

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

Legislative Council.

22nd September, 1903.

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE.]

House of Representatives, 6th October, 1903.

Hon. Mr. Pitt.

POLICE OFFENCES AMENDMENT.

Title.	ANALYSIS.
1. Short Title.	6. Riding, &c., on footpaths.
2. Hours of closing public billiard-rooms.	6A. Noxious weeds near roads may be destroyed by poison.
3. Power to enter public billiard rooms.	7. Removing material from foreshore.
4. Certain by-laws not affected.	8. Penalty for disfiguring natural objects, &c.
5. Use of words denoting Government patronage prohibited.	

A BILL INTITULED

AN ACT to amend "The Police Offences Act, 1884."

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 Police Offences Amendment Act, 1903"; and it shall form part of and be read together with "The Police Offences Act, 1884" (hereinafter referred to as "the principal Act").
- 10 2. (1.) Every public billiard-room shall be closed from eleven o'clock at night until eight o'clock on the following morning, except on Saturdays, when it shall be closed from eleven o'clock at night until eight o'clock on the following Monday morning.
- 15 (2.) No game of billiards or any other game shall be played in any public billiard-room during the hours the billiard-room is required to be closed.
- 20 (3.) Every person who, being the proprietor or manager of a public billiard-room, fails to close the billiard-room as aforesaid, or permits any game to be played therein during the hours the billiard-room is required to be closed, is liable to a fine not exceeding ten pounds.
- 25 (4.) For the purposes of this Act "public billiard-room" means a billiard-room where billiards or any similar games are played for payment, but does not include a billiard-room in premises licensed under "The Licensing Act, 1881," or in a club.
- 30 3. (1.) For the purpose of enforcing the *last preceding* section any constable may, with or without warrant, at any time of the day or night, enter any public billiard-room to which that section applies, and if he finds any person there in breach of this Act may demand his name and address, and, if he has reasonable ground to suppose that the name or address given is false, may require evidence of the correctness thereof.

(2.) If such person fails on such demand to give his name or address, or such evidence, the constable may without warrant arrest him, and take him as soon as practicable before a Justice of the Peace, and if the person still refuses to give his name or address the said Justice may order the said person to be retained in custody until the sitting of the Court; in case the person gives his name and address, the said Justice may order the release of the said person on bail.

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(3.) Every person is liable to a fine not exceeding five pounds who when required by a constable under this section to give his name and address fails so to do, or gives a false name, or gives false evidence with respect to such name and address.

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(4.) Every person found in any such public billiard-room during the hours the billiard-room is required to be closed is liable, unless he satisfies the Court that he was lawfully there, to a fine not exceeding two pounds.

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Certain by-laws not affected.

4. Where under any by-law made under any other Act any public billiard-room is required to be closed from an earlier hour than eleven o'clock at night the provisions of sections two and three hereof shall extend and apply to such earlier hour, and not to eleven o'clock at night.

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Use of words denoting Government patronage prohibited.

5. Every person is liable to a fine not exceeding twenty pounds who, without the authority of the Colonial Secretary (the proof whereof shall rest on the person claiming to act under the authority),—

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(a.) Places or erects, or permits to be placed or erected, or permits to continue, contrary to this Act or after any such authority has been revoked, on or near to his house, shop, or premises, or on any conveyance, any sign, writing, or painting bearing the words "New Zealand Government," or "Government," or any other words or mark implying that such person or any business conducted by him is connected with or under the patronage of the Government, or any Department thereof, or of any Minister; or

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(b.) Advertises or causes to be advertised in any newspaper or issues any circular or notice containing the like words or mark.

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Struck out.

Riding, &c., on footpaths.

6. Subsection two of section three of the principal Act is hereby repealed, and the following subsection substituted in lieu thereof:—

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"(2.) Rides or drives a horse or other animal, or rides a bicycle or other vehicle, or wheels any truck, barrow, or carriage of any kind upon or along any public footpath, or carries any load on his shoulders or otherwise on any such footpath, unless he satisfies the Court that he did not thereby endanger or obstruct any person using such footpath."

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New clause.

5 6A. Section fifteen of the principal Act is hereby amended by adding at the end thereof the words "or make it illegal to spray with arsenic or other poisonous liquid any noxious weeds at any time between the thirtieth day of April and the thirty-first day of December in any year":

Noxious weeds near roads may be destroyed by poison.

10 Provided that on the day such poisonous liquid is used and for thirty days thereafter the word "Poison," painted in white-lead paint in letters not less than four inches in length on a black board, shall be fixed on a pole not less than eight feet above the ground in some conspicuous position near to the place where the poisonous liquid is used.

15 7. Every person is liable to a fine not exceeding *five pounds* who removes any stone, sand, or ~~other material~~ *boulders* from any foreshore *to the danger of any existing road or land* ~~without the authority in writing of—~~

Removing material from foreshore.

Struck out.

20 (a.) The Minister of Marine, when the foreshore is vested in the Crown; or

(b.) The local authority, when the foreshore is vested in a local authority.

25 *For the purposes of this section, "foreshore" shall be deemed to be that portion of the shore lying between high- and low-water marks at spring tides.*

New clause.

30 8. Every person who, without the special permission first had and obtained of the Commissioner of Crown Lands, of the local authority, or of the controlling authority of any educational or other public reserve, as the case may require (the proof of which permission shall rest on the person claiming to act thereunder),—

Penalty for disfiguring natural objects, &c.

35 Paints, carves, or otherwise affixes or displays any letters, words, figures, or device, for advertising or other purposes, upon any land vested in the Crown, or in any local authority, or upon any such reserve as aforesaid, or upon any rock, tree, or other natural feature thereof, or upon any building, fence, or other structure erected thereon,—

40 shall for every such offence be liable to a penalty not exceeding *twenty* pounds, and may in addition thereto be adjudged to pay to the Crown, or to the local or controlling authority, such sum as the Court shall deem sufficient to defray the cost of obliterating or removing such letters, words, figures, or device, which sum shall be recoverable in like manner as a penalty.