

Hon. Mr. Hall-Jones.

PUBLIC WORKS AMENDMENT.

ANALYSIS

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A BILL INTITULED

AN ACT to amend "The Public Works Act, 1894."

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 Public Works Amendment Act, 1904"; and it shall form part of and be read together with "The Public Works Act, 1894" (hereinafter referred to as "the principal Act").

Short Title.

2. Section two hundred and thirty of the principal Act is hereby amended by adding thereto the following subsection:—

Private railway or tramway not to be opened without certificate of inspection.

"(2A.) No railway or portion thereof shall be opened unless and until the Minister has intimated in writing to the proprietors thereof that he has received from an engineer appointed under section two hundred and twenty-seven hereof a certificate that the railway or portion thereof is safe and fit for traffic."

3. Section two hundred and thirty-one of the principal Act (providing for notice of accidents on private railways or tramways being given) is hereby amended by adding, after the words "employed thereon," the words "or with material damage to the line, appliances, rolling-stock, or plant."

Section 231 of principal Act amended.

4. (1.) The Minister may cause an inquiry to be held in such manner as he thinks fit as to any accident referred to in section two hundred and thirty-one of the principal Act as amended by the last preceding section, and may direct the proprietors of the railway to make such alterations as he thinks fit in the construction or equipment of the railway, or of the rolling-stock, plant, or machinery

Inquiry as to accidents.

employed thereon or in connection therewith, or in the method of working the same, and to discontinue the working of the railway or the use of such rolling-stock, plant, or machinery, or the method of working the same, as the case may require, until such alteration has been made.

(2.) If any such direction is not complied with the proprietors of the railway shall be liable to a fine not exceeding *two hundred pounds* for every day during which such non-compliance continues.

Transfers of land abutting on certain roads may be registered.

5. The provisions of subsection one of section two or subsection one of section three of "The Public Works Act, 1903," shall not be deemed to prevent the registration of any transfer or conveyance of any allotment or subdivision of land abutting on any road or street of not less than forty feet in width shown on any plan of subdivision deposited in any Land Registry Office or Deeds Register Office before the passing of "The Public Works Acts Amendment Act, 1900."

Expenditure of "thirds" and "fourths."

6. Where any local authority is notified that accrued "thirds" or "fourths" are available for expenditure, and for a period of not less than twelve months fails to utilise the same, the Minister for Public Works may give such local authority six months' notice to put in hand works approved by the Land Board to the value thereof; and if during that period they fail so to do, the expenditure of the "thirds" or "fourths," as aforesaid may be undertaken by the Minister, and all rights of the local authority thereto shall be determined.

Extended powers of the Governor over Government roads.

7. All the rights and powers vested in any local authority by any Act in respect to,—

- (a.) The care, management, or control of roads or streets;
- (b.) The management, restriction, or prohibition of any traffic thereon;
- (c.) The use of any vehicle, engine, machine, or thing thereon, including the power to impose any charge or tax thereon;
- (d.) The abatement or prohibition of any nuisance thereon;
- (e.) The power to make and enforce by-laws for any or all of such purposes,

may, in the case of a Government road, or road or street being constructed, improved, or maintained by Government, be exercised by the Governor.

Taking land for paddocks for driven cattle.

8. Land may be taken under the principal Act by any local authority for the purpose of paddocking driven cattle as if such purpose were a public work.

Powers of Borough Council to acquire land.

9. The powers conferred on a Council by subsection three of section two hundred and three of "The Municipal Corporations Act, 1900," to acquire land shall not be limited to Part II. of the principal Act, but may be exercised in such manner provided by that Act as the circumstances of the case require.