

Hon. Mr. Reeves.

SERVANTS' REGISTRY OFFICES.

ANALYSIS.

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Every person keeping a registry office to be licensed.</p> <p>4. Application for license. Fee.</p> <p>5. Duration of license.</p> <p>6. Inspector to keep register.</p> <p>7. Evidence of entry in register.</p> <p>8. Books to be kept by license-holder.</p> <p>9. To be open to inspection.</p> <p>10. Copies of entries may be taken.</p> <p>11. Name to be posted up.</p> | <p>12. License not transferable.</p> <p>13. Unlicensed person not to keep registry office.</p> <p>14. Penalty for breach of Act.</p> <p>15. Onus on accused to prove he is licensed.</p> <p>16. Accused to produce his license.</p> <p>17. Conviction to be indorsed on license.</p> <p>18. Suspension from holding license.</p> <p>19. Recovery of license-holder's fees.</p> <p>20. If license lost, duplicate may be issued.</p> <p>21. Repeal. Saving.</p> <p>22. Fees, &c., to be paid into Public Account. Schedule.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

A BILL INTITULED

AN ACT for repealing "The Servants' Registry Offices Act, 1892," and for making other Provisions in lieu thereof. Title.

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

1. The Short Title of this Act is "The Servants' Registry Offices Act, 1895." Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.

10 "District" means a district as constituted for the time being under "The Factories Act, 1894":

"Inspector" means an Inspector of Factories for a district as herein defined:

15 "Magistrate" means a Stipendiary Magistrate appointed under "The Magistrates' Courts Act, 1893":

"Servant" means any person engaged or seeking engagement for hire in any manual capacity, whether domestic, agricultural, pastoral, mechanical, or otherwise howsoever:

20 "Servants' registry office" or "registry office," or "office," means any house or office at which is carried on the business of procuring servants for employers or employment for servants.

3. It shall not be lawful for any person in any district directly or indirectly to keep or conduct a registry office, or to in any way hold himself out to be a keeper or conductor thereof, or to charge or recover fees for or in connection with the hiring of servants, unless he is the holder of a license in the Form C in the Schedule hereto. Every person keeping a registry office to be licensed.

Application for license.	4. The Inspector shall issue such license to any person who—	
	(1.) Makes written application therefor in the Form A in the Schedule hereto; and	
Fee.	(2.) Forwards with such application a license-fee of <i>ten</i> shillings, and a certificate of character signed by a Magistrate in the Form B in the Schedule hereto.	5
Duration of license.	5. Such license, unless sooner cancelled, shall continue in force in the district for which it was issued, but not elsewhere, for one year, but may be renewed from year to year on payment of an annual fee of <i>five</i> shillings.	10
Inspector to keep register.	6. The Inspector shall keep a register of all license-holders in his district, and of all indorsements and cancellations of licenses.	
Evidence of entry in register.	7. A copy of any entry in such register purporting to be signed by the Inspector shall be <i>prima facie</i> evidence of the truth of the matters stated in such copy.	15
Books to be kept by license-holder.	8. Every license-holder shall keep the following records of his business:—	
	(1.) A book containing the names of every person who pays or is charged a fee for or in connection with the hiring of servants, together with the date and the amount of the fee.	20
	(2.) A book in the form D in the Schedule hereto, and containing the particulars therein specified.	
To be open to inspection.	9. Such books shall be accurately kept from day to day, and shall at all reasonable times be open to inspection by the Inspector, or by any officer of police.	25
Copies of entries may be taken.	10. Any employer or servant may at all reasonable times inspect and take copies of any entry relating to himself in such books.	
Name to be posted up.	11. Every license-holder shall at all times keep posted up in some conspicuous place in or on his office, so as to be easily read by the public, the words "Licensed Registry-Office Keeper."	30
License not transferable.	12. It shall not be lawful for a license-holder to transfer his license to any person, or to directly or indirectly permit any person to carry on business under colour of such license.	
Unlicensed person not to keep registry office.	13. It shall not be lawful for any person not being a license-holder to directly or indirectly hold himself out to be a license-holder, or to keep or conduct a registry office, or to receive or charge any fee for or in connection with the hiring of servants.	35
Penalty for breach of Act.	14. If any person, being a license-holder, fails or neglects to comply with any of the provisions of this Act, or, being a license-holder or not, commits a breach of any of the provisions of this Act, he is liable to a penalty not exceeding <i>five</i> pounds.	40
Onus on accused to prove he is licensed.	15. In all proceedings under section <i>thirteen</i> the onus shall be on the accused to prove, by the production of his license, that he is a license-holder.	45
Accused to produce his license.	16. In all proceedings under this Act against a license-holder, he shall produce to the Court his license.	
Conviction to be indorsed on license.	17. Every conviction against a license-holder shall be indorsed on his license by the convicting Magistrate or Justices, and upon a third indorsement being made the license shall be deemed <i>ipso facto</i> cancelled, and the Clerk of the Court shall deliver it up to the Inspector.	50

18. No person whose license has been cancelled shall be entitled to hold a license in any district until the expiration of three years from the date of such cancellation.

Suspension from holding license.

5 19. No license-holder shall be entitled to maintain an action for the recovery of fees unless at the trial he produces his license.

Recovery of license-holder's fees.

20. On satisfactory proof of the loss or destruction of a license, and on the payment of a fee of one shilling, the Inspector may, at the request of the licensee, issue a duplicate (bearing all indorsements), and such duplicate shall avail for all purposes as if it were the original.

If license lost, duplicate may be issued.

10 21. (1.) "The Servants' Registry Offices Act, 1892," is hereby repealed.

Repeal.

15 (2.) Every person duly licensed under that Act shall be deemed to be duly licensed under this Act, and shall be subject to the provisions hereof accordingly.

Saving.

(3.) Every license granted under that Act shall be deemed to be granted under this Act, and shall be subject to the provisions hereof accordingly.

20 (4.) Every such license, unless sooner cancelled, shall continue in force for twelve months after the passing of this Act.

(5.) Every local authority which has kept a register of the names and residences of the keepers of registry offices under that Act shall, at the request of the Inspector, deliver such register up to him and he shall keep the same as portion of his register under this Act.

25 22. All fees and penalties received and recovered shall be paid into the Public Account and form part of the Consolidated Fund.

Fees, &c., to be paid into Public Account.

SCHEDULE.

Schedule.

A.

FORM OF APPLICATION FOR LICENSE.

To the Inspector of Factories for the District of I, A.B., residing at , hereby apply for a license under "The Servants' Registry Offices Act, 1895," as the keeper of a servants' registry office at the premises situate at , in this district. I enclose herewith the certificate of a Magistrate, and also the prescribed fee of five shillings.

Dated this day of , 18 .

A.B.

B.

CERTIFICATE OF MAGISTRATE.

I, the undersigned, being a Stipendiary Magistrate residing or exercising jurisdiction within the District of , do hereby certify that I believe [Here state the name of the applicant] to be a fit and proper person to keep and have the conduct of a servants' registry office under "The Servants' Registry Offices Act, 1895."

Dated at this day of , 18 .

C.D.,
Stipendiary Magistrate.

C.

FORM OF LICENSE.

I, the undersigned, Inspector of Factories for the District of _____, do hereby certify that A.B., of _____, is hereby licensed to keep and have the conduct of a servants' registry office in this district, subject to the provisions of "The Servants' Registry Offices Act, 1895." This license, unless sooner cancelled, continues in force in this district (but not elsewhere) for twelve months from the date hereof, and is not transferable in any manner whatsoever.

Dated this _____ day of _____, 18 ____.

E.F.,
Inspector of Factories.

D.

BOOK OF ENGAGEMENTS.

Name of Employer.	Address and Occupation.	Name of Servant.	Nature of Engagement.	Rate of Wages.	Terms of Engagement