

## New Zealand.



### ANALYSIS.

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### 1892, No. 44.

- Title.** AN ACT for the Licensing and Registration of Servants' Registry Offices. [11th October, 1892.]
- Short 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, 1892."
- Interpretation.** 2. In this Act, if not inconsistent with the context,—  
"By-laws" includes "regulations" made by the Governor in Council:  
"Clerk" means the clerk of any local authority, and includes the person who may be appointed by the Governor to keep the register of registry offices in any part of the colony where the Governor is the local authority:  
"Servants' registry office," or "registry office," or "office" means respectively any house or office at which a register is kept of persons requiring respectively to employ or to be employed as domestic, or farm, or agricultural, or in any other capacity as servants, in town or country:  
"District" means any portion of the colony under the administration of a local authority as herein defined:  
"Local authority" means and includes any City Council, Borough Council, or Town Board, and outside of such places means any County Council, or such Road and Town Boards as may be administering the functions of a County Council; and in the absence of such Boards within any county where "The Counties Act, 1886," is

not in force, and also in all parts of the colony not included in any borough, town district, or county, means the Governor :

A town district, for the purpose of this Act, shall be deemed not to form part of the county wherein it is comprised.

3. All sums received as registration-fees or otherwise under this Act in any district shall belong to the local authority of such district, and shall be paid by the clerk receiving the same into its district fund.

Registration or other fees to be paid to local authority.

4. Within two months after the commencement of this Act, as to any servants' registry office already existing in any district within the jurisdiction of a local authority, and within two months after any house or office is hereafter used as a servants' registry office in any such district, the occupying tenant or keeper of such office shall register such office by delivering at the proper office to the Clerk of the local authority of such district notice in the form in the Schedule hereto, together with a certificate of character in the form in the Schedule hereto, signed by the Resident Magistrate of the district in which such registry office shall be situate. Such notice, subject to the provisions of this Act, shall be registered by such local authority on payment of a fee of ten shillings ; and a license in the form or to the effect in the Schedule hereto shall be issued to the applicant by order of the local authority, and such license shall continue in force until cancelled for any cause.

By whom and when notice to register, with certificates of character, is to be given.

License.

But the local authority may refuse to register any office the keeper of which shall fail to produce such certificate.

Exception.

The local authority may, at any time after notice in writing to the said tenant or keeper of such office, and hearing him should he appear, cancel the license issued to him.

License may be cancelled.

If such tenant or occupier shall be dissatisfied with the decision of such local authority, he may, within fourteen days thereafter, appeal to the Resident Magistrate of the district by a notice in writing, setting forth the grounds of such dissatisfaction, and such Resident Magistrate, after giving notice in writing to the local authority, shall hear the parties appearing, and shall determine such appeal, and such Resident Magistrate may confirm or reverse the decision appealed against, and may make such order as may be just and reasonable.

Appeal,

5. The local authority shall keep a register in which shall be entered the names and residences of the keepers of all registry offices within the jurisdiction of such local authority ; such register to be compiled from the forms to be delivered as aforesaid, or such information as such local authority shall think fit to use.

Register to be kept.

6. A copy of an entry made in any register kept under this Act, certified by the person having the charge thereof to be a true copy, shall be received in all Courts and on all occasions whatsoever as *prima facie* evidence, and be sufficient proof of all things registered according to the provisions of this Act without the production of the register or of any document, act, or thing on which the entry is founded ; and every person applying at a reasonable time shall be furnished without fee, by the person having such charge, with a certified copy of any such entry.

Contents of register, how to be proved.

Register to be kept  
by keeper of office.

7. Every tenant or keeper of an office licensed as aforesaid shall keep or cause to be kept a book, in which shall be entered fully and truly the particulars required by the form in the Second Schedule hereto, and such book shall at all reasonable hours be open for inspection by any member of the local authority issuing the license, and by any person authorised by such authority to inspect the same, and any employer or employé may inspect any entry in such book relating to any agreement entered into by him, and to take a copy of such entry.

Penalty for not  
keeping register.

8. Every such tenant or keeper licensed as aforesaid, who shall neglect or fail to comply with the provisions of the last-preceding section, shall for every such offence be liable to a penalty not exceeding five pounds.

By-laws to be made  
respecting offices.

9. The local authority may, in manner provided by any Act authorising such local authority to make by-laws, from time to time make, alter, and repeal by-laws for regulating all registry offices within their jurisdiction, for fixing the particulars of information to be supplied by the keeper thereof to persons seeking employment, for the prevention of the misguidance of such persons, for limiting the maximum fees to be charged to persons using such offices either as employers or servants, and for any other purpose they may think fit for the better administration of the objects of this Act.

Penalties.

And by any such by-laws the local authority shall have the power of imposing penalties on offenders against the same not exceeding the sum of five pounds for each offence.

Penalty for not  
registering.

10. If the keeper of a registry office, or any other person having or acting in the care or management thereof, shall omit to cause his office to be registered as aforesaid, he shall for every such offence be liable to a penalty not exceeding ten pounds, and to a further penalty not exceeding two pounds for every day during which the offence continues.

Penalty for keeping  
office not registered.

11. Any person, not being licensed under this Act, who shall keep a registry office or who shall have any words written, painted, or inscribed, or which may have been written, painted, or inscribed, and not thoroughly obliterated, over or about his house, window, or premises, which shall lead to the belief or supposition that such person is licensed under this Act to keep such office, or that such office is a registered office under this Act, or who shall advertise that he is the keeper of a registry office, or who shall place or cause to be placed any placard, board, writing, matter, or thing in the public view, to the intent that it may be believed or supposed that such person is licensed as aforesaid, or that such person is the keeper of a registered office under this Act, shall be liable to a penalty not exceeding one hundred pounds.

Penalty for lending  
or hiring, &c., a  
license.

12. Every person shall be liable to a penalty not exceeding twenty pounds for every separate offence who shall let out on hire or lend any license granted to him, or shall have or act in the care or management of any registry office, trade with or under colour of any license granted to any other person whomsoever, or of any license in which his own name shall not be inserted as the name of the person to whom the same is granted.

Onus of proof of  
license on person

13. In all proceedings against any person for acting or having acted in the care or management of a registry office without a license,

such person, unless he shall produce his license or bring other satisfactory proof of his having been licensed at the time at which the offence was committed, shall be deemed to have been unlicensed.

charged with offence.

14. Where the keeper of a registry office or any person having or acting in the care or management thereof is convicted of a second or any subsequent offence against any of the provisions of this Act, or of any by-laws under this Act, the Magistrate or Justices before whom such conviction takes place may, if he or they think fit, cancel his license and adjudge that he shall not, at any time within a period not exceeding five years after such conviction, as he or they think fit, keep or have or act in the care or management of a registry office.

Keeper may be suspended.

15. All proceedings under this Act shall be had and taken, and all penalties may be recovered, in a summary way before a Resident Magistrate or any two or more Justices of the Peace, and when recovered shall be paid, less the cost of recovering the same, to the local authority of the district, or, where the Governor is the local authority, shall be paid into the Public Account, and form part of the Consolidated Fund.

How penalties to be recovered.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

FORM OF APPLICATION TO REGISTER.

To the Clerk of the \_\_\_\_\_,  
I, A.B., residing at \_\_\_\_\_, and whose occupation is that of a \_\_\_\_\_, hereby give notice that I apply to be registered as the keeper of a servants' registry office, at the premises situate at \_\_\_\_\_, in this district, and append hereto the certificate of resident ratepayers required by "The Servants' Registry Office Act, 1892."

CERTIFICATE OF RESIDENT RATEPAYERS.

I, THE undersigned, being the Resident Magistrate within [*Here state the city, town district, or place in which the registry office applied to be registered is situated*], do certify that I know [*Here state the name of the keeper or manager of the registry office*] and believe him to be a fit and proper person to keep and have the management of a registry office.

(Signed.)

FORM OF LICENSE.

I, THE undersigned, Clerk of the [*local authority*], do hereby certify that, upon the application of A.B., of \_\_\_\_\_, for the registration of [a house or] an office situated in \_\_\_\_\_ as a servants' registry office under "The Servants' Registry Offices Act, 1892," the said [house or] office has been registered, and the said A.B. is hereby licensed to keep the same. This license shall continue in force until cancelled, but shall not be transferable in any manner whatsoever.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

Clerk, Local Authority.

SECOND SCHEDULE.

Name of Employer.	Address and Occupation.	Name of Employé.	Term of Engagement.	Rate of Wages.	Terms of Engagement.