

*Registration.*

Summary  
Proceedings  
Ordinance repealed  
so far as repugnant.

4. An Ordinance passed by the Governor and Legislative Council of New Zealand, Session II., No. 5, intituled "*An Ordinance to regulate Summary Proceedings before Justices of the Peace*," is hereby repealed so far as the same is repugnant to or would prevent or interfere with the operation of the said Acts hereby adopted: Provided always that all sums of money which any person shall be bound to pay under any recognizance taken before any Justice or Justices of the Peace may be levied under the said Ordinance as though this Act had not been passed: Provided also that in all cases of summary conviction, where the person convicted shall be sentenced to imprisonment, such imprisonment shall be with or without hard labour at the discretion of the Court.

Short Title of Acts  
adopted.

5. The several Acts specified in the Schedule to this Act may for all purposes be cited by the several Short Titles thereto respectively annexed in the said Schedule.

Commencement.

6. This Act shall come into operation on the first day of January, one thousand eight hundred and fifty-nine.

Short Title.

7. The Short Title of this Act shall be "*The Justices of the Peace Act, 1858.*"

## SCHEDULE.

Years and Chapters of Statutes.	Titles.	Short Titles.
11 & 12 Vict. c. 42.	"An Act to facilitate the performance of the Duties of Justices of the Peace out of Sessions within England and Wales, with respect to Persons Charged with Indictable Offences."	"Indictable Offences Act, 1848."
11 & 12 Vict. c. 43.	"An Act to facilitate the performance of the Duties of Justices of the Peace out of Sessions within England and Wales, with respect to Summary Convictions and Orders."	"Summary Convictions Act, 1848."
11 & 12 Vict. c. 44.	"An Act to protect Justices of the Peace from Vexatious Actions for acts done by them in execution of their Office."	"Justices Protection Act, 1848."

## No. XXVIII.

REGISTRATION.

AN ACT for the Registration of Births Deaths and Marriages in New Zealand. [8th July, 1858.]

Preamble.

WHEREAS it is expedient to provide for the registration of births deaths and marriages in New Zealand:

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

Repeal of Ordinance  
Session VIII., No. 9.

1. An Ordinance enacted by the Lieutenant-Governor and Legislative Council of New Zealand, intituled "*An Ordinance for Registering Births Deaths and Marriages in the Colony of New Zealand*," Session VIII., No. 9, is hereby repealed: Provided always that any registration lawfully made and every act or thing whatever lawfully done

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done under the provisions of the said Ordinance shall be as good valid and effectual as though this Act had not been passed.

2. It shall be lawful for the Governor, in the name and on behalf of Her Majesty, from time to time by warrant under his hand to appoint a fit person to be Registrar-General for the Colony, and fit persons to be Registrars of Births, Deaths, and Marriages under this Act, and from time to time to remove any person so appointed: Provided always that the Registrar-General and Deputy Registrars who are now acting shall be deemed to have been appointed by the Governor, Registrar-General, and Registrars respectively under this Act: Provided also that it shall be lawful for the Registrar-General to be appointed and act as a Registrar under this Act.

Registrar-General and Registrars to be appointed.

3. It shall be lawful for the Governor at any time to appoint a fit person to be the Deputy of any Registrar, to act in case of death illness or unavoidable absence, and every Deputy shall, during the time he shall so act, have all the powers and privileges and perform all the duties and be subject to all the responsibilities of the Registrar for whom he shall have been appointed Deputy, and every such appointment when made shall be notified in the *New Zealand Gazette*.

Governor may appoint Deputy of any Registrar.

4. Whenever any Registrar shall die, the Deputy appointed as aforesaid shall act as Registrar from the day of such death, and in case of illness or absence shall act as such from such day as such Registrar or (in case of illness incapacitating him to do so) his medical attendant shall certify under his hand to the Deputy appointed as aforesaid to act for him, that he is ill and unable to perform his duties, or that he is about to be absent; and such Deputy shall cease to act as such from the day on which he shall receive from the officer whose Deputy he is, a certificate under his hand to the effect that such officer has resumed his duties. No Registrar shall have power to act during such term as his Deputy shall be lawfully acting.

When Deputy to act.

5. It shall be lawful for the Governor from time to time, by Proclamation in the *New Zealand Gazette*, to divide the Colony, for the purposes of this Act, into such and so many districts as he shall think fit, and every such district shall be called by a distinct name, and shall be a Registrar's district: Provided always that the Governor may at any time revoke the whole or any part of any such Proclamation, and issue a new Proclamation dividing the Colony or any portion of it anew into districts, or increasing the number or altering the boundaries of districts, as from time to time he may think requisite; and all births and deaths shall be registered in the district in which they respectively occur: Provided always that it shall be lawful for the Registrar of any district to register any birth or death according to the provisions of this Act, if it shall be shown to his satisfaction that the person upon whom it is obligatory to give the information herein required could not, without considerable difficulty delay or expense, attend at the office of the Registrar of the district in which the birth or death has actually taken place: Provided also that the districts now existing shall until duly altered be deemed to be districts proclaimed under this Act.

Registrars' districts.

6. The Registrar-General and every Registrar duly appointed under this Act are hereby respectively empowered to receive and take the several fees specified in this Act; and all fees so received shall be accounted for by them quarterly to the Colonial Treasurer, in such manner as he shall from time to time direct.

Fees.

7. It shall be lawful for the Registrar-General from time to time to make amend and abolish regulations (not being repugnant to the provisions of this Act, or of any Act lawfully in force for regulating marriages in the Colony,) for the general management of the Registry Offices, and the preparation and transmission of all returns required from

Regulations.