



ANALYSIS

Title
Preamble
1. Short Title
2. Interpretation

3. Penalties
4. Bylaws
5. Limits of Act
6. Repeal
7. Private Act

1963, No. 2—*Private*

An Act to amend the Auckland Gas Company's Act 1871
[18 September 1963]

WHEREAS the Auckland Gas Company's Act 1871 (hereinafter referred to as the principal Act) did not contain a definition of the term "gas", and it is desirable to add such a definition and in particular to provide that the term "gas" shall include natural gas: And whereas it is desirable to extend the expression "Resident Magistrate" to include a Stipendiary Magistrate: And whereas various penalties were provided for in the principal Act, and it is desirable to increase those penalties to amounts more appropriate to present circumstances, and to add a provision that the imposition of a penalty under section 25 of the principal Act shall not prevent the Auckland Gas Company Limited from recovering the value of any gas wasted or lost or from recovering at law any other sum or sums which apart from that section it would have been entitled to recover: And whereas it is desirable to make an addition to section 35 of the principal Act to provide that the bylaws and regulations made under that section shall not be repugnant not only to the principal Act or to the Municipal Corporations Act 1954 but also to the Counties Act 1956: And whereas section 41 of, and the Schedule to, the principal Act are no longer appropriate and it is desirable to repeal the same: And whereas section 46 of the principal Act defined

the limits of the principal Act as extending to and including the City of Auckland and such parts of the suburbs and vicinity thereof as lie within a radius of ten miles from a centre at the Post Office, Shortland Street, Auckland: And whereas that Post Office no longer exists, and it is desirable to extend the limits of the principal Act to include the said City of Auckland and the area within a radius of twelve and one-half miles from a centre at the Post Office, Jean Batten Place, Auckland:

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

1. Short Title—This Act may be cited as the Auckland Gas Company Amendment Act 1963, and shall be read together with and deemed part of the Auckland Gas Company's Act 1871 (hereinafter referred to as the principal Act).

2. Interpretation—Section 2 of the principal Act is hereby amended as follows:

(a) By adding the following definition:

“The word ‘gas’ shall include natural gas as defined for the purposes of the Petroleum Act 1937”:

(b) By inserting in the definition of the expression “Resident Magistrate”, after the words “shall also mean”, the words “a Stipendiary Magistrate or”.

3. Penalties—The principal Act is hereby amended as follows:

(a) By omitting from section 21 the words “five pounds”, and substituting the words “not exceeding twenty-five pounds”; and by omitting from that section the words “forty shillings”, and substituting the words “not exceeding five pounds”:

(b) By omitting from section 24 the words “five pounds”, and substituting the words “fifty pounds”:

(c) By omitting from section 25 the words “ten pounds”, and substituting the words “fifty pounds”; and by adding to that section the words “and shall also pay to the Company the value of any gas wasted or lost:

“Provided that this section shall not prevent the Company from recovering at law any other sum or sums which apart from this section it would have been entitled to recover”:

- (d) By omitting from section 26 the words "five pounds", and substituting the words "twenty-five pounds":
- (e) By omitting from section 28 the words "ten pounds", and substituting the words "twenty pounds":
- (f) By omitting from section 30 the words "five pounds", and substituting the words "twenty-five pounds".

4. Bylaws—Section 35 of the principal Act is hereby amended by omitting the words "The Municipal Corporations Act 1867", and substituting the words "the Municipal Corporations Act 1954 or to the Counties Act 1956".

5. Limits of Act—Section 46 of the principal Act is hereby amended by omitting the words "ten miles from a centre at the Post Office Shortland Street Auckland", and substituting the words "twelve and one-half miles from a centre at the Post Office, Jean Batten Place, Auckland".

6. Repeal—Section 41 of, and the Schedule to, the principal Act are hereby repealed.

7. Private Act—This Act is hereby declared to be a private Act.
