

1903
NEW ZEALAND.

“THE REPRINT OF STATUTES ACT, 1895”

(INTERIM REPORT OF COMMISSIONERS UNDER).

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

REPORT.

To His Excellency the Right Honourable the Earl of Ranfurly, Governor of the Colony of New Zealand.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the undersigned, being the Commissioners appointed by Your Excellency's Commission issued on the 12th day of February, 1903, under “The Reprint of Statutes Act, 1895,” have the honour to submit to Your Excellency this our first *ad interim* report as to our progress and proceedings.

Our first step was to determine the lines on which the work of revision should proceed. After fully considering the matter we decided that, instead of dealing with the statutes separately and submitting them to Your Excellency by stages, the better course would be to follow the plan adopted in Victoria in 1890, and to make a comprehensive revision and consolidation of all the Acts, arranged in alphabetical order of titles, thus enabling Your Excellency to transmit them to Parliament for enactment as a completed whole.

The advantages of this course are manifest. By retaining all the Acts in hand until they are all revised, repetition and cross references will in a great measure be avoided, whilst accuracy and uniformity will be secured. Moreover, our work will have a finality that it could not possibly possess if it went on the statute-book by stages, as the portions so enacted would straightway be subject to amendment.

If the finished result of our labours is transmitted to Parliament and enacted *in globo*, as was done in Victoria, then four or five handy volumes of alphabetically arranged statutes will take the place of what is at present a tangled skein of enacting, repealing, and amending measures, perplexing alike to Parliament and to the public. The statutes thus revised will form a simple basis for future legislation, and, if the process is repeated at reasonable intervals, say, of eight or ten years, the New Zealand statute-book will always be compendious and clear.

In our revision we are retaining, as far as possible, the existing titles, and are scrupulously careful to make no alterations in the law save those authorised by the Act under which we work—namely, to supply manifest omissions and remove manifest inconsistencies in matters of detail or machinery. As far as possible, too, we retain the existing language, except where a change is deemed expedient in order to secure uniformity of style and identity of expression, and to remove ambiguities. We are also omitting such provisions as, though not expressly repealed, are spent or have become obsolete.

Full particulars of all these alterations, changes, and omissions will be submitted to Your Excellency in due course. Moreover, in cases where we think substantial amendments of the law are desirable, we will make suggestions for Your Excellency's consideration. We are unable to do so in this report, as, although we have considered and revised about seventy-eight Acts, the Government Printer has not yet been able to set them up.

We have received much assistance from a partial compilation made by Mr. Jolliffe, the Secretary to the Commission, and printed and supplied to us by the Government.

The Government has transmitted to us a copy of a resolution, passed by both Houses of Parliament on the 29th day of September, 1902, to the effect that “‘The Education Act, 1877,’ ‘The Licensing Act, 1881,’ and ‘The Municipal Corporations Act, 1900,’ with their respective amendments, be compiled under ‘The Statutes Compilation Act, 1902.’” Although this matter is not, in our opinion, within the scope of Your Excellency's Commission, we have given consideration thereto, and have been forced to the conclusion that, owing to the limited nature of the powers conferred by the Act, its purpose and intention cannot be given effect to. We have informed the Government accordingly.

As witness our hands, at Wellington, this fourth day of July, 1903.

ROBERT STOUT,
FRED. FITCHETT, } Commissioners.
W. S. REID,

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