

1904.
NEW ZEALAND.

STANDING ORDERS OF THE GENERAL ASSEMBLY RELATIVE TO PRIVATE BILLS

(DRAFT OF A SUGGESTED REVISION OF THE).

Laid on the Table of the House by leave.

IN this Revision the present Private Bill Orders have been rearranged, and many of them rewritten; some amendments on minor points are suggested; and, with a view of solving difficulties that have arisen under the present practice, a few new rules are suggested, taken in most cases from the Standing Orders of the House of Commons.

All the provisions of the present Orders are repeated, although many of them either never were applicable to the circumstances of the colony or have of late years become obsolete. The range of Private-Bill legislation is much narrower here than at Home. There Local and Personal Bills alike, but here only Personal Bills, are treated as Private. Then, again, although in theory it is still possible to bring in a Private Bill on any subject, and for the amendment of any Public Act, yet in practice the tendency towards State control of undertakings of general concern, and towards municipalising undertakings of local concern, have left but little scope for the enterprise of the promoter.

An Appendix has been added to the Revision containing (1) a few forms for use by promoters, (2) the Acts of Parliament in force relating to Private Bills.

STANDING RULES AND ORDERS
OF THE
GENERAL ASSEMBLY
RELATIVE TO
PRIVATE BILLS.

- Interpretation. S.O., No. 1. 1. In these Rules and Orders, unless otherwise expressed, or unless inconsistent with the context,—
- “Agent” means any person soliciting a Private Bill by authority and on behalf of the promoter thereof:
 - “Amendment” includes new clause:
 - “Bill” means a Private Bill:
 - “Company” means a company incorporated according to the law for the time being in force relating to incorporated companies:
 - “Declaration” means a declaration made before a Solicitor of the Supreme Court in the form prescribed by “The Justices of the Peace Act, 1882”:
 - “Examiner” means the Examiner of Petitions for Private Bills:
 - “Gazette” means the *Gazette* published or purporting to be published by or under the authority of the Government of New Zealand:
 - “House” means that House of the General Assembly in which a Bill is, or in which it is first promoted:
 - “Land” includes buildings:
 - “Lessee” includes any person in possession of land under an agreement for a lease:
 - “Occupier” means any person in actual possession of land, not being a tenant on sufferance, or at will, or a tenant for any term less than a year:
 - “Party” includes the promoter of, and the agent for, a Bill, and any person entitled to be heard in opposition to a Bill:
 - “Promoter” means the petitioner for a Private Bill:
 - “Speaker,” “Chairman of Committees,” and “Clerk” mean respectively the Speaker, Chairman of Committees, and Clerk of the “House” as hereinbefore defined:
 - “Tramway” means a tramway laid along a street or road:
 - “Tramroad” means a tramway laid elsewhere than along a street or road:
 - “Writing” includes print:
- Words importing the singular number include the plural number, and words importing the plural number include the singular number.
- “Private Bill” defined. *Ibid.*, No. 2. 2. Private Bills shall be understood to be Bills promoted for the particular interest or benefit of, or Bills that interfere with the private property of, any person or number of persons, whether incorporated or not.

ADVERTISEMENTS.

- Bill to be advertised in *Gazette*. *Ibid.*, No. 20. 3. In all cases where it is proposed to apply for leave to bring in a Bill, an advertisement of the proposed application (hereinafter called an “advertisement of the Bill”) shall be published in *three* successive issues of the *Gazette*.

4. In the case of a Bill affecting any land, a like advertisement shall be published once at least in each of three successive weeks in some newspaper or newspapers published or circulating in each county or borough wherein any land affected by the Bill is situate.

Bill affecting land to be advertised locally.

5. Every such advertisement shall be headed by the Title of the Bill, and shall state the objects of the Bill, and the time when printed copies thereof will be deposited in the Private Bill Office, and shall also set out all other particulars required by these Orders to be published.

Contents of advertisement. S.O., No. 16.

6. Where a Bill contains any provision—

- (a.) For amending or repealing any existing Act ;
or
- (b.) For the compulsory purchase or user of any lands, or for extending the time limited for making any such purchase or user by any existing Act ; or
- (c.) For imposing an improvement-charge on any lands, or for rendering any lands liable to an improvement-charge ; or
- (d.) For relinquishing any part of a work authorised by an existing Act ; or
- (e.) For empowering a company to sell or lease its undertaking, or to buy or take on lease the undertaking of any other company, or to amalgamate with any other company ; or
- (f.) For levying any tolls, rates, or duties, or for granting, varying, or annulling any exemption from payment of tolls, rates, or duties ; or
- (g.) For granting, assigning, varying, or annulling any special or particular rights or privileges whatsoever,—

Certain provisions to be specified.

S.O. of House of Commons, No. 3.

such provision shall be clearly and distinctly specified in the advertisement of the Bill.

7. In the case of a Bill for authorising any work, the advertisements shall also give a description of all the termini of the work, together with the names of the provincial districts, counties, boroughs, or other territorial divisions from, in, through, or into which the work is intended to be made, maintained, diverted, extended, or enlarged ; and shall further state the time when and the place where the plans, books of reference, sections, and *Gazettes* hereinafter mentioned will be deposited with the Commissioner of Crown Lands, as by these Orders required.

Further particulars where Bill authorises work. S.O., No. 17.

8. In the case of a Bill for erecting or making gasworks, or sewage-works, or works for the manufacture or conversion of the residual products of gas or sewage, or giving power to construct a station for generating electricity, or authorising the making or erection of a sewage-farm, burial-ground, crematorium, destructor, or hospital for infectious diseases, the advertisements shall describe the lands in or upon which it is proposed to make or erect such gasworks, sewage-works, works for the manufacture or conversion of residual products, station for generating electricity, sewage-farm, burial-ground, crematorium, destructor, or hospital.

Where Bill authorises a nuisance. *Ibid.*, No. 18 ; S.O. of House of Commons, No. 5.

9. In the case of a Bill for making a tramroad or for laying down a tramway, the advertisements shall specify the gauge to be adopted and the motive power to be used.

Tramroad and Tramway Bills. S.O. of House of Commons, No. 6.

10. In the case of a Bill for laying down a tramway, the advertisements shall state on which side of the street or road it is proposed to lay down the tramway, and shall indicate the points (if any) where a less space than will intervene between the outer edge of the footpath along the street or road and the nearest rail of the tramway.

Further particulars in case of Tramway Bills.

Bills for
diverting water.
S.O., No. 19;
S.O. of House
of Commons, §
No. 7.

11. In all cases where it is proposed to divert into any existing or intended cut, canal, reservoir, aqueduct, or navigable channel, or into any intended diversion, extension, or enlargement thereof respectively, any water from any existing cut, canal, reservoir, aqueduct, or navigable channel, whether directly or derivatively, and whether or not under any agreement with the owner of the water proposed to be diverted, the advertisements shall state the name of every such last-mentioned cut, canal, reservoir, aqueduct, or navigable channel.

Advertisements;
to give name
and address of
promoter.
S.O. of House of
Commons, No. 3.
Limit of time
for publication.
S.O., No. 20.

12. Every advertisement of a Bill shall be subscribed with the name and address of the person, firm, corporation, or company responsible for the publication of the advertisement.

13. The last of the advertisements of a Bill shall be published not less than thirty days before the commencement of the Session in which application is to be made for the Bill.

NOTICES TO OWNERS, ETC.

Owners, &c., of
lands affected
by Bill to have
notice thereof.
Ibid., No. 21;
S.O. of House
of Commons,
No. 11.

14. Where a Bill provides for the compulsory purchase or user of any lands, or for extending the time limited for making any such purchase or user by any existing Act, or for imposing an improvement-charge on any lands, or for rendering any lands liable to an improvement-charge, notice must be served on the owners, lessees, and occupiers of all such lands, inquiring whether they assent to, or dissent from, or are indifferent in respect of, the said provisions of the Bill.

Form of notice.
S.O., No. 22.

15. Every such notice shall be in writing in the form numbered (1) in the Appendix hereto, or to the like effect.

Service of
notice.

16. Every such notice may be served either by delivering the same to the person to whom it is addressed, or by leaving the same at his usual or last known place of abode, or by posting the same in a prepaid and registered letter addressed with a sufficient direction to his usual place of abode, and posted in such time that, if delivered in the ordinary course, it would reach his place of abode within the period allowed by Order *twenty-three* hereof. If any person on whom notice ought to be served as aforesaid be absent from the colony, service on his agent shall be deemed to be good service.

Proof of
service.
Ibid., No. 23.

17. Service of any such notice may be proved—

- (a.) By production of the written answer or acknowledgment of the person addressed; or
- (b.) By showing that the notice was in fact delivered or left as aforesaid; or
- (c.) Where the notice was posted in a registered letter, then by production of the post-office receipt for the letter, duly stamped, and by showing that the letter was properly and sufficiently addressed and has not been returned by the post-office as undelivered.

Answers to be
classified.
Ibid., No. 24.

18. A list shall be made of all owners, lessees, and occupiers on whom notice is served as aforesaid, distinguishing those who have assented to the provisions of the Bill, those who have dissented therefrom, those who have expressed themselves as indifferent, those who have expressed no opinion, and those who have failed to acknowledge receipt of the notice. Where a notice has been forwarded by post, and no written acknowledgment thereof has been received, or the notice has, at any time before the making-up of the said list, been returned as undelivered, the direction of the letter in which the notice was forwarded shall be inserted in the list.

Notice where
Bill authorises a
nuisance.

19. Where a Bill provides for the erection or making of gasworks, or sewage-works, or works for

the manufacture or conversion of the residual products of gas or sewage, or gives power to construct a station for generating electricity, or authorises the making or erection of a sewage-farm, burial-ground, crematorium, destructor, or hospital for infectious diseases, notice of the Bill must be served on the owners, lessees, and occupiers of all dwellinghouses situate within three hundred yards of the lands in or upon which such gasworks, sewage-works, works for the manufacture or conversion of residual products, station for generating electricity, sewage-farm, burial-ground, crematorium, destructor, or hospital are or is to be made or erected.

S.O., No. 25;
S.O. of House of
Commons,
No. 15.

20. Where a Bill gives power to lay down a tramway, notice of the Bill must be served on the owners, lessees, and occupiers of all houses, shops, or warehouses abutting on any street or road along which the tramway is to be laid at any point where a less space than is to intervene between the nearest rail of the tramway and the outer edge of the footpath along the street or road on the side whereon the house, shop, or warehouse abuts.

In case of
Tramway Bill.
S.O. of House
of Commons,
No. 13.

21. Where a Bill gives power to relinquish the whole or any part of a work authorised by an existing Act, notice of the Bill must be served on the owners, lessees, and occupiers of all lands immediately adjacent to the work, or part thereof, intended to be relinquished.

In case of Bill
for relinquishing
work.
Ibid., No. 16.

22. Where a Bill proposes to alter or repeal any express statutory provision in force for the protection of the owner, lessee, or occupier of any property, or for the protection or benefit of any trustees for the public, commissioners, corporation, or person expressly named in the provision, notice of the Bill, and of the proposal to alter or repeal any such provision, must be served on every such owner, lessee, occupier, trustee for the public, commissioner, corporation, or person.

In case of Bill
for amending or
repealing an
existing
enactment.
Ibid., No. 17.

23. Every notice required to be served under the provisions of Order *fourteen*, or of Orders *nineteen* to *twenty-two* hereof, must be served not less than thirty nor more than days before the commencement of the Session in which application is to be made for the Bill.

Time within
which notice
may be served.

24. Except when delivered in due course of post, no notice served on a Sunday, Good Friday, or Christmas Day, or before eight o'clock in the forenoon or after eight o'clock in the afternoon of any day, shall be deemed to be valid.

Service to be
made at
reasonable
hour on a
business day.
S.O., No. 26.

DEPOSITS WITH COMMISSIONER OF CROWN LANDS.

25. Where a Bill gives power to take or use any lands, or to burden any lands with an improvement-charge, then, not less than thirty days before the commencement of the Session in which application is to be made for the Bill, there shall be deposited for public inspection at the Office of the Commissioner of Crown Lands in the principal town of each provincial district wherein any such lands are situate a plan, together with a book of reference thereto, showing the lands in that provincial district proposed to be taken or used, or to be charged as aforesaid.

Deposit of plan
of lands
proposed to be
taken.
Ibid., No. 27.

26. Where a Bill proposes to authorise any work, then, in each provincial district in or through which the work is to be made, maintained, diverted, extended, or enlarged, there shall be deposited within the like time and in the like manner and at the like place as are mentioned in the last preceding Order a plan and section of so much of the work as will lie within that provincial district.

Deposit of plan
of proposed
work.

Plans to be
open to
inspection.
S.O., No. 28.

27. The Commissioner of Crown Lands shall make a memorandum in writing upon the plans, books of reference, and sections so deposited with him, stating the time when the same were lodged in his office, and shall, during office hours, permit any person to view and examine the same, and to make copies thereof or extracts therefrom.

To be forwarded
to Examiner
before Session.

28. All such plans, books of reference, and sections shall remain in the Commissioner's Office until *eight* days before the commencement of the Session, and shall then be forwarded by the Commissioner to the Examiner. Before forwarding the same, the Commissioner shall note thereon the number of days during which they have remained open for public inspection in his Office.

Advertisements
to be lodged
with plans.
Ibid., No. 29.

29. In any case where any plans, books of reference, and sections are required to be deposited as aforesaid, copies of the issues of the *Gazette* containing the advertisements of the proposed Bill shall be deposited therewith.

Plans.

Scale and
contents of
plan.
Ibid., No. 36.

30. Every plan required to be deposited shall be drawn to a scale of not less than four inches to a mile, and shall describe—

- (a.) The lands intended to be taken, used, or burdened with an improvement-charge; or
- (b.) The line and position of the whole of the work (no alternative line or position being in any case permitted), and the lands in or through which the work is to be made, maintained, diverted, extended, or enlarged, or through which any communication therewith is to be made, and also, where it is intended to apply for power to make any lateral deviation from the line of the work, the limits of the deviation, and the lands included within those limits.

Plan to show
brooks and
streams in
certain cases.
Ibid., No. 37.

31. In all cases where it is proposed to make, divert, extend, or enlarge any cut, canal, reservoir, aqueduct, or navigable channel, the plan shall show the brooks and streams that are to be led directly into the cut, canal, reservoir, aqueduct, or channel, or into any diversion, extension, or enlargement thereof respectively.

Distances, &c.,
to be shown on
plan of railway.
Ibid., No. 38.

32. In all cases where it is proposed to make, divert, extend, or enlarge any railway, the plan shall show the distances in miles and furlongs from one of the termini, and a memorandum of the radius of every curve not exceeding one mile in length shall be noted on the plan in furlongs and chains, and any tunnelling proposed to be made shall be marked by a dotted line on the plan.

Alteration in
road, &c., to be
shown.
Ibid., No. 39.

33. If it be intended to divert, widen, or narrow any public road, navigable river, canal, or railway, the course of the diversion, and the extent of the widening or narrowing, shall be marked on the plan.

Book of Reference.

Contents of
book of
reference.
Ibid., No. 40.

34. The book of reference to be deposited with the plan shall contain the names of the owners, lessees, and occupiers of all lands intended or liable to be taken, used, or burdened with an improvement-charge, and shall describe all such lands respectively.

Sections.

Scale and
contents of
section.
Ibid., No. 41.

35. The section shall be drawn on the same horizontal scale as the plan, and to a vertical scale of not less than one inch to one hundred feet, and shall show the surface of the ground marked on the plan, the intended level of the work, the height of every

embankment, and the depth of every cutting, and a datum horizontal line, which shall be the same throughout the whole length of the work or of any branch thereof respectively, and shall be referred to some fixed point (stated in writing on the section) near some portion of the work, and, in the case of a canal, cut, navigable channel, public road, or railway, near one of the termini thereof.

36. In the case of a Bill for improving the navigation of any river, there shall be a section specifying the levels of both banks of the river; and, where any alteration is intended to be made in those levels, the section shall describe the same by feet and inches, or by feet and decimal parts of a foot.

Levels to be shown where navigation affected.
S.O., No. 42.

37. In every section of a railway the line of the railway marked thereon shall correspond with the upper surface of the rails: distances on the datum-line shall be marked in miles and furlongs to correspond with those on the plan: a vertical measure from the datum-line to the line of the railway shall be marked in feet and inches, or in feet and decimal parts of a foot, at each change of the gradient or inclination; and the proportion or rate of inclination between each such change shall also be marked.

Contents of section of railway.
Ibid., Nos. 43 and 44.

38. In every case where the proposed railway-line is to cross any public road, navigable river, canal, or existing railway, the height of the proposed railway-line above, or the depth thereof below, the surface of such road, river, canal, or existing railway, and the height and span of every arch of all bridges and viaducts by which the proposed railway is to be carried over the same, shall be marked on the section in figures at the point of every such crossing; and, where the proposed railway is to be carried across any public road or existing railway on the level thereof, such crossing shall be so described on the section, and it shall also be stated whether or not that level will remain unaltered.

Height of railway over crossing to be shown.
Ibid., No. 45.

39. If it be intended to make any alteration in the water-level of any canal, or in the level or rate of inclination of any public road or existing railway that will be crossed by the proposed railway, then each such alteration shall be stated on the section, and shall be numbered, and cross-sections referring to the numbers, on a horizontal scale of not less than one inch to three hundred and thirty feet, and on a vertical scale of not less than one inch to forty feet, shall be added, showing the present surface of the canal, road, or existing railway, and the intended surface thereof when altered. The greatest of the present and intended rates of inclination of any such road or existing railway shall also be marked in figures on the cross-sections; and, where any public road is crossed on the level, a cross-section of that road shall be added. Every cross-section shall extend for two hundred yards on either side of the centre of the proposed railway.

Alteration in level to be shown.
Ibid., No. 46.

40. Wherever the extreme height of any embankment or the extreme depth of any cutting exceeds five feet, the extreme height above or depth below the surface of the ground shall be marked on the section in figures; and if any bridge or viaduct of more than three arches intervenes in any embankment, or if any tunnel intervenes in any cutting, the said extreme height or depth shall be so marked on each of the parts into which the embankment or cutting is divided by the bridge, viaduct, or tunnel.

Height of embankments and depth of cuttings.
Ibid., No. 47.

41. Where it is proposed to make a tunnel instead of an open cutting, or a viaduct instead of a solid embankment, the tunnel or viaduct shall be marked on the section.

Tunnels and viaducts to be marked.
Ibid., No. 48.

EXAMINER AND SESSIONAL COMMITTEES.

Examiner.
S.O., No. 7.
Joint
Committee.
Ibid., No. 8.

42. There shall be an Examiner of Petitions for Private Bills, to be appointed by the two Speakers.

43. There shall be appointed at the beginning of every Session a Joint Committee (hereinafter called "the Joint Committee") to consider and report on any cases of non-compliance with these Orders.

The Joint Committee shall consist of *five* Members chosen by the Legislative Council and *five* Members chosen by the House of Representatives. *Four* Members (*two* from each House) shall be a quorum.

The Chairman of the Joint Committee shall have a deliberative as well as a casting vote.

Committee of
Selection.
Ibid., No. 9.

44. For the purpose of choosing Members to serve on Committees on Private Bills there shall be appointed in each House, at the beginning of every Session, a Committee, to be called the "Committee of Selection."

A Committee of Selection shall consist of *five* Members, of whom the Chairman of Committees shall be one. Three shall be a quorum.

In each House the Chairman of Committees shall, *ex officio*, be Chairman of the Committee of Selection; but, in his absence, the Members of the Committee present at any meeting thereof may choose one of their number to be Chairman for that meeting.

APPLICATION FOR BILL.

Petition.
Ibid., No. 10.
When Petition
to be lodged.

45. Application for a Bill shall be made by Petition.

46. A Petition for a Bill shall be deposited in the Private Bill Office *not earlier than thirty days before, and not later than fourteen days after*, the commencement of the Session in which it is proposed to bring in the Bill.

Documents
annexed to
Petition.
Ibid., No. 30.

47. There shall be annexed to the Petition—

(a.) A printed copy of the Bill:

(b.) A declaration to the effect set forth in Order *fifty-two* hereof.

Authentication
of Petition.

48. The Petition shall be signed by the promoters, or, if the promoters be a corporation, shall be authenticated in the manner in which deeds executed by a corporation are required by law to be authenticated.

Declaration on
behalf of
Corporation.

49. Every declaration required by these Orders to be made in the matter of a Bill promoted by a corporation shall be made either by an officer of the corporation duly authorised to make the same, or, in the case of a foreign corporation, by its duly appointed attorney within New Zealand. If the declaration be made by an officer as aforesaid, the seal of the corporation shall be affixed thereto; if it be made by an attorney as aforesaid, a declaration of non-revocation shall be attached.

Petition, &c., to
be properly
intituled.

50. Every Petition, affidavit, declaration, or other document deposited in the Private Bill Office in pursuance of these Orders shall be headed by the Title of the Bill to which the document relates.

Documents to
be lodged with
Petition.

51. Together with the Petition there shall be deposited—

(a.) An affidavit or declaration by the promoters or their agent stating that the Bill has been advertised as by these Orders required:

(b.) Copies of the several *Gazettes* and newspapers containing the advertisements of the Bill:

(c.) A sufficient number of printed copies of the Bill.

Contents of
annexed
declaration.
Ibid., No. 31.

52. The declaration annexed to the Petition shall state whether the Bill gives any of the following powers, that is to say,—

- (a.) Power to purchase or use any lands compulsorily, or to extend the time limited for making any such purchase or user by any existing Act :
- (b.) Power to impose an improvement-charge on any lands, or to render any lands liable to an improvement-charge :
- (c.) Power to divert into any existing or intended cut, canal, reservoir, aqueduct, or navigable channel, or into any intended diversion, extension, or enlargement thereof respectively, any water from any existing cut, canal, reservoir, aqueduct, or navigable channel, whether directly or derivatively, and whether or not under agreement with the Crown or other owner of the water proposed to be diverted :
- (d.) Power to make, divert, extend, or enlarge any cut, canal, reservoir, aqueduct, or navigable channel :
- (e.) Power to make, divert, extend, or enlarge any railway :
- (f.) Power to interfere with any property belonging to the Crown, or to any corporation, or to any ecclesiastical body, whether incorporated or not, or with any property held on trust for public or charitable purposes :
- (g.) Power to relinquish the whole or any part of a work authorised by an existing Act :
- (h.) Power to any company to amalgamate with any other company, or to sell or lease its undertaking, or to buy or take on lease the undertaking of any other company :
- (i.) Power to levy any tolls, rates, or duties, or to alter any existing tolls, rates, or duties, or to grant, vary, or annul any exemption from payment of tolls, rates, or duties, or to grant, assign, vary, or annul any special or particular right or privilege whatsoever.

The declaration shall state which (if any) of the powers above mentioned are given by the Bill, and in which clauses of the Bill (referring to them by their numbers) any such powers are given, and shall further state that the Bill does not give any of the powers mentioned in this Order other than those expressed in the declaration. If the Bill do not give any of the powers above mentioned, it shall be so stated in the declaration. The declaration shall also state that the Bill does not give any powers other than those expressed in the advertisements of the Bill.

53. Where a Bill proposes to authorise any undertaking, an estimate of the cost of that undertaking, made and signed by a civil engineer or other competent person, shall be deposited in the Private Bill Office along with the Petition for the Bill.

Estimates.
S.O., Nos. 33
and 49.

54. Where the work proposed to be authorised by a Bill is to be made, wholly or in part, by means of funds belonging to any society or company, such society or company being the promoter or one of the promoters of the Bill, then a declaration stating the facts aforesaid, and the nature and amount of the funds intended to be used as aforesaid, shall be deposited in the Private Bill Office along with the Petition for the Bill.

Declaration as to employment of funds of company.
Ibid., No. 50.

55. In the case of a Bill for extending the powers of a company there shall be deposited in the Private Bill Office along with the Petition for the Bill the documents following, that is to say,—

Deposits where Bill proposes to extend powers of company.
Ibid., No. 34 ;
S.O. of House of Commons,
No. 63.

- (a.) A copy of the company's memorandum and articles of association verified by the signature of some officer of the company ;

(b.) A copy, verified in like manner, of a “special resolution” passed by the company approving of the Bill :

(c.) A declaration stating the following matters :—

- (1.) The present and proposed amount of the capital of the company ;
- (2.) The number of shares into which the capital of the company is divided ;
- (3.) The number of shares subscribed for ;
- (4.) The amount of subscriptions paid up ;
- (5.) The names, places of abode, and descriptions of the shareholders, directors, and officers of the company.

Copies of certain Bills to be lodged with Colonial Secretary.
S.O., No. 32.

56. Within ten days after the commencement of the Session, a printed copy of every Railway or Canal Bill, and of every Bill relating to any tidal lands, dock, pier, harbour, port, or navigable channel, and of every Bill for extending the powers of a company, shall be deposited in the Colonial Secretary's Office.

List of owners, &c., to be deposited.
Ibid., No. 33.

57. In the case of a Bill for the compulsory purchase or user of any lands, or for extending the time limited for making any such purchase or user by any existing Act, or for imposing an improvement-charge on any lands, or for rendering any lands liable to an improvement-charge, the list of owners, lessees, and occupiers required to be made under Order *eighteen* hereof shall be deposited in the Private Bill Office along with the Petition for the Bill.

Further limitation of time for depositing documents.
Cf. S.O., No. 35.

58. Where the last day for depositing any document in the Private Bill Office in pursuance of these Orders is a Sunday or public holiday, the document must be delivered at the Office, or must be posted in time to reach the Office, not later than five o'clock in the afternoon of the preceding day, or of the next preceding day whereon the Office is open.

Where two Sessions in one year.
S.O., No. 82.

59. In the event of there being two Sessions in any year, then, if it be proposed to reintroduce in the second Session any Bill that has not been finally dealt with during the first Session, in such case it shall not be necessary to publish, serve, or make a second time any advertisements, notices, or deposits already duly published, served, and made in compliance with these Orders with a view to the introduction of the Bill in the said first Session.

PROCEEDINGS ON RECEIPT OF PETITION.

Notice of Petition to be posted.
Ibid., No. 12.

60. Forthwith on the receipt of a Petition for a Bill the Examiner shall post in the precincts of each House a notice of the Petition having been received, together with a brief abstract of the Prayer thereof and of the objects of the Bill.

Petition to be open to inspection.
Ibid., No. 30.

61. Any Member of the General Assembly and any party to the Bill or party opposing the Bill shall be entitled to inspect during office hours the Petition and declaration annexed thereto, and to receive on demand a printed copy of the Bill.

Petition to be examined.
Ibid., No. 11.

62. Before the Petition is presented to the House, it shall be examined by the Examiner for proof that these Orders have been complied with.

Day to be appointed for examination.
Ibid., No. 14.

63. The Speaker shall appoint a day for the examination of the Petition ; and the Examiner shall, by writing affixed to the door of the Private Bill Office, give two clear days' notice of the day so appointed.

Notice of appearance at examination.
Ibid., No. 13.

64. Any parties complaining that these Orders have not been complied with may give notice to the Examiner that they claim to appear and be heard on the examination of the Petition.

Form and delivery of notice.
Ibid., No. 15.

65. Every such notice shall be in writing, and shall be delivered to the Examiner twenty-four hours at the least before the time appointed for the examination.

66. Where any such notice has been given, the givers thereof, their counsel or agents, may appear and be heard on the examination, and may call witnesses in proof of their complaint; but if no such notice be given, the Petition shall be treated as unopposed.

Proceedings at examination.
S.O., Nos. 13 and 15.

67. The Examiner shall indorse on the Petition the words "Standing Orders complied with" or "Standing Orders not complied with," as the case may be, and shall sign the indorsement.

Indorsement on Petition.
Ibid., No. 52.

68. If these Orders have not been complied with, the Examiner shall report the fact to the House, and shall state what requirements have not been fulfilled, together with any special circumstances connected with the case.

Report by Examiner.

69. If the Examiner be in doubt as to the true construction of any one of these Orders, or as to its application to a particular case, he shall make a Special Report of the facts, without deciding whether the Order has or has not been complied with, and in such case he shall indorse the Petition with the words "Special Report." If all other Orders have been complied with, no further indorsement shall be made on the Petition; but if non-compliance with any other Order be proved, the Examiner shall add to the words "Special Report" the words "Standing Orders not complied with."

Special indorsement and report.
S.O. of House of Commons,
No. 78.

70. Where the Examiner reports that these Orders have not been complied with, or where he makes a Special Report, the Petition and Report stand referred to the Joint Committee.

Reference to Joint Committee.
S.O., No. 11.

71. The Joint Committee shall report to the House whether, in their opinion, such Orders as have not been complied with ought or ought not to be dispensed with, and whether the promoters should be allowed to proceed with their Bill, or any part thereof, and under what conditions (if any).

Report of Joint Committee.
Ibid., No. 53.

72. When any Special Report by the Examiner is referred to the Joint Committee, they shall determine, according to their construction of the Order in question, and on the facts stated in the Report, whether the said Order has or has not been complied with. If they find that it has been complied with, they shall report to the House accordingly; if they find that it has not been complied with, they shall then proceed to consider whether it ought or ought not to be dispensed with.

Proceedings of Joint Committee on Special Report by Examiner.
S.O. of House of Commons,
No. 94.

73. All Petitions praying that any of these Orders or any Sessional Order of the House relating to Private Bills be dispensed with in the case of any particular Bill, and all Counter-Petitions praying for the enforcement of any such Orders, shall be presented to the House by depositing the same in the Private Bill Office; and every such Petition or Counter-Petition so deposited shall stand referred to the Joint Committee, who shall report to the House whether, in their opinion, the Orders in question ought or ought not to be dispensed with.

Petitions for dispensing with Orders.
S.O., No. 54.

74. Evidence of compliance with these Orders and of any other facts required to be proved before the Examiner, or before the Joint Committee, may be given by affidavit or declaration sworn or made before a Solicitor of the Supreme Court.

Proof of compliance with Orders.
Ibid., No. 51.

INTRODUCTION OF BILL.

75. When a Petition for a Bill has been indorsed by the Examiner, it must be presented to the House by a Member, with a printed copy of the Bill annexed, not later than three clear days after the day whereon the indorsement was made, or, if the House be not sitting on that day, then not later than three clear days after the first sitting held subsequently to that day.

Presentation of Petition to House.
Ibid., No. 55.

Order to bring
in Bill.
S.O., No. 56.

76. If these Orders have been complied with, the Bill is at once ordered to be brought in ; if they have not been complied with, the Bill stands referred to the Joint Committee.

Assent of  Crown to be
given to Bill
affecting public
revenues or
Crown property.

77. A Bill that contains any provision affecting the public revenues of the colony, or affecting any property vested in or belonging to the Crown, shall not be read a first time unless and until the Governor has, either by Message under his hand or verbally by the mouth of a Minister of the Crown, signified his assent to such provision.

Printed*copies
to be delivered
to Clerk.
Ibid., No. 57.

78. Before the first reading of a Bill, a sufficient number of copies of the Bill, printed at the promoters' expense, must be delivered to the Clerk for the use of Members.

FURTHER PROCEEDINGS.

Bill referred to
Committee of
Selection.
Ibid., No. 58.

79. So soon as a Bill has been read the second time, it stands referred to the Committee of Selection.

Powers of
Committee of
Selection.
Ibid., Nos. 59
and 63.

80. The Committee of Selection nominate the Committee on the Bill, and appoint the day and hour for the first meeting of that Committee ; they may discharge any Member or Members of that Committee, and may nominate instead another Member or other Members.

Committee on
unopposed Bill.
Ibid., No. 60.

81. An unopposed Bill is referred by the Committee of Selection to the Chairman of Committees and four other Members, of whom one shall be the Member who presented the Bill, and the other three must have no interest either in supporting or in opposing the Bill.

Ibid., No. 66.

The Chairman of Committees shall be Chairman of the Committee on the Bill ; but, in his absence, the Members of the Committee present at any meeting thereof may choose one of their number to be Chairman for that meeting.

Opponents of
Bill to petition.
Ibid., No. 61.

82. A Bill will not be treated as an opposed Bill unless before the second reading a Petition has been presented to the House praying that the Petitioners may be heard against the Bill either in person or by their counsel or agents :

Provided that, at any time after an unopposed Bill has been referred to the Committee thereon, the Chairman of Committees may report to the House that, in his opinion, the Bill ought to be treated as an opposed Bill, and, on a resolution to that effect being passed by the House, the Bill shall thenceforth be so treated.

Petition to
specify grounds
of opposition.
S.O. of House
of Commons,
No. 128.

83. A Petition against a Bill shall not be taken into consideration by the Committee on the Bill unless it distinctly specify the ground or grounds on which the Petitioners object to the Preamble or to any of the provisions of the Bill ; and the Petitioners shall not be allowed to allege before the Committee any grounds of objection other than those stated in the Petition ; and, if it appear to the Committee that the grounds of objection are insufficiently set forth in the Petition, they may require the Petitioners to deliver in writing a more distinct and specific statement of those grounds, but such statement shall be limited to the grounds so insufficiently set forth.

Committee on
opposed Bill.
S.O., Nos. 63
and 66.

84. An opposed Bill is referred by the Committee of Selection to a Committee of five Members, who shall not, nor shall any one of them, have any interest either in supporting or in opposing the Bill. The Chairman of the Committee shall be appointed by the Committee of Selection ; but, in his absence, the Members of the Committee present at any meeting thereof may choose one of their number to be Chairman for that meeting.

85. A Committee on an opposed Bill shall not proceed to business unless and until each member of the Committee has signed the following declaration :—

I do hereby declare that I have no interest either in promoting or in opposing the Bill ; and that I will never vote on any question that may arise in the course of the proceedings of the Committee on the Bill without having duly heard and attended to the evidence (if any) relating to that question.

Declaration by Members of such Committee.
S.O. of House of Commons, No. 118.

86. Except in case of sickness, or by special leave of the House, no Member of a Committee on an opposed Bill shall absent himself from any meeting of the Committee.

Members of such Committee to attend meetings.
S.O., No. 65.

87. Any Member of a Committee on an opposed Bill who is not present within half an hour after the time appointed for any meeting of the Committee, or who absents himself from his duties on the Committee, shall be reported to the House at its next sitting.

Member not attending to be reported.
Ibid., No. 67.

88. A Committee on a Bill shall be allowed to proceed if three of the five Members be present, but not if a less number be present, except by special leave of the House.

Quorum of a Committee.
Ibid., No. 64.

89. All questions before a Committee on a Bill shall be decided by a majority of voices, including the voice of the Chairman ; and whenever the voices are equal the Chairman shall have a second or casting voice.

Questions to be decided by majority.
Ibid., No. 68.

90. Except by special leave of the House, no Committee on a Bill shall have power to inquire into the correctness of the Examiner's report as to whether or not the promoters have complied with these Orders.

Limitation of powers of Committee.
S.O. of House of Commons, No. 141.

91. The Committee on an opposed Bill shall appoint the day whereon they will proceed to consider the Bill, and whereon they will require the parties respectively promoting and opposing the same to enter appearances ; and, if necessary, shall from time to time appoint a day for further consideration of the Bill.

Committee on opposed Bill to appoint a day for consideration thereof.
S.O., No. 69.

At least two clear days' notice of every such appointment shall be given by the Examiner by writing affixed to the door of the Private Bill Office.

92. The parties respectively promoting and opposing a Bill may call witnesses to give evidence on their behalf before the Committee on the Bill ; or the Chairman may, by direction of the Committee, summon as a witness any person whom the Committee may deem able to give necessary or material evidence.

Witnesses may be called.

93. Evidence of any facts necessary to be proved before the Committee on a Bill may be given by affidavit or declaration sworn or made before a Solicitor of the Supreme Court ; provided that, in the case of an opposed Bill, the party tendering in evidence any such affidavit or declaration shall produce the deponent or declarant for cross-examination, if the opposite party require it.

Evidence by affidavit.
Ibid., No. 51.

94. In the case of an opposed Bill, any question of procedure arising in regard either to the addresses of the parties, their counsel or agents, or the taking or admission of evidence, shall be determined, as nearly as may be, in accordance with the practice and procedure of the Supreme Court in a Civil action.

Procedure in case of opposed Bill.

95. Where a Bill is promoted by a company, shareholders of the company opposing the Bill shall not be entitled to be heard before the Committee on the Bill unless their interests, as affected by the Bill, be distinct from the interests of the company.

Shareholders have no *locus standi* as against company.
S.O. of House of Commons, No. 131.

Where
opposition
withdrawn.
S.O., No. 70.

96. In the case of an opposed Bill, if no parties appear in support of the Petition against the Bill, or if, after entering an appearance, the parties opposing the Bill withdraw their opposition before the promoters have tendered any evidence in support of the Bill, the Committee on the Bill shall forthwith refer it back, together with a statement of the facts, to the Committee of Selection, who shall thereupon proceed to deal with it as though it were an unopposed Bill.

Member
interested
disqualified
from voting.
Ibid., No. 71.

97. In the case of an unopposed Bill, the Member who presented the Bill shall not be entitled to vote on any question arising in the course of the proceedings of the Committee, but, except as aforesaid, every Member of the Committee shall be entitled to take part in all or any of the proceedings thereof.

Chairman to
sign plans, &c.,
produced before
Committee.
Ibid., No. 72.

98. Every plan and book of reference thereto produced in evidence before the Committee on a Bill shall (whether previously lodged in the Private Bill Office or not) be signed by the Chairman of the Committee with his name at length; and he shall also mark with the initials of his name every alteration in any such plan and book of reference that may be agreed on by the Committee; and every such plan and book shall thereafter be deposited in the Private Bill Office.

"Committee
Bill."
Ibid., No. 73.

99. The Chairman of the Committee shall sign with his name at length a printed copy of the Bill (to be called "the Committee Bill") having every amendment made in Committee fairly written thereon, and he shall also mark with the initials of his name every such amendment.

Report of
Committee.
Ibid., No. 74.

100. The Chairman of the Committee shall report to the House whether or not the allegations of the Preamble to the Bill have been proved to the satisfaction of the Committee; and when any amendment has been made in any part of the Bill, that amendment, together with the reasons for making it, shall be specially stated in the Report.

If the promoters have acquainted the Committee that they do not intend to proceed with the Bill, the Chairman shall report the fact to the House, and in such case no further matter need be stated in the Report.

Minutes of
proceedings to
be reported.
Ibid., No. 75.
Amended Bill to
be printed.
Ibid., No. 76.

101. The Minutes of the Proceedings of the Committee shall be brought up and laid on the Table of the House, together with the Report on the Bill.

102. When a Bill has been amended in Committee, it shall be printed as amended at the promoter's expense, and copies thereof shall be delivered to the Clerk for the use of the Members of the House two clear days at the least before the day appointed for the consideration of the Report on the Bill.

Where
amendment
contravenes
Standing
Orders.
Cf. S.O. of
House of
Commons,
No. 97.

103. If it be alleged that these Orders have not been complied with in respect of any amendment made in Committee, that amendment shall be referred by the House to the Examiner for his report thereon.

In case the Examiner reports that these Orders have not been complied with, the amendment, together with his report thereon, stands referred to the Joint Committee, who shall report to the House whether, in their opinion, any Order or Orders should be dispensed with and the amendment adopted by the House, or whether the Bill should be recommitted.

Third reading
of unamended
Bill.

104. Where a Bill is reported without amendment, it shall not be necessary to take the Report formally into consideration, but the Bill may be set down for third reading on a future day, on notice given in accordance with Order one hundred and *twelve* hereof.

Consideration of
Report on
amended Bill.

105. Where a Bill has been amended in Committee, a day is appointed for taking the Report on the Bill into consideration, and on that day the Chairman of

the Committee moves in the House that the Report be agreed to.

On consideration of the Report the House may, if it think fit, refer the Bill back to the Committee.

106. All further amendments proposed on the consideration of the Report on a Bill, and all amendments proposed on the third reading of a Bill that has been reported without amendment, shall be referred to the Committee on the Bill; and no further proceedings on the Bill shall be taken by the House until the Report of the Committee has been brought up.

Further amendments, how dealt with. S.O., No. 77.

In this Order "amendment" means a material or substantive amendment, and does not include an amendment that is formal or verbal merely, or consequential on an amendment already made.

An amendment to leave out an amendment made by the Committee shall be deemed to be a "further amendment" within the meaning of this Order.

The provisions of Order one hundred and *three* hereof shall apply to any amendment made by the Committee on a reference to them under this Order.

107. When a Bill is referred back, or any further amendment, or any amendment proposed on the third reading, is referred to the Committee on the Bill, it shall not be necessary to make an order for reviving the Committee, but the Committee shall be deemed to be still in being for the purpose of reconsidering the Bill, or of considering the further amendment, or the amendment, as the case may be.

Order to revive Committee unnecessary.

108. No amendments, save such as are merely verbal, shall be made to any Bill on the third reading thereof.

Amendments on third reading. S.O. of House of Commons, No. 219. Bill to be reprinted after third reading. S.O., No. 78.

109. After a Bill has been read the third time and passed, it shall be printed fair at the promoter's expense.

110. The Speaker shall certify on one of such fair prints that the Bill so printed is in accordance with the Bill as passed, and the Bill so certified shall be carried to the other House.

Speaker to certify Bill.

111. In the other House the Bill may be read the first time on motion without notice, as though it were a Public Bill, but shall at all subsequent stages be dealt with in the manner prescribed by these Orders.

How Bill dealt with in other House. *Ibid.*, No. 81.

PROCEDURE IN PRIVATE BILL OFFICE.

112. The parties promoting a Bill shall from time to time give notice to the Examiner of the days respectively proposed for the first and second reading of the Bill, for taking the Report on the Bill into consideration, where this is necessary, and for the third reading of the Bill.

Notices by Agent. S.O. of House of Commons, Nos. 235, 239, and 243.

Notice of the day proposed for the first reading may be given on the previous day, but in every other case one clear day's notice at the least must be given.

Notice of the second reading shall not be given until after the day whereon the Bill has been read the first time, and notice of the third reading shall not be given until after the day whereon the Bill has been reported, or whereon the Report has been taken into consideration, as the case may be.

113. Printed copies of any further amendment proposed to be offered on the consideration of the Report on a Bill, or of any amendment proposed to be offered on the third reading of a Bill, shall be lodged with the Examiner one clear day at the least before the day appointed for consideration of the Report, or for the third reading, as the case may be.

Further amendments to be printed and copies lodged with Examiner. *Ibid.*, Nos. 217 and 242.

114. Notices relating to Private Business must be handed in at the Private Bill Office before five o'clock in the afternoon on a sitting-day, and before one o'clock in the afternoon on any other day.

Notices to be given during office hours. S.O., No. 5.

Delivery of
notices to Clerk.
S.O., No. 6.

115. Where any notices handed in as aforesaid relate to any proceedings in the House, they are delivered by the Examiner to the Clerk, and are printed on the Order Paper.

MISCELLANEOUS.

Member not to
take fee for
acting as agent.
S.O. (L.C.),
No. 109;
S.O. (H. of R.),
No. 435.

116. It is contrary to the law and usage of Parliament that any Member of either House should be permitted to engage, either by himself or by his partner, agent, or servant, in the management of a Private Bill before either House for pecuniary reward.

Parties to
conform to
Rules.

Cf. S.O. No. 4.

117. Every party shall be deemed guilty of contempt, and shall be punishable accordingly, who—

- (a.) Knowingly acts contrary to these Orders, or to any rules or Orders of the House; or
- (b.) Wilfully disobeys any direction of the Speaker, or of the Chairman of Committees, or of the Chairman of any Committee dealing with any Bill promoted by him, or wherein he is concerned, or dealing with any Petition or other document relative to any such Bill; or
- (c.) Attempts, by any corrupt or improper means or device, to procure or hinder the passing of any Bill.

Computation of
time.
Code of Civil
Procedure,
R. 554.

118. Where by these Orders any limited time less than six days from or after any date or event is appointed or allowed for doing any act or taking any proceeding, Sunday or any other day whereon the Private Bill Office is wholly closed shall not be reckoned in the computation of such limited time.

Dispensing with
Orders.
S.O., No. 80.

119. Except in cases of urgent and pressing necessity—

- (a.) Due notice must always be given of any motion to dispense with any of these Orders, or with any sessional Order of the House relating to Private Bills;
- (b.) No Order shall be dispensed with, whether on notice or not, so as to allow a Private Bill to pass through two stages on the same day.

A P P E N D I X.

A.—FORMS.

(1.) NOTICE TO OWNERS, ETC.

SIR,—

We beg to inform you that application is intended to be made to the General Assembly, in the ensuing Session, for leave to bring in a Bill intituled “An Act
” and that the property mentioned in [Part I. of] the annexed Schedule, or some portion thereof, in which we understand you are interested as therein stated, will be required for the purposes of the undertaking described in the Bill according to the line of the said undertaking as at present laid out [or may be required to be taken under the usual powers of deviation to the extent of yards on either side of (that) line, which powers will be applied for in the Bill]; [and that it is proposed to impose an improvement-charge on (or to render liable to an improvement-charge) the property mentioned in Part II. of the annexed Schedule, in which we understand you are interested as therein stated].

We also beg to inform you that a plan and section of the said undertaking, together with a book of reference thereto, will be deposited in the Private Bill Office on or before the commencement of the Session, and that copies of so much of the said plan and section as relates to the district in which your property is situate, together with a book of reference thereto, have been [or will be] deposited in the office of the Commissioner of Crown Lands, , [on or before the day of], and will there remain open to public inspection until eight days before the commencement of the Session. Your property is referred to on the said plan by the numbers set forth on the annexed Schedule,

As we are required to report to Parliament whether you assent to or dissent from the proposed undertaking, or are indifferent in respect thereto, you will oblige us by signing your name under the proper heading in the annexed Schedule (according as you assent, dissent, or are indifferent), and by returning the same to us on or before the day of next; and, should there be any error or misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof at your earliest convenience, so that we may correct the same without delay.

We are, Sir,

To

SCHEDULE. Part I.—Property that may be taken compulsorily.							
No. on Plan.	Place.	Description.	Owner.	Lessee.	Occupier.	Assent.	Dissent. Indifferent.
21	Epsom.	Arable field.	Henry Smith.	George Lucas.	John Sims.		Henry Smith.
No. on Plan of Lands proposed to be within the Limits of Deviation.	Place.	Description.	Owner.	Lessee.	Occupier.	Assent.	Dissent. Indifferent.
	21 Epsom.	House and outbuildings.	Henry Smith.	George Lucas.	John Sims.		Henry Smith.
Part II.—Property on which an Improvement-charge may be imposed.							
No. on Plan.	Place.	Description.	Owner.	Lessee.	Occupier.	Assent.	Dissent. Indifferent.

(2.) PETITION FOR A PRIVATE BILL.

In the matter of the Standing Orders of the General Assembly relative to Private Bills; and in the matter of a Private Bill intituled "An Act," &c. [Set out Title].

To the General Assembly of New Zealand in Parliament assembled.

day, the day of , 19 .

THE humble Petition of showeth,—

- 1. That your Petitioner is
- 2. That [Set out in separate paragraphs the reasons for the introduction of the Bill, as alleged in the Preamble].

— That your Petitioner desires to promote the introduction during this present Session of Parliament of the above-recited Bill (a printed copy whereof is annexed hereto) under the Short Title of "The ."

— That the Objects of the Bill are

Wherefore your Petitioner humbly prays that leave may be given to bring in the said Bill during this present Session of Parliament.

And Your Petitioner as in duty bound will ever pray, &c.

(3.) DECLARATION ANNEXED TO PETITION.

[Heading.]

I, _____, do solemnly and sincerely declare—

1. That I desire to promote the introduction in Parliament during this present Session of the above-recited Bill under the Short Title of “The _____.”

2. That the said Bill gives power to effect certain of the objects set out in Order number *fifty-two* of the Standing Orders above mentioned, that is to say,—

Clause _____ gives power to

3. That the said Bill does not give power to effect any of the objects set out in the aforesaid Order number *fifty-two* other than that [or those] mentioned in the last preceding paragraph of this declaration.

4. That the said Bill does not give any powers other than those mentioned in the advertisements of the Bill published in the Government *Gazette* of the colony, and in _____, a newspaper circulating in the county [or borough] wherein the lands affected by the Bill are situate [or in the counties (or boroughs) wherein the lands affected by the Bill are respectively situate].

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the General Assembly of New Zealand intituled “The Justices of the Peace Act, 1882.”

Declared at _____, this _____ day of _____, 19____,
before me— _____, a Solicitor of the Supreme Court of
New Zealand.

(4.) DECLARATION AS TO ADVERTISEMENTS.

[Heading.]

I, _____, do solemnly and sincerely declare,—

1. That I caused an advertisement of the above-recited Bill to be published in three successive issues of the Government *Gazette* of the colony, bearing date respectively _____, and that the said advertisement is printed on page _____, and on page _____ of Volume _____ of the said *Gazette*.

2. That I caused a like advertisement to be published [once] in each of three successive weeks in the _____, being a newspaper circulating in the county [or borough] wherein [a part of] the land affected by the Bill is situate, and that the said advertisement appears in the issues of the said _____ respectively published on the _____.

3. [That I caused a like advertisement to be published (once) in each of three successive weeks in the _____, being a newspaper circulating in the county (or borough) wherein the remainder of the land affected by the Bill is situate, and that, &c.]

4. That all the said advertisements were identical both in substance and in form, and that each of them contained a notice of the intention to present a Petition for the Bill, and a notice of the objects of the Bill, and a notice of the time when printed copies of the Bill would be deposited in the Private Bill Office, as well as all other particulars required by the said Standing Orders to be published, and that each of them was headed by the Title of the Bill.

5. That the exhibit marked “A” now produced and shown to me contains copies of the issues of the *Gazette* mentioned in paragraph one hereof.

6. That the exhibit marked “B” now produced and shown to me contains copies of the issues of the _____ mentioned in paragraph two hereof.

7. [That the exhibit marked “C” now produced and shown to me contains copies of the issues of the _____ mentioned in paragraph three hereof.]

And I make, &c.

B.—STATUTES RELATING TO PRIVATE BILLS.

(1.) “THE PRIVATE ESTATE BILLS ACT, 1867.”

Title. AN ACT to enable the Judges of the Supreme Court to examine into and ascertain the Truth of the Statements contained in Preambles to Private Estate Bills and to report thereon and as to the Reasonableness of such Bills and their Fitness for the Attainment of their Proposed Objects. [10th October 1867.]

Preamble. WHEREAS it is expedient that the facts upon which application may be made to the General Assembly to pass a Private Estate Bill the reasonableness of any such Bill and the fitness of any such Bill for the attainment of its proposed objects should be authoritatively ascertained before the passing of any such Bill

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be "The Private Estate Bills Act 1867."

2. "The Private Estates Bills Act 1865" is hereby repealed.

3. Every petition for and preamble to a Private Estate Bill shall contain an allegation that the objects of the proposed Bill are not attainable otherwise than by legislation.

4. At any time within one calendar month after the publication in the *New Zealand Gazette* and in a newspaper published in the Province in which any estate the subject of or to be affected by an intended application to the General Assembly for a Private Estate Act shall be situated of a notice signed by one or more of the intending petitioners for such Private Estate Act of his or their intention to apply by petition to the General Assembly for the passing of such Private Estate Bill it shall be lawful for the person or persons signing such notice to file in the office of the Registrar or one of the Registrars of the Supreme Court of the judicial district in which the hereditaments to be affected by such Private Estate Act shall be situated a copy of such petition and of the proposed Bill and to apply to a Judge of the Supreme Court in such judicial district for an order that such inquiry shall be held as is hereinafter provided.

5. Such Judge may thereupon direct how such inquiry shall be carried on who shall be the parties to such inquiry and what notices thereof shall be served and on whom and in what manner such notices shall be served and shall give such other directions concerning the conduct of the inquiry as may seem to him fit.

6. It shall thereupon be lawful for such Judge or for any other one of the Judges acting in and for the judicial district aforesaid (at such time and place and in such manner and upon such proof of notice to parties interested if any other than the petitioners as to such Judge shall seem meet) to take and hear evidence upon oath or affirmation and either orally or by affidavit in support of or in opposition to the allegations contained in such petition and in the preamble to such proposed Bill other than the allegation that the objects of the proposed Bill are not attainable otherwise than by legislation.

7. It shall be lawful for the Judge to whom any application shall be made for an order for the holding of any such inquiry or for the Judge before whom any inquiry shall be commenced if he shall think fit to order that a special jury shall be summoned to attend before him at a convenient time and place to be by him fixed to hear the evidence in support of the allegations in such petition and preamble and the evidence if any in opposition thereto and it shall be lawful for such jury subject to the direction of the Judge before whom the evidence is taken as to the legal effect of such evidence by special verdict to find or to negative the existence of the facts so stated and if a special jury shall be directed to be summoned it shall be struck and summoned in like manner as special juries are struck and summoned in civil actions in the Supreme Court.

8. The Judge before whom such evidence shall be taken or such verdict shall be found as aforesaid shall by a report or certificate under his hand and under the seal of the Supreme Court of the Colony addressed to the Speaker of the Legislative Council of the Colony report or certify to such Legislative Council the result of the evidence adduced before him if taken without a jury or the verdict of the jury if such evidence shall have been heard before a jury.

9. Such Judge shall also in like manner report or certify to the Legislative Council of the Colony whether or not the objects of the proposed Bill are such as may in the opinion of such Judge be attained by proceedings in the Supreme Court or otherwise than by a special Act of the Legislature and whether the provisions of the proposed Bill are such as will if the same be passed into law effect the proposed objects of such Bill. Such Judge may if he shall think fit request one or more Judges of the Supreme Court to peruse such report or certificate and to consider so much thereof as shall relate to the objects of the proposed Bill and may abstain from signing so much of the said report or certificate as shall relate to such objects unless some Judge whom he shall request to consider the same shall concur with him in and sign so much of the said report or certificate.

10. In the summoning of witnesses and in the holding of and in all proceeding relating to the inquiry and in the taking of evidence as aforesaid the practice and procedure of the Supreme Court for the time being relating to civil actions shall be followed so far as they may be found or made applicable to such proceedings and jurors and witnesses summoned upon such inquiries and parties to and

Short Title.

Repeal clause.

Allegation of petition.

Copy of petition and proposed Bill may be filed in Supreme Court.

Judge may direct how inquiry to be carried on, &c.

Judge may hear evidence.

Judge may cause jury to be summoned.

Judge to report or certify facts found.

And whether legislation requisite and proposed Act suitable to effect its objects.

Rules of Supreme Court when applicable to be followed.

parties (having notice) concerned in such inquiries shall be subject to the same liabilities (except as to costs by persons making no opposition) as jurors witnesses in and parties to and parties (having notice) concerned in the trial of an action in the Supreme Court would be subject to in like cases.

No petition for Private Estate Bill to be proceeded with (except upon Judge's report).

11. No petition for a Private Estate Act shall be proceeded with unless and until a report or certificate of a Judge of the Supreme Court in the judicial district in which the estate to be affected thereby is situated addressed as aforesaid and setting forth that the allegations contained in the petition and in the preamble of the proposed Bill other than the allegation that the objects of the proposed Bill are not attainable otherwise than by legislation have been proved before him or have been found by a jury as the case may be and certifying that the objects of the proposed Bill are not attainable otherwise than by legislation shall be filed in the Private Bill Office.

(2.) "THE PRIVATE AND LOCAL BILLS COSTS ACT, 1882."

Title.	AN ACT for awarding Costs in certain Cases of Private and Local Bills. [13th September, 1882.]
Preamble.	WHEREAS it is expedient to empower Committees of both Houses of Parliament on Private or Local Bills to award costs in certain cases : Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—
Short Title.	1. The Short Title of this Act is "The Private and Local Bills Costs Act, 1882."
When Committee report the preamble not proved, and that opponents have been unreasonably or vexatiously put to expense, opponents to be entitled to recover costs.	2. When the Private Bills Committee or the Local Bills Committee shall decide that the preamble is not proved, or shall insert in such Bill any provision for the protection of any opponents, or strike out or alter any provision of such Bill for the protection of opponents, and further unanimously report, with respect to any or all of the opponents against the Bill, that such opponents have been unreasonably or vexatiously subjected to expense in defending his or their rights proposed to be interfered with by the Bill, such opponents shall be entitled to recover from the promoters of such Bill his or their costs in relation thereto, the amount thereof not to exceed the amount prescribed by the Schedule hereto.
When Committee unanimously report the preamble proved, and that the opposition was vexatious, promoters to be entitled to recover costs.	3. When the Private Bills Committee or the Local Bills Committee shall decide that the preamble is proved, and further unanimously report that the promoters of the Bill have been vexatiously subjected to expense in the promotion of the said Bill by the opposition of any persons opposing the same, then the promoters shall be entitled to recover from the opponents, or such of them as the Committees shall think fit, so much of the costs of the promotion of the Bill as the Committees may think fit, not exceeding the sum prescribed by the Schedule aforesaid. In their report to the Council or House the several Committees shall state what sum for costs they shall so think fit to award, together with the names of the parties liable to pay the same and the names of the parties entitled to receive the same.
Costs to be taxed.	4. The Chairman of the several Committees shall deliver to the parties affected, or either or any of them, a certificate setting forth the amount of costs awarded, with the name of the party liable to pay the same and the name of the party entitled to receive the same; and such certificate shall be conclusive evidence as well of the amount of the demand as of the title of the party therein named to recover the same from the party therein stated to be liable for the payment thereof; and the party claiming under the same shall, upon payment thereof, give a receipt at the foot of such certificate, which shall be a sufficient discharge for the same: Provided that no solicitor promoting or opposing any Bill in Parliament shall be entitled to recover from the promoters or opponents, as the case may be, any larger sum than the sums authorised under the said certificate, and such certificate shall not authorise the payment of any costs beyond the amounts fixed by the Schedule aforesaid.
Recovery of costs when taxed.	5. The party entitled to costs, or his executors or administrators, may demand the whole amount thereof, so certified as above, from any one or more of the persons liable to the payment thereof; and, in cases of non-payment thereof on demand, may recover the same by action in any Court of competent jurisdiction within the colony. In such action it shall be sufficient for the plaintiff to state or declare that the defendant is indebted to him in the sum mentioned in the said certificate; and the said plaintiff shall, upon filing the said statement or declaration, together with the said certificate and an affidavit of such demand as aforesaid, be at liberty to sign judgment and take out execution for the said sum so mentioned in the said certificate,

together with the costs of the said action, according to the due course of law: Provided always that the validity of such certificate shall not be called in question in any Court.

6. In every case it shall be lawful for any person from whom the amount of such costs has been so recovered to recover from the other persons, or any of them, who are liable to the payment of such costs a proportionate share thereof, according to the number of persons so liable, and according to the extent of the liability of each person.

Persons paying costs may recover a proportion from other persons liable thereto.

7. When a Bill is not promoted by a company already formed, all persons whose names shall appear in such Bill as promoting the same, and, in the event of the Bill passing, the company thereby incorporated, shall be deemed to be the promoters of such Bill for all the purpose of this Act.

Definition of "promoters."

SCHEDULE.

FEES AND COSTS.

(a.) The scale of fees to be paid by parties promoting private Bills shall be as follows:—

	£	s.	d.
On the first reading	10	0	0
On the second reading	10	0	0
On the third reading	5	0	0

The said fees shall be paid to the Treasury, to the credit of the Library Fund, at the respective stages of the Bill in the House in which the Bill shall have been introduced, and a certificate of the due payment of such fees shall be produced to the Clerk of such House at each stage of the Bill; and the Bill shall be stopped by the Speaker of such House at any stage if any fee then due is unpaid.

As to Local Bills.

(b.) Costs shall be allowed when certified by the Chairman of Local or Private Bills Committee, upon the following scale:—

Costs of solicitor promoting opposed local Bill, such a sum as Chairman shall certify, not to exceed £10 10s., exclusive of costs of advertising and sums paid out of pocket for expenses of witnesses, according to the scale agreed to by the Speakers of both Houses, 3rd August, 1882 (whose attendance shall be certified as necessary by Chairman), for services of notices and for fees of Parliament.

(c.) If Bill unopposed, fee of solicitor not to exceed £5 5s., exclusive of sums paid out of pocket, as in last paragraph.

(d.) In case of an opposed Bill, Committee to report whether opponents entitled to costs. If Committee so report, Chairman to certify for a sum not exceeding £10 10s., exclusive of sums paid out of pocket, to be certified as necessary by the Chairman.

As to Private Bills.

(e.) Costs of solicitor promoting opposed private Bills, such a sum as Chairman shall certify, not exceeding £70, exclusive of costs of advertising and sums paid out of pocket for expenses of witnesses, according to the scale agreed to by the Speakers of both Houses, 3rd August, 1882 (whose attendance shall be certified as necessary), for service of notices and for fees of Parliament.

(f.) If private Bill unopposed, solicitor's fee not to exceed £20, exclusive of sums paid out of pocket, as before provided.

(g.) The Committee to report whether opponents entitled to costs. If the Committee so report, Chairman to certify for a sum not exceeding £50, exclusive of witnesses' expenses and other payments out of pocket, as certified.

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