

New Zealand.



ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Any Judge of Supreme Court may act as President of Compensation Court.</p> <p>3. Costs in claims beyond jurisdiction of Compensation Court.</p> <p>4. Costs in claims withdrawn or abandoned.</p> | <p>5. Jurisdiction of Court not affected by failure to appoint assessors, &c.</p> <p>6. Foregoing provisions to apply to pending claims.</p> <p>7. Section 2 of principal Act amended.</p> <p>8. Extension of powers relating to the taking of land for public works.</p> <p>9. Section 119 of principal Act amended.</p> |
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1913, No. 38.

AN ACT to amend the Public Works Act, 1908.

[15th December, 1913.]

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 Public Works Amendment Act, 1913, and shall be read together with and deemed part of the Public Works Act, 1908 (hereinafter referred to as the principal Act).

2. (1.) Notwithstanding anything to the contrary in the principal Act, any Judge of the Supreme Court may for the time being, and from time to time, exercise the functions of President of any Compensation Court, and every such Judge so acting for the time being shall for all purposes and to all intents be the President of that Court accordingly.

(2.) Nothing in this section shall apply to any Compensation Court of which any other person than a Judge of the Supreme Court is the President in accordance with the principal Act.

3. The power of awarding costs conferred upon a Compensation Court by section seventy-four of the principal Act shall extend to cases in which it is determined that the Court has no jurisdiction to hear and determine the claim for compensation or any particular portion thereof, and any such award of costs in respect of such claim or such part thereof shall be dealt with and enforced in the same manner as an award of compensation.

4. When any claim for compensation is at any time after the making thereof withdrawn or abandoned, whether wholly or in part, costs may be awarded by a Compensation Court in respect of

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that claim or that part thereof in the same manner as if the claim or that part thereof had been heard and determined by the Court, and any such award of costs shall be dealt with and enforced in the same manner as an award of compensation.

5. For the purposes of sections three or four of this Act the appointment, presence, or concurrence of assessors shall not be necessary to the constitution or jurisdiction of the Court.

6. The foregoing provisions of this Act shall extend and apply to all claims for compensation which are pending at the commencement of this Act.

7. Section two of the principal Act is hereby amended by omitting paragraph (d) of the definition of "public work," and substituting the following paragraph:—

"(d.) Any secondary school or University college specified in the Eleventh Schedule to the Education Act, 1908; any high school established under section ninety-four of the last-mentioned Act; any technical school as defined in section seventeen of the Education Amendment Act, 1908; any public school within the meaning of the Education Act, 1908; any Native school; and any lands for playgrounds, or teachers' residences, or for any other purpose in connection with any such college or school."

8. The power conferred by the principal Act on the Minister or a local authority, as the case may be, to take or contract for the purchase of land for a public work shall include the power—

- (a.) To take or contract for the purchase of, and to hold, the said land, subject to any particular estate or other interest to which the land is for the time being subject; and
- (b.) To take or contract for the purchase of, separately, any particular estate or other interest for the time being subsisting in the land.

9. Subsection three of section one hundred and nineteen of the principal Act is hereby amended by adding thereto the following words: "The words in this subsection 'any order which may be made by the Governor hereunder' shall be deemed to include any authority conferred on any local authority to execute any work, and any declaration that any proportion of the cost of any work is to be borne by any local authority. The authority to borrow conferred by this section shall be deemed to extend to the local authority authorized to execute any work. The limit of any authority to borrow under this section may, if the Governor thinks fit, be set out in the Governor's warrant, and any warrant (whether heretofore issued or hereafter to be issued) may from time to time be amended for the purpose of setting out the limit of such authority to borrow. The Governor's warrant or amended warrant as gazetted shall be conclusive evidence that the local authority thereby authorized to construct any work, or thereby declared liable to bear any proportion of the cost of any work, is duly authorized to raise a loan to the limit of amount mentioned in such warrant."

Jurisdiction of Court not affected by failure to appoint assessors, &c.

Foregoing provisions to apply to pending claims.

Section 2 of principal Act amended.

Extension of powers relating to the taking of land for public works.

Section 119 of principal Act amended.