

Hon Mr. Seddon.

BOARDING- AND LODGING-HOUSES

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Governor to provide for administration of Act in certain parts of the colony.</p> <p>4. Registration or other fees to be paid to local authority. Exception.</p> <p>5. By whom and when notice to register is to be given. Form of registration.</p> <p>6. Certificates of character to be produced with the form when filled up.</p> <p>7. Objections to houses being registered.</p> <p>8. Register to be kept.</p> <p>9. Contents of register, how to be proved.</p> <p>10. By-laws to be made respecting houses.</p>	<p>11. Penalties for breach of by-laws.</p> <p>12. Keeper to use sanitary precautions.</p> <p>13. Notice of infectious diseases to be given by keeper.</p> <p>14. Provisions for preventing the spread of disease.</p> <p>15. Keeper of house to report deaths to Coroner when they occur therein.</p> <p>16. Access at all times to be given to officer.</p> <p>17. Means by which houses may be disinfected.</p> <p>18. To make returns of lodgers.</p> <p>19. Penalties.</p> <p>20. Keeper may be suspended.</p> <p>21. Execution of the Act.</p> <p>22. How penalties to be recovered.</p> <p>Schedules.</p>
---	--

A BILL INTITULED

AN ACT for the Well-ordering of Boarding- and Lodging-houses. Title.

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

5 1. The Short Title of this Act is "The Boarding- and Lodging-houses Act, 1893." It shall come into operation on the first day of October in the now current year. Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.

10 "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 lodging-houses in any part of the colony where the Governor is the local authority:

15 "Boarding- or lodging-house" mean respectively any house, tent, or edifice, not being a licensed publichouse, in which any three or more persons, besides the occupying tenant thereof, his or her family or domestics, ordinarily sleep, paying hire or reward for being allowed to do so; and, in 20 any case where only a part of a house is used as a boarding- or lodging-house, includes the part of such house so used:

“District ” means any portion of the colony under the administration of a local authority as herein defined :

“Local authority ” means and includes any Borough Council or Town Board ; and outside of such 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.

Governor to provide for administration of Act in certain parts of the colony.

3. In all parts of the colony outside of any county, borough, or town district, and where “The Counties Act, 1886,” is not in operation, or not wholly in force, or is suspended, the Governor may appoint persons to keep registers of boarding- and lodging-houses and for all purposes of the administration of this Act, and to receive the fees for the same, and may prescribe regulations by Order in Council upon all matters in respect whereof local authority is authorised to make by-laws.

Registration or other fees to be paid to local authority.

4. All sums received as registration-fees or otherwise under this Act—

(1.) 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 ;

Exception.

(2.) In any part of the colony wherein the Governor acts as the local authority for the administration of this Act shall be paid into the Public Account, and shall form part of the Consolidated Fund.

By whom and when notice to register is to be given.

5. Within two months after the commencement of this Act, as to any boarding- or lodging-house already existing in any district within the jurisdiction of a local authority, and within two months after any house is hereafter used as a boarding- or lodging-house in any such district, the occupying tenant or keeper of such house shall register such house by delivering at the proper office to the Clerk of the local authority of such district notice in the form in the Schedule to this Act annexed marked A ; and such notice, subject to the provisions of this Act, shall be registered by such local authority on payment of a fee of ten shillings.

Form of registration.

In case of the death of the aforesaid tenant or keeper of any house so registered, his widow, or any member of his family, may keep the house as a boarding- or lodging-house for not more than two months after his death without being registered as the keeper thereof.

Certificates of character to be produced with the form when filled up.

6. Every keeper of a boarding- and lodging-house shall with such form for registration send in a certificate of character in the form in the Schedule to this Act annexed marked B, signed by two Justices of the Peace, residents of the district, or by two clergymen, or by six respectable resident householders of the district in which such lodging-house shall be situate, and the local authority may refuse to register any house the keeper of which shall fail to produce such certificate.

7. In case any person shall object to his house being considered a boarding- or lodging-house under this Act, he may apply to the local authority, and it shall be competent for such local authority to consider whether such house is a boarding- or lodging-house, and whether or not the provisions of this Act should be applied to it.

Objections to house being registered.

8. The local authority shall keep a register in which shall be entered the names and residences of the keepers of all boarding- and lodging-houses within the jurisdiction of the local authority as to which such local authority shall deem fit to have this Act applied, and the situation of every such house, and the number of lodgers authorised according to this Act to be received therein; such register to be compiled from the forms to be delivered as aforesaid, or such other information as such other local authority shall think fit to use.

Register to be kept.

9. 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 by and before all Justices and on all occasions whatsoever as 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.

10. 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 boarding- or lodging-houses within their jurisdiction, for fixing the number of lodgers who may be received in such houses, for regulating the accommodation of every kind to be provided therein, including water-closets or privies and urinals, for promoting cleanliness and ventilation therein, and with respect to the inspection thereof, and the conditions and restrictions under which such inspection may be made, for the well-ordering of such houses for the separation of the sexes therein, for providing water-closets or privies for each sex separated in such manner as to insure privacy, and for preventing facilities for the concealment and escape of criminals therein or therefrom.

By-laws to be made respecting houses.

All police officers are hereby required to cause the said regulations to be enforced, and to render all necessary aid and assistance to the local authority for the purpose of effecting the due observance of the said regulations and the conviction of offenders.

11. The local authority shall have the power of imposing by any such by-laws penalties on offenders against the same not exceeding the sum of *five* pounds for each offence, and in case of a continuing offence a further penalty of a sum not exceeding *forty* shillings for each day during which such offence shall be continued after written notice from such local authority or any officer duly authorised by them of the offence having been committed: Provided that all such by-laws imposing any penalty shall be so framed as to allow of the recovery of any sum less than the full amount of the penalty.

Penalties for breach of by-laws.

12. The keeper of a boarding- or lodging-house shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, cesspools, urinals, and drains thereof to the satis-

Keeper to use sanitary precautions.

faction of, and so often as shall be required by, or in accordance with, any by-law of the local authority, and shall limewash the walls and ceilings thereof, or so much of them as shall be required from time to time by such authority.

Notice of infectious diseases to be given by keeper.

13. When any person in a boarding- or lodging-house is ill of fever or any infectious or contagious disease the keeper thereof shall give immediate notice of such illness to the local authority of the district, or some officer of such local authority.

Provisions for preventing the spread of disease.

14. When any person in a boarding- or lodging-house is ill of fever or any infectious or contagious disease the local authority may, on the certificate of a medical officer that the disease is infectious or contagious, and that the patient may be safely removed, cause such person to be removed to a hospital with the consent of the authorities thereof, and may so far as such local authority may think requisite for preventing the spread of disease cause any clothes or bedding used by such person to be disinfected or destroyed, and may in their discretion award to the owners of the clothes and bedding so disinfected or destroyed reasonable compensation for the injury or destruction thereof, the amount of such compensation being first certified in writing upon a list of such articles by such local authority or their officer, to be paid out of the registration fees aforesaid, or, if these be not sufficient, out of the district fund of such local authority.

Keeper of house to report deaths to Coroner when they occur therein.

15. Upon any death occurring in a boarding- or lodging-house the keeper or manager thereof shall, within twelve hours after the same shall have taken place or become known, give notice of every such death and the cause thereof and the circumstances attendant thereon to the nearest Coroner residing within five miles of such house, and if there shall be no Coroner residing within five miles of such house then the local authority within the jurisdiction wherein such house may be situated.

Access at all times to be given to officer.

16. The keeper of a boarding- or lodging-house and every other person having or acting in the care or management thereof shall at all times when required by any local authority or their officer, or by any Justice of the Peace, or any officer or constable of police, give him free access to such house or any part thereof.

Means by which houses may be disinfected.

17. The keeper of a boarding- or lodging-house shall give access thereto when required by any constable or by any person who shall produce the written instructions of the local authority in writing under their seal for the purpose of introducing or using any disinfecting process, and the expenses incurred by the said local authority in so introducing or using any disinfecting process may be recovered by the local authority or person authorised as aforesaid in a summary manner before any two Justices of the Peace by distress and sale of the goods and chattels of the person keeping the boarding- or lodging-house in which the same shall have been used or introduced.

To make returns of lodgers.

18. The keeper of a boarding- or lodging-house shall from time to time, if required by any order of the local authority, or the chief or senior officer of police, served on such keeper, report to the local authority or such officer of police, as the case may be, or to such person as the local authority or officer of police shall direct, the name of every per-

son who resorted to such house during the preceding day or night, and for that purpose schedules shall be furnished to the person so ordered to report, which schedules he shall fill up with the information required and transmit as therein shall be directed.

5 19. If the keeper of a boarding- or lodging-house, or any other person having or acting in the care and management thereof, shall omit to cause his house to be registered as aforesaid, or shall offend against any of the provisions of this Act, or any of the by-laws made in pursuance of this Act, or if any person shall have died in any
10 boarding- or lodging-house, or if any person in any boarding- or lodging-house shall have been confined to his bed for forty-eight hours by any infectious or contagious disease, without the keeper of such house having given notice thereof respectively, as required by this Act, every person so offending shall for every such offence be liable to a
15 penalty not exceeding *five* pounds, and to a further penalty not exceeding *two* pounds for every day during which the offence continues: Provided that this Act shall not exempt any person from any penalty or liability to which he might be subject irrespective of this Act.

Penalties.

20 20. Where the keeper of a boarding- or lodging-house or any person having or acting in the care or management thereof is convicted of a third offence against any of the provisions of this Act the Justices before whom such third conviction takes place may, if they think fit, adjudge that he shall not, at any time within a period
25 not exceeding five years after such conviction, as the Justices think fit, keep or have or act in the care or management of a boarding- or lodging-house without the previous license in writing of the local authority, which license the local authority may withhold or may grant on such terms and conditions as such local authority shall think
30 fit.

Keeper may be suspended.

21. The local authorities, all Justices of the Peace, constables, and others shall respectively have full jurisdiction, powers, authorities and indemnities for executing the several provisions of this Act.

Execution of the Act.

35 22. 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
40 authority, shall be paid into the Public Account, and form part of the Consolidated Fund: Provided always that in no case shall any penalty imposed in pursuance of this Act exceed for any one offence the sum of *one hundred* pounds.

How penalties to be recovered.



Schedules.

SCHEDULES.

SCHEDULE A.

FORM OF REGISTER OF BOARDING- OR LODGING-HOUSE.

Name of Proprietor, Keeper, or Manager.	An Accurate Description of Locality of Boarding- or Lodging-house.	Of what Material House built, how many Rooms used as Sleeping-apartments, and what other Accommodation in the House.	The Number of Lodgers intended to be accommodated.

SCHEDULE B.

WE, the undersigned, being resident [Justices of the Peace, or Clergymen, or] householders within [Here state the city, town district, or place in which the boarding- or lodging-house applied to be registered is situated] do certify that we know [Here state the name of the keeper or manager of the boarding- or lodging-house] and believe him to be a fit and proper person to keep and have the management of a boarding- or lodging-house.

(Signed)

By Authority: SAMUEL COSTALL, Government Printer for the time being, Wellington.—1893.