

PUBLIC REVENUES.

The second paragraph of section 38 of "The Public Revenues Act, 1891" (Definition of "liabilities" in the Consolidated and Public Works Funds), has been recast for clearness (section 36, (2), of the Consolidation Act).

Headings have been given to the forms in the schedule.

PUBLIC SERVICE CLASSIFICATION AND SUPERANNUATION.

The Superannuation Act of 1907 appears to contemplate only voluntary retirements pursuant to three months' notice of intention to retire. The case of officers who are retired by the Government does not seem to be provided for.

Section 20 of the same Act (Position of contributor reappointed after having retired on allowance) appears defective in not providing for the case of a contributor who on his subsequent retirement elects to take a return of his contributions, in lieu of a retiring-allowance. In such case the amount he has already received by way of retiring-allowance should be taken into account.

Moreover, no provision is made for the case of a contributor who had been retired on compensation under "The Civil Service Act, 1866," and subsequently reappointed prior to the coming into operation of the Superannuation Act of 1907. As such reappointments have sometimes been made without any break of employment, it appears to us that in such case his whole period of service will count for retiring-allowance notwithstanding that he has already received compensation in respect of portion of it. The Act should provide that such portion shall be excluded in computing the length of his service.

In section 35 of the same Act (Act not to apply to certain persons) we have added "the Judge of the Court of Arbitration" (section 52 of the Consolidation Act).

Section 40 of the same Act (Police Force provision) is dropped as obsolete, the time fixed by the Act for the ballot having expired.

PUBLIC TRUST OFFICE.

The proviso to section 27 of "The Public Trust Office Consolidation Act, 1894" (limiting the power of the Public Trustee in certain cases), has been recast in order to give effect to the amending Acts of 1895 and 1901 (section 29 of the Consolidation Act).

"The Unclaimed Lands Act, 1894," gives the Public Trustee wide powers in the case of unclaimed lands. "The Public Trust Office Amendment Act, 1907," gives him another set of very wide powers in the case of unclaimed property. "Property" includes land. Consequently the two enactments overlap and to some extent conflict. We retain both (Parts II and III of the Consolidation Act) as the necessary alterations would exceed our powers. The Legislature should deal with the matter. It illustrates the confusion caused by not repealing prior enactments when inconsistent ones are passed.

The enactment printed at the end of "The Public Trust Office Consolidation Act, 1894" (Auckland Hospital Reserve), is dropped, as being superseded by later legislation.

PUBLIC WORKS.

Subsection (2) of section 37 of the Act of 1905 is omitted as spent.

Section 47 of the same Act (Registrar of Supreme Court to appoint Assessor where respondent fails to do so): We have applied this to the Clerk of the lower Court, to meet cases there (section 47 of the Consolidation Act). Similarly, in section 58.

Section 60 (If Judge interested, Governor to appoint another): This apparently refers to the Supreme Court Judge. There is no corresponding provision in the case of a District Court Judge or a Magistrate. The Legislature should deal with it.

Part IV of the Act of 1905 (Taking Native Lands): Owing to the vague definition of the lands that may be taken, there is room for doubt and confusion as to the procedure for taking, and the mode of assessing the compensation. We suggest that these provisions be recast on clearer lines, and with due regard to Part VIII of "The Native Land Court Act, 1894," relating to the title to customary lands.