

Hon. Mr. Coates

PUBLIC WORKS AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Public Works 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. This Act may be cited as the Public Works Amendment Act, 1925, and shall be read together with and deemed part of the Public Works Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. (1.) For the purposes of this section a six-wheeled motor-lorry means a motor-lorry (as the term is defined in section nineteen of the Public Works Amendment Act, 1924) which is specially designed so that the weight of the load is distributed between the middle and rear pairs of wheels, or a four-wheeled motor-lorry adapted to secure the better distribution of the load by means of a combination body and trailer with two wheels added.

Six-wheeled motor-lorries.

(2.) Nothing in section seventeen of the Public Works Amendment Act, 1924, shall apply to six-wheeled motor-lorries.

(3.) It shall not be lawful to use on any road or street in New Zealand any six-wheeled motor-lorry if its load exceeds nine tons, or if the combined weight of the vehicle and load exceeds fifteen tons:

Provided that when the weight of the load exceeds six tons the load must be so distributed that the weight on the middle axle or pair of wheels does not exceed one and a quarter times that on the rear axle or pair of wheels, and the aggregate weight carried on the middle and rear axles or pairs of wheels does not exceed four times the weight on the front axle or pair of wheels.

(4.) The owner and driver of any six-wheeled motor-lorry used in contravention of the *last preceding* subsection shall be severally

liable to a fine of *ten pounds* for every day on which such vehicle is so used.

Compensation payable to owners of motor-vehicles debarred from full use of vehicles.

3. (1.) Every owner of a motor-vehicle which may lawfully be used on any road or street in New Zealand, but which, owing to the restrictions imposed by section seventeen of the Public Works Amendment Act, 1924, cannot be loaded to its designed capacity, shall be entitled to compensation for any depreciation in value of the vehicle caused thereby. The amount of compensation payable shall not bear a higher proportion to the value of the motor-vehicle than the decrease in carrying-capacity of the vehicle bears to the designed carrying-capacity. 5 10

(2.) If the owner of a motor-vehicle as aforesaid converts it into a six-wheeled motor-lorry or makes any other structural alterations, he shall be entitled to compensation for the expense to which he has been put by reason thereof, after taking into consideration the original value of the motor-vehicle before the restrictions as to its use came into force and the value thereof after the alterations. The amount of compensation shall not exceed the actual cost of the alterations. 15

(3.) In the event of a dispute as to the amount of compensation payable in any case under this section the matter shall be referred for determination to two arbitrators, one to be appointed by the Minister and one by the person claiming compensation, and if they shall fail to agree, then to an umpire appointed in writing by the arbitrators before entering upon consideration of the matters referred to them. The provisions of the Arbitration Act, 1908, shall apply to every reference to arbitration under this section, and every such reference shall be deemed to be a submission within the meaning of that Act. 20 25

Quarry or gravel-pit may be taken when required for construction of public work, or stone or gravel may be taken.

4. Where any public work has been authorized to be carried out by or on behalf of His Majesty and gravel or stone is required in the construction of such work, any land may be taken under the principal Act for the purposes of a gravel-pit or quarry to be used in connection with such work, or the Minister may, by his servants or agents, after twenty-four hours' notice to the occupier enter on any such land, other than land occupied as a garden or ornamental shrubbery, and dig and take any stone, gravel, or other material therefrom. Reasonable compensation shall be paid for any injury done to or material taken from the land entered upon, and in the event of any dispute the amount thereof shall be determined in manner set out in Part III of the principal Act. 30 35 40

Extended powers of dealing with water-races held under the Mining Act and used for irrigation purposes.

5. With respect to water-races held by His Majesty under a license acquired pursuant to section two of the Public Works Amendment Act, 1914, or to section three of the Mining Amendment Act, 1915, and utilized for irrigation purposes, there may be exercised the same powers as are set out in paragraph (c) of subsection one of section forty-six of the Water-supply Act, 1908, and are conferred on the Minister by section three of the Public Works Amendment Act, 1910, with respect to water-races and water-supply works established under such last-mentioned Act. 45 50