

1882.
NEW ZEALAND.

STATUTE REVISION COMMISSION

(REPORT OF THE).

Presented to both Houses of the General Assembly by Command of His Excellency.

To His Excellency Sir ARTHUR HAMILTON GORDON, G.C.M.G., Governor of the Colony of New Zealand.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the Commissioners appointed under “The Revision of Statutes Act, 1879,” have the honor to report as follows:—

STATUTES OF THE COLONY.

Since last session we have prepared several new consolidating Bills, absorbing seventy-two complete Acts of the General Assembly and some parts of others, besides several Provincial Ordinances of which a list is given below. We have other Bills under consideration which we hope to submit to your Excellency at an early date. We have also further considered and revised certain of the measures prepared last session, but which from pressure of business in the General Assembly were not passed into law. The reason and extent of the further revision of these Bills are mentioned hereafter.

NEW CONSOLIDATIONS.

1. Cemeteries, including 4 Acts and 20 Provincial Ordinances.
2. Customs Duties, }
3. Customs Laws, } including 16 Acts.
4. Justices of the Peace, including 8 Acts and parts of 4 others.
5. Law Practitioners, including 9 Acts and parts of 2 others.
- Property Law, embracing—
6. Conveyancing, and Acts directly relating thereto, including 15 Acts;
7. Landlord and Tenant, including 4 Acts;
8. Leases and Sales of Settled Estates, including 2 Acts;
9. Trustees and Mortgagees, including Trustee Acts and the general enactments relating to Education and Charitable Trusts, including 9 Acts and part of another.
10. Stamp Duties, including 5 Acts.

The foregoing shows a total of 72 Acts consolidated.

After the Bills consolidating the law of property were in type, our attention was called to “The Conveyancing and Law of Property Act, 1881,” recently passed in England, and which makes important changes in the law of real property; and within the last few days we have seen copies of Bills, introduced by the Government in the present session of the Imperial Parliament, to further amend the above Act, and the law respecting the settlement of land.

Considering the importance of the subject dealt with, and looking to the fact that within the last few years the law on these subjects has been largely amended in England, we have thought it prudent not to complete these measures till there has been opportunity of considering all the above amendments, with the view of adapting any provisions that may appear to us likely to be useful in this colony. Obviously, it would not be expedient merely to consolidate our law, some of which was passed in the early years of the colony, without taking into consideration the amendments of recent years in England. The Bills, therefore, respecting the law of property will be submitted to your Excellency at a later period of the coming session of the General Assembly.

Of the Bills prepared last session, the following did not become law: (1) Companies, (2) Fisheries, (3) Friendly Societies, (4) Lunatics, (5) Machinery Inspection, (6) Privileges, (7) Public Trust Office, (8) Public Works.

Of these, the Companies Bill was withdrawn by the Government, in order that it might be circulated amongst mercantile associations and others likely to be interested in its provisions. It has not been altered by us in any way. The Friendly Societies Bill has been further revised, so as to give effect to certain suggestions made to us. The nature of these is explained in the special report attached to the Bill. The Lunatics Bill has been further amended, in consequence of the action taken by the Legislative Council respecting this measure; and the result of our labours is stated in the special report accompanying the Bill. The Privileges Bill has been amended, as stated in the special report upon that Bill. The Bill respecting the Public Trust Office, which we had prepared for last session, we have not reconsidered, as we understand that there is an intention to introduce a Bill on the subject containing alterations and amendments amounting virtually to a new measure, such as we do not feel it within the scope of our powers to recommend to the Legislature. It will, however, we understand, be introduced as a Government Bill in the usual way.