

New Zealand.

ANALYSIS.

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1932-33, No. 38.

AN ACT to amend the Reformatory Institutions Act, 1909, and to repeal the Inebriates Institutions Act, 1908. Title
[4th March, 1933.]

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 Reformatory Institutions Amendment Act, 1932-33, and shall be read together with and deemed part of the Reformatory Institutions Act, 1909 (hereinafter referred to as the principal Act). Short Title.

2. In this Act, unless the context otherwise requires,— Interpretation.
“Inebriates Home” or “Home” means a certified Inebriates Home under the principal Act or a State Inebriates Institution under the Reformatory Institutions Amendment Act, 1918:

“Relative” has the meaning given thereto by subsection five of section nine of the principal Act.

Order against inmate or relative for maintenance of inmate in Inebriates Home.

3. (1) On the complaint on oath of any person that any inmate of an Inebriates Home or any relative of any such inmate has failed or intends to fail to make adequate provision for the cost of the maintenance of the inmate in such Home or for any expenses incidental thereto, a Justice of the Peace may issue his summons to the inmate or relative requiring him to show cause why an order should not be made against him under this section.

(2) A Magistrate hearing the complaint, if he is satisfied of the truth thereof, may, if he thinks fit, having regard to all the circumstances of the case, make an order against the defendant directing him to pay towards the cost of the future maintenance of the inmate in such Home a reasonable sum not exceeding twenty-two shillings and sixpence a week, at such times and in such manner as the Magistrate thinks fit, so long as the inmate is detained in such Home.

(3) The Magistrate may also, in the like discretion, if he is satisfied that the defendant is of sufficient ability, order him to pay on account of the cost of the past maintenance of the inmate in such Home a sum not exceeding fifty pounds, and may similarly order him to pay any sum on account of any expenses incurred or to be incurred by any person in connection with the detention of the inmate in such Home or in connection with the order for such detention, or in connection with the conveyance, transfer, removal, or return of the inmate to or from such Home.

(4) An order in respect of past maintenance or expenses may be made under this section although at the time of the complaint or at the time of the order the inmate is dead or has ceased to be detained in such Home or has ceased to be an inmate of an institution within the meaning of the principal Act.

Application of Destitute Persons Act to orders under this Act.

4. (1) An order under this Act shall be deemed for all purposes to be a maintenance order under the Destitute Persons Act, 1910, and, subject to this Act, the provisions of that Act shall, so far as applicable and with all necessary modifications, apply accordingly, as if the references in the said Act to destitute persons and to

near relatives were respectively references to inmates of Inebriates Homes and to relatives within the meaning of this Act.

(2) The power conferred by subsection one of section thirty of the Destitute Persons Act, 1910, on a Magistrate making a maintenance order to direct the defendant to give security for his obedience to the order is hereby extended so as to be exercisable in respect of any order made under this Act.

5. A complaint or order may be made under this Act whether the inmate or the relative against whom the order is sought is resident in New Zealand or elsewhere.

Former inmate or relative need not be resident in New Zealand.

6. No agreement shall be effective to take away or restrict any liability imposed on any person by this Act, or to affect the operation of any order under this Act, or the right of any Magistrate to make any such order; but a Magistrate may, in his discretion, having regard to the existence of any such agreement and to all the circumstances of the case, refuse to make any such order.

Liability as to maintenance not affected by agreement.

7. Nothing in this Act or in any order made under this Act shall be construed to affect the liability of any inmate of an institution or of any other person under the principal Act or otherwise independently of this Act to pay or to contribute towards the cost of the maintenance of such inmate or any such expenses as are mentioned in subsection three of section three hereof.

Liability under principal Act not affected.

8. The foregoing provisions of this Act are in substitution for subsection four of section thirty-eight of the principal Act, and that subsection and section fourteen of the Reformatory Institutions Amendment Act, 1918, are hereby accordingly repealed.

Consequential repeals.

9. The Inebriates Institutions Act, 1908, is hereby repealed.

Repeal of Inebriates Institutions Act.