarries Act, 1944, may be appointed to be an Inspector of Factories for the purpose of exercising and performing the powers and duties of an Inspector under this Act in respect of any building or place used as a factory and situated in or about any quarry. In any such case the proviso to subsection one of this section shall not apply with respect to the appointment." 25 30

Food and Drugs

Section 3 of Food and Drugs Act, 1947 (as to what constitutes "sale"), amended.
1947, No. 7

16. (1) Section three of the Food and Drugs Act, 1947, is hereby amended by inserting, after subsection four, the following subsection:— 35

"(4A) For the purposes of this Act, the sale of any food or drug for the purpose of being mixed with any other food or drug, or with a food or drug of the same kind, shall be deemed to be a sale for human consumption or use if the bulk or product produced by the mixing, or any part thereof, is intended to be sold for human consumption or use." 40

(2) The said section three is hereby further amended by adding to subsection five the following words:—

“ Where under this Act a sample of any milk, as defined in the Milk Act, 1944, is taken from any container, and the milk so taken is found on analysis to be adulterated, the sample shall be deemed for the purposes of this Act to be a sample of any bulk of which the milk in that container forms part, notwithstanding that the milk in that container was intended to be mixed with milk in any other container or containers before being sold.”

1944, No. 30

17. Section six of the Food and Drugs Act, 1947, is hereby amended by inserting, after subsection two, the following subsection:—

Offence to sell food or drug not complying with prescribed standard.

“(2A) Every person commits an offence who sells any food or drug which does not comply with the standard prescribed therefor by regulations under this Act ”

Forest and Rural Fires

18. Section forty of the Forest and Rural Fires Act, 1947, is hereby amended by adding the following subsection as subsection two:—

Moneys owing to a Fire Authority to be recoverable as a debt.

“(2) If any person makes default in the payment of any moneys payable by him to a Fire Authority under this Act, the amount thereof shall be recoverable from that person as a debt due to the Fire Authority.”

1947, No. 34

19. The Forest and Rural Fires Act, 1947, is hereby amended by inserting, after section forty, the following section:—

Fire Authority may borrow moneys.

“ 40A. (1) Notwithstanding anything to the contrary in the Local Bodies' Finance Act, 1921-22, it shall be lawful for any Fire Authority, with the consent of the Commissioner of State Forests, to borrow moneys from its bankers by way of overdraft, or from any person or persons, to provide for any expenditure or costs which the Fire Authority may lawfully incur or has lawfully incurred under this Act.

See Reprint of Statutes, Vol. V, p. 354

“(2) In the case of any Fire Authority which is a local authority within the meaning of the Local Bodies' Finance Act, 1921-22, the moneys borrowed shall be deemed to be borrowed in anticipation of revenue, but shall not be taken into account in determining the limits prescribed by section three of that Act.

“(3) The amount required to repay any moneys borrowed to provide for any such expenditure or costs and the interest on the moneys shall be met as if that amount were required to meet the expenditure or costs, and all the provisions of this Act shall apply accordingly: 5

Provided that the amount may be raised by a levy imposed under this Act at any time before or after the moneys are borrowed.”

Guardianship of Infants 10

Making and enforcement of orders for guardianship and custody.

See Reprint of Statutes, Vol. III, p. 1129; Vol. III, p. 865; Vol. II, p. 896

20. (1) The Guardianship of Infants Act, 1926, is hereby amended by inserting, after section six, the following section:—

“6A. (1) In any case not provided for under the Divorce and Matrimonial Causes Act, 1928, or the Destitute Persons Act, 1910, an application for or in respect of the guardianship or custody of any infant may be made to the Supreme Court by motion, or, where a Magistrate’s Court has jurisdiction, may be made to a Magistrate, and on any such application the Court may make such order as it thinks fit. 15 20

“(2) For the purpose of enforcing any order for the guardianship or custody of an infant made in any Court, whether under the Divorce and Matrimonial Causes Act, 1928, or under the Destitute Persons Act, 1910, or otherwise, the Judge or Magistrate making the order or any other Judge or Magistrate, as the case may be, may at the time of making the order or at any time thereafter issue a warrant authorizing any constable or Child Welfare Officer, or any other person named in the warrant in that behalf, to take possession of the infant and to deliver him to the person entitled to his custody under the order. 25 30

“(3) For the purpose of executing any such warrant any constable or Child Welfare Officer, or any other person named in the warrant, may enter and search any place, with or without assistance; and every person who resists or obstructs any person in the execution of the warrant, or who fails or refuses to afford to any person engaged in the execution of the warrant immediate entrance to any premises or to any part thereof, commits an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding one month.” 35 40

(2) Section six of the Infants Act, 1908, is hereby amended by inserting, before the words "mother of any infant", the words "father or".

See Reprint of Statutes, Vol. III, p. 1070

Harbours

- 5 **21.** (1) Section one hundred and sixty-six of the Harbours Act, 1923, as amended by section thirty of the Statutes Amendment Act, 1944, is hereby further amended by repealing paragraph (k), and substituting the following paragraphs:—
- 10 “(k) Provide a supply of water for shipping purposes, and from time to time by resolution fix charges for the same:
- 15 “(l) Supply electrical energy to ships, and to persons for shipping purposes and for the purposes of harbour-works and harbour lights and for operations incidental to any such purposes on the land and wharves, and in the harbour, over which the Board has jurisdiction, and from time to time by resolution fix charges for the same:
- 20 “Provided that nothing in this paragraph shall authorize the Board to supply electrical energy to any installation not belonging to the Board in any case where the installation is in an area in respect of which an Electrical Supply Authority under the Electricity Act, 1945, is licensed or authorized to supply electrical energy, if the Electrical Supply Authority is able and willing to supply the required electrical energy to the installation.”
- 25 1945, No. 36
- 30 (2) Section thirty of the Statutes Amendment Act, 1944, is hereby repealed.
- 35 **22.** (1) Section nine of the Harbours Amendment Act, 1948, is hereby amended by omitting from subsection one the words "by the employees", and substituting the words "by the Governor-General as representing the employees".
- 40 (2) The said section nine is hereby further amended by repealing subsection four, and substituting the following subsections:—

Power of Harbour Board to supply water and electricity. See Reprint of Statutes, Vol. III, p. 625 1944, No. 25

1945, No. 36

Repeal.

Appeal Board. 1948, No. 18

“(4) For the purposes of subsection two of this section the expression “employees of the Harbour Board” means every person who, at the date of the dismissal, disrating, fine, punishment, reduction in pay or other emoluments, or withholding of promotion which is the subject of the appeal, has been employed (whether pursuant to an appointment under section forty-seven of the principal Act or otherwise) for a continuous period of not less than three months immediately preceding that date exclusively by the Harbour Board or, in the case of an official of an industrial union of workers who is employed by the Harbour Board, exclusively by the Harbour Board except so far as he has been employed on the business of the union.

“(5) Nothing in any award or industrial agreement under the Industrial Conciliation and Arbitration Act, 1925, shall prevent any appeal under this section.”

(3) This section shall be deemed to have come into force on the twenty-second day of October, nineteen hundred and forty-eight (being the date of the passing of the said Act).

See Reprint of Statutes, Vol. III, p. 939 Commencement.

Health

23. Section forty of the Health Act, 1920, as amended by section six of the Health Amendment Act, 1940, is hereby further amended by adding to subsection one the words “If the premises are unoccupied, the order shall be served on the owner or his agent”.

Service of closing-orders in respect of insanitary premises that are unoccupied.

See Reprint of Statutes, Vol. VI, p. 1078 1940, No. 17

Application of Act to arrival or removal of persons by aircraft.

See Reprint of Statutes, Vol. III, p. 893

Immigration Restriction

24. The Immigration Restriction Act, 1908, is hereby amended by inserting, after section two, the following section :—

“2. (1) The provisions of this Act shall, with the necessary modifications, extend and apply in all respects to persons arriving or landing in New Zealand in or from any aircraft (not being an aircraft plying from any one place in New Zealand to any other place therein), in the same manner as they apply to persons arriving in or landing from any ship.

“(2) The provisions of this Act relating to the deportation or removal, or proposed deportation or removal, of persons from New Zealand on any ship shall,

with the necessary modifications, extend and apply in all respects to the deportation or removal of such persons in any aircraft.

“(3) In the application of this Act for the purposes
5 of this section,—

“(a) All references to a ship or to a vessel shall be deemed to be references to an aircraft :

“(b) All references to the master of the ship or of
10 the vessel shall be deemed to be references to the person for the time being in actual command of the aircraft :

“(c) All references to any port in New Zealand shall be deemed to be references to any place in New Zealand.”

15 *Industrial Conciliation and Arbitration*

25. (1) This section shall be read together with and deemed part of the Industrial Conciliation and Arbitration Act, 1925.

Provision for appointment of additional Judge of Court of Arbitration.

20 (2) An additional Judge of the Court of Arbitration may be at any time appointed under section two of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1937, as amended by the Industrial Conciliation and Arbitration Amendment Act (No. 3), 1937, notwithstanding that there may be another additional
25 Judge for the time being in office under that section.

See Reprint of Statutes, Vol. III, p. 1000 1937, No. 10 1937, No. 12

(3) The office of additional Judge of the Court may be held in conjunction with any other office that the Governor-General deems not incompatible:

30 Provided that no additional salary shall be paid in connection with any such other office.

(4) Section three of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1937 (which provides for the appointment of additional nominated members of the Court on the appointment of an
35 additional Judge) is hereby repealed.

Repeal. 1937, No. 10

26. Section one hundred and thirty-four of the Industrial Conciliation and Arbitration Act, 1925, is hereby amended by repealing subsection five, and substituting the following subsection:—

Section 134 of Industrial Conciliation and Arbitration Act, 1925 (as to appeals from Magistrates), amended. 1947, No. 16

“(5) In respect of any such appeal the provisions of sections seventy-two to seventy-eight of the Magistrates’ Courts Act, 1947, shall apply as far as they are applicable with the substitution of references to the Court of Arbitration for the references therein to the Supreme Court, and with the substitution of references to the Clerk of Awards for the references therein to the Registrar of the Supreme Court, and with all other necessary modifications.” 5

Infants

10

27. (1) The Infants Act, 1908, is hereby amended by repealing section twenty-one (as amended by section forty-two of the Child Welfare Act, 1925), and substituting the following new section:—

Legal status
of adopted
child.
See Reprint
of Statutes,
Vol. III,
p. 1076

“21. (1) Every order of adoption shall confer the name of the adopting parent on the adopted child, with such proper or Christian name as the Judge, on the application of the adopting parent, may fix. 15

“(2) Upon an order of adoption being made the following provisions shall have effect for all purposes, whether civil, criminal, or otherwise, namely:— 20

“(a) The adopted child shall be deemed to become the child of the adopting parent, and the adopting parent shall be deemed to become the parent of the child, as if the child had been born to that parent in lawful wedlock. 25

“Provided that this paragraph shall not apply for the purposes of any deed, instrument, will, or intestacy where the order of adoption is made after the date of the deed or instrument or after the date of the death of the testator or intestate, as the case may be, unless, in the case of a deed, instrument, or will, express provision is made to that effect: 30 35

“(b) The adopted child shall be deemed to cease to be the child of his existing parents (whether his natural parents or his adoptive parents under any previous adoption), and the existing parents of the adopted child shall be deemed to cease to be his parents: 40

“ Provided that the provisions of this paragraph shall not apply for the purposes of any enactment relating to forbidden marriages or to the crime of incest:

5 “ Provided also that this paragraph shall not affect any vested or contingent right of the adopted child or any other person under any deed or instrument executed before the date of the order of adoption or under the will or intestacy of any person who has died before that date, unless, in the case of a deed, instrument, or will, express provision is made to that effect:

15 “(c) The relationship to one another of all persons (whether the adopted child, the adopting parent, the existing parents, or any other persons) shall be determined in accordance with the foregoing provisions of this section so far as they are applicable.”

20 (2) Section forty-two of the Child Welfare Act, 1925, and subsection five of section four and section twelve of the Destitute Persons Act, 1910, are hereby consequentially repealed.

Repeals.
See Reprint of Statutes, Vol. III, p. 1110; Vol. II, pp. 899, 903

25 (3) This section shall come into force on the *first* day of *January*, nineteen hundred and fifty.

Commencement.

Judicature

30 28. Section twenty-eight of the Statutes Amendment Act, 1947, is hereby amended by inserting in subsection two, after the words “ section three of the Judicature Amendment Act, 1930 ”, the words “ and the power to make rules of procedure in relation to proceedings in the Supreme Court or the Court of Appeal conferred by the Acts mentioned in the Schedule to that Act or by any other Act ”.

Extending power to make rules conferring specified jurisdiction and powers on Registrars or Deputy Registrars. 1947, No. 60

Juries

35 29. (1) Section fourteen of the Juries Act, 1908, is hereby amended by omitting from subsection one the word “ January ”, and substituting the word “ July ”.

Jury lists to be compiled six months later in year.

40 (2) Section sixteen of the said Act, as amended by subsection two of section eighteen of the Statutes Amendment Act, 1943, is hereby further amended by

See Reprint of Statutes, Vol. IV, p. 403 1943, No. 20

omitting from subsection one the words "on or before the seventh day of March", and substituting the words "on or before the seventh day of September".

(3) Section nineteen of the Juries Act, 1908, is hereby amended by omitting the word "April", and substituting the word "October". 5

(4) Section twenty-five of the said Act is hereby amended by omitting the word "April", and substituting the word "October".

(5) Section twenty-six of the said Act is hereby amended by omitting from subsection one the words "sixty years", and substituting the words "sixty-five years". 10

(6) Section twenty-eight of the said Act is hereby amended by omitting the words "during the month of February in each year". 15

(7) Section twenty-nine of the said Act is hereby amended by omitting the words "in the same month".

(8) The form in the Second Schedule to the said Act, as amended by paragraphs (a) and (b) of subsection four of section eighteen of the Statutes Amendment Act, 1943, is hereby further amended as follows:— 20

(a) By omitting the words "the seventh day of March", and substituting the words "the seventh day of September": 25

(b) By omitting the words "on or before the said seventh day of March", and substituting the words "on or before the said seventh day of September":

(c) By omitting the words "the said month of March", and substituting the word "September": 30

(d) By omitting the word "January", and substituting the word "July".

(9) Section eighteen of the Statutes Amendment Act, 1943, is hereby amended by repealing subsection two and paragraphs (a) and (b) of subsection four. 35

Repeals.
1943, No. 20

Names of
persons
summoned who
are granted
exemption.

30. Section sixty-nine of the Juries Act, 1908, is hereby amended by adding the following proviso:—

"Provided that, if any juror who attends as afore said is exempted by the Court on application in that behalf from serving as a juror, the parchment bearing the number by which the name of that juror is designated shall be returned by the Sheriff to the box marked 'Common Jurors in Use'." 40 45

Land

31. (1) Section one hundred and twenty-two of the Land Act, 1948, is hereby amended as follows:—

- 5 (a) By inserting in subsection one, after the words
 “ a lease in perpetuity current at the commencement of this Act;”, the words “ a licence for occupation with right of purchase current at the commencement of this Act;”:
- 10 (b) By inserting in subsection eleven, after the words
 “ lease in perpetuity ”, the words “ or of a licence for occupation with right of purchase ”:
- (c) By inserting in the said subsection eleven, after the words “ any right which the lessee ”, the words “ or licensee ”:
- 15 (d) By inserting in the said subsection eleven, after the words “ conferred by his lease ”, the words “ or licence ”.

(2) Section one hundred and twenty-five of the Land Act, 1948, is hereby amended by adding the following subsection:—

- 20 “(4) The holder of a lease in perpetuity or of a licence for occupation with right of purchase who during the currency of his lease or licence surrenders his lease or licence in exchange for a renewable lease of the same
- 25 land or who, in the case of a licence for occupation with right of purchase, on the expiry of that licence exercises his right to have a renewable lease of the same land issued to him shall, notwithstanding anything contained in his lease or licence or in any former Land Act, receive
- 30 a renewable lease under the provisions of this Act. The rental value of the land, the value of improvements, and the yearly rent for the purposes of any such renewable lease shall be calculated in accordance with the provisions of Part VIII of this Act, and, in the case of
- 35 an exchange, shall be so calculated as if the surrendered lease or licence were a renewable lease which had expired on the date of the surrender and as if the lessee or licensee were entitled to a renewal thereof on that date.”

Amending provisions as to acquisition of fee-simple and as to exchange of certain leases or licences for new renewable leases.
 1948, No. 34

Land Transfer

Authorizing
destruction of
office copy of
discharged
mortgage
where
outstanding
duplicate
surrendered.
See Reprint
of Statutes,
Vol. VII, p.1202
Ibid., p. 1265

32. (1) Section one hundred and sixteen of the Land Transfer Act, 1915, is hereby amended by adding to subsection three the following words: "On the surrender and cancellation of the outstanding duplicate of any mortgage wholly discharged as aforesaid, the Registrar shall file the cancelled duplicate in his office, and may destroy the duplicate previously so filed." 5

(2) Section four of the Land Transfer Amendment Act, 1925, is hereby amended by omitting the words "mortgage or", and also by omitting the words "or the discharge of such mortgage". 10

Land Valuation Court

Application
for extension
of time for
appeal may be
made before or
after expiration
of time fixed
for appeal.
1948, No. 50

33. Section twenty-six of the Land Valuation Court Act, 1948, is hereby amended by inserting, after subsection two, the following subsection:— 15

"(2A) Every application for an extension of time within which to appeal to the Court from a final order of a Land Valuation Committee or from any part thereof may be made either before or after the expiration of the time for appeal as prescribed by the last preceding subsection, and may be made notwithstanding that the order of the Committee has been sealed as an order of the Court." 20

Marketing

Records to be
kept in respect
of production
or treatment,
&c., of milk.
1937, No. 21

1944, No. 30

34. The Marketing Amendment Act, 1937, is hereby amended by inserting, after section six, the following sections:— 25

"6A. (1) Every person carrying on any business which includes the production, collection, treatment, storage, distribution or sale of milk within the meaning of the Milk Act, 1944, shall for the purposes of this Act keep proper books and accounts, and such other records as may from time to time be required by notice in writing given to that person by the Director of Marketing, and shall, except as otherwise authorized in writing by the Director, preserve such books, accounts, and records as aforesaid for a period of not less than five years. 30

"(2) Every person commits an offence against the principal Act who fails to comply with any provision of this section or of any requirement thereunder. 35 40

Offences.

"6B. Every person commits an offence against the principal Act who refuses to give information or gives false information or makes any misleading statement

or material omission in any answer to any inquiry made pursuant to the principal Act or any regulations thereunder, or in any communication with or application or return made to the Director of Marketing or any other
 5 person for the purposes of the principal Act or this Act or any regulations thereunder.

Masterton Licensing Restoration

35. (1) Section six of the Masterton Licensing Restoration Act, 1947, as amended by section twenty-
 10 eight of the Statutes Amendment Act, 1948, is hereby further amended by omitting from paragraph (a) of subsection one the words "nineteen hundred and forty-nine", and substituting the words "nineteen hundred and fifty".

Power of
 Pahiatua
 Licensing
 Committee to
 grant licence
 before next
 annual meeting.
 1947, No. 31
 1948, No. 77

15 (2) Nothing in sections forty-nine to fifty-seven of the Licensing Amendment Act, 1948, shall apply to any application for a publican's licence pursuant to the said section six, or to the granting of such a licence thereunder, for any premises in respect of which an applica-
 20 tion for a publican's licence was made after the passing of the Masterton Licensing Restoration Act, 1947, and before the passing of the Licensing Amendment Act, 1948.

(3) Section twenty-eight of the Statutes Amendment Act, 1948, is hereby repealed.

Repeal.

Mortgagors and Lessees Rehabilitation

36. (1) Section forty-nine of the Statutes Amendment Act, 1939, as amended by section forty-five of the Statutes Amendment Act, 1947, is hereby further amended by omitting from subsection two the words
 30 "on an application made not later than the thirty-first day of December, nineteen hundred and forty-nine by", and substituting the words "on an application made not later than the thirty-first day of December, nineteen hundred and fifty by".

Extending
 period for
 applications
 to Court of
 Review to
 interpret or
 amend orders.
 1939, No. 39
 1947, No. 60

35 (2) Section forty-five of the Statutes Amendment Act, 1947, is hereby repealed.

Repeal.

Municipal Corporations

37. Section three hundred and eight of the Municipal Corporations Act, 1933, is hereby amended by adding to
 40 paragraph (f) of subsection one the words "and purchase publications containing photographic views of the borough."

Powers of
 Borough
 Councils (as
 to public
 recreation and
 instruction)
 extended.
 1933, No. 30

New Zealand Council of Law Reporting

Restricting publication of new series of reports of decisions of Land Valuation Court.

1938, No. 2

Section 37 of New Zealand Institute of Architects Act, 1913 (as to keeping of list of members), amended.

See Reprint of Statutes, Vol. I, p. 380

38. Section twelve of the New Zealand Council of Law Reporting Act, 1938, is hereby amended by inserting in subsection three, after the words " Court of Appeal ", the words " or of the Land Valuation Court ". 5

New Zealand Institute of Architects

39. The New Zealand Institute of Architects Act, 1913, is hereby amended by repealing section thirty-seven, and substituting the following section:—

" 37. (1) The Council shall keep at its registered office a complete list of the names and addresses of all members of the Institute, and the list shall at all reasonable times remain open to public inspection without fee. 10

" (2) Whenever any new member is admitted, and whenever any member ceases by reason of his resignation, removal, or expulsion to be a member, the Council shall within seven days thereafter make an entry accordingly in the aforesaid list of members." 15

New Zealand Society of Accountants

Section 34 of New Zealand Society of Accountants Act, 1908 (as to keeping of list of members), amended.

See Reprint of Statutes, Vol. I, p. 15

40. The New Zealand Society of Accountants Act, 1908, is hereby amended by repealing section thirty-four, and substituting the following section:— 20

" 34. (1) The Council shall keep at its registered office a complete list of the names and addresses of all members of the Society, and the list shall at all reasonable times remain open to public inspection without fee. 25

" (2) Whenever any new member is admitted, and whenever any member ceases by reason of his resignation, removal, or expulsion to be a member, the Council shall within seven days thereafter make an entry accordingly in the aforesaid list of members." 30

Opticians

Extending provisions as to qualifications of applicants for registration as opticians.

See Reprint of Statutes, Vol. V, p. 703

41. Section six of the Opticians Act, 1928, is hereby amended by adding to paragraph (c) of subsection one the following proviso:— 35

" Provided that the Board may, in its discretion, accept as a candidate for examination under this Act any person whose training has been undergone either wholly or partly outside New Zealand, if the Board is satisfied that the training undergone by that person is equivalent to the training prescribed by such regulations as aforesaid." 40

Police Offences

42. Section eighteen of the Police Offences Act, 1927, is hereby amended by inserting, after subsection four, the following subsection:—

- 5 “(4A) The Minister for the time being in charge of the Police Department may, by warrant under his hand addressed to any person, authorize that person, either by himself or by his employee or employees, to open for business any bookstall at any aerodrome or bus terminal
10 specified in the warrant, being an aerodrome or a bus terminal where Sunday passenger transport services are running, and carry on the ordinary business thereof on any Sunday or Sundays during such time as may be specified in the warrant, and upon and subject to such
15 terms and conditions as may be so specified. The said Minister may at any time in like manner modify or cancel any such warrant.”

Sunday trading at bookstalls at aerodromes and bus terminals.

See Reprint of Statutes, Vol. II, p. 511

43. The Police Offences Act, 1927, is hereby amended by inserting, after section fifty-four, the following new
20 section:—

“54A. The Governor-General may from time to time, by Order in Council, make such regulations as he thinks necessary for any of the following purposes:—

Regulations for preventing persons being on ships for unauthorized or improper purposes.

- 25 “(a) For preventing persons from boarding or being or remaining in ships or other vessels in harbours or at wharves without authority or for any unauthorized or improper purpose:
“(b) For requiring any person who is in a ship or other vessel as aforesaid to leave the same
30 when directed to do so:
“(c) For prescribing penalties for offences against the regulations, not exceeding a fine of twenty pounds or imprisonment for a term of three months:
35 “(d) Generally for making such provisions as he thinks necessary in order to give full effect to the purpose of the regulations.”

Post and Telegraph

44. Section one hundred and ninety-four of the
40 Post and Telegraph Act, 1928, as enacted by section three of the Post and Telegraph Amendment Act, 1948, is hereby amended by adding the following as subsection two thereof:—

- 45 “(2) Any information in respect of any offence to which paragraph (a) of the last preceding subsection applies may be laid at any time within three years from the time when the matter of the information arose.”

Extending time within which information under section 194 (a) of Post and Telegraph Act, 1928, may be laid.

See Reprint of Statutes, Vol. VI, p. 926 1948, No. 5

Amendments consequential on change of name of employees' organization, 1944, No. 14

1947, No. 32

45. (1) Section two of the Post and Telegraph Amendment Act, 1944, is hereby amended by repealing the definition of the term "Association", and substituting the following definition:—

"'Association' means the New Zealand Post and Telegraph Association (Incorporated) :". 5

(2) Section three of the Post and Telegraph Amendment Act, 1947, is hereby amended by omitting from subsection one the words "Post and Telegraph Employees' Association and Officers' Guild Incorporated", and substituting the words "New Zealand Post and Telegraph Association (Incorporated)". 10

Poultry-runs Registration

Unauthorized expenditure of Board, 1933, No. 20

46. The Poultry-runs Registration Act, 1933, is hereby amended by inserting, after section twelve, the following section:— 15

"12A. The Board may in any registration year expend out of its funds for purposes not authorized by any Act or law for the time being in force any sum or sums not exceeding in the aggregate fifty pounds." 20

Prisons

Deputy Controller-General of Prisons. See Reprint of Statutes, Vol. VI, p. 996

47. The Prisons Amendment Act, 1919, is hereby amended by inserting, after section two, the following amendment:—

"2A. (1) There shall also be appointed an officer of the Public Service, to be called the Deputy Controller-General of Prisons, who shall, under the control of the Controller-General, perform such general official duties as he is called upon to perform by the Controller-General, and, subject to the general directions of the Controller-General, shall have and may exercise all the powers, duties, and functions of the Controller-General. 25 30

"(2) On the occurrence, from any cause, of a vacancy in the office of Controller-General, and in case of the absence of the Controller-General (from whatever cause arising), and so long as such vacancy or absence continues, the Deputy Controller-General shall have and may exercise all the powers, duties, and functions of the Controller-General. 35

“ (3) The fact of the Deputy Controller-General exercising any power, duty, or function as aforesaid shall be conclusive evidence of his authority so to do, and no person shall be concerned to inquire whether the occasion
5 has arisen requiring or authorizing him so to do.”

Property Law

48. (1) Section sixteen of the Property Law Act, 1908, is hereby amended by omitting the words “ and no agreement as to its duration then such tenancy shall be
10 deemed ”, and substituting the words “ it shall be deemed in the absence of proof to the contrary ”.

Tenancy deemed to be determinable on one month's notice in absence of proof to contrary.

(2) The Magistrates' Courts Act, 1947, is hereby amended as follows:—

See Reprint of Statutes, Vol. VII, p. 1682
1947, No. 16

15 (a) By repealing subsection two of section thirty-one:

(b) By omitting from subsection one of section thirty-two the words “ A tenant holding land on any tenancy shall, for the purposes of this section, be deemed to be holding the land on a monthly
20 tenancy unless he proves that there is an agreement for a tenancy of some other duration ”.

Public Reserves, Domains, and National Parks

49. The Public Reserves, Domains, and National
25 Parks Act, 1928, is hereby amended by inserting, after section ninety-eight, the following section:—

Easements may be granted or reserved over public reserves or public domains. See Reprint of Statutes, Vol. VI, p. 1134

“ 98A. (1) The Minister may grant or reserve any right-of-way, water or drainage right, or other easement over any public reserve or public domain vested in His
30 Majesty under this Act.

“(2) Where a public reserve is vested in a local authority or in trustees, the powers conferred on the Minister by subsection one of this section may, with the consent of the Minister, be exercised by the local
35 authority or the trustees in respect of the reserve.

“(3) Any right or easement granted or reserved under this section may be subject to such conditions, restrictions, and covenants as the Minister thinks fit.

“(4) The District Land Registrar for the Land
40 Registration District in which is situated any public reserve or public domain in respect of which any right or easement has been granted or reserved under this section

shall register the instrument granting or reserving the right or easement against any certificate of title that may have been issued for the reserve or domain and, if a reserve or domain is held on registered lease or licence, any such instrument may be registered in the same manner as any dealing with the lease or licence." 5

Royal Society of New Zealand

Constitution of
Society and
Council altered.
1933, No. 17

50. (1) Section three of the Royal Society of New Zealand Act, 1933, is hereby amended by omitting the words "the Wellington Philosophical Society, the Philosophical Institute of Canterbury, the Otago Institute, the Hawke's Bay Philosophical Institute, and the Nelson Institute", and substituting the words "the Wellington, Canterbury, Otago, and Hawke's Bay branches of the Society, the Nelson Institute, and the Southland branch of the Society". 10 15

(2) Section four of the said Act is hereby amended by omitting from paragraph (c) of subsection one the words "two by the Wellington Philosophical Society, two by the Philosophical Institute of Canterbury, and two by the Otago Institute", and substituting the words "two by the Wellington branch of the Society, two by the Canterbury branch of the Society, and two by the Otago branch of the Society". 20

(3) The said section four is hereby further amended by omitting from paragraph (e) of subsection one the words "and Vice-President", and substituting the words "Vice-Presidents, and Honorary Treasurer". 25

(4) The said section four is hereby further amended by adding to subsection one the following paragraph:— 30
“(f) Two members to be elected by the Fellows of the Society in the year nineteen hundred and fifty, and in every alternate year thereafter, in the manner prescribed by rules made under this Act.” 35

(5) The said section four is hereby further amended by inserting, after subsection one, the following subsection:—

“(1A) On the expiry of the term of office of the President, the person thereby vacating that office shall continue to be a member of the Council for a term of one year.” 40

(6) Section five of the said Act is hereby amended by inserting in subsection one, after paragraph (b), the following paragraph:—

5 “(bb) The members elected by the Fellows of the Society shall retire on the election of their successors:”

(7) The said section five is hereby further amended by adding to subsection two the words “ or re-election ”.

10 (8) Section six of the said Act is hereby amended as follows:—

(a) By inserting in subsection one, after the words “ Any appointed ”, the words “ or elective ”:

15 (b) By inserting in the said subsection one, after the word “ vacant ”, the words “ or, as the case may require, by the election of a member in accordance with this Act ”:

(c) By adding to the said subsection one the following additional proviso:—

20 “ Provided also that if any such vacancy occurs in the office of an elective member at any time within six months before the expiry, by effluxion of time, of the term of office of that member, the vacancy may, if the Council so determines, be filled by the appointment by the Council of a person qualified to be elected to that office.”

25 (d) By inserting in subsection two, after the word “ appointed ”, wherever that word occurs, the words “ or elected ”.

30 (9) Section seven of the said Act is hereby amended by repealing subsection two, and substituting the following subsections:—

35 “(2) At the annual meeting to be held in the year nineteen hundred and fifty, and at the annual meeting in every alternate year thereafter, the Council shall appoint some fit person to be President of the Society.

“ (2A) At every annual meeting the Council shall appoint two fit persons to be Vice-Presidents of the Society.”

40 (10) The said section seven is hereby further amended as follows:—

(a) By omitting from subsection three the words “ and shall be eligible for reappointment ”, and substituting the words “ and each Vice-President shall be eligible for reappointment for a further term of one year ”: 5

(b) By omitting from subsection five the words “ the Vice-President ”, and substituting the words “ such of the Vice-Presidents as the Council may appoint in that behalf ”.

(11) Section eight of the said Act is hereby amended by omitting from subsection four the words “ the Vice-President ”, and substituting the words “ the Vice-Presidents ”. 10

(12) Section eleven of the said Act is hereby amended by inserting in subsection one, after paragraph (a), the following paragraph:— 15

“(aa) Prescribing the method of election of members of the Council by Fellows of the Society, and matters incidental thereto, and prescribing the form and manner of compiling and keeping the roll of electors for the purposes of such elections:” 20

Scaffolding and Excavation

Section 3 of Scaffolding and Excavation Act, 1922 (as to Inspectors), amended.

See Reprint of Statutes, Vol. VIII, p. 1242
Ibid., Vol. I, p. 381

51. Section three of the Scaffolding and Excavation Act, 1922, is hereby amended by inserting, after subsection two, the following subsection:— 25

“(2A) Nothing in the proviso to subsection one of this section shall apply to any officer employed in the service of the Crown or of any local authority who is registered as an engineer under the Engineers Registration Act, 1924, and is appointed to be an Inspector under this Act for the purpose of any undertaking being carried out by the Department or local authority of which he is an officer.” 30

Scientific and Industrial Research

Provision of National Research Fellowships or other awards for scientific research.

See Reprint of Statutes, Vol. VIII, p. 176

52. (1) Section twelve of the Scientific and Industrial Research Act, 1926, is hereby amended by repealing subsection one, and substituting the following subsection:— 35

“(1) The Governor-General may from time to time, by Order in Council, make regulations for the establishment and award, emoluments, and tenure of scholarships 40

to be called National Research Scholarships, fellowships to be called National Research Fellowships, and other awards to be called by such names as may be prescribed.”

5 (2) The said section twelve is hereby further amended as follows:—

(a) By inserting in subsection two, and also in subsection three, after the word “ Scholarships ”, where it appears in those subsections, the
10 words “ fellowships, or other awards ”:

(b) By inserting, in subsection four, after the word “ scholarships ” where it first occurs, the words “ fellowships, or other awards ”:

15 (c) By adding to subsection four the words “ National Research Fellowships, or other awards, as the case may be ”.

Shops and Offices

20 **53.** Section thirty-five of the Shops and Offices Act, 1921–22, is hereby amended by inserting, after subsection two, the following subsection:—

“(2A) Any requisition providing for an exemption in accordance with this section may, in the case of a combined district, apply either to the whole of the combined district or to any one or more of the constituent
25 districts of the combined district.”

54. (1) Section nineteen of the Shops and Offices Amendment Act, 1927, is hereby amended by omitting from subsection one the words “ notice, or award fixing such closing-hours ”, and substituting the words “ or
30 notice fixing such closing-hours, or of the closing-hour provisions of the award ”.

(2) The said section nineteen is hereby further amended as follows:—

35 (a) By omitting from subsection four the word “ shall ”, and substituting the words “ may, if he thinks fit,”:

(b) By omitting from subsection five the word “ shall ”, and substituting the words “ may, if he thinks fit,”.

Requisitions as to closing-hours for chemists' shops.

See Reprint of Statutes, Vol. III, p. 264

Section 19 of Shops and Offices Amendment Act 1927 (as to exemptions from closing-hour provisions), amended.

Superannuation

Amendment consequential on change of name of service organization. 1947, No. 57

55. Section three of the Superannuation Act, 1947, is hereby amended by omitting from paragraph (d) of subsection three the words "New Zealand Post and Telegraph Employees' Association and Officers' Guild, Incorporated", and substituting the words "New Zealand Post and Telegraph Association (Incorporated)". 5

Tenancy

Sections to be read with Tenancy Act, 1948.

56. This section and the next *two succeeding* sections shall be read together with and deemed part of the Tenancy Act, 1948 (in those sections referred to as the principal Act). 10

No Court fees to be payable in respect of application to fix fair rent. 1948, No. 76

57. The principal Act is hereby amended, as from the passing of that Act, by inserting, after section fifteen, the following new section:—

"15A. No court fees shall be payable in respect of any application made to the Court to fix the fair rent of any dwellinghouse or property, or in respect of any appeal to the Court of Appeal against an order of the Supreme Court fixing any such fair rent as aforesaid, or in respect of any document filed for the purposes of any such application or appeal." 15 20

Section 31 of Tenancy Act, 1948 (as to wrongful eviction), amended.

58. Section thirty-one of the principal Act is hereby amended by inserting in subsection one, after the words "any dwellinghouse or urban property", the words "or any part of any dwellinghouse or urban property." 25

Undesirable Immigrants Exclusion

Application of Act to arrival or removal of persons by aircraft.

59. The Undesirable Immigrants Exclusion Act, 1919, is hereby amended by inserting, after section two, the following section:—

See Reprint of Statutes, Vol. III, p. 907

“ 2A. (1) The provisions of this Act shall, with the necessary modifications, extend and apply in all respects to persons arriving or landing in New Zealand in or from any aircraft (not being an aircraft plying from any one place in New Zealand to any other place therein), in the same manner as they apply to persons arriving in or landing from any ship.

“(2) The provisions of this Act relating to the deportation or removal, or proposed deportation or removal, of persons from New Zealand on any ship shall, with the necessary modifications, extend and apply in all respects to the deportation or removal of such persons in any aircraft.

“(3) In the application of this Act for the purposes of this section,—

“(a) All references to a ship or to a vessel shall be deemed to be references to an aircraft:

“(b) All references to the master of the ship or of the vessel shall be deemed to be references to the person for the time being in actual command of the aircraft.”

Valuation of Land

60. (1) Section forty-four of the Valuation of Land Act, 1925, as amended by subsection three of section thirty of the Land Valuation Court Act, 1948, is hereby further amended by omitting from paragraph (a) the words “ after the hearing by the Land Valuation Court ”, and substituting the words “ after the sealing of the order of the Land Valuation Court ”.

Amending provisions as to acquisition of land by the Crown.
See Reprint of Statutes, Vol. VII, p.1044
1948, No. 50
1933, No. 35

30 (2) Section four of the Valuation of Land Amendment Act, 1933, as amended by subsection three of section thirty of the Land Valuation Court Act, 1948, is hereby further amended by omitting from subsection one the words “ after the hearing by the Land Valuation Court ”, and substituting the words “ after the sealing of the order of the Land Valuation Court ”.

Workers' Compensation

61. (1) Section three of the Workers' Compensation Act, 1922, as amended by subsection one of section four of the Workers' Compensation Amendment Act, 1936, is hereby further amended by repealing subsection two, and substituting the following subsection:—

Workers' Compensation Act, 1922, to apply to all occupations.
See Reprint of Statutes, Vol. V, p. 599
1936, No. 45

“(2) This Act shall apply to the employment of any worker in any occupation, whether or not the employment is in or for the purposes of any trade or business carried on by the employer, and whether or not the employment is of a casual nature.”

Repeals.

(2) The First Schedule to the said Act, and section four of the Workers' Compensation Amendment Act, 1936, are hereby consequentially repealed.

Damage to teeth.

62. The Workers' Compensation Amendment Act, 1947, is hereby amended by inserting, after section 5 forty-six, the following new section:—

“ 46A. Where, as the result of an accident arising out of and in the course of the employment of any worker, the worker suffers facial injuries and damage to his teeth, the worker shall be entitled to receive from his employer, in addition to the compensation (if any) that may be payable under the principal Act, the reasonable cost, in the case of damage to natural teeth, of repairing the teeth or replacing them with an artificial denture or artificial dentures, or, in the case of damage to any artificial denture, the reasonable cost of repairing or, if necessary, replacing the denture: 10

“ Provided that, if the injuries are not of such a nature as to cause the worker to cease working, notice of the damage to the teeth shall be given to the employer 20 forthwith after the occurrence of the accident:

“ Provided also that in no case shall the amount which any worker is entitled to receive under this section exceed the sum of ten pounds in respect of any one accident.” 25