

**Reprint
as at 4 December 1987**



**Wages Protection and Contractors'
Liens Act Repeal Act 1987**

Public Act 1987 No 188
Date of assent 3 December 1987
Commencement see section 1(2)

Contents

	Page
Title	1
1 Short Title and commencement	1
2 Repeal of Act	2
3 Enforcement of lien on chattel	2

An Act to repeal the Wages Protection and Contractors' Liens Act 1939 and to make provision incidental thereto

1 Short Title and commencement

- (1) This Act may be cited as the Wages Protection and Contractors' Liens Act Repeal Act 1987.
- (2) This Act shall come into force on 1 July 1988.

Note

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

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

This Act is administered by the Ministry of Justice.

2 Repeal of Act

- (1) The Wages Protection and Contractors' Liens Act 1939 is hereby repealed.
- (2) The following enactments are hereby consequentially repealed:
 - (a) *Amendment(s) incorporated in the Act(s):*
 - (b) the Wages Protection and Contractors' Liens Amendment Act 1952:
 - (c) the Wages Protection and Contractors' Liens Amendment Act 1958:
 - (d) the Wages Protection and Contractors' Liens Amendment Act 1961:
 - (e) *Amendment(s) incorporated in the Act(s).*
- (3) Notwithstanding anything in the preceding provisions of this section, the Wages Protection and Contractors' Liens Act 1939, and the enactments specified in subsection (2), shall continue to apply as if this section had not been passed in respect of the following matters:
 - (a) any notice of lien given under section 28 of that Act and still extant immediately before the commencement of this section:
 - (b) any notice of charge given under section 29 of the principal Act and still extant immediately before the commencement of this section:
 - (c) any action commenced under section 34 of that Act and not finally determined before the commencement of this section:
 - (d) any lien registered against the title to any land under section 41 of that Act.

3 Enforcement of lien on chattel

- (1) Where a person has done work upon a chattel in that person's possession so as thereby to be entitled at law to a lien on the chattel for any amount, and the amount to which that person is entitled remains unpaid for not less than 2 months after it ought to have been paid, that person may, in addition to all other remedies provided by law, cause the chattel to be sold by auction.

- (2) Not less than 1 week's notice of the sale shall be given to the owner of the chattel in accordance with subsection (4) if the owner's address is known to the person entitled to the lien, and also (whether the owner's address is known or not) by advertisement in a newspaper published in the locality in which the work was done, or if there is no newspaper published in that locality, in a newspaper circulating in the neighbourhood, stating in each case the name of the person entitled to the lien, the amount of the debt, a description of the chattel, the time and place of sale, and the name of the auctioneer. The advertisement need not specify the name of the owner.
 - (3) The proceeds of the sale shall be applied, first, in payment of the costs of advertising and sale and, secondly, in payment of the amount due under the lien, and any surplus shall, as soon as may be after the completion of the sale, be paid to the Registrar of the District Court nearest to the place of sale, to be held by the Registrar for the benefit of the person entitled to it.
 - (4) The notice of sale required by subsection (2) to be given to the owner of the chattel may be given by causing it to be delivered to that person, or to be left at that person's usual or last known place of abode or business or at any address specified by that person for that purpose, or to be posted in a letter addressed to that person at that place of abode or business or address.
 - (5) If any such notice is sent to any person by registered letter, it shall be deemed to have been delivered to that person when it would have been delivered in the ordinary course of post, and in proving the delivery it shall be sufficient to prove that the letter was properly addressed and posted.
-

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 General**

This is a reprint of the Wages Protection and Contractors' Liens Act Repeal Act 1987. The reprint incorporates all the amendments to the Act as at 4 December 1987, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
