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Local Legislation Act 1933

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This Act is administered by the Department of Internal Affairs.

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An Act to confer certain powers on certain public bodies and to validate certain transactions

1 Short Title

This Act may be cited as the Local Legislation Act 1933.

*County Councils***2 Authorising purchase of certain lands by Waipa County Council**

Whereas the land described in subsection (3) is vested in His Majesty the King and is available for disposal under the Land Act 1924:

And whereas Allotment 320 of the Town of Pirongia West (formerly Town of Alexandra West) adjoining the said land is vested in the Corporation of the County of Waipa (hereinafter called the **Corporation**) as an endowment in aid of county funds:

And whereas the Waipa County Council (hereinafter called the **Council**) is desirous of purchasing the land described in subsection (3) as an endowment in aid of county funds, but there is no authority at law for the expenditure of county funds for such purpose:

And whereas it is expedient that such purchase should be authorised:

Be it therefore enacted as follows:

- (1) The Council may, in the name and on behalf of the Corporation, purchase from His Majesty the King the land described in subsection (3) as an endowment in aid of county funds at such price and upon such terms as shall be agreed upon between the Council and the Minister of Lands.
- (2) The Council may pay the purchase money of such land and all costs and expenses attending the purchase thereof out of the County Fund of the Waipa County.
- (3) The land hereinbefore referred to is all that area in the Auckland Land District, containing 5 acres 3 roods and 30 perches, more or less, being Allotments 324 and 334 of the Town of Pirongia West (formerly Town of Alexandra West).

3 Validating payment by Malvern County Council to Trustees of Sheffield Public Library

Whereas by an order of the Supreme Court of New Zealand made at Christchurch on 18 April 1929 it was ordered and decreed that a certain piece of land containing 1 rood, being part of Rural Section Number 8983 of the Malvern District, be

vested in the Malvern County Council (hereinafter referred to as the **Council**) with a power of sale, and that the funds to arise from the sale of such land, together with other moneys vested in the Council by the said order, be held by the Council in trust for the purchase of land for the establishment of a public library in the Sheffield Riding of the Malvern County in terms of a certain deed of trust bearing date 16 February 1884 and referred to in the said order:

And whereas the said piece of land was sold by the Council and there was vested in the Council in terms of the said order and subject to the said deed of trust the sum of 40 pounds 4 shillings and 1 penny (hereinafter referred to as the **said sum**):

And whereas a public library has been incorporated and established in the Sheffield Riding of the said county, known as the Sheffield Public Library (hereinafter referred to as the **library**):

And whereas the Council has paid to the trustees of the library the said sum to be expended by the said trustees in the purchasing of books for use in the said library, and by so doing the Council has acted contrary to the terms of the said order and beyond the powers contained in the said deed of trust:

Be it therefore enacted as follows:

The payment of the said sum by the Council to the trustees of the library is hereby validated and declared to have been lawfully made, and the said trustees are hereby declared to have lawfully received the same.

4 Authorising Clifton County Council to raise Mohakatino Loan (1933), £725

Whereas the Clifton County Council was by the Local Authorities Empowering (Relief of Unemployment) Act 1926, section 8 of the Local Legislation Act 1932–33, and all other Acts and powers thereunto enabling, empowered to borrow the sum of 725 pounds, to be called the Mohakatino Loan (1933), £725, on the security of a special rate of 1 penny in the pound over the Mohakatino Special-rating Area as defined in the said section 8:

And whereas the provisions of the Local Government Loans Board Act 1926 were fully complied with in respect of the said loan:

And whereas after protracted negotiations the said Council had by 26 July 1933 arranged to borrow the said moneys; but it was not able to complete all the formalities in connection with the said loan prior to the expiry of the period during which moneys could be borrowed under the authority of the said Local Authorities Empowering (Relief of Unemployment) Act 1926 hereinafter referred to as the **said period**:

And whereas, owing to the term of the proposed loan having been shortened from 20 years to 10 years, a special rate of one and one-half penny in the pound is required to meet the payments under the said loan:

And whereas it is expedient to authorise the Council to raise the said loan:

Be it therefore enacted as follows:

Notwithstanding the expiry of the said period, the Council shall for all purposes be deemed to be and to have been lawfully empowered to borrow the said sum of 725 pounds as if that period had not expired, and to make and levy a special rate of 1 and one-half penny in the pound over the special rating area described in the said section 8 of the Local Legislation Act 1932–33 and to pledge such special rate as security for such loan.

5 Validating expenditure of unexpended balance of certain loan by Hauraki Plains County Council

Whereas the Hauraki Plains County Council (hereinafter termed the **Council**) by a poll of ratepayers taken on 10 September 1925 under the provisions of the Local Bodies' Loans Act 1913 was authorised to raise a loan of 50,000 pounds (hereinafter termed the **said loan**) for the purpose of constructing, providing, and establishing a complete waterworks for the impounding, transmission, and supply of water for farming, domestic, and general purposes to the Hauraki Plains West Water-supply District (hereinafter termed the **said district**), which forms part of the County of Hauraki Plains:

And whereas the whole of such loan has been raised:

And whereas the security for the said loan is an annually recurring special rate of 5 pence in the pound upon the rateable value (on the basis of the unimproved value) of all rateable property in the said district:

And whereas the Council, without due authority of law, has expended the sum of 1,392 pounds 19 shillings and 5 pence (hereinafter referred to as the **said sum**) of the unexpended balance of the said loan moneys in reticulating with water supply the area described in subsection (3) (hereinafter termed the **said additional area**) for which an adequate supply of water has become an urgent necessity by reason of certain drainage operations:

And whereas the ratepayers within the said additional area will now obtain the same benefits as the ratepayers within the said district, and it is desirable that the expenditure of the said sum should be validated, and that the Council should have power to make and levy the said special rate within the said additional area as well as within the said district:

Be it therefore enacted as follows:

- (1) It shall be deemed to have been lawful for the Council to expend the said sum for the purpose of constructing, providing, and establishing a water supply to and in the said additional area and doing all things necessary or incidental thereto.
- (2) Notwithstanding anything to the contrary in the Local Bodies' Loans Act 1926 or any other Act, the said additional area shall be deemed as from 1 April 1934 to constitute part of the area over which the said special rate was made and levied as aforesaid as security for the said loan, and all rateable property within the said additional area shall be liable, as from 1 April 1934, to the said special rate, and may be rated accordingly.
- (3) The area of land hereinbefore referred to is particularly described as follows:

All that area of land bounded on the north by the Firth of Thames in the County of Hauraki Plains: commencing at the southernmost corner of Lot 2 on deposited plan Number 6613, being part of Waitakaruru 2B Block in Block IX, Wharekawa Survey District; thence in a north-easterly direction along

the south-eastern boundaries of the said Lot 2 to the Firth of Thames; thence in a north-westerly direction along the Firth of Thames to the northern boundary of Waitakaruru 3C Number 2 Block in Block IX, Wharekawa Survey District; thence along the northern boundary of the said Waitakaruru 3C Number 2 Block, for a distance of 1 mile; thence in a southerly direction by a right line to the western corner of Waitakaruru 2E Block in the said survey district; thence along the western boundaries of Waitakaruru 2E, 2D, and 2B Blocks in the said survey district to the point of commencement.

6 Authorising Hutt County Council to pay to Lower Hutt Borough Council certain sewerage charges and to collect same from property owners

[Repealed]

Section 6: repealed, on 31 March 1949, by section 49(1) of the Local Legislation Act 1939 (1939 No 25).

7 Validating proceedings in connection with the raising of a special loan of £65,000 by Manukau County Council

Whereas by a poll of ratepayers taken on 13 December 1930 the Manukau County Council (hereinafter referred to as the **Council**) was authorised to raise a loan to be known as the Mangere Special Area Water-supply Loan of £65,000 (hereinafter referred to as the **said loan**), secured over the Mangere water supply special rating area for the supply of water to such area:

And whereas by Order in Council made under the Local Government Loans Board Act 1926 dated 11 May 1931 and published in the *Gazette* of 21 May 1931, the Council was authorised to raise the sum of 55,400 pounds (part of the said loan) at a rate of interest not exceeding 5.75% per annum:

And whereas the Council, prior to the passing of the Local Authorities' Loans (Rates of Interest) Act 1931, had borrowed the sum of 10,000 pounds, and had contracted to borrow a further sum of 37,000 pounds (making in all the sum of 47,000 pounds) at the said rate of 5.75% per annum:

And whereas the Council, subsequent to the passing of the last-mentioned Act, inadvertently without previously obtaining the

exemption provided by section 4 of such last-mentioned Act proceeded to borrow the said further sum of 37,000 pounds by the issue of debentures which provided for the payment of interest at the rate of 5.75% per annum:

And whereas following upon such borrowing the Council has proceeded to pay interest upon the said sums so borrowed upon the basis that the same had been validly borrowed at the rate aforesaid:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Authorities' Loans (Rates of Interest) Act 1931, the Council shall be deemed to have had lawful authority to raise and to have lawfully borrowed the said sum of 47,000 pounds (being part of the said amount of 65,000 pounds) by the issue of debentures bearing interest at the rate of 5.75% per annum in all respects as though the Minister of Finance had duly exempted the Council in respect thereof from the restrictions imposed by such last-mentioned Act under and in terms of section 4 of that Act.

8 Authorising Chatham Islands County Council to raise a loan of £400 for completion of wharf, etc

Whereas the Chatham Islands County Council (hereinafter called the **Council**), after complying with the provisions of the Local Bodies' Loans Act 1926, the Local Government Loans Board Act 1926, and all other statutory provisions in that behalf, was duly authorised to raise a special loan of 10,000 pounds for the purpose of erecting a wharf, sheds, and approaches at Waitangi:

And whereas the Council in pursuance of such authority raised the sum of 9,400 pounds by the issue of debentures, secured by an appropriate special rate in terms of the said Local Bodies' Loans Act 1926:

And whereas the cost to be borne by the Council in the carrying out of the aforesaid works was subsequently estimated at an amount not exceeding the sum of 6,000 pounds, and accordingly debentures to the value of 3,400 pounds were repaid by the Council:

And whereas after the aforesaid works were commenced and the said debentures repaid it was found that the cost to be borne by the Council in connection with the said works would be the sum of 7,000 pounds:

And whereas in order to meet the additional cost of 1,000 pounds the Council proposes to raise the sum of 600 pounds still authorised to be raised in terms of the authority to raise the said loan of 10,000 pounds, and desires to raise a further loan of 400 pounds without taking a poll of ratepayers:

Be it therefore enacted as follows:

The Council is hereby authorised to raise a special loan of 400 pounds without taking the steps described in sections 9 to 13 of the said Local Bodies' Loans Act 1926 for the purpose of meeting the cost of completing the erection of the said wharf, sheds, and approaches at Waitangi.

City and Borough Councils

9 Validating rebates on rates allowed by Brunner Borough Council

Whereas by resolution dated 4 November 1932 the Brunner Borough Council (hereinafter called the **Council**) granted a rebate not exceeding 10% to every ratepayer on so much of the amount of rates in respect of the rating year ended on 31 March 1933, as was paid by the said ratepayers on or before 5 December 1932:

And whereas such rebates have in fact been allowed on moneys received:

And whereas it is desirable to validate the same:

Be it therefore enacted as follows:

The rebates as aforesaid allowed by the Council, amounting in all to the sum of 157 pounds 10 shillings and 11 pence, are hereby validated and declared to have been lawfully allowed.

10 Validating provisions of deed of agreement between Devonport, Takapuna, and Northcote Borough Corporations

Whereas by deed bearing date 16 December 1927 made and entered into between the Corporations of the Boroughs of

Devonport, Takapuna, and Northcote, the said Corporations agreed to jointly acquire the necessary land and to erect thereon and to operate a destructor for the disposal of refuse from the districts controlled by the Councils of those boroughs:

And whereas by paragraph 9 of the said deed it is provided that the said Corporations for the purpose of controlling the maintenance and operation of the said destructor shall appoint a joint standing committee of 6 members, 2 of such members to be appointed by each of the said Corporations respectively:

And whereas doubts have arisen as to the validity of the provisions of the said paragraph 9 and of the appointment and powers of a joint standing committee appointed in accordance therewith:

Be it therefore enacted as follows:

The said deed, including the provisions of the said paragraph 9 thereof, shall be deemed to have been lawfully made and entered into by the said Corporations, and all appointments made or to be made of a joint standing committee in accordance with the provisions of the said deed shall be deemed to have been and to be lawful, anything in the Municipal Corporations Act 1920 to the contrary notwithstanding.

11 Special provision with respect to special loan of £553,000 raised by New Plymouth Borough Council

Whereas on 10 August 1932 the New Plymouth Borough Council (hereinafter called the **Council**) took a poll of ratepayers of the Borough of New Plymouth on a proposal to raise a special loan of 553,000 pounds for the purpose of repaying 20 special loans theretofore lawfully raised totalling 644,600 pounds (hereinafter referred to as the **authorised loans**) all maturing on 1 April 1933, including payments incidental or in relation to such purpose, which proposal was duly carried:

And whereas by Order in Council made on 24 August 1932 (hereinafter called the **first order**), and subject to the determinations therein set out, consent was given to the raising by the Council of the said sum of 553,000 pounds by a loan

therein referred to as Loans Repayment Loan, 1932, the full title of which is “the New Plymouth Borough Council Loans Repayment Loan, 1932, of £553,000” (hereinafter called the **said loan**):

And whereas by Order in Council made on 27 March 1933 (hereinafter called the **second order**), and subject to the determinations therein set out, which varied certain of the determinations set out in the first order, consent was given to the raising by the Council of a portion—namely, 370,600 pounds—of the said loan:

And whereas by Order in Council made on 15 May 1933 after reciting that the Council was desirous of raising the sum of 23,400 pounds, part of the said loan of 553,000 pounds, for the purposes aforesaid on terms of making the same repayable by instalments as hereinafter specified, the Governor-General, in pursuance of the powers and authorities conferred on him by section 11 of the Local Government Loans Board Act 1926, as set out in section 29 of the Finance Act 1932 (No 2), and of all other powers and authorities him thereunto enabling, varied the determinations set out in the second order by prescribing that the aforesaid sum of 23,400 pounds be raised upon terms of making such sum repayable over a period of 26 years by instalments of principal in the following manner, that is to say—During the first 4 years of the currency of the loan 200 pounds shall be repaid at the end of each half-year; during the second 4 years 400 pounds shall be repaid at the end of each half-year; during the next 10.5 years 600 pounds shall be repaid at the end of each half-year; and during the final 7.5 years 400 pounds shall be repaid at the end of each half-year:

And whereas by Order in Council made on 22 May 1933 and subject to the determinations therein set out, which varied certain of the determinations set out in the first and second orders, consent was given to the raising by the Council of a portion of the said sum of 370,600 pounds—namely, 347,200 pounds—upon terms of making such sum, together with interest thereon, repayable by instalments extending over a period not exceeding 26 years:

And whereas by Orders in Council made on 27 March 1933 and 13 April 1933 consent was given to the borrowing of the

said sum of 370,600 pounds (pending the raising thereof by way of special loan) by the hypothecation or mortgage of the debentures authorised to be issued in respect of the said sum:

And whereas by Order in Council made on 2 June 1933 after reciting that the Council was desirous of raising the sum of 67,600 pounds, part of the said loan of 553,000 pounds, for the purposes aforesaid, on terms of making the same, together with interest, repayable by instalments as hereinafter specified, the Governor-General, in pursuance of the powers and authorities conferred on him by section 32 of the Local Bodies' Loans Act 1926 and of all other powers and authorities him thereunto enabling, authorised the raising of the said sum of 67,600 pounds at a rate of interest which should not produce to the lender a greater rate than 4.5% per annum, such principal being repayable and such rate of interest being payable over a period not exceeding 26 years, and payable at such times as might be fixed by the Council; and the Governor-General consented to the permanent appropriation and pledging for the purpose of securing the said instalments of an annual sum of 4,900 pounds out of the special rate of 8 pence in the pound on the unimproved value of all rateable property in the Borough of New Plymouth, such special rate to be made and levied on the unimproved value of all rateable property in the said borough for the purpose of securing the said sum of 67,600 pounds and interest:

And whereas the Council borrowed certain moneys from the Bank of New Zealand, but the debentures authorised to be issued as aforesaid were not issued, nor were such debentures hypothecated or mortgaged by the Council to the said bank:

And whereas the moneys so borrowed by the Council from the said bank were applied in or towards repayment of the authorised loans:

And whereas the Council subsequent to the repayment of the authorised loans raised loans totalling the said sum of 370,600 pounds, and out of such loans repaid the moneys so borrowed from the said bank:

And whereas doubts have arisen as to the validity of the said loans, and it is expedient to set such doubts at rest:

Be it therefore enacted as follows:

- (1) The borrowing by the Council of the said moneys from the Bank of New Zealand and the subsequent repayment of such moneys, together with interest thereon, are hereby validated.
- (2) Notwithstanding the prior repayment of the authorised loans for which the said sum of 370,600 pounds was authorised to be raised, and notwithstanding that the provisions of the Local Bodies' Loans Act 1926 may not have been complied with, the said loans totalling 370,600 pounds so raised by the Council as aforesaid and the debentures issued in respect of such loans and every part thereof are hereby declared to have been lawfully raised and issued by the Council.

12 Wellington City Council authorised to use balance of the Wellington City Drainage and Sewerage Loan, 1928, unexpended and not required for the purpose for which the loan was raised

Whereas the Wellington City Council (hereinafter called the **Council**), in exercise of the powers vested in it in that behalf, has raised the Wellington City Drainage and Sewerage Loan, 1928, of £148,700:

And whereas, after providing all moneys necessary to complete the works for which the said loan was raised, there will be an unexpended balance in respect of such loan:

And whereas it is expedient that the balance should be made available for other drainage works:

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in any Act or in any Order in Council relating to the said loan, and notwithstanding the fact that the public work or undertaking for which the special loan was raised has not yet been completed, the Council is hereby authorised, subject to the provisions of this section, to expend the said unexpended balance of the said loan for the purpose of providing storm-water drainage on the northern portion of the eastern slopes of Mount Victoria adjoining Evans Bay in the City of Wellington.
- (2) No unexpended balance of the said loan or any part thereof shall be expended as provided by this section unless and until

authority in that behalf is given by the Local Government Loans Board.

- (3) The provisions of subsections (2) to (7) of section 47 of the Finance Act 1929 shall apply to every application by the Council for authority as aforesaid, and the Local Government Loans Board may in its discretion give such authority either as to the whole or to any part of any proposal submitted to it, and either unconditionally or subject to such terms, conditions, and stipulations as it thinks fit to impose.

13 Validating transfer of certain sum to General Account of Patea Borough Council

Notwithstanding anything to the contrary in any Act, it shall be deemed to have been lawful for the Patea Borough Council to transfer the sum of 1,608 pounds 13 shillings and 3 pence from the said Council's Land Sales Account to its General Account.

14 Authorising raising of a loan by Blenheim Borough Council for purpose of making advances to property owners

The Blenheim Borough Council may, for the purpose of providing funds out of which advances may be made to owners of premises in the Borough of Blenheim for the purpose of drainage or sanitary works under Part 22 of the Municipal Corporations Act 1920, borrow moneys not exceeding in the aggregate 15,000 pounds by way of special loan under the Local Bodies' Loans Act 1926 by special order and without taking the steps prescribed by sections 9 to 13 of the Local Bodies' Loans Act 1926.

15 Authorising expenditure out of Wharf Account of Opotiki Borough Council for relief of unemployment in County of Opotiki

[Repealed]

Section 15: repealed, on 1 December 1961, by section 3(2) of the Local Legislation Act 1961 (1961 No 127).

16 Authorising the Bluff Borough Council to declare a certain right of way to be a public street

Whereas the Bluff Borough Council (hereinafter called the **Council**) desires to declare a right of way in the Borough of Bluff commonly known as Gregory's Right-of-way, being part of Section 5, Block I, Campbelltown Hundred, and more fully described hereinafter, to be a public street:

And whereas the said right of way, having been used as such only since the year 1898 and being less than 66 feet wide, cannot be declared a public street under section 186 of the Municipal Corporations Act 1920, or under any other Act:

And whereas it is inexpedient to increase the width of the said right of way to the full width of 66 feet required by the said Act:

And whereas the Council does not wish to require the owners of the said right of way or the frontagers thereto to form and construct the same:

Be it therefore enacted as follows:

- (1) The Council may by special order under section 186 of the Municipal Corporations Act 1920 and without first complying with the requirements of subsection (2) of that section, declare the right of way known as Gregory's Right-of-way, being part of Section 5, Block I, Campbelltown Hundred—bounded by a line commencing from Point Road, Bluff, at the north-eastern corner of the said section and running in a south-westerly direction along the south-eastern boundary of the said Section 5 a distance of 15 chains 49.7 links, thence at right angles in a north-westerly direction a distance of 78.7 links, thence at right angles in a north-easterly direction a distance of 15 chains 93.2 links, and thence in a south-easterly direction along Point Road a distance of 90 links, back to the commencing point—to be a public street, notwithstanding that the said right of way does not comply with the provisions of the said section; and the Council is hereby further authorised after the said land has been declared to be a public street, at its own expense, to form and construct the said street.

- (2) No building or part of a building shall at any time be erected on the land fronting either side of the said street within a distance of 33 feet from the middle line of the said street.

17 Provision with respect to proposed constitution of Borough of Martinborough as a fire district

Paragraph (a) of subsection (2) of section 3 of the Fire Brigades Act 1926 shall not apply with respect to any application under that section by the Martinborough Borough Council for the declaration of the area within its jurisdiction to be a fire district under that Act.

18 Authorising Eastbourne Borough Council to credit to General Account certain moneys received from the sale of land

Whereas the Eastbourne Borough Council (hereinafter called the **Council**) in 1923 acquired, inter alia, for a public work all that piece of land containing 1 rood eighteen and seventy-eight hundredths perches, being parts Sections 37 and 39, Harbour District, part of Lot 2 and Lots 3 and 4 on deposited plan Number 6156 and part of the land in certificate of title, Volume 396, folio 282, Wellington Registry:

And whereas the Council subsequently duly sold the said land for the sum of 1,647 pounds 10 shillings, of which the sum of 547 pounds 10 shillings has been paid in cash and the sum of 1,100 pounds is secured by a memorandum of mortgage of the said land given by the purchaser in favour of the Council (hereinafter referred to as the **said mortgage**) whereby the sum of 1,100 pounds is made payable by quarterly instalments of 25 pounds each payable on the first days of January, April, July, and October in each year, the first payment being payable on 1 January 1934:

And whereas, the money to purchase the said land having been withdrawn by the Council from the Council's General Account, it is desired that authority be given to pay into the General Account for the purposes thereof all moneys heretofore received or that may hereafter be received by the Council in respect of the said mortgage:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in section 20 of the Municipal Corporations Amendment Act 1928, the Council may pay into the General Account for the general purposes of the borough all moneys already paid to it in respect of the sale of the said land and all moneys from time to time to be paid to it in respect of the said mortgage.

19 Authorising Devonport Borough Council to raise a special loan without a poll of ratepayers

Whereas it became necessary for the Devonport Borough Council (hereinafter called the **Council**) urgently to construct a purification plant for the improvement of the potability of the water drawn from Lake Pupuke for supply to the inhabitants of the Boroughs of Devonport and Takapuna, the cost of the said works being estimated at 5,500 pounds:

And whereas part of such expenditure has already been advanced by the Council out of its General Account:

And whereas the Council is desirous of raising a loan for the purpose of providing the moneys required for the said works, and of repaying to the General Account the moneys advanced thereout as aforesaid:

Be it therefore enacted as follows:

The Council is hereby authorised to borrow for the said works by way of special loan under the Local Bodies' Loans Act 1926 but without taking the steps prescribed by sections 9 to 13 of that Act, a sum not exceeding 5,500 pounds on the security of a special rate over all rateable property within the Borough of Devonport, and may, out of the proceeds of such loan, refund to the General Account all moneys now or hereafter advanced thereout on account of the cost of the said works.

20 Authorising Thames Borough Commissioner to reduce 10% penalty on unpaid rates

[Repealed]

Section 20: repealed, on 1 July 2003, by section 138(1) of the Local Government (Rating) Act 2002 (2002 No 6).

21 Amending section 40 of the Local Legislation Act 1932–33
[Repealed]

Section 21: repealed, on 1 July 2003, by section 138(1) of the Local Government (Rating) Act 2002 (2002 No 6).

22 Validating purchase by Lower Hutt Borough Council of land subject to a mortgage

Whereas in 1928 the Lower Hutt Borough Council (hereinafter called the **Council**) purchased from one Ernest Albert Jessop the area of land comprising Lot 125/6 DP 50, Hutt Registration District, for the purpose of widening Victoria Street in the Borough of Lower Hutt:

And whereas the whole of the said land was not required for the purposes of the said widening and the Council proposes to sell the surplus area:

And whereas it has not yet been possible to effect a sale of such surplus area:

And whereas the said land was purchased by the Council subject, inter alia, to an existing mortgage thereon to the State Advances Superintendent and to the payment by the Council of interest and principal moneys secured by such mortgage:

And whereas there is no authority of law for the purchase by the Council of land subject to a mortgage, nor for the payment of interest on the principal moneys secured by such mortgage:

And whereas it is desirable to validate the said purchase of the said land:

Be it therefore enacted as follows:

- (1) The purchase by the Council of the said land subject to the said mortgage is hereby validated.
- (2) The Council is and shall be deemed to have been duly authorised to make all such payments of principal and interest as have become or may become due and payable by the Council in terms of the said mortgage.

23 Authorising Onehunga Borough Council to raise balance of Unemployment Loan of £4,500

Whereas the Onehunga Borough Council (hereinafter called the **Council**) was by the Local Authorities Empowering (Re-

lief of Unemployment) Act 1926 and all other Acts and powers thereunto enabling, empowered to borrow the sum of 4,500 pounds (hereinafter called the **said loan**) for the purpose of carrying out works for the relief of unemployment:

And whereas the provisions of the Local Government Loans Board Act 1926 were fully complied with in respect of the said loan:

And whereas in pursuance of the above-recited authorities a sum of 3,000 pounds, being portion of the said loan, has been duly raised:

And whereas the said Council entered into negotiations for the raising of the balance of the said loan but was unable to complete all the negotiations in connection therewith prior to the expiry of the period during which moneys could be borrowed under the authority of the said Local Authorities Empowering (Relief of Unemployment) Act 1926 hereinafter referred to as the **said period**:

And whereas it is expedient to authorise the Council to raise the balance of the said loan:

Be it therefore enacted as follows:

Notwithstanding the expiry of the said period, the Council shall for all purposes be deemed to be and to have been lawfully empowered to borrow the sum of 1,500 pounds, being the balance of the said loan, as if that period had not expired.

24 Validating purchase of abattoir by Paeroa Borough Council

Whereas on 23 November 1903 the Ohinemuri County Council (hereinafter referred to as the **County Council**), in pursuance of the powers conferred upon it by the Slaughtering and Inspection Act 1900, established and registered an abattoir for the purposes of that part of its district (hereinafter referred to as the **abattoir district**), bounded as follows: commencing at the north-western point of the Paeroa Riding, Ohinemuri County; thence by a line following the northern boundary of the said county to its intersection with the eastern boundary of Block V, Ohinemuri Survey District; thence by a line running due south along the eastern boundary of Blocks V, IX, and XIII,

Ohinemuri Survey District, and the eastern boundary of Block I, Aroha Survey District; thence due west along the southern boundaries of Block I, Aroha Survey District, and Block IV, Waitoa Survey District, to its intersection with the left bank of the Waihou River; thence along the left bank of the Waihou River northwards to its intersection with the boundary of the Paeroa Riding on the left bank of the said river; thence by the boundary of the said Paeroa Riding on the south and west to the point of commencement:

And whereas on 1 July 1915 part of the area comprised in the abattoir district was constituted a borough under the name of the Borough of Paeroa:

And whereas the constitution of the Borough of Paeroa and the decline of the mining township of Karangahake has rendered it no longer necessary for the County Council to maintain an abattoir for the purposes of the abattoir district, and the abattoir buildings have been allowed to fall into disrepair:

And whereas the County Council by memorandum of transfer, dated 5 October 1933, transferred to the Paeroa Borough Council (hereinafter referred to as the **Borough Council**), for the purpose of the abattoir district, all that piece of land situated in the County of Ohinemuri, containing 4 acres 3 roods 36 perches, being a block of land situate in the Ohinemuri Survey District called Te Tawaatakuao Number 3A, and being all the land in certificate of title, Volume 91, folio 272, of the Auckland Land Registry, together with the abattoir building, dwelling, and other improvements thereon, and the Borough Council has accepted the same for such purpose:

And whereas the population of the Borough of Paeroa is less than 2 000 persons, and there is no authority in law for the Borough Council to acquire or establish an abattoir:

And whereas it is desirable to validate the acquisition by the Borough Council of the said abattoir for the purposes of the abattoir district:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Slaughtering and Inspection Act 1908 or in any other Act, the acquisition by the Borough Council of the abattoir hitherto established and

maintained by the County Council, including the land comprised in the said memorandum of transfer dated 5 October 1933 and all payments heretofore made by the Borough Council in the purchase of the said abattoir and in effecting improvements and repairs thereto, are hereby validated and declared to have been lawfully made.

- (2) The Secretary for Agriculture is hereby authorised, without the necessity for any application by the Borough Council, to register the said abattoir and the Borough Council as the controlling authority thereof from 5 October 1933 and to issue to the Borough Council a certificate of registration under section 12 of the Slaughtering and Inspection Act 1908.
- (3) On the issue of such certificate of registration all the rights, powers, functions, and duties conferred and imposed by the Slaughtering and Inspection Act 1908 upon the controlling authority of an abattoir shall devolve upon the Borough Council as the controlling authority of the said abattoir for the purposes of the abattoir district.

25 Authorising remission of rates by Gisborne Borough Council

Whereas the Gisborne Borough Council is desirous of obtaining authority to remit arrears of rates amounting to 39 pounds 14 shillings and 11 pence, being the rates for the year ended 31 March 1933, and also rates amounting to 37 pounds 6 shillings and 1 penny, for the current year ending on 31 March 1934 (hereinafter collectively referred to as the **said rates**), the said rates being levied by the said Borough Council and being due and payable by the Gisborne and East Coast Young Men's Christian Association in respect of that piece of land situated in the Borough of Gisborne, containing 1 rood 36 perches, being 1 of 1 of 130 of 6A Fitzherbert Street, situated in the Borough of Gisborne, and numbered 2351 on the district valuation roll for that borough:

And whereas the said Council has no legal authority to make such remission:

Be it therefore enacted as follows:

The Gisborne Borough Council is hereby authorised to remit the sum of 77 pounds 1 shilling, being the total amount of the said rates, and to absolve the said association and the said lands from liability in respect thereof.

26 Validating actions of Wairoa Borough Council in regard to the Water Redemption Loan, 1931, of £43,800

Whereas the Wairoa Borough Council (hereinafter called the **Council**), pursuant to the sanction of the Local Government Loans Board by Orders in Council, dated 15 September 1930 and 6 July 1931, borrowed the sum of 43,800 pounds, known as the Wairoa Borough Council Water Redemption Loan, 1931, for the purpose of repaying loans repayable in Melbourne, in the Commonwealth of Australia, aggregating 48,400 pounds, which were raised by the Corporation for the purpose of providing a water supply for the Borough of Wairoa, and which matured on 1 February 1931:

And whereas by virtue of the favourable rate of exchange operating between New Zealand and Australia at the time of repayment of the said loans, the difference between the amount of 43,800 pounds so borrowed and the actual amount required for repayment in Melbourne was 922 pounds and 1 shilling, representing the exchange on the sinking funds of the matured loans and accrued interest thereon:

And whereas the Council has credited its General Account with the said sum of 922 pounds 1 shilling, and it is deemed necessary and expedient that such action be validated:

Be it therefore enacted as follows:

The actions of the Council in borrowing the sum of 922 pounds and 1 shilling in excess of the amount required to complete repayment of the said loans, and crediting the said sum to the General Account, are hereby validated and deemed to have been lawfully taken.

27 Suspension of annual appropriation of renewal fund in respect of tramways and power supply undertaking and electric light and power supply undertaking of Wellington City Council

[Repealed]

Section 27: repealed, on 31 October 1936, by section 18(2) of the Local Legislation Act 1936 (1936 No 54).

28 Authorising refund of excess abattoir fees by Christchurch City Council

Whereas the Christchurch City Council (hereinafter referred to as the **Council**) is the controlling authority of the abattoir established pursuant to the provisions of the Slaughtering and Inspection Act 1908 for the purposes of the Christchurch Abattoir District, as defined in the *New Zealand Gazette* of 17 November 1904:

And whereas during the period of the 3 financial years ended 31 March 1929 (hereinafter referred to as the **said period**), the moneys paid in fees to the Council by persons selling within the abattoir district meat from stock slaughtered elsewhere than at the abattoir (hereinafter called the **non-users**), together with the moneys received from persons slaughtering stock at the abattoir (hereinafter called the **users**), exceeded the maximum provided by section 27 of the said Act, as amended by section 3 of the Slaughtering and Inspection Amendment Act 1927:

And whereas the Council is desirous of refunding to the users and the non-users of the abattoir the sum of 3,126 pounds received by the Council during the said period in excess of the said maximum:

And whereas the Council has no power to make any such refund to the users of the abattoir, and it is deemed desirable to authorise such refund accordingly:

Be it therefore enacted as follows:

- (1) The Council is hereby authorised and empowered out of its abattoir fund to refund to the users and the non-users of the abattoir during the said period the said sum of 3,126 pounds in the proportions of four-fifths of that amount to the users and one-fifth to the non-users.

- (2) Forthwith upon the passing of this Act the Council shall, by public notice published in at least 1 morning and 1 evening newspaper circulating in the said abattoir district, and at least once in every week for not less than 4 weeks, advertise for claims for refunds of the said abattoir fees, and in each advertisement shall indicate that no claims will be received or entertained after 31 March 1934.
- (3) At any time before or after 31 March 1934 the Council shall examine all claims for refunds received, and may, if it thinks fit, require any claimant to support his claim by such evidence as he may desire to lead, and after consideration of such claims and the evidence (if any) supporting the same may, out of the respective amounts made available by subsection (1), pay all or any such claims, or any part or parts thereof, received from the users and non-users respectively.

29 Authorising Birkenhead Borough Council to contract with Auckland City Council for the supply of water

Notwithstanding anything to the contrary contained in section 249 of the Municipal Corporations Act 1920, the Birkenhead Borough Council is hereby authorised to contract with the Auckland City Council for such supply of water as the Birkenhead Borough Council may require for all purposes for a period of 21 years.

30 Extension of certain special rates by Petone Borough Council

Whereas by section 2 of the Petone Borough Council Empowering Act 1931 it was enacted that the Petone Borough Council might, within the space of 1 calendar month after the commencement of the said Act, by resolution, declare that any special rates made before the commencement of the said Act in respect of the rateable property comprised in any part of the borough should, for the year ending on 31 March 1932 and for every year thereafter, be payable in respect of the rateable property comprised in the whole of the borough:

And whereas on 31 August 1931 the Petone Borough Council passed a resolution accordingly:

And whereas at a poll of the ratepayers of that portion of the borough not comprised and included in the Koro Koro Special Rating-area, held on 6 May 1931, the Petone Borough Council was authorised to borrow the sum of 35,000 pounds for the purpose of widening Jackson Street and operations incidental thereto:

And whereas no special rate for the purposes of the said loan was made before the commencement of the said Act:

And whereas it was agreed and intended for the consideration stated in the preamble to the said Act that the special rates to be made and levied in respect of the said loan should be made and levied upon the whole of the rateable property in the borough:

And whereas it is expedient to empower the Petone Borough Council so to do:

Be it therefore enacted as follows:

The Petone Borough Council is hereby authorised, without further authority than this Act, by resolution, to declare that all special rates heretofore made or hereafter to be made in respect of the said special loan, and not yet demanded, shall be payable in respect of the rateable property comprised in the whole of the borough.

31 Validating certain expenditure by Wairoa Borough Council

The expenditure of a sum of 10 pounds 10 shillings by the Wairoa Borough Council for the purpose of relieving distress caused by the Napier Harbour disaster on 28 December 1932 is hereby validated and declared to have been lawfully made.

32 Validating the payment of moneys by the Mt Albert Borough Council to the Public Trustee upon trust for accumulation and application in redemption of debentures issued by the Council to the Auckland Savings-bank

Whereas the Mount Albert Borough Council (hereinafter called the **Council**) has raised a loan of 40,000 pounds for the purpose of effecting certain roading and drainage works in the Borough of Mount Albert for the relief of unemployment:

And whereas the Council has raised the said loan from the Auckland Savings-bank and has issued certain debentures to the Auckland Savings-bank as security for the same:

And whereas the Council has agreed with the Auckland Savings-bank to pay to the Public Trustee certain moneys, not exceeding in the aggregate the sum of 13,171 pounds 12 shillings and 4 pence, such moneys to be held by the Public Trustee and applied by him with the accumulations of interest thereon for the purpose of redeeming certain of the debentures issued by the Council as and when they shall fall due:

And whereas each of such debentures includes both interest and principal moneys:

And whereas doubts have arisen as to the Council's power to accumulate a fund for the payment of interest:

And whereas it is expedient that the Council should have such power:

Be it therefore enacted as follows:

The agreement entered into by the Council with the Auckland Savings-bank and with the Public Trustee is hereby validated, and the Council may from time to time in terms of such agreement set aside and pay to the Public Trustee out of its general account sums not exceeding in the aggregate 13,171 pounds 12 shillings and 4 pence to form a fund for the purpose of redeeming the debentures aforesaid as and when the same fall due.

Town Boards

- 33 Authorising Opunake Town Board to grant a lease to the Royal New Zealand Society for the Health of Women and Children, Opunake Branch**
- (1) Notwithstanding anything to the contrary in any Act, the Opunake Town Board may lease to the Opunake Branch of the Royal New Zealand Society for the Health of Women and Children (commonly known as the Plunket Society) for the general purposes of the society such portion as it deems fit of the land vested in it and described in certificate of title, Volume 118, folio 141, Taranaki Registry, being Sections 1, 2, 3, and 4, Block XXVI, on the plan of the Town of Opunake, and

may grant to the said society such rights, easements, or privileges as it deems fit affecting the land described in the said certificate of title or any portion of such land.

- (2) Every such lease or grant shall be for a term not exceeding 21 years, and may contain such provision for rights of renewal for further terms, not exceeding 21 years at any one time, as may be agreed upon between the parties; and shall be at such rental (whether nominal or otherwise) and upon such terms and conditions as may be agreed upon between the parties.

34 Authorising transfer of certain sum for library purposes by Rawene Town Board

Whereas certain trustees on behalf of the Rawene Town Board (hereinafter called the **Board**) hold in the Library Building Account of the Board the sum of 73 pounds 7 shillings and 2 pence, together with accrued interest thereon, for the purpose of the erection of a library building in Rawene:

And whereas the funds in such account are not now required for the purpose aforesaid, and it is expedient that the same be made available for the purchase of books for the Rawene Public Library:

Be it therefore enacted as follows:

It shall be and be deemed to have been lawful for the trustees of the Library Building Account to transfer to the Public Library Account of the Board the whole or any portion of the said sum of 73 pounds 7 shillings and 2 pence and accrued interest thereon.

35 Validating proceedings in connection with raising of Town Hall Loan of £750 by Otorohanga Town Board

Whereas the Otorohanga Town Board (hereinafter called the **Board**), during the financial year ended on 31 March 1929, proceeded to raise by way of special loan, under the Local Bodies' Loans Act 1926 the sum of 750 pounds (hereinafter called the **said loan**) for the purpose of paying off by way of renewal part of the Otorohanga Town Board's Town Hall Loan (1914) of £2,250:

And whereas proceedings in connection with the raising of the said loan were irregular or defective and did not comply with the requirements of the Local Government Loans Board Act 1926 in that the said loan was raised by the issue of a debenture to the holder of Debenture Number 3 under the said Town Hall Loan (1914) of £2,250 without the passing of a special order authorising the raising of the said loan and without obtaining the consent of the Local Government Loans Board and the consent of the Governor-General in Council to the raising of the said loan:

And whereas a special rate of two-thirds of 1 penny in the pound on the basis of the unimproved value was made and levied by the Board on all rateable property in the Otorohanga Town District as security for the said loan:

And whereas it is deemed expedient to validate all irregularities or defects in connection with the said loan:

Be it therefore enacted as follows:

It shall be deemed for all purposes that the said loan was duly raised, that the said special rate was duly made, and that the said Debenture Number 3 was duly issued.

36 Repeal

Amendment(s) incorporated in the Act(s).

Harbour Boards

37 Authorising payment of compassionate allowance by Bluff Harbour Board

The Bluff Harbour Board is hereby authorised and empowered to pay out of its Harbour Fund the sum of 350 pounds as a compassionate allowance to Amelia Grace Lindsay, of Bluff, the widow of George Napier Lindsay, late Harbourmaster and Chief Pilot of the said Board.

38 Special provision with respect to loan by Auckland Harbour Board

Whereas on 6 January 1933 the Auckland Harbour Board (hereinafter called the **Board**) obtained the consent of the Governor-General in Council, under the provisions of the

Local Government Loans Board Act 1926 to the raising of a loan of 181,000 pounds (hereinafter referred to as the **re-payment loan**) for the purpose of repaying with the proceeds thereof and with accrued sinking fund an authorised loan of 250,000 pounds previously raised by the Board (hereinafter referred to as the **authorised loan**):

And whereas the authorised loan fell due prior to the repayment loan moneys being available:

And whereas the Board borrowed by way of overdraft from the Bank of New Zealand (hereinafter referred to as the **bank**) certain moneys for the repayment of the authorised loan:

Be it therefore enacted as follows:

- (1) The borrowing by the Board of the said moneys from the bank is hereby validated.
- (2) The Board is hereby authorised and empowered to borrow the said sum of 181,000 pounds, or any part or parts thereof, notwithstanding the repayment of the authorised loan prior to the said sum of 181,000 pounds, or any part or parts thereof, being borrowed.
- (3) The Board is hereby authorised and empowered to apply the repayment loan moneys, or any part or parts thereof, for or towards repayment of the moneys advanced by the bank as aforesaid.
- (4) This section shall be deemed to have come into force on 6 January 1933.

39 Validating remission of dues by Auckland Harbour Board in respect of Japanese training ship *Shintoku Maru*

Notwithstanding anything to the contrary in any Act or bylaw governing and controlling the Auckland Harbour Board, the remission by the Board of a sum of 12 pounds 17 shillings and 3 pence for shipping wharfage dues and a sum of 14 pounds 14 shillings for port charges incurred by the Japanese training ship *Shintoku Maru* is hereby validated.

40 Provision with respect to lease of certain land from Otago Harbour Board, to Public Works Department

Whereas by memorandum of lease, registered in the Land Registry Office at Dunedin as Number 5180, the Otago Harbour Board, pursuant to the powers conferred by section 83 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1914, leased to His Majesty the King Sections 19 to 34 (both inclusive), Block LXXIV, City of Dunedin, upon the terms therein mentioned:

And whereas His Majesty the King is desirous of surrendering part of the said land but the Otago Harbour Board has no power to accept such surrender:

Be it therefore enacted as follows:

- (1) The said lease shall, as from 1 October 1932, be deemed to have been surrendered as to Sections 25, 26, 29, 30, 31, 32, 33, and 34, Block LXXIV aforesaid.
- (2) The said lease shall remain in full force and effect so far as regards Sections 19, 20, 21, 22, 23, 24, 27, and 28, Block LXXIV aforesaid, except that the rent shall be reduced as from 1 October 1932 to 1 peppercorn per annum, and the said lease shall be read and construed as if the said Sections 19, 20, 21, 22, 23, 24, 27, and 28 had been the whole of the land originally leased thereby and 1 peppercorn reserved as the rent.
- (3) The District Land Registrar at Dunedin shall endorse a memorial hereof on the relative certificate of title and the said lease, and make such entries on the Register as are necessary to give effect to this section.

41 Special provision with respect to amended debentures of Thames Harbour Board loans

The amount of principal shown, pursuant to paragraph (b) of subsection (2) of section 7 of the Thames Harbour Board Loans Adjustment Act 1932–33, on any debenture amended in accordance with that paragraph, shall, notwithstanding anything contained in that paragraph or in the amended debenture, be deemed for all purposes to be the amount of principal secured by the amended debenture on 30 April 1933.

- 42 Authorising Thames Harbour Board to pay expenses of debenture holders' committee**
[Repealed]
Section 42: repealed, on 1 November 1936, by section 14(1) of the Thames Harbour Act 1936 (1936 No 52).
- 43 Provision for deduction and payment by Thames Harbour Board of certain legal expenses**
[Repealed]
Section 43: repealed, on 1 November 1936, by section 14(1) of the Thames Harbour Act 1936 (1936 No 52).
- 44 Half-yearly payment of interest on loans by Thames Harbour Board**
[Repealed]
Section 44: repealed, on 1 November 1936, by section 14(1) of the Thames Harbour Act 1936 (1936 No 52).
- 45 As to payment of interest, etc, on Thames Harbour Board loans for year ending 30 September 1934**
[Repealed]
Section 45: repealed, on 1 November 1936, by section 14(1) of the Thames Harbour Act 1936 (1936 No 52).
- 46 Authorising Opunake Harbour Board temporarily to keep 2 Harbour Fund Accounts**
[Repealed]
Section 46: repealed, on 1 October 1938, by section 15 of the Opunake Harbour Act 1938 (1938 No 9 (L)).
- 47 Authorising Napier Harbour Board to raise a loan of £28,500 for purpose of repaying moneys borrowed under Hawke's Bay Earthquake Act 1931**
Whereas the Napier Harbour Board (hereinafter called the **Board**), being a local authority within the meaning of the Local Bodies' Finance Act 1921–22 under and in conformity with the authority conferred by section 61 of the Hawke's Bay Earthquake Act 1931 and under the power conferred by section 3 of the first-mentioned Act, has borrowed the sum of 28,500 pounds in excess of the limits imposed by subsection

(2) of the last-mentioned section, which moneys have not been repaid:

And whereas it is expedient that the Board should be empowered by special enactment to borrow the sum of 28,500 pounds in order to repay the moneys borrowed as aforesaid:

Be it therefore enacted as follows:

- (1) The Board may, by special resolution, raise a loan of 28,500 pounds under the provisions of the Harbours Act 1923.
- (2) Any moneys borrowed as aforesaid shall be used for the purpose of repaying moneys borrowed pursuant to section 61 of the Hawke's Bay Earthquake Act 1931; provided always that no lender shall be concerned to see or inquire as to the application of any moneys borrowed under the authority of this section.
- (3) The securities for all moneys borrowed under the provisions of this section shall rank *pari passu* as between themselves, though parts of such moneys may be borrowed at different times.
- (4) This section shall be deemed to be a special Act within the meaning of the Harbours Act 1923.

Electric Power Boards

48 Authorising certain payment by Wanganui-Rangitikei Electric Power Board

The Wanganui-Rangitikei Electric Power Board, being desirous of paying to the widow of its late Managing-Secretary, Percival Herrick Smith, certain moneys amounting to 308 pounds 6 shillings and 8 pence, is hereby authorised to pay that amount from the general funds of the Board.

49 Provision with respect to amalgamation of North Canterbury and Hurunui Electric Power Districts

Whereas by Proclamation dated 26 February 1927 and published in the *Gazette* of 3 March 1927 the North Canterbury Electric Power District was duly constituted under the Electric-power Boards Act 1925 (hereinafter called the **principal Act**), comprising the counties of Rangiora and Kowai, and portions of the counties of Ashley, Oxford, and Eyre, as con-

stituent districts, and the remainders of the counties of Ashley, Oxford, and Eyre, and the boroughs of Rangiora and Kaiapoi as outer area:

And whereas by Proclamation dated 14 April 1930 and published in the *Gazette* of 17 April 1930, the boundaries of the said North Canterbury Electric Power District were altered so as to include further portions of the counties of Oxford and Eyre:

And whereas by Proclamation dated 31 October 1929 and published in the *Gazette* of 7 November 1929, the Hurunui Electric Power District was duly constituted under the principal Act, comprising portions of the counties of Waipara, Amuri, and Cheviot as constituent districts and the remainders of the said counties as outer area:

And whereas by Proclamation dated 24 June 1930 published in the *Gazette* of 26 June 1930, the boundaries of the Cheviot and Waipara Counties were altered by excluding the area therein described from the Waipara County and including it in the Cheviot County:

And whereas the Hurunui Electric Power Board has been unable to make satisfactory arrangements for the supply of electricity within the Hurunui Electric Power District:

And whereas it appears desirable to make special provision in manner hereinafter appearing:

Be it therefore enacted as follows:

- (1) In this section, unless the context otherwise requires,—
 - the appointed day** means 1 February 1934
 - the Board** means the Board constituted under this section as the Electric Power Board for the district
 - the district** means the North Canterbury Electric Power District for the constitution of which provision is hereinafter made
 - original Boards** mean the Boards constituted under the Electric-power Boards Act 1925 in respect of the original districts, and holding office on the day before the appointed day
 - original districts** mean the Electric Power Districts of Hurunui and North Canterbury hereinbefore referred to.

- (2) The provisions hereinafter made for the determination of the representatives to assume office on the Board shall take effect immediately on the passing of this section, but the other provisions hereof shall not take effect until the appointed day.
- (3)
 - (a) The original districts are hereby abolished and the original Boards are hereby dissolved.
 - (b) The area described in Schedule 1 is hereby constituted a new Electric Power District, to be known as the North Canterbury Electric Power District.
 - (c) The areas described in Schedules 2 and 3 are hereby declared to be outer areas of the district.
- (4) Subject to the provisions of this section, the district shall be deemed to be an Electric Power District duly constituted on the appointed day under the principal Act; and in respect of the district and outer area the Board shall have and may exercise all the powers, rights, and privileges, and shall be subject to all the duties, obligations, and liabilities, of an Electric Power Board duly constituted under the principal Act.
- (5) On the petition of the Board under seal the Governor-General may by Proclamation, without requiring compliance with section 3 of the principal Act, alter the boundaries of the district so as to include any defined area which comprises solely the whole or any part of the area described in Schedule 2.
- (6) The first meeting of the Board shall be held at Rangiora on the appointed day.
- (7)
 - (a) Save as hereinafter provided, the representatives on the Board of the several constituent districts shall be elected by the electors of the said constituent districts.
 - (b) From the appointed day until the next general election of representatives of the local authorities of the several constituent districts (hereinafter referred to as the **general elections**) the board shall consist of 10 members; after the general elections the Board shall consist of 8 members elected as hereinafter provided at the general elections.
 - (c) Except in so far as the same may be amended from time to time in accordance with the provisions of the princi-

pal Act, the number of representatives respectively of the several constituent districts named in the first column hereunder shall, during the period firstly described in paragraph (b), be that set opposite the name of that constituent district in the second column hereunder, and after the general elections shall be that set opposite the name of that constituent district in the third column hereunder, namely:

First Column	Second Column	Third Column
County of Rangiora	2	2
County of Kowai	2	1
Parts of the County of Ashley	1	1
Parts of the County of Eyre	2	1
Parts of the County of Oxford	1	1
Parts of the County of Waipara	2	2

(8)

- (a) Until the general elections a sufficient number of the respective representatives of the said constituent districts on the original Boards shall assume office as the representatives of the said constituent districts on the Board.
- (b) The representatives of any constituent district so to assume office shall be agreed upon by all the representatives of that constituent district on the original Board not later than 14 clear days before the appointed day, and in default of such agreement may be selected not later than 7 clear days before the appointed day by lot in manner determined by the original Board.
- (c) In the event of failure so to appoint a sufficient number of representatives the provisions of section 17 of the principal Act shall apply as if the failure were a failure to elect representatives.
- (d) The representatives assuming office in pursuance of this section shall hold office as aforesaid in all respects as if they had been duly elected in accordance with the principal Act.

- (e) At the general elections the required numbers of members as set out in the third column aforesaid shall be elected.
- (9) The provisions of paragraphs (b), (c), (d), and (e) of subsection (4) of section 5 of the principal Act shall, with the necessary modifications, apply as if the original districts were original districts for the purpose of that section and the district were a district united in pursuance of that section, and the Board may exercise all such rights and authorities of any nature whatever as were exercisable by either of the original Boards.
- (10) Notwithstanding anything contained in subsections (5) and (7), all or any of the powers of adding to the district or outer area or of apportioning representation conferred by the principal Act may be exercised as occasion arises.

River and Drainage Boards

50 As to overdraft of Motueka River Board for year ending 31 March 1934

Notwithstanding anything to the contrary in the Local Bodies' Finance Act 1921–22, the Motueka River Board may, in anticipation of its revenue for the financial year ending on 31 March 1934, borrow from its bankers by way of overdraft, or from any person or persons, a sum not exceeding three-fourths of the total revenue of the Board for the financial year ended 31 March 1932.

51 Authorising Taupiri Drainage and River Board to levy increased rate in year 1934–35

Notwithstanding anything to the contrary in section 31 of the Land Drainage Act 1908 or in any other Act, the Taupiri Drainage and River Board may, pursuant to that section, during the financial year ending on 31 March 1935, make and levy on an acreage basis over all rateable property within the Taupiri Drainage and River District, according to a classification of such rateable property, a rate calculated to produce a sum not greater than the sum that would be produced by a rate of 3 pence in the pound on the capital value made and

levied on a uniform scale over all rateable property within such district.

52 As to overdraft of Taupiri Drainage and River Board for years ending on 31 March, 1934 and 1935

- (1) The authority conferred on the Minister of Internal Affairs by subsection (5) of section 3 of the Local Bodies' Finance Act 1921–22 to fix the limits of the power to borrow by way of bank overdraft in the case of local authorities constituted after the commencement of that Act is hereby extended so as to enable that Minister to fix the limits of the power of the Taupiri Drainage and River Board to borrow and owe moneys by way of bank overdraft during the financial years ending on 31 March, 1934 and 1935.
- (2) In the case of the said Board the limits imposed by subsection (2) of the said section 3 shall not apply with respect to either of the said financial years.

53 Extending time within which appeals against classification made by Taieri River Trust may be heard

[Repealed]

Section 53: repealed, on 22 September 1939, by section 7(2) of the Taieri River Improvement Amendment Act 1939 (1939 No 15).

Fire Boards

[Repealed]

Heading: repealed, on 11 October 1949, pursuant to section 87 of the Fire Services Act 1949 (1949 No 18).

54 Transfer of certain loans and sinking funds thereof to Auckland Metropolitan Fire Board

[Repealed]

Section 54: repealed, on 11 October 1949, by section 87 of the Fire Services Act 1949 (1949 No 18).

Hospital Boards

55 Authorising raising of a loan by North Canterbury Hospital Board

Whereas the North Canterbury Hospital Board (hereinafter called the **Board**) raised special loans aggregating 81,100 pounds for the purpose of erecting a Nurses' Home and other buildings and of making additions or alterations or improvements to existing buildings:

And whereas the said sum was insufficient to complete the said works:

And whereas under the terms of the contract for the erection of the Nurses' Home the Board was subject to certain penalties for non-payment or late payment of the moneys from time to time due pursuant to the said contract, and to avoid the said penalties the Board made the payments as and when the same became due and other payments in respect of the said works out of its General Account:

And whereas the excess expenditure on the Nurses' Home and other works so paid by the Board out of its General Account amounted to the sum of 6,335 pounds:

Be it therefore enacted as follows:

The Board is hereby authorised and empowered to raise a loan not exceeding 6,335 pounds, and to apply the same for the purpose of refunding to the General Account of the Board the payments made therefrom as hereinbefore mentioned.

Affecting 2 or more classes of public bodies

56 Excluding certain areas from the City of Auckland and including them within boundaries of Auckland Harbour

Whereas certain portions of the Auckland Harbour have been included in the City of Auckland, and it is deemed advisable that such portions should be excluded therefrom:

Be it therefore enacted as follows:

- (1) The boundaries of the City of Auckland are hereby altered by the exclusion therefrom as from the date of the passing of this Act of—

All that area in the North Auckland Land District, situated in Block XVI, Waitemata Survey District: bounded, commencing at a point on the production in a northerly direction of the western boundary of Lot 39 of Block I of a subdivision of Freeman's Bay Reclamation shown on a plan deposited in the office of the District Land Registrar at Auckland, and numbered 9449, distant 19 links from the north-western corner of that lot; by right lines bearing $18^{\circ}18'$, distance 275 links; bearing $108^{\circ}8'25''$, distance 135.3 links; bearing $220^{\circ}8'$, distance 54.7 links; bearing $288^{\circ}8'25''$, distance 63 links; bearing $198^{\circ}18'$, distance 225 links; and bearing $288^{\circ}8'25''$, distance 50 links, to the point of commencement: as the same is more particularly delineated on a plan marked L and S 23/540, deposited in the Head Office, Department of Lands and Survey, at Wellington, and therein coloured blue and marked "A".

Also all that area in the North Auckland Land District, situated in Block XVI, Waitemata Survey District: bounded, commencing at a point bearing $198^{\circ}8'25''$, distant 5.64 links from the Standard Survey Block numbered 1456 shown on Standard Survey plan numbered 235, deposited in the office of the Chief Surveyor at Auckland, by right lines bearing $288^{\circ}8'25''$, distance 983.3 links; bearing $18^{\circ}8'25''$, distance 50 links; bearing $108^{\circ}8'25''$, distance 1 086 links; bearing $198^{\circ}8'25''$, distance 200 links; bearing $288^{\circ}8'25''$, distance 50 links; bearing $18^{\circ}8'25''$, distance 150 links; and bearing $288^{\circ}8'25''$, distance 52.7 links, to the point of commencement: as the same is more particularly delineated on a plan marked L and S 23/540, deposited in the Head Office, Department of Lands and Survey, at Wellington, and therein coloured blue and marked "B".

Also all that area in the North Auckland Land District, situated in Block XVI, Waitemata Survey District, and Block VIII, Rangitoto Survey District: bounded, commencing at a point on the northern side of Quay Street bearing $108^{\circ}8'37''$, and distant 1.3 links, from the intersection of the production of the western side of Hobson Street with the northern side of Quay Street by right lines bearing $19^{\circ}45'$, distance 154.3 links; bearing $109^{\circ}45'$, distance 196 links; bearing $199^{\circ}45'$, distance 149.5 links, to the northern side of Quay Street; and thence by the northern side of Quay Street to the point of commence-

ment: as the same is more particularly delineated on a plan marked L and S 23/540, deposited in the Head Office, Department of Lands and Survey, at Wellington, and therein coloured red.

- (2) The said lands shall henceforth be deemed to be included within the boundaries of the Harbour of Auckland.

57 Declaring Clermont Terrace, City of Wellington, to be a public street, and making other provision with respect thereto

Whereas the piece of land commonly known as Clermont Terrace in the City of Wellington is a private street or private way the fee simple whereof is vested as to part in the Wellington Hospital Board and as to part in the Board of the Wellington Methodist Charitable and Educational Endowments (hereinafter called the **Boards**):

And whereas the said piece of land now serves as frontage and access to numerous dwellinghouses, and the Boards desire that the same should be declared a street:

And whereas the Wellington City Council is willing to have the said piece of land declared a street on condition that certain additional land is dedicated by the Boards for the purpose of widening and improving the said Clermont Terrace:

And whereas the Boards have agreed to the said condition:

And whereas the said Board of the Wellington Methodist Charitable and Educational Endowments is the owner of the fee simple of that piece of land used as an accommodation way running between Clermont Terrace and Wesley Road delineated on the plan hereinafter referred to and coloured neutral and desires that the said piece of land should be declared an access way within the meaning of section 4 of the Wellington City Empowering and Amendment Act 1919:

And whereas the Wellington City Council is willing to have the said piece of land so declared an access way:

Be it therefore enacted as follows:

- (1) Those pieces of land within the City of Wellington, being the piece of land now known as Clermont Terrace (excluding therefrom the land described in subsection (2)) and also the

additional pieces of land required for widening and improving the said Clermont Terrace—as the same are more particularly delineated on a plan prepared by Frederic Cavell Basire and deposited in the Department of Public Works at Wellington under Number 86430, and thereon coloured yellow, red, purple, and blue respectively, containing in the aggregate 2 roods seven and forty-seven hundredths perches—are hereby declared to be a street within the meaning of the Municipal Corporations Act 1920.

- (2) That piece of land delineated on the said plan and edged green, containing 1 perch, being part Lot 17 on a plan deposited in the Land Registry Office at Wellington under Number 521, and now forming part of Clermont Terrace, is hereby absolutely vested in the Wellington Hospital Board for an estate in fee simple:

provided that the same land shall be included in the holding of John Campbell under memorandum of lease dated 1 November 1933 (a copy whereof is recorded in the Department of Internal Affairs at Wellington as IA 1933/120/30), from the Wellington Hospital Board to the said John Campbell, being also part of the said Lot 17, and shall be subject to the covenants, restrictions, and conditions of the said memorandum of lease as if such land had formed part of the said Lot 17 at the time of the making of the said memorandum of lease.

- (3) That piece of land delineated on the said plan and coloured neutral, containing eleven and seventy-nine hundredths perches, is hereby vested in the Corporation of the City of Wellington as an access way within the meaning of section 4 of the Wellington City Empowering and Amendment Act 1919.
- (4) Notwithstanding anything to the contrary contained in any Act, the dedication of the said pieces of land without payment of compensation by the Wellington City Council to the Boards is hereby declared valid.
- (5) The said street constituted by this section is hereby exempted from the provisions of section 128 of the Public Works Act 1928.

- (6) The District Land Registrar at Wellington is hereby authorised and directed to make such entries on the relative certificates of title and deposited plans as may be necessary to record the foregoing transactions.

58 Provision with respect to rates levied by Wairoa Electric Power Board over Borough of Wairoa

Whereas the Wairoa Electric Power Board (hereinafter called the **Board**), under the authority of sections 56, 59, and 61 of the Electric-power Boards Act 1925 has, for the year ending on 31 March 1934, levied rates (hereinafter referred to as the **said rates**) of one-eighth of a penny in the pound and one-sixteenth of a penny in the pound on the capital value of all rateable property within the constituent district of the Borough of Wairoa, and has determined that the said rates be collected by the Wairoa Borough Council (hereinafter called the **Council**) as the local authority of such constituent district:

And whereas, to obviate the expenses attendant on demanding and collecting such rates, the Board has agreed to accept and the Council has agreed to pay out of its Electricity Revenue Account for the year aforesaid an amount in full satisfaction of the said rates:

And whereas it is deemed necessary and expedient that such agreement be validated:

Be it therefore enacted as follows:

The Council is hereby authorised to pay out of its Electricity Revenue Account for the year ending on 31 March 1934 a sum computed on the basis of 70% of the total amount of the said rates, and the Board is hereby authorised to accept such sum in full satisfaction of the said rates.

59 Authorising certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service

All local authorities mentioned hereunder are hereby authorised and empowered to pay to the New Zealand Free Ambulance Transport Service (Wellington Branch), Incorporated, in the year ending on 31 March 1934, such sums as they think fit,

not exceeding in any case the respective amounts hereinafter specified, namely:

the Wellington City Council, 500 pounds;
the Lower Hutt Borough Council, 200 pounds;
the Petone Borough Council, 210 pounds;
the Upper Hutt Borough Council, 100 pounds;
the Eastbourne Borough Council, 50 pounds;
the Hutt County Council, 150 pounds;
the Makara County Council, 86 pounds;
the Johnsonville Town Board, 27 pounds;
the Wellington Harbour Board, 300 pounds; and
the Wellington Hospital Board, 900 pounds.

60 Authorising union of Cobden Town District and Greymouth Borough

- (1) The Borough of Greymouth and the Town District of Cobden shall, for the purposes of sections 135 to 140 of the Municipal Corporations Act 1920, be deemed to form and always to have formed one continuous area, and the provisions of the said sections shall apply and be deemed always to have applied to the said borough and town district accordingly.
- (2) In the event of the borough and town district being united the Governor-General may, by the Proclamation effecting the union, include in the united borough all that portion of the bed of the Grey River over which is erected the road-traffic bridge generally known as the Cobden Bridge, extending from the north bank of the said river within the Town District of Cobden to the south bank of the said river within the Borough of Greymouth, having a width of 20 feet, being 10 feet on each side of the centre line of the said bridge:
provided that nothing herein contained shall affect the apportionment of the cost of maintaining, repairing, or improving the said Cobden Bridge as directed by Warrant of the Governor-General, dated 4 September 1924 and published in the *New Zealand Gazette* of 11 September 1924.

61 Validating expenditure incurred by certain local authorities in connection with the relief of distress

The expenditure incurred by the undermentioned local authorities between 31 March 1932 and the date of the passing of this Act, of the following amounts in contributing to funds established for the relief of distress is hereby validated and declared to have been lawfully incurred:

Timaru Borough Council, 1,285 pounds 10 shillings and 6 pence; Hastings Borough Council, 250 pounds; Christchurch City Council, 4,285 pounds 13 shillings and 5 pence; Wairoa Borough Council, 50 pounds; Auckland Harbour Board, 250 pounds; Wellington Harbour Board, 100 pounds; Lyttelton Harbour Board, 1,000 pounds; Bluff Harbour Board, 50 pounds.

62 Altering the boundaries between the Springs-Ellesmere Electric Power District and the area of supply of the County of Halswell

Whereas a portion of the Halswell County has been included within the Electric Power District (hereinafter called the **district**) of the Springs-Ellesmere Electric Power Board (hereinafter called the **Board**), and such portion is also included within the area of supply under the licence of 2 June 1919 granted to the Halswell County Council (hereinafter called the **Council**) under the Public Works Act 1908 (hereinafter called the **area of supply**), and the Board and the Council have agreed to apportion such portion of the county between them in the manner hereinafter appearing so that as from the passing of this Act such overlapping of districts shall be determined and the boundaries of each such district shall be amended as hereinafter appears:

Be it therefore enacted as follows:

- (1) The boundary between the district and the area of supply shall be as follows, that is to say: commencing at the Halswell River on the east side of Rural Section 116, Block II, Halswell Survey District, and proceeding in a south-easterly direction by the old Akaroa Coach Road on the south-west side of Rural Sections 5786, 10831, and 1350; thence by the eastern side of the latter section and the centre of the road forming the north-

ern boundary generally of Rural Sections 6359, 17607, 19207, 30249, 17494, 17736, 30503, and 33742; thence by the boundary of Rural Section 33743X to the south-western boundary of Rural Section 520; and thence by the said south-western boundary of Rural Section 520 to the boundary between the Mount Herbert and Halswell Counties.

- (2) All that portion of the district which at the passing of this Act lies within the Halswell County on the north side generally of that boundary is hereby excluded from the district, and all that portion of the area of supply which at the passing of this Act lies within the Halswell County on the south side generally of that boundary is hereby excluded from the area of supply.
- (3) Nothing herein contained shall be deemed to affect any special rate heretofore made by the Board or by the Council respectively for the purpose of providing for the payment of interest and sinking fund in respect of any special loan affecting any part of that portion of the Halswell County to which this section relates, and the same shall remain and continue to be subject to the payment of all such special rates in the same way as if the boundary between the district and the area of supply had remained unaltered.

Miscellaneous

63 Abolishing the Waimanu Rabbit-proof Fencing District

Whereas by Warrant dated 22 December 1921 and published in the *Gazette* of the same day, the Governor-General constituted the Waimanu Rabbit-proof Fencing District under Part 4 of the Rabbit Nuisance Act 1908:

And whereas the said district enures for the purposes of Part 2 of the Rabbit Nuisance Act 1928 and is deemed to have been constituted thereunder:

And whereas the Board of Trustees established for the said district has never functioned, and it is deemed advisable to abolish the said district:

Be it therefore enacted as follows:

The Waimanu Rabbit-proof Fencing District is hereby abolished and the Board of Trustees thereof is hereby dissolved.

64 Validating certain expenditure by Newman Cemetery Trustees

Notwithstanding anything to the contrary in any Act, the payment from the funds of the Newman Public Cemetery Trustees during the year ended on 31 March 1933 of the sums of 6 pounds 5 shillings and 1 pound 10 shillings to 2 trustees of the above-mentioned cemetery for work performed in connection with the drainage of the said cemetery is hereby validated and declared to have been lawfully made and received.

Schedule 1
The North Canterbury Electric Power
District

All that area in the Canterbury Land District bounded as follows: commencing at the southernmost point of the County of Rangiora, being the junction of the Waimakariri River with the high-water mark of the South Pacific Ocean, and proceeding generally in a westerly direction along the northern bank of the Waimakariri River, following the southern boundary of the Rangiora County and then the Eyre County until it strikes the south-western boundary of Rural Section 4895; thence along the south-western boundaries of Rural Sections 1563, 1564, 2189, 2247, 2258, 2259, 2260, 2269, 2270, and 2271; thence north-easterly along the north-western boundary of the aforementioned Rural Section 2271, until it strikes Storers Road; thence north-westerly along Storers Road to Mid Island Road; and thence in a straight line in a north-westerly direction to the intersection of Fairweathers Road and the present northern bank of the Waimakariri River; thence following the northern bank of the northern branch of this river to a point on the western side of Hars Road; thence northerly along the western side of Hars Road to a point on the southern side of the South Eyre Road; thence westerly along the southern side of the South Eyre Road to the Oxford County boundary, being the north-western corner of Rural Section 30310; thence southerly and westerly and again southerly along the Oxford County boundary to the northern bank of the Waimakariri River; thence north-westerly along the northern bank of the Waimakariri River, to a point on the north-western corner of Rural Section 34058; thence northerly along the western boundary of Rural Section 24141 and 26681; thence easterly along the northern boundary of Rural Sections 26681 and 24920; thence north-easterly along the northern boundary of Rural Sections 14703 and 25878; thence south-easterly along the eastern boundary of Rural Sections 25878 and 24071; thence north-easterly along the northern boundary of Reserve 1134; thence southerly along the eastern boundary of the Reserve 1134; thence north-easterly across the road and along the northern boundaries of Rural Sections 26238 and 26238X to the eastern side of the south branch of the Eyre River; thence north-westerly and northerly along the eastern side of the South Eyre River to a point on the north-westerly corner of Reserve 3957; thence easterly along the northern boundary of this reserve;

thence north-easterly along the north-western boundaries of Rural Section 36746 and Section 3, Block I, of the Oxford Survey District; thence north-westerly and north-easterly along the south-west and north-west boundaries of Section 1, Block I, of the Oxford Survey District, to its intersection with the Coopers Creek Road; thence along the southern boundary of this road to a point on the south-eastern corner of Rural Section 36751; thence easterly across this road along the northern boundary of Rural Section 22398 to a point on the western side of Coopers Creek; thence along the western side of Coopers Creek to a point on the southern side of the road passing through Rural Section 34773; thence north-westerly along the western side of the road to a point in line with the northern boundary of Rural Section 34773; thence generally in a north-easterly direction along the southern boundary of Run 225, to its intersection with the southern bank of the Ashley River; thence easterly, southerly, and again easterly along the southern bank of the Ashley River to a point where the north-western boundary of Rural Section 32764, extended north-easterly, would strike the southern bank of the Ashley River; thence crossing the river to the district boundary between the Upper Ashley and the Ashley Survey Districts, and following the said boundary in a northerly direction to the north-west corner of Run 146; thence running in an easterly, north-easterly, and south-easterly direction along the northern boundary of Run 146 to its intersection with Rural Section 15945; thence in a north-easterly direction along the north-western boundary of Rural Section 15945 to its junction with Glentui Bush Road; thence south-easterly along the Glentui Bush Road to the south-eastern boundary of Rural Section 15915; thence crossing the road in a north-easterly direction along the south-eastern boundary of Rural Section 15915, to the Glentui River; thence in a south-easterly direction along the Glentui River to the north-western boundary of Rural Section 19699, and thence following the north-western boundaries of Rural Section 19699, 24312, and 14502; thence running in a south-easterly direction along the north-eastern boundary of Rural Section 14502, to the north-western boundary of Rural Section 24368; thence following that boundary in a north-easterly direction to its intersection with a road; thence crossing the road and following the southern boundary of Reserve 894 in a general easterly direction to the Garry River; thence in a south-easterly direction following the Garry River to the north-western bound-

ary of Rural Section 31221; thence in a north-easterly direction following the north-western boundary of Rural Section 31221 to a road; thence following the road in an easterly direction to its intersection with the boundary of Rural Section 37047; thence along the boundary of Rural Section 37047 in an easterly direction to the corner; then southerly, south-easterly, and south-westerly following the boundary of Rural Section 31220 to its intersection with Haylands Road at the Garry River; thence following the Garry River in a south-easterly direction to its junction with the county boundary at the confluence of the Garry and Ashley Rivers; thence proceeding in an easterly direction along the northern bank of the Ashley River to its confluence with the Okuku River; thence proceeding generally in a northerly direction along the eastern bank of the Okuku River to the southern boundary of the Waipara County; thence north-westerly along the boundary between the Waipara and Ashley Counties to the most westerly corner of Rural Section 37089; thence by the north-western boundary of the said Rural Section 37089 and the Seaward River to the southern bank of the Hurunui River; thence generally in an easterly direction along the southern bank of the Hurunui River to a point in line with the eastern boundary of Lot 1, deposited plan 2275; thence across the road reserve on the right bank of the Hurunui River to the eastern boundary of Lot 1, deposited plan 2275; thence southerly along the eastern boundary of Lot 1, deposited plan 2275, to its intersection with the north boundary of Lot 1, deposited plan 2434; thence easterly along the said northern boundary of Lot 1, deposited plan 2434, to a road; thence across the road to its south-eastern side; thence by its eastern side in a south-easterly direction to its intersection with the Blyth Valley Road; thence across the Blyth Valley Road; and thence by its eastern side to its intersection with a road; thence south-easterly by the south-west side of the said road to the south-west boundary of Rural Section 36498; thence along the south-west boundary of Rural Section 36498 to a road; thence across the road to the high-water mark of the South Pacific Ocean; thence by the sea to the point of commencement: saving and excepting therefrom the Borough of Rangiora and the Borough of Kaiapoi as at present defined.

Schedule 2

Outer area of North Canterbury Electric Power District

All that area in the Canterbury and Marlborough Land Districts situated in the Amuri and Cheviot Counties and bounded as follows: commencing from a point on the high-water mark of the South Pacific Ocean, being the continuation of the south-western boundary of Rural Section 36498; thence in a north-westerly direction across a road and by the south-western boundary of Rural Section 36498 aforesaid to a road; thence north-westerly along the south-western side of that road across the Blyth River to its junction with the Blyth Valley Road; thence north-easterly along the south-east side of the Blyth Valley Road; thence across the Blyth Valley Road to the eastern side of a road forming the western boundary of Lot 6, deposited plan 2979; thence along the eastern side of that road to a point in continuation of the northern boundary of Lot 1, deposited plan 2434; thence across the road and in a westerly direction along the northern boundary of Lot 1, deposited plan 2434 aforesaid, to Lot 1, deposited plan 2275; thence northerly along the eastern boundary of Lot 1, deposited plan 2275, to a road reserve on the right bank of the Hurunui River; thence across the road reserve to the centre of the Hurunui River; thence proceeding in a general westerly direction up the centre of the Hurunui River to a point in line with the continuation of the south-western boundary of Section 18, Square 105; thence to and by the south-western and north-western boundaries of the said Section 18, and by the north-western boundaries of Sections 9, 25, 24, 8, 34, 33, and 32, Square 105, to the northernmost corner of Section 38, Square 105; thence bounded towards the south-east by said Section 38, towards the south-west generally by Section 39, Squares 105 and 109, to the north branch of the Hurunui River; thence by that river to Lake Sumner, and by the middle of Lake Sumner aforesaid to a point opposite Marion Stream; thence to and by the said Marion Stream through Lake Marion to its northernmost point; thence in an easterly direction, following along the boundary between the Pahau Riding and the Hanmer Riding of the Amuri County, to Trig-station S; thence by a line, being the northern boundary of Pastoral Run 13, to the Mandamus River; thence again following the aforesaid boundary between the Hanmer and the Pahau Ridings to the Pahau River; thence to and by the southern boundary of Lot 3, deposited

plan 3948 and 3953, to Brown's Stream, and by that stream to the Waiau River; thence by the said Waiau River and the Hanmer River and by the boundary line between the Lyndon and Hanmer Ridings, and the Waiau and Hanmer Ridings of the Amuri County, to the Land District Boundary between Canterbury and Marlborough; thence by the last-named boundary to the Conway River, and in a south-east-erly direction by the said Conway River to the sea; thence by the sea to the point of commencement: saving and excepting therefrom the areas described in clauses 2 and 3 of Schedule 3.

Schedule 3
Outer area of North Canterbury Electric
Power District

- 1 All those areas in the Canterbury and Marlborough Land Districts comprising those parts of the County of Eyre, the County of Oxford, the County of Ashley, the County of Waipara, and the County of Amuri not included in Schedules 1 and 2, together with the Borough of Rangiora and the Borough of Kaiapoi, all as at present constituted.
 - 2 All that area in the Canterbury Land District, County of Cheviot, containing by admeasurement 3 811 acres, more or less, situated in Block XVI, Culverden Survey District, and comprising Sections 162/3, 191/2, 205, 211/14, and parts Sections 40, 82/5, 161, 190, 193/4, 206, 215, and 216, Square 89 and 106, and known as the Cathill Block, as more particularly shown on Deeds Plan No 5N 369, in the office of the Registrar of Deeds, at Christchurch, and contained in certificate of title 408/194.
 - 3 All that area in the Canterbury Land District, County of Cheviot, containing by admeasurement 9 387 acres 0 roods 32 perches, more or less, situated in Blocks XI, XII, and XV, Hawkswood Survey District, and Block III, Cheviot Survey District, and comprising Lot 4 (deposited plan 5374), Lot 5 (deposited plan 5371), Lot 6 (deposited plan 5372), Lots 1–35, and 37–51, Conway Flat, and Lots 1–23, Block I, Lots 1–20, Block VI, Lots 1–18, Block III, Lots 1–22, Block IV, Lots 1–13, Block V, Lots 1–10, Block VI, Lots 1–9, Block VII, Conway Village Settlement: as more particularly shown on deposited plans 5371, 5372, 5374, and Hawkswood Nos 1 and 2, and appearing in valuation roll 4/7/15, 17, 18, 19/27, 30, 45/49.
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Notes**1 *General***

This is a reprint of the Local Legislation Act 1933. The reprint incorporates all the amendments to the Act as at 1 July 2003, as specified in the list of amendments at the end of these notes. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted.

For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Local Government (Rating) Act 2002 (2002 No 6): section 138(1)

Local Legislation Act 1961 (1961 No 127): section 3(2)

Fire Services Act 1949 (1949 No 18): section 87

Local Legislation Act 1939 (1939 No 25): section 49(1)

Taieri River Improvement Amendment Act 1939 (1939 No 15): section 7(2)

Opunake Harbour Act 1938 (1938 No 9 (L)): section 15

Local Legislation Act 1936 (1936 No 54): section 18(2)

Thames Harbour Act 1936 (1936 No 52): section 14(1)

