



ANALYSIS

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1968, No. 32

An Act to amend the Impounding Act 1955

[25 November 1968]

BE IT 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 Impounding Amendment Act 1968, and shall be read together with and deemed part of the Impounding Act 1955 (hereinafter referred to as the principal Act).

2. Interpretation—(1) Section 2 of the principal Act is hereby amended by adding to the definition of the term “road” in subsection (1) the words “, Catchment Board, or Catchment Commission, or of the Waikato Valley Authority, unless any occupier of land adjoining the river bed or riparian land is also the lawful occupier of that river bed or riparian land:”.

(2) Section 2 of the principal Act is hereby further amended by repealing subsection (3), and substituting the following subsection:

“(3) A local authority may exercise its powers under this Act in respect of any State highway, main highway, river bed, or riparian land in its district whether or not that highway, river bed, or riparian land is under the control of the local authority:

“Provided that no power shall be exercised by a local authority in respect of any river bed or riparian land if the occupier of any land adjoining the river bed or riparian land is also the lawful occupier of that river bed or riparian land.”

3. Charges for delivering stock to the pound, or to owner—

(1) The principal Act is hereby further amended by adding to section 15 the following proviso:

“Provided that if any local authority conveying stock under this section conveys the stock by means of any vehicle, or engages any person on its behalf to convey the stock by means of any vehicle, and the fair and reasonable costs of that conveyance actually incurred, including the dispatch of the vehicle to the place where the stock is found and the return of the vehicle to the place of dispatch, exceed the charges payable under the Second Schedule to this Act, the owner of the stock shall pay all the fair and reasonable costs of that conveyance actually incurred, including the dispatch and return of the vehicle, instead of the charges payable under that Schedule.”

(2) The principal Act is hereby further amended by repealing the Second Schedule, and substituting the new Second Schedule set out in the Schedule to this Act.

4. Sales of impounded stock—The principal Act is hereby further amended by adding to section 50 the following subsection:

“(4) Any sale of impounded stock by public auction notified to be subject to a reserved or upset price shall be subject to a reserved or upset price not exceeding the amount of costs and charges to which the local authority is entitled under this Act.”

Section 3 (2)

SCHEDULE

NEW SECOND SCHEDULE TO PRINCIPAL ACT

Section 15

"SECOND SCHEDULE

CHARGES FOR LEADING, DRIVING, OR CONVEYING STOCK §

For any number of stock, not exceeding ten in number, for every mile or part of a mile from the place where the stock was trespassing or was seized for impounding to the residence of the owner of the stock or to the pound or (in the case of stock seized for trespass but not impounded) to the place where it is delivered to the owner or to some person on his behalf	0.50
For any number exceeding ten, but not exceeding twenty-five, for every mile or part of a mile	0.75
For any number exceeding twenty-five, for every mile or part of a mile	1.00
Provided that in no case shall the charges for so leading, driving, or conveying stock be less than the sum of \$3 or exceed the sum of \$10."	

This Act is administered in the Department of Internal Affairs.
