

New Zealand.



ANALYSIS.

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| <p style="text-align: center;">Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Section 17 of principal Act amended. 3. Time for return of unclaimed postal packets at hotels, &c. 4. Recovery of Government property from postal packets. 5. Section 41 of principal Act (as to return of postal packets) amended. 6. Repeal. 7. Establishment of Post Office Savings-bank offices, and receipt of deposits. Repeal. Consequential amendments. 8. Section 74 of principal Act (requiring statutory declarations by all depositors) amended. Repeals. 9. Section 75 (3) of principal Act (as to entry of deposits) amended. 10. Section 76 of principal Act (as to withdrawal of deposits) amended. 11. Section 84 of principal Act (as to investments) amended. | <ol style="list-style-type: none"> 12. Section 91 of principal Act (as to annual accounts) amended. 13. Summary proceedings for offences against sections 116-119 and section 123 of principal Act. 14. Regulations for control of electrical apparatus interfering with wireless communications. 15. Section 205 of principal Act (as to regulations as to wireless telegraphy in territorial waters) amended. 16. Section 215 of principal Act (as to damage to electric lines) amended. 17. Officers to be appointed by the Governor-General. Repeal. 18. Divisions of Department, and salaries and allowances. Repeals. 19. Modifying restrictions on transfer of officers to and from other Departments. 20. Section 230 of principal Act (as to regulations) amended. 21. Section 234 of principal Act (as to Promotion Board) amended. |
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1933, No. 23.

Title.

AN ACT to amend the Post and Telegraph Act, 1928.
[15th December, 1933.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Post and Telegraph Amendment Act, 1933, and shall be read together with

and deemed part of the Post and Telegraph Act, 1928 (hereinafter referred to as the principal Act).

See Reprint of Statutes, Vol. VI, p. 854

2. Section seventeen of the principal Act is hereby amended by repealing subsection four, and substituting the following subsection:—

Section 17 of principal Act amended.

“(4) The Postmaster-General is hereby authorized to make refunds of the amounts represented by impressions made and recorded by such recording-machines in error and not used.”

3. Section twenty-six of the principal Act is hereby amended by omitting from subsection two the words “two months”, and substituting the words “one month”.

Time for return of unclaimed postal packets at hotels, &c.

4. Section thirty-one of the principal Act is hereby amended by adding the following as subsection two thereof:—

Recovery of Government property from postal packets.

“(2) If any postal packet opened pursuant to this section is found to contain any money or article belonging to the New Zealand Government, or to any incorporated Department of State, the officer opening the postal packet may extract such money or article therefrom and dispose of it in such manner as the Postmaster-General directs.”

5. Section forty-one of the principal Act is hereby amended by omitting from the proviso the words “the Postmaster-General”, and substituting the words “a Chief Postmaster”.

Section 41 of principal Act (as to return of postal packets) amended.

6. Sections fifty-two to fifty-nine of the principal Act (which relate to the exclusion of mails from subsidized mail-vessels, and are contrary to the Postal Union Convention) are hereby repealed.

Repeal.

7. (1) The Postmaster-General may from time to time establish and close Post Office Savings-bank offices for the purposes of Part IV of the principal Act. Deposits may be received on behalf of the Postmaster-General, and may be repaid, together with the interest accrued thereon, at such places (whether in any such office or not) and upon such terms and conditions as may be prescribed.

Establishment of Post Office Savings-bank offices, and receipt of deposits.

(2) The last preceding subsection is in substitution for section seventy-three of the principal Act, and that section is hereby accordingly repealed.

Repeal.

Consequential amendments.

(3) Section seventy-five of the principal Act is hereby consequentially amended as follows:—

(a) By repealing subsection one, and substituting the following subsection:—

“(1) The person receiving a deposit shall at the time when he receives it enter the amount thereof in the depositor’s book and attest the entry in the prescribed manner.”:

(b) By omitting from subsection two the words “under whose control he is”, and substituting the words “of the postal district in which the account is kept”.

(4) Section ninety of the principal Act is hereby consequentially amended by inserting after paragraph (b) the following paragraph:—

“(bb) Prescribing the places at which and the terms and conditions upon which deposits or any class of deposits may be received or repaid:”

Section 74 of principal Act (requiring statutory declarations by all depositors) amended.

8. (1) Section seventy-four of the principal Act is hereby amended by omitting from subsection one all words after the words “first deposit”, and substituting the following words: “may be required to make and deliver to the person receiving the deposit a statutory declaration to such effect and in such form as may be prescribed”.

Repeals.

(2) Subsection five of the said section seventy-four, subsection two of section eighty-two of the principal Act, and the Second Schedule to that Act are hereby consequentially repealed.

Section 75 (3) of principal Act (as to withdrawal of deposits) amended.

9. Section seventy-five of the principal Act is hereby amended by adding to subsection three the following further proviso:—

“Provided, however, that no such entry in a depositor’s book shall entitle the depositor to withdraw the amount of any cheque, bill of exchange, or other document that has not been collected.”

Section 76 of principal Act (as to withdrawal of deposits) amended.

10. Section seventy-six of the principal Act is hereby amended as follows:—

(a) By inserting, after the words “Chief Postmaster of the postal district” in subsection one, the words “or the Postmaster in charge of the office”; and

(b) By repealing subsection two, and by omitting from subsection three the words "and the aforesaid warrant".

11. Section eighty-four of the principal Act is hereby amended by omitting the words "Governor-General in Council", and substituting the word "Postmaster-General".

Section 84 of principal Act (as to investments) amended.

12. Section ninety-one of the principal Act is hereby amended as follows:—

(a) By repealing subsection one; and

(b) By omitting from subsection two the words "as aforesaid", and substituting the words "in carrying this Part of this Act into operation".

Section 91 of principal Act (as to annual accounts) amended.

13. (1) Every person who commits an offence against any of the provisions of sections one hundred and sixteen to one hundred and nineteen or section one hundred and twenty-three of the principal Act may be proceeded against summarily, and shall on summary conviction be liable to imprisonment for three months, or to a fine of fifty pounds, or to both.

Summary proceedings for offences against sections 116-119 and section 123 of principal Act.

(2) No person shall in respect of any such offence be proceeded against by way of indictment and also under this section.

14. Section two hundred and one of the principal Act is hereby amended by repealing paragraph (e), and substituting the following paragraph:—

"(e) The prohibition or regulation of the installation, use, sale, or manufacture of apparatus or equipment of any kind (whether wireless-telegraphic apparatus or equipment or not) which may generate electric waves likely to interfere with the conduct of wireless communications:—"

Regulations for control of electrical apparatus interfering with wireless communications.

15. (1) Section two hundred and five of the principal Act is hereby amended as follows:—

(a) By inserting in subsection one, after the words "registered in New Zealand", the words "and on foreign ships of war"; and

(b) By inserting in subsection two, after the words "Such regulations", the following words: "may prescribe fines, not exceeding one thousand pounds in any case, for any breach of the regulations and".

Section 205 of principal Act (as to regulations as to wireless telegraphy in territorial waters) amended.

(2) All regulations made under the said section two hundred and five before the passing of this Act are hereby validated in so far as they prescribe fines, not exceeding one thousand pounds in any case, for any breach of the regulations.

Section 215 of principal Act (as to damage to electric lines) amended.

16. Section two hundred and fifteen of the principal Act is hereby amended by omitting the words "although he may have been fined or imprisoned under this Division of this Act, shall also be liable", and substituting the following words: "whether or not he has been guilty of any offence against this Division of this Act, shall be liable".

Officers to be appointed by the Governor-General.

17. (1) The following officers of the Post and Telegraph Department shall be appointed by the Governor-General:—

(a) The Director-General of the Post and Telegraph Department, who shall, under the direction of the Postmaster-General, have the control and general administration of the Department; and

(b) All other officers appointed to positions graded higher than the First Division of the Department as for the time being defined by regulations made under section two hundred and thirty of the principal Act.

(2) The person who at the passing of this Act holds office as Secretary of the Post and Telegraph Department shall, without further appointment, be deemed to have been appointed Director-General of the Department under this section. All other persons who at the passing of this Act hold offices in the Department to which they have been appointed by the Governor-General shall be deemed to have been appointed under this section, and shall continue to hold office accordingly.

(3) All references in the principal Act or elsewhere to the Secretary of the Department shall hereafter be deemed to be references to the Director-General of the Department.

Repeal.

(4) This section is in substitution for section two hundred and twenty-four of the principal Act, and that section is hereby accordingly repealed.

Divisions of Department, and salaries and allowances.

18. (1) The officers of the Department (other than those appointed by the Governor-General) shall be classified into two divisions—namely, the First Division

and the Second Division—with their respective subdivisions, classes, and grades, as set forth in regulations made under section two hundred and thirty of the principal Act.

(2) Officers appointed by the Governor-General shall be paid such salaries and allowances as may be provided in the annual estimates and authorized by Parliament.

(3) The officers of the First Division shall be paid such salaries and allowances as may be prescribed by regulations made under section two hundred and thirty of the principal Act.

(4) The officers of the Second Division shall be paid salaries in accordance with a fixed amount or a scale determined by the Director-General of the Department, and such allowances as may be prescribed by regulations made under section two hundred and thirty of the principal Act.

(5) All such salaries and allowances shall be paid out of moneys appropriated by Parliament for the purpose.

(6) This section is in substitution for sections two hundred and twenty-seven and two hundred and twenty-nine of the principal Act, and those sections are hereby accordingly repealed.

Repeals.

19. (1) Section two hundred and twenty-eight of the principal Act is hereby amended by omitting the words “both of the Secretary and of the permanent head of that other Department”, and substituting the words “of the Director-General”.

Modifying restrictions on transfer of officers to and from other Departments.

(2) Section two hundred and thirty-five of the principal Act is hereby amended as follows:—

(a) By omitting from subsections three and four the word “Department” wherever it occurs, and substituting in each case the words “Government Service”:

(b) By inserting in subsection five, after the words “As between officers”, the words “of the Government Service”; and also by omitting from the said subsection five the words “in the Department”.

20. Section two hundred and thirty of the principal Act is hereby amended by repealing paragraphs (a) and (b), and substituting the following paragraphs:—

Section 230 of principal Act (as to regulations) amended.

“(a) For the classification and grading of the officers of the Department;

“ (b) Determining the salaries and allowances of officers of the First Division of the Department and the allowances of officers of the Second Division ”.

Section 234 of principal Act (as to Promotion Board) amended.

21. Section two hundred and thirty-four of the principal Act is hereby amended by omitting from subsection two the words “ the Chief Telegraph Engineer, the First and Second Assistant Secretaries ”, and substituting the words “ three senior officers of the Department to be appointed by the Governor-General and to hold office during his pleasure ”.