

Destitute Persons Amendment Act 1930

Public Act 1930 No 44
Date of assent 25 October 1930

Contents

	Page
Title	1
1 Short Title.	1
2 Conferring jurisdiction on Magistrate's Court to vary orders of Supreme Court registered under section 8 of Amendment Act, 1926, in certain cases.	1

An Act to amend the Destitute Persons Act, 1910.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title.

This Act may be cited as the Destitute Persons Amendment Act, 1930, and shall be read together with and deemed part of the Destitute Persons Act, 1910 (hereinafter referred to as the principal Act).

2 Conferring jurisdiction on Magistrate's Court to vary orders of Supreme Court registered under section 8 of Amendment Act, 1926, in certain cases.

- (1) Subject to the provisions of this section, where a copy of an order of the Supreme Court has, whether before or after the passing of this Act, been registered in the office of a Magistrate's Court pursuant to section eight of the Destitute Persons Amendment Act, 1926, the following provisions shall apply:—

Any Magistrate may at any time make an order cancelling, varying, or suspending such order, or substituting a new order therefor, in the same manner as if it were, and at all times since the making thereof had been, a maintenance order made by a Magistrate acting under the authority of the principal Act, and all the provisions of that Act (including the provisions as to appeals to the Supreme Court) shall, with all necessary modifications, apply accordingly to any order made under this section and to any application for any such order.

- (2) It shall not be lawful for a Magistrate to increase the amount payable under any such order of the Supreme Court, or under any order made under this section, to an amount exceeding three pounds a week, but nothing in this subsection shall be deemed to limit the jurisdiction of the Supreme Court on any appeal.
- (3) A copy of every order made under this section shall be sent by the Clerk of the Court in which it is made to the Registrar of the office of the Supreme Court in which the order of the Supreme Court was made, and shall be filed without fee by such Registrar.
- (4) This section shall not apply to any such order of the Supreme Court in any of the following cases:—
 - (a) Where the amount payable under the order exceeds three pounds a week; or
 - (b) Where the Supreme Court has ordered security to be given for the performance of the order; or
 - (c) Where proceedings for the cancellation, variation, or suspension of the order are pending or in progress in the Supreme Court on the passing of this Act, or on the registration of the copy of the order in the Magistrate's Court, whichever is the later.