

MEDICAL.

We have inserted a new provision (subsection (3) of section 9 of the Consolidation Act) saying that the absence of a person's name from the register shall, until the contrary is shown, be sufficient evidence that such person is not registered. The want of this provision is, in our opinion, a defect in the Act of 1869. We have adapted it from section 26 of "The Pharmacy Act, 1898."

MONEY-LENDERS.

Section 3 of the Act of 1901 provides for the reopening of transactions in the case of money lent "after the passing of this Act." The Act passed on the 29th October, 1901, but did not come into operation till the 1st January, 1902. In our opinion the latter date was intended, and accordingly section 3 of the Consolidation Act so provides.

MOTOR REGULATIONS.

This Act is defective, and, in our opinion, should be reconsidered by the Legislature.

Part I (Regulation of Motors) empowers the Governor in Council to make regulations for determining the identification-marks to be used and the mode in which they are to be fixed.

Part II (Registration of Motors) applies only in districts controlled by registering authorities which by resolution decide to bring this Part into operation. Moreover, boroughs of less than five thousand inhabitants, and town districts that do not form part of a county, are not registering authorities.

The regulations apply generally to all motors whether registered or not. Consequently, a registered motor may be required to have two sets of marks—one for registration, and the other pursuant to the regulations. We doubt whether this was the intention.

Again, section 16 (which is in Part II) makes it an offence if the mark to be affixed to a motor in accordance with the Act is not so affixed. Hence in districts where Part II is not in operation it is no offence to use a motor without the prescribed marks. Presumably this was not the intention. If so, then the offence in question should appear in Part I instead of in Part II.

MUNICIPAL CORPORATIONS.

Section 5, (4), of "The Municipal Corporations Act, 1900," says that a borough shall be deemed not to form part of the county "for the purposes of this Act." Presumably this limitation is a mistake. We have retained it (section 3, (d), of the Consolidation Act), but suggest that the Legislature amend by omitting these words.

Subsection (1) of section 90 of the same Act (Fines, &c., under Public Health Act) has been transferred to the latter Act, where it appears as subsection (2) of section 103.

Prior to the passing of "The Municipal Corporations Act, 1900," the Audit Office was the statutory auditor of borough accounts by virtue of the Public Revenues Act. The Municipal Corporations Act repealed this, but made no substituted provision for the appointment of an auditor. This appears to us to be a defect, as in our opinion the purpose of the repeal was not to alter the law, but to make the Municipal Corporations Act self-contained. Under the existing regulations the Audit Office audits. These regulations are made under section 169, which provides that the accounts shall be audited in such a manner as is prescribed by Act or by regulations under the Municipal Corporations Act itself. It is not quite clear that this gives power to appoint the auditor. To remove all doubt, and also for uniformity with the audit system of all other local authorities, we have added words to section 169 making the Audit Office the auditor (section 112 of the Consolidation Act).

Section 177 of the Act of 1900 and section 15 of the Act of 1902 (Union of boroughs) have been recast in section 120 of the Consolidation Act.

The list of boroughs in the First Schedule to the Act of 1900 has been brought up to date in the Second Schedule to the Consolidation Act.