

**Reprint**  
**as at 20 September 2007**

**Statutes Amendment Act 1945**

Public Act 1945 No 40  
Date of assent 7 December 1945

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

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## **An Act to amend certain enactments of the Parliament of New Zealand**

### **1 Short Title**

This Act may be cited as the Statutes Amendment Act 1945.

## **Acts Interpretation**

### **2 Regulations not invalid because of discretionary authority** *[Repealed]*

Section 2 was repealed, as from 1 November 1999, by section 38(1) Interpretation Act 1999 (1999 No 85).

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### **Chattels transfer**

Section 5 was impliedly repealed, as from 1 January 1968, by section 2(2) Chattels Transfer Amendment Act 1967 (1967 No 60).

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## **Cook Islands**

*[Repealed]*

Heading: repealed, on 20 September 2007, by section 6 of the Cook Islands Amendment Act 2007 (2007 No 49).

### **13 Leases for public purposes or church purposes**

*[Repealed]*

Section 13: repealed, on 20 September 2007, by section 6 of the Cook Islands Amendment Act 2007 (2007 No 49).

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### **Land drainage**

#### **43 Subscriptions and travelling expenses in respect of New Zealand Drainage and River Boards' Association**

- (1) This section shall be read together with and deemed part of the Land Drainage Act 1908.
- (2) Any Board affiliated to the New Zealand Drainage and River Boards' Association may from time to time, out of its General Fund, pay the annual subscription of the Board to the Association and the actual reasonable travelling expenses of its representatives incurred in attending meetings of the conferences of the Association.

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### **Napier High School**

#### **56 Name of Napier Secondary Education Board, and date of annual meeting of Board changed**

- (1) This section shall be read together with and deemed part of the Napier High School Act 1882 (in this section referred to as the principal Act).
- (2) As from the date of the passing of this Act the Napier Secondary Education Board shall be known by the name of the Napier High School Board of Governors, and all references in

the principal Act, or in section 39 of the Finance Act 1931 (No 2), or in any other Act, to the Napier Secondary Education Board shall be read as references to the Napier High School Board of Governors.

- (3) Section 16 of the principal Act is hereby amended as follows:
  - (a) By omitting the words “for the like purpose”, and the word “subsequent”:
  - (b) By omitting the word “April”, and substituting the word “June”.
- (4) Section 39 of the Finance Act 1931 (No 2) is hereby amended by repealing subsection (1).

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### **Sharemilking agreements**

**75 Variation and extension of conditions of agreements on recommendation of Arbitration Court**

- (1) This section shall be read together with and deemed part of the Sharemilking Agreements Act 1937 (in this section referred to as the principal Act).
- (2) In any case where the organisations representing the interests of the employers and the sharemilkers respectively are unable to reach agreement on any matter referred to in section 4 or section 5 of the principal Act, the matters in dispute may be referred by any such organisation to the Arbitration Court in order that a recommendation may be obtained in respect of those matters.
- (3) The Arbitration Court may hear representations in relation to the matters in dispute and may make a recommendation to the Minister of Labour thereon.

(4) In the exercise of the powers conferred on it by this section the Arbitration Court shall be deemed to act in the capacity of an arbitrator rather than in its ordinary judicial capacity, but nothing in the Arbitration Act 1908 shall apply and nothing in this section shall be construed to limit the powers of the Court in the exercise of its functions for the purposes of this section.

(5)

Subsections (2), (3) and (4) were amended, as from 8 March 1974, by section 234(1) Industrial Relations Act 1973 (1973 No 19) by substituting the words "Industrial Court" for the words "Court of Arbitration". See regulations 2 Industrial Relations Act Commencement Order 1974 (SR 1974/50).

Subsections (2), (3) and (4) were further amended, as from 17 April 1978, by section 6(2) Industrial Relations Amendment Act 1977 (1977 No 108) by substituting the words "Arbitration Court" for the words "Industrial Court". See regulation 2 Industrial Relations Amendment Act Commencement Order 1978 (SR 1978/99).

## **Soil Conservation and Rivers Control**

### **76 Sections to be read with Soil Conservation and Rivers Control Act 1941**

This section and the next 5 succeeding sections shall be read together with and deemed part of the Soil Conservation and Rivers Control Act 1941 (in those sections referred to as the principal Act).

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Section 77 was repealed, as from 12 October 1946, by section 3(5) Soil Conservation and Rivers Control Amendment Act 1946 (1946 No 29).

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Section 78 was amended, as from 14 December 1962, by section 7(a) and (b) Soil Conservation and Rivers Control Amendment Act 1962 (1962 No 125), and repealed, as from 1 April 1988, by section 4(1) Soil Conservation and Rivers Control Amendment Act 1987 (1987 No 202).

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### **80 Recovery of cost of works where three-fourths of owners agree to make payments**

In any case where any works are to be constructed by a Board and the Board has agreed with the owners of some of the lands on or near which the works are to be constructed for the payment by those owners of part of the cost of the works, being not

less than three-fourths of the total amount which in the opinion of the Board should be paid by owners of land, but the owners of other lands which are likely to receive benefit from the proposed works refuse to pay such amounts towards the cost of the work as the Board considers to be fair and equitable, the Board may, in any Court of competent jurisdiction, recover those amounts, or such smaller amounts, if any, as in the circumstances the Court considers reasonable, from the owners as debts due by the respective owners to the Board:

Provided that this section shall not apply unless the number of owners who have agreed to pay part of the cost of the works is at least 3 times the number of the owners who have refused so to do.

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Section 81 was repealed, as from 1 April 1954, by section 73(1) Wildlife Act 1955 (1955 No 31).

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## **Notes**

### **1 *General***

This is an eprint of the Statutes Amendment Act 1945. It incorporates all the amendments to the Statutes Amendment Act 1945 as at 20 September 2007. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

### **2 *About this eprint***

This eprint has not been officialised. For more information about officialisation, please see "Making online legislation official" under "Status of legislation on this site" in the About section of this website.

### **3 *List of amendments incorporated in this eprint (most recent first)***

Cook Islands Amendment Act 2007 (2007 No 49): section 6

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