

Hon. Mr. Buddo.

AUCTIONEERS AMENDMENT.

ANALYSIS.

Title.	4. Application for license to be refused in certain cases.
1. Short Title. Commencement of Act.	5. License fees. Repeal.
2. Particulars to appear in application for auctioneer's license.	6. Regulations.
3. Appeal from refusal of local authority to grant license.	7. Consequential amendments of principal Act. Schedule.

A BILL INTITULED

AN ACT to amend the Auctioneers Act, 1908.

Title.

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

1. (1.) This Act may be cited as the Auctioneers Amendment Act, 1910, and shall form part of and be read together with the Auctioneers Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

(2.) This Act shall commence on the first day of January, nineteen hundred and eleven.

Commencement of Act.

2. (1.) The application for an auctioneer's license shall state the name and address of some person who it is intended will conduct auction sales on behalf of the applicant.

Particulars to appear in application for auctioneer's license.

(2.) The person whose name and address are so stated may be either the applicant or some other person.

(3.) Where the applicant desires that more than one person shall conduct auction sales on his behalf, it shall be necessary for him to apply for a separate license for each such person.

(4.) The license shall have indorsed thereon, by the clerk of the local authority by whom it is issued, the name and address of the person who it is intended will conduct auction sales on behalf of the applicant.

(5.) The person whose name and address are so indorsed may from time to time be changed on the application of the holder of the license, and on payment of a fee of ten shillings the clerk of the local authority which issued the license shall cancel the former indorsement and make a further indorsement on the license according to the tenour of the said application.

(6.) Notwithstanding anything in section three of the principal Act it shall not be necessary for the person whose name and address are indorsed on the license as aforesaid (unless he is himself the holder of the license) to be the holder of a license.

Appeal from refusal of local authority to grant license.

3. Where an application for a license is refused by a local authority, the applicant may apply to a Magistrate for an order directing the local authority to grant the application, and the Magistrate after hearing the local authority and the applicant may either make or refuse such order as he thinks fit, and may make such order as to costs as he thinks fit. 5

Application for license to be refused in certain cases.

4. (1.) An application for a license shall not be granted by any local authority, unless it is distinctly stated therein that the applicant has not at any time previously been refused a license by any local authority or that such refusal was reversed on application to a Magistrate as aforesaid: 10

Provided that this section shall not apply to any person who is, or during the preceding twelve months was, the holder of a license granted by the local authority to whom the application is made.

(2.) The *last preceding* section shall not apply to any refusal under this section to grant an application *where the interval between the first-mentioned refusal and the first-mentioned application does not exceed five years.* 15

License fees.

5. (1.) There shall be paid in respect of every license granted under the principal Act a license fee of *forty* pounds: 20

Provided that in respect of every license issued after the thirtieth day of June in any year there shall be payable only one-half the amount of the license fee.

Repeal.

(2.) This section is in substitution for section eight of the principal Act, and that section is hereby accordingly repealed. 25

New.

Duration of license.

5A. Every license shall take effect from the date of its issue, and shall expire on the day on which the first ordinary meeting of the local authority is held after the thirty-first day of December next following that date. 30

Lots to be sold to highest bidder at certain sales.

5B. At any auction sale of fish, fruit, or vegetables, every lot shall be sold to the highest bidder, and it shall not be lawful for any auctioneer to refuse to accept a bid from any person present at the sale who is willing, or who states that he is willing, to pay cash for the goods on delivery thereof; and any condition or stipulation in conditions of sale in any manner violating this provision shall be void and of no effect. 35

Regulations.

6. The Governor may, from time to time by Order in Council gazetted, make regulations prescribing the forms required by the principal Act. 40

Consequential amendments of principal Act.

7. (1.) The principal Act is hereby further amended in the manner and to the extent mentioned in the Schedule hereto.

(2.) The Second, Third, Fourth, and Fifth Schedules to the principal Act are hereby repealed.

SCHEDULE.

Schedule.

No. of Section amended.	Nature and extent of Amendment.
Section 4 ...	Omit the words "resides or"; and omit the words "in the form in the Second Schedule hereto," and substitute the words "in the prescribed form."
Section 6 ...	Omit the words "in the form in the Third Schedule hereto," and substitute the words "in the prescribed form"; omit the words "in the form in the Fourth Schedule hereto," and substitute the words "in the prescribed form"; and omit the words "therein named," and substitute the words "whose name is indorsed thereon."
<i>Section 7</i> ...	<i>Repeal the section.</i>
Section 9 ...	Omit the word "exceeding," and substitute the words "less than"; and add at the end of the section the words "Provided that any such license shall authorize the holder to sell by auction only in the special district in which the license was issued."
<i>Section 10</i> ...	<i>Omit all the words after the words "local authority."</i>
Section 12 ...	Omit the words "in the form in the Fifth Schedule hereto," and substitute the words "in the prescribed form."
Sections 13 and 14	Omit the sections.
Section 15 (1) ...	Omit the words "If a licensed auctioneer," and substitute the words "A licensed auctioneer, or if he."