

**Reprint  
as at 1 November 2010**



**Local Legislation Act 1961**

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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.

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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 1961.

*County councils*

**2 Validating certain expenditure by Oxford County Council**

The expenditure by the Oxford County Council during the financial year ended on 31 March 1960 of the sum of 150 pounds out of its General Account in payment of a gratuitous donation to Annie Elizabeth Fox, of Oxford, in appreciation of her services as County Clerk over a period of years is hereby validated and declared to have been lawfully incurred.

**3 Authorising Opotiki County Council to apply certain trust money towards a District Public Library in the Borough of Opotiki**

Whereas the Opotiki County Council (in this section referred to as the **Council**) holds certain money amounting to 778 pounds 6 shillings and 9 pence in trust, being the balance of a fund established in 1933 for the relief of unemployment in the County of Opotiki:

And whereas this fund has not been used since 1942:

And whereas the said money comprises also the balance of a sum of 1,000 pounds contributed to this fund by the Opotiki Borough Council pursuant to the provisions of section 15 of the Local Legislation Act 1933:

And whereas the Council desires to apply the said money towards the cost of establishing and maintaining a District Public Library in the Borough of Opotiki:

Be it therefore enacted as follows:

- (1) The existing trust for which the said money is held by the Council is hereby discharged and the Council is hereby authorised to apply the said money towards the cost of establishing and maintaining a District Public Library in the Borough of Opotiki.
- (2) Section 15 of the Local Legislation Act 1933 is hereby repealed.

**4 Validating refund to County Fund Account from loan money by Vincent County Council**

Whereas, before the Vincent County Council (in this section referred to as the **Council**) obtained authority to raise a loan of

9,000 pounds, known as the Staff Housing Loan 1960 (in this section referred to as the **loan**), the Council expended out of its County Fund Account, for certain purposes for which the loan was to be raised, money amounting in the aggregate to the sum of 2,831 pounds 3 shillings:

And whereas, when that authority had been obtained and the loan raised, the Council refunded to its County Fund Account out of the proceeds of the loan the sum of 2,831 pounds 3 shillings:

And whereas the Council had no authority to make such a refund and it is desirable to validate the same:

Be it therefore enacted as follows:

The action of the Council in refunding the sum of 2,831 pounds 3 shillings to its County Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful.

## **5 Validating variation of terms of raising certain loan money by Raglan County Council**

Whereas on 22 March 1956 the Local Government Loans Board sanctioned the raising by the Raglan County Council (in this section referred to as the **Council**) of a loan of 100,000 pounds to be known as the Main Highways Loan 1956 (in this section referred to as the **highways loan**) and of a loan of 15,000 pounds to be known as the Plant Loan 1956 (in this section referred to as the **plant loan**), subject in each case to certain conditions:

And whereas in each case one of those conditions was that no money should be borrowed after the expiration of 2 years from the date of the Order in Council consenting to the raising of the loan:

And whereas by Order in Council made on 18 November 1957 consent was given to the raising of the sum of 20,000 pounds as part of the highways loan:

And whereas at dates subsequent to the expiration of the said period of 2 years the Council raised the sums of 300 pounds and 400 pounds as portions of that part of the highways loan:

And whereas by Order in Council made on 15 August 1956 consent was given to the raising of the plant loan:

And whereas at dates subsequent to the expiration of the said period of 2 years the Council raised the sum of 490 pounds as portion of the plant loan:

And whereas it is expedient that the action of the Council in raising the said portions of the loans should be validated:

Be it therefore enacted as follows:

The action of the Council in raising the said portions of the highways loan and the plant loan after the expiration of the period specified in each case by the Local Government Loans Board is hereby validated, and the said sums shall be deemed to have been lawfully borrowed, and the stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor.

**6 Provision with respect to compensation money held in trust by Manukau County Council**

Whereas the Corporation of the County of Manukau (in this section referred to as the **Corporation**) holds the sum of 550 pounds being the amount of compensation money paid to it on the taking by Proclamation, dated 22 March 1960, and registered in the Land Transfer Office at Auckland under No 17455, of its former estate in fee simple in all that piece of land containing 1 rood 2 perches and eight-tenths of a perch, more or less, being part Allotment 74, Parish of Manurewa, and being the whole of the land comprised and described in certificate of title, Volume 500, folio 254, Auckland Registry:

And whereas the said land was vested in the Corporation (as successor to the Corporation of the Mangere Road District) subject to certain trusts contained in a conveyance dated 22 February 1897 and registered under No 137568 in the Land Registry Office at Auckland:

And whereas to the extent to which the said trusts were operative at the date of the said Proclamation the said land was to be used as a site for a hall for the accommodation of all persons residing in the former Mangere Road District:

And whereas the Corporation is desirous of applying the said compensation money in and towards the erection of a public hall at Mangere Central on a site which is to be transferred

to the Corporation under section 14 of the Reserves and Other Lands Disposal Act 1959 (in this section referred to as the **hall site**), and the general development and improvement of such site, but has no power to do so, and it is desirable that such power be conferred:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the said trusts or in any Act or rule of law, the Corporation is hereby empowered to expend and apply the whole of the said compensation money and any accretions or additions thereto in and towards the development and improvement of the hall site and the erection of a public hall thereon.

**7 Extending Tokoroa special rating area in County of Matamata**

*[Repealed]*

Section 7: repealed, on 27 November 1970, by section 17(3) of the Local Legislation Act 1970 (1970 No 124).

**8 Validating variation of terms of raising certain loan money by Otorohanga County Council**

Whereas by Order in Council made on 15 June 1960 consent was given to the raising by the Otorohanga County Council (in this section referred to as the **Council**) of a loan of 15,000 pounds (in this section referred to as the **loan**) as portion of a loan of 50,000 pounds to be known as the Roding Loan 1959:

And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the loan was that the loan together with interest thereon, should be repaid by equal aggregate annual or half-yearly instalments:

And whereas the Council raised the sum of 14,000 pounds as part of the loan and established a sinking fund to provide for the repayment thereof:

And whereas it is desirable to validate the action of the Council in raising the sum of 14,000 pounds otherwise than in accordance with the conditions determined by the Local Authorities Loans Board:



Be it therefore enacted as follows:

The action of the Council in raising the sum of 14,000 pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum shall be deemed to have been lawfully borrowed and all stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor, and in respect of that part of the loan the Council is hereby authorised and directed to continue and maintain payments to the sinking fund during the currency of the said stock at a rate of not less than 5 pounds 1 shilling and 9 pence per cent per annum.

**9 Provision with respect to dissolution of Waituna Hall Company Limited**

Whereas the Waituna Hall Company Limited (in this section referred to as the **Company**) owns and operates a community hall and is desirous of winding up its affairs and transferring the said hall and all other assets of the Company to the Chairman, Councillors, and Inhabitants of the County of Kiwitea (in this section referred to as the **Corporation**) without consideration other than the assumption by the Corporation of responsibility for paying all liabilities of the Company, including the costs of its liquidation:

And whereas the Corporation has agreed to accept the transfer to it of the assets of the Company and to hold the hall for the benefit of the community of Waituna and surrounding districts and to apply the other assets of the Company for the general purposes of the hall, and to pay all liabilities of the Company, including the costs of its liquidation:

And whereas the Company has no authority to make such a transfer and the Corporation has no authority to pay the liabilities of the Company:

And whereas it is desirable to authorise the transfer of the said assets of the Company to the Corporation as aforesaid and the payment by the Corporation of the liabilities of the Company:

Be it therefore enacted as follows:

- (1) The Company is hereby authorised to transfer to the Corporation without consideration other than the assumption by the Corporation of responsibility for paying the liabilities of the Company, including the costs of the liquidation of the Company, the land described in subsection (5) together with the buildings erected thereon, and all other assets of the Company of any kind whatsoever.
- (2) The said land shall be held by the Corporation as a site for a public hall for the benefit of the community of Waituna and surrounding districts, and all other assets of the Company transferred to the Corporation pursuant to subsection (1) shall be held by the Corporation for the general purposes of the hall for the time being erected on the said land.
- (3) The Corporation is hereby authorised to pay all liabilities of the Company including the costs of its liquidation, and shall indemnify and keep indemnified the Company and the directors thereof against all claims whatsoever against the Company that may arise at any time after the transfer of the assets of the Company to the Corporation pursuant to subsection (1).
- (4) The District Land Registrar for the Land Registration District of Wellington is hereby authorised and directed to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to this section.
- (5) The land to which this section relates is particularly described as follows:

All that piece of land in the Wellington Land District containing twenty-one and one-tenth perches, more or less, being part Section 20, West Waitapu Village, and being all the land comprised and described in certificate of title, Volume 214, folio 54, Wellington Registry.

**10 Authorising Clutha County Council to make a uniform annual charge for fire protection purposes**

*[Expired]*

Section 10: expired, on 31 March 1966, by section 10(5).

*City, borough, and town councils*

**11 Validating variation of terms of raising certain loan money by Glen Eden Borough Council**

Whereas by Order in Council made on 5 May 1958 consent was given to the borrowing by the Glen Eden Borough Council (in this section referred to as the **Council**) of a sum of 40,000 pounds (in this section referred to as the **loan**) as portion of a loan of 100,000 pounds known as the Roads, Footpaths, and Waterworks Loan 1956:

And whereas one of the conditions determined by the Local Government Loans Board in respect of the loan was that no part of the loan should bear interest at a rate exceeding four and seven-eighths per cent per annum:

And whereas the Council borrowed a sum of 1,000 pounds as part of the loan on terms providing for the payment of interest at a rate of 5% per annum:

And whereas it is desirable that the action of the Council be validated:

Be it therefore enacted as follows:

The action of the Council in raising the said sum of 1,000 pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Government Loans Board, is hereby validated and the said sum of 1,000 pounds shall be deemed to have been lawfully borrowed and all debentures and stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

**12 Validating refund to District Fund Account from loan money by Henderson Borough Council**

Whereas, before the Henderson Borough Council (in this section referred to as the **Council**) obtained authority to raise a loan of 5,000 pounds, known as the Fire Station Site Loan 1958 (in this section referred to as the **loan**), the Council expended out of its District Fund Account for the purposes for which the loan was to be raised a sum equal to the full amount of the loan:

And whereas when that authority had been obtained and the loan raised the Council refunded to its District Fund Account the proceeds of the loan:

And whereas the Council had no authority to make such a refund and it is desirable to validate the same:

Be it therefore enacted as follows:

The action of the Council in refunding to its District Fund Account the proceeds of the loan is hereby validated and declared to have been lawful.

**13 Provision with respect to expenditure by Cromwell Borough Council on centennial celebrations**

- (1) The Cromwell Borough Council (in this section referred to as the **Council**) is hereby authorised to establish a separate bank account to be known as the Centennial Fund Account (in this section referred to as the **Fund**) and to pay into the Fund in each year until 31 March 1967 a sum not exceeding 100 pounds.
- (2) The money in the Fund shall be expended by the Council for the purpose of celebrating in 1966 the centennial of the founding of the Borough of Cromwell, and any sum remaining in the Fund after all expenses lawfully incurred in connection with the said centennial have been met shall be transferred to the District Fund Account of the Council to the credit of the General Account.

**14 Provision with respect to agreements made by Hastings City Council as to sewerage**

Whereas the Hastings City Council has, with the consent of the Hawke's Bay County Council, under the authority of section 223 of the Municipal Corporations Act 1954, extended its drainage system into an area within the County of Hawke's Bay by laying a sewer extending from the City of Hastings to the sea, and has entered into agreements with the Hawke's Bay Farmers' Meat Company Limited and with Nelsons (N.Z.) Limited, 2 companies each carrying on the business of slaughtering and meat-freezers upon premises in the said area, to connect their premises (in this section referred to as the **said**

**works**) with the drainage system as so extended, and to continue such connections for a term of 25 years upon the terms and conditions contained in the agreements:

And whereas it is expedient that the Hastings City Council should not be at liberty to disconnect either of the said works during the said term except in accordance with the express provisions of the said agreements:

Be it therefore enacted as follows:

Notwithstanding the provisions of subsection (2) of section 223 of the Municipal Corporations Act 1954, the Hastings City Council shall have no power to disconnect either of the said works from the drainage system as so extended except in accordance with the terms and conditions set out in the agreements hereinbefore referred to relating to those works.

**15 Authorising Dargaville Borough Council to raise special loan**

Whereas by Order in Council made on 25 February 1958 consent was given to the raising by the Dargaville Borough Council (in this section referred to as the **Council**) of a loan of 15,000 pounds to be known as the Town Hall Loan 1957 for the purpose of constructing a Memorial Town Hall:

And whereas, after expending the amount of the said loan, the Council expended out of its General Account the sum of 1,500 pounds in completion of the Memorial Town Hall:

And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of 1,500 pounds to its General Account:

And whereas it is desirable to authorise the Council to raise a special loan of 1,500 pounds for the purpose of recouping its General Account in respect of the sum expended from that account as aforesaid:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding 1,500 pounds for the purpose of refunding to its General Account the sum expended from

that account for the purpose of completing the said Memorial Town Hall.

**16 Authorising Tuakau Borough Council to raise special loan**

Whereas by Order in Council made on 6 October 1958 consent was given to the raising by the Tuakau Borough Council (in this section referred to as the **Council**) of a loan of 57,000 pounds to be known as the Drainage Loan 1958 for the purpose of constructing sewerage works in the Borough of Tuakau:

And whereas, after expending the amount of the said loan, the Council expended out of its District Fund Account the sum of 3,000 pounds towards the completion of the sewerage works:

And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of 3,000 pounds to its District Fund Account:

And whereas it is desirable to authorise the Council to raise a special loan of 3,000 pounds for the purpose of recouping its District Fund Account in respect of the sum expended from that account as aforesaid:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding 3,000 pounds for the purpose of refunding to its District Fund Account the sum expended from that account towards the completion of the said sewerage works.

**17 Validating deed of covenant between Marton Borough Council and Marton Returned Services Association Incorporated**

Whereas a certain Deed of Covenant was on 20 March 1961 entered into between the Mayor, Councillors, and Citizens of the Borough of Marton (in this section referred to as the **Corporation**), of the one part, and the Marton Returned Services Association Incorporated, a society duly incorporated under the Incorporated Societies Act 1908 and having its registered

office at Marton (in this section referred to as the **Society**), of the other part, a copy of which deed is deposited in the Department of Internal Affairs under number IA 174/393:

And whereas the Corporation and the Society agreed subject to the terms and conditions set out in the said Deed of Covenant to combine their respective resources in the erection of a Memorial Hall in Marton to be known as the Marton RSA and Citizens Memorial Hall:

And whereas doubts have arisen as to the validity of the said Deed of Covenant and the terms thereof and it is desirable that it should be validated:

Be it therefore enacted as follows:

Notwithstanding anything contained in the Municipal Corporations Act 1954 or in any other Act, the Corporation shall be deemed to have been at all times authorised and empowered to enter into and execute the said Deed of Covenant which shall be binding on the parties thereto and shall for all purposes, without further authority than this section, be valid and effective according to its tenor.

## **18 Provision with respect to special overdraft of Levin Borough Council**

Whereas the Levin Borough Council (in this section referred to as the **Council**) has from time to time borrowed or owed money on its Gas Supply Account in excess of the limits prescribed by section 20 of the Local Authorities Loans Act 1956:

And whereas it has been necessary for the Council to obtain extended approvals in terms of section 22 of the said Act:

And whereas the liability of the Council to its bankers on its Gas Supply Account as at 31 March 1961 amounted to the sum of 22,000 pounds approximately:

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

Be it therefore enacted as follows:

- (1) The Council is hereby authorised and empowered to borrow from its bankers, by way of special overdraft, the sum of 20,000 pounds to be applied in reduction of that liability.

- (2) The Council shall repay that sum by 10 equal payments out of money credited to its General Account, one such payment to be made in each year during the period of 10 years commencing on 1 April 1962:  
provided that the Council may in any year repay out of its General Account an amount greater than a tenth part.
- (3) The sum of 20,000 pounds shall be carried to a separate account at the bank and all payments in reduction of the said sum shall be credited to that account.
- (4) No part of that sum shall hereafter be taken into account in determining the amount that may be borrowed or that may be owed by the Council on its Gas Supply Account or on its District Fund Account pursuant to section 20 of the Local Authorities Loans Act 1956.

**19 Authorising Naseby Borough Council to expend money in connection with centennial celebrations**

The Naseby Borough Council is hereby authorised and empowered to expend out of its General Account a sum not exceeding 200 pounds for the purpose of celebrating and commemorating the 100th anniversary of the settlement of Naseby, and in connection with the establishment of a centennial memorial, and may expend part or all of that sum of 200 pounds by way of grants to the body known as the Naseby Centennial Committee for any such purpose.

**20 Validating variation of terms of raising certain loan money by Havelock North Borough Council**

Whereas by Order in Council made on 11 June 1958 consent was given to the raising by the Havelock North Borough Council (in this section referred to as the **Council**) of a sum of 25,000 pounds (in this section referred to as the **loan**) as portion of a loan of 45,000 pounds known as the Water Supply Loan 1958:

And whereas the Council raised a sum of 5,000 pounds as part of the loan on terms that the said sum together with the interest thereon should be repaid by equal aggregate payments every half year over the period of the loan:



And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the raising of the said sum of 5,000 pounds was that the Council should establish a sinking fund to provide for the repayment thereof:

And whereas it is desirable that the action of the Council be validated:

Be it therefore enacted as follows:

The action of the Council in raising the sum of 5,000 pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of 5,000 pounds shall be deemed to have been lawfully borrowed and all debentures issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

**21 Validating variation of terms of raising certain loan money by Hamilton City Council**

Whereas by Order in Council made on 5 August 1959 consent was given to the raising by the Hamilton City Council (in this section referred to as the **Council**) of the sum of 41,500 pounds (in this section referred to as the **loan**) as portion of a loan known as the Waterworks Loan 1956 of 91,500 pounds:

And whereas 2 of the conditions determined by the Local Authorities Loans Board in respect of the raising of the loan were that the money borrowed should be borrowed for terms of 6, 10, or 20 years, and that the amount borrowed for a term of 6 years should not exceed 13,800 pounds:

And whereas the Council borrowed for a term of 6 years as part of the loan the sum of 4,000 pounds in excess of the said sum of 13,800 pounds:

And whereas it is desirable that the action of the Council be validated:

Be it therefore enacted as follows:

The action of the Council in raising the sum of 4,000 pounds as part of the loan otherwise than in accordance with the conditions determined by the Local Authorities Loans Board is hereby validated, and the said sum of 4,000 pounds shall be

deemed to have been lawfully borrowed and all debentures and stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

**22 Authorising Russell Town Council to raise special loan**

Whereas the Russell Town Council (in this section referred to as the **Council**) has expended out of its General Account the sum of 1,500 pounds on road reconstruction and tarsealing:

And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of 1,500 pounds to its General Account:

And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of 1,500 pounds for the purpose of recouping its General Account in respect of the money expended from that account as aforesaid:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956, a sum not exceeding 1,500 pounds for the purpose of refunding to its General Account the money expended from that account on road reconstruction and tarsealing.

**23 Provision with respect to stopped street in City of Auckland**

Whereas the land described in subsection (4) (in this section referred to as the **said land**) was formerly part of Smith Street in the City of Auckland and was duly stopped under the provisions of the Municipal Corporations Act 1954 and is vested for an estate in fee simple in the Mayor, Councillors, and Citizens of the City of Auckland (in this section referred to as the **Corporation**):

And whereas the said land adjoins certain land vested in the Corporation as an endowment for the improvement and benefit of the City of Auckland pursuant to the provisions of the Auckland City Endowments and Reserves Act 1875 (in this section referred to as the **said Act**):

And whereas the endowment land adjoining the said land has for many years been leased or let to lessees and tenants who have also occupied the said land in the erroneous belief by them and by the Corporation that the said land formed part of the endowment land included in their respective leases and tenancies:

And whereas it is expedient that the Corporation should henceforth hold the said land as and for an endowment for the improvement and benefit of the City of Auckland and that the Corporation should have with respect to the said land all such powers of leasing, letting, and disposition as it has with respect to the land heretofore vested in it pursuant to the said Act, and in addition should have the special powers set out in subsection (2):

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in the Municipal Corporations Act 1954 or in any other Act, the Corporation shall henceforth hold the said land as and for an endowment for the improvement and benefit of the City of Auckland and the Corporation shall have in respect of the said land all such powers of leasing, letting, and disposition as it has in respect of land heretofore vested in it pursuant to the said Act and in addition shall have the special powers set out in subsection (2).
- (2) The Corporation is hereby empowered to lease the said land to the lessees of the adjoining endowment land either by way of new lease, without putting the same up for leasing by public auction or public tender, or by inclusion of the said land in any renewal of any existing lease of such adjoining endowment land, and any such lease granted by way of renewal of any existing lease shall for all purposes be deemed to be a renewal of that existing lease.
- (3) The District Land Registrar for the Land Registration District of Auckland is hereby authorised to make such entries in the register books, to issue such titles, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:

Sections 60, 61, 62, and 63 of the City of Auckland, containing respectively 12 perches and twenty-six one-hundredths of a perch, 4 perches and forty-two one-hundredths of a perch, 7 perches and one-tenth of a perch, and 8 perches and forty-six one-hundredths of a perch, more or less, being respectively parts of Lots 1, 2, 3, and 4 on Deposited Plan Number 48857, and being parts of the land comprised and described in certificate of title, Volume 1886, folio 47, Auckland Registry.

**24 Authorising Putaruru Borough Council to operate a sweet bar in Plaza Cinema, Putaruru**

*[Repealed]*

Section 24: expired, on 1 December 1971, by section 24(3).

**25 Validating variation of terms of raising certain loan money by Birkenhead Borough Council**

Whereas by Order in Council dated 21 March 1960 consent was given to the raising by the Birkenhead Borough Council (in this section referred to as the **Council**) of a loan of 150,000 pounds to be known as the Streets Improvement Loan 1960 (in this section referred to as the **loan**):

And whereas one of the conditions determined by the Local Authorities Loans Board in respect of raising a sum of 1,000 pounds as part of the loan was that that sum should be borrowed for a term of 10 years:

And whereas the Council raised such sum of 1,000 pounds for a term of 12 years:

And whereas it is desirable to validate the action of the Council in raising the said sum otherwise than in accordance with the conditions determined by the Local Authorities Loans Board:

Be it therefore enacted as follows:

- (1) The action of the Council in raising the sum of 1,000 pounds as part of the loan, otherwise than in accordance with conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of 1,000 pounds shall be deemed to have been lawfully borrowed and the debenture executed in respect thereof shall be deemed to have been lawfully executed and shall have full force and effect according to its tenor.

- (2) The Council shall make provision for the repayment of the said sum of 1,000 pounds by establishing a sinking fund therefor and making annual payments into such sinking fund at a rate of not less than 2 pounds 9 shillings and 8 pence per cent per annum.

**26 Authorising Ohakune Borough Council to expend money in connection with Golden Jubilee celebrations**

The Ohakune Borough Council is hereby authorised and empowered to expend out of its General Account a sum not exceeding 200 pounds for the purpose of celebrating and commemorating the 50th anniversary of the Borough of Ohakune, and the expenditure by the Council for that purpose of any part of that sum before the passing is hereby validated and declared to have been lawfully incurred.

**27 Provision with respect to lease and transfer of certain land by Te Awamutu Borough Council**

Whereas the Corporation of the Borough of Te Awamutu is seised of an estate in fee simple in the land described in subsection (3):

And whereas the said land is situated near the Te Awamutu College, a secondary school established under the Education Act 1914 and controlled by a Board of Governors (in this section referred to respectively as the **College** and the **Board**), and is well situated as a site for a hostel for pupils attending the College:

And whereas there is a need for such a hostel but the Board is at present financially unable to erect a hostel on this or any other site:

And whereas the Te Awamutu Borough Council (in this section referred to as the **Council**) is willing to lease the said land to the Board as a site for a hostel and to give the said land to the Board for that purpose if and when the Board is able to erect a hostel, but has no authority to do so:

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in the Municipal Corporations Act 1954, the Council may lease to the Board by pri-

vate treaty the land described in subsection (3) for a term of 20 years at a rental of 1 shilling per annum if demanded, free from liability for payment of rates, and on such suitable conditions for the proper maintenance of the said land as may be agreed upon between the Council and the Board, and subject also to the following conditions, namely—

- (a) if at any time during the continuance of the lease the Council is satisfied that the Board is financially able to erect on that land a suitable hostel for pupils attending the College it will without consideration transfer to the Board the estate in fee simple in the land:
  - (b) if at any time during the continuance of the lease the Council is satisfied that the Board will not be financially able to erect such a hostel the Council may by notice in writing to the Board terminate the lease and forthwith enter on and repossess the land as in its former estate, freed and discharged from the lease or any claims of the Board or of any other person in respect thereof.
- (2) Notwithstanding anything contained in the Municipal Corporations Act 1954, or in any other Act, the Council is hereby empowered to transfer to the Board, without consideration, the land described in subsection (3), as a site for a hostel for pupils attending the College.
- (3) The land referred to in this section is more particularly described as follows:

All that piece of land containing 1 acre 11 perches and eight-tenths of a perch, being Lots 2, 3, and 4 on Deposited Plan S 4801 and Lot 3 on Deposited Plan S6312, all being parts of Section 118 Teasdale Settlement, situated in Block II, Puniu Survey District, and being part of the land comprised and described in certificate of title, Volume 1484, folio 86, Auckland Registry.

Section 27(3): amended, on 14 December 1962, by section 27 of the Local Legislation Act 1962 (1962 No 117).

## **28 Authorising resubdivision and improvement of part of reclamation area by Wellington City Council**

Whereas by a Proclamation dated 30 January 1947, and published in the *Gazette* of 6 February 1947 at page 160, an area

in the City of Wellington as defined in the Schedule thereto was proclaimed a reclamation area under Part 2 of the Housing Improvement Act 1945:

And whereas the district scheme under the Town and Country Planning Act 1953 for the City of Wellington is not yet operative:

And whereas it is desirable to authorise and empower the Wellington City Council to carry out resubdivision and improvement of certain land within the said reclamation area:

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in the Housing Improvement Act 1945 or in any other Act or rule of law, the Wellington City Council is hereby authorised and empowered to carry out resubdivision and improvement for light industrial purposes in respect of that portion of the said reclamation area known as the King Street Area, being that area of land described in subsection (2).
- (2) The King Street Area is particularly described as follows:  
All that area in the Wellington Land District situated in the City of Wellington, bounded by a line commencing at the north-western corner of the Adelaide Road and Drummond Street intersection, being the southernmost corner of Lot 5 as shown on the plan numbered 7950 deposited in the Land Registry Office at Wellington; thence westerly along the northern side of Drummond Street, across King Street, and again along the northern side of Drummond Street to the south-western corner of Lot 7 as shown on the plan numbered 848 deposited as aforesaid; thence northerly and easterly along the western and northern boundaries of that lot to the eastern boundary of part Section 739, Town of Wellington; thence northerly along that boundary to the south-eastern corner of Lot 1 as shown on the plan numbered 1266 deposited as aforesaid, and along the eastern boundary of that lot and its production through Lots 7, 2, 1, and 6 as shown on plan numbered 1776 deposited as aforesaid to the south-eastern corner of Lot 24 as shown on plan numbered 956 deposited as aforesaid, and along the eastern boundaries of Lots 24, 23, and 22 as shown on plan numbered 956 aforesaid, to the south-western corner of Lot 1 as shown

on plan numbered 8307 deposited as aforesaid; thence easterly generally along the southern and south-eastern boundaries of that lot to its south-eastern corner; thence easterly along a right line across King Street to the south-western corner of Lot 9 as shown on plan numbered 8307 aforesaid; thence easterly along the southern boundary of that lot to its south-eastern corner, being the northern corner of the King Street and Adelaide Road junction; thence southerly across King Street and along the western side of Adelaide Road to the north-western corner of the Adelaide Road and Drummond Street intersection, being the point of commencement.

**29 Provision with respect to land held on trust by Hikurangi Town Council**

Whereas the Hikurangi Town Council (in this section referred to as the **Council**) is registered as proprietor of an estate in fee simple in that parcel of land containing 2 roods 32 perches and six-tenths of a perch, more or less, situated in the Hikurangi Town District, being Lot 2 on a plan deposited in the Land Registry Office at Auckland under Number 14232, and being part Allotment 5 of the Parish of Hikurangi, and being the whole of the land in certificate of title, Volume 323, folio 199, Auckland Registry, together with a right of way over Lot 1 on the said deposited plan, reserved by and more particularly described in Transfer Number 138158 (the said land and right of way together being referred to in this section as the **said land**):

And whereas the Council holds the said land in trust for the purposes of a residence for a medical practitioner practising in the Hikurangi Town District and surrounding districts pursuant to section 31 of the Local Legislation Act 1944:

And whereas it is desired to revoke the said trust and to amend the terms and conditions upon which the Council holds the said land:

Be it therefore enacted as follows:

- (1) The Council is hereby authorised and empowered to subdivide the said land into allotments for housing purposes as if it were land subdivided by the Council under the provisions of Part 24 of the Municipal Corporations Act 1954.



- (2) Upon the deposit under the Land Transfer Act 1952 of the plan of subdivision the trust affecting the said land shall be deemed to be cancelled.
- (3) The Council shall transfer to Her Majesty the Queen for the purposes of a site for a residence and dispensary for the district public health nurses such one of the allotments in the subdivision as may be agreed upon between the Council and the Minister of Health. The consideration for the transfer shall be such sum not exceeding the capital value for the time being fixed in respect of that allotment by the Valuer-General under the Valuation of Land Act 1951 as may be agreed upon between the Council and the said Minister.
- (4) The Council shall set aside one of the allotments in the subdivision as a site for a dwellinghouse for any medical practitioner from time to time practising in the Hikurangi Town District and surrounding districts, and shall hold that allotment in trust for that purpose.
- (5) The Council may sell or dispose of the remainder of the said land in accordance with the provisions of Part 24 of the Municipal Corporations Act 1954.
- (6) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the foregoing provisions of this section.
- (7) The Council is hereby authorised to erect a dwellinghouse on the allotment set aside under subsection (4), and to let that dwellinghouse to any medical practitioner from time to time practising in the Hikurangi Town District and surrounding districts at such rent and upon such conditions as the Council may think fit.
- (8) The Council may apply the proceeds from the disposal of any allotments under the provisions of this section in or towards the erection of the said dwellinghouse. Should those proceeds be insufficient for that purpose the Council may borrow by way of special loan under the Local Authorities Loans Act 1956 such sum as may be required to meet the balance of the cost of erecting that dwellinghouse.

- (9) Section 31 of the Local Legislation Act 1944 and section 28 of the Local Legislation Act 1946 are hereby repealed.

**30 Exempting certain persons from liability for payment of rates levied by Manurewa Borough Council**

Whereas by agreement dated 6 December 1960 Annie Barrett of Manurewa, widow, agreed to transfer to the Mayor, Councillors, and Citizens of the Borough of Manurewa (in this section referred to as the **Corporation**) as and for a public reserve and recreation ground, Lot 2 on a plan lodged for deposit in the Land Registry Office at Auckland, under number 49948, being a subdivision of part Allotment 12, Parish of Papakura, and being part of the land comprised and described in certificate of title, Volume 923, folio 269, limited as to parcels:

And whereas by the said agreement the said Annie Barrett agreed to transfer Lot 3 of the said subdivision containing 3 roods 16 perches and nine-tenths of a perch, more or less, to the Corporation as and for a public reserve and recreation ground, reserving nevertheless to the said Annie Barrett an estate or interest in possession for the life of the said Annie Barrett and from and after her death an estate or interest in possession for the life of her daughter, Lora Barrett:

And whereas by the said agreement the Corporation agreed to promote legislation to exempt the said Annie Barrett and Lora Barrett from payment of all rates now due and owing and hereafter to become due and owing in respect of the said Lot 3:

And whereas the said Annie Barrett died on or about 15 February 1961 and the executor of her estate has called on the Corporation to promote the said legislation and has agreed to transfer the said Lots 2 and 3 to the Corporation pursuant to the said agreement:

Be it therefore enacted as follows:

The executor of the estate of the said Annie Barrett and the said Lora Barrett are hereby exempted from liability for the payment of any rates now or hereafter made or levied by the Corporation in respect of the said Lot 3 or any part thereof.

**31 Validating proceedings in connection with raising of loan by East Coast Bays Borough Council**

Whereas by Orders in Council made on 23 October 1956 (in this section referred to as the **first Order in Council**), and 19 June 1957 (in this section referred to as the **second Order in Council**), consent was given to the raising by the East Coast Bays Borough Council (in this section referred to as the **Council**) of a loan of 100,000 pounds to be known as the Road-Improvement Loan 1956 (in this section referred to as the **loan**):

And whereas, before the issue of the second Order in Council, the sum of 850 pounds was raised in excess of the amount of 40,000 pounds authorised by the first Order in Council:

And whereas 2 of the conditions first determined by the Local Government Loans Board (now the Local Authorities Loans Board and in this section referred to as the **Board**) in respect of the loan were that the loan should be repaid over a term of 25 years and that it should be repaid by equal aggregate annual or half-yearly instalments of principal and interest, but the Council raised the said sum of 850 pounds on terms that sums of 500 pounds and 200 pounds be repaid at the end of 5 years and a sum of 150 pounds be repaid at the end of 8 years, and that the said sum of 850 pounds be repaid on a sinking fund basis:

And whereas, contrary to the provisions of the Local Authorities Loans Act 1956, the Council raised in connection with the loan a sum of 400 pounds without the prior sanction of the Board:

And whereas in the absence of any determination by the Board the sum of 225 pounds was paid by the Council by way of underwriting fees in respect of 30,000 pounds of the said amount of 40,000 pounds:

And whereas the sum of 3,000 pounds was raised for a term other than that determined by the Board in respect of the amount of 60,000 pounds authorised by the second Order in Council:

And whereas the sum of 3,150 pounds was raised by the Council after the time limit imposed by the Board in respect of the

amount of 60,000 pounds authorised by the second Order in Council:

And whereas it is expedient to validate the proceedings in connection with the raising of the loan:

Be it therefore enacted as follows:

- (1) The actions of the Council in borrowing—
  - (a) the sum of 850 pounds in excess of the amount of 40,000 pounds authorised by the first Order in Council and on terms otherwise than in accordance with those determined by the Board; and
  - (b) the sum of 400 pounds without the prior sanction of the Board; and
  - (c) the sum of 3,000 pounds for a term other than that determined by the Board; and
  - (d) the sum of 3,150 pounds as part of the loan after the expiration of the time limit determined by the Board—are hereby validated, and the said sums shall be deemed to have been lawfully borrowed and the debentures and stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.
- (2) The payment by the Council of the sum of 225 pounds by way of underwriting fees without the authority of the Board is hereby validated and declared to have been lawful.

**32 Authorising Rotorua Borough Council to guarantee repayment of money raised by Rotorua Branch, Plunket Society**

Whereas the Rotorua Borough Council (in this section referred to as the **Council**) desires to assist the Royal New Zealand Society for the Health of Women and Children, Rotorua Branch (Incorporated) (in this section referred to as the **Plunket Society**) in the raising of money for the erection of a building incorporating Plunket rooms, women's rest rooms, shops, and offices on the land described in subsection (5):

And whereas the Council has no legal authority to assist by guaranteeing repayment of money raised by the Plunket Society for the erection of such a building:

Be it therefore enacted as follows:

- (1) The Council may guarantee by deed or other instrument to any financial institution as defined in section 326 of the Municipal Corporations Act 1954, repayment of the whole or any portion of the money which any such financial institution may so advance to the Plunket Society upon the security of a mortgage of the land described in subsection (5) for the purpose of erecting a building on that land, where the money to be advanced by the financial institution does not exceed 24,000 pounds or two-thirds of the total estimated value of the land and the proposed building when erected, whichever is the less.
- (2) Every such guarantee shall contain such terms and conditions as may be agreed upon between the Council and the financial institution from time to time.
- (3) Any mortgage which is given by the Plunket Society in favour of a financial institution and which is guaranteed by the Council pursuant to subsection (1) shall contain such terms and conditions as may be agreed upon between the Plunket Society, the financial institution, and the Council.
- (4) For the purpose of providing money out of which the Council may pay any amount payable in respect of any guarantee executed pursuant to subsection (1), the Council may from time to time borrow by way of special loan under the Local Authorities Loans Act 1956 pursuant to a special order, and, notwithstanding anything in section 34 of that Act, without the prior consent of the ratepayers, a sum or sums not exceeding in the aggregate the sum of 24,000 pounds.
- (5) The land to which this section relates is more particularly described as follows:

All that parcel of land situate in the Borough of Rotorua containing 20 perches, more or less, being Section 20, Block XXXVI, Town of Rotorua.

### **33 Provision with respect to use of compensation money by Auckland City Council**

*[Repealed]*

Section 33: repealed, on 12 November 1971, by section 12(1) of the Auckland Improvement Trust Act 1971 (1971 No 9 (L)).

*Harbour boards***34 Validating certain expenditure incurred by Otago Harbour Board in connection with Otago Museum Appeal**

The expenditure by the Otago Harbour Board during the financial year ended on 30 September 1961 of the sum of 250 pounds as a donation to the trustees of the Otago Museum is hereby validated and declared to have been lawfully incurred.

**35 Authorising the Otago Harbour Board to make *ex gratia* payment in respect of contract**

Whereas by an agreement dated 28 January 1960 made between Harpur (Coffs Harbour) Proprietary Limited by and through its agent Rosenfeld Kidson and Company Limited of Auckland, Contractor (in this section referred to as the **contractor**), of the one part, and the Otago Harbour Board (in this section referred to as the **Board**), of the other part, the contractor agreed to supply certain piles for a sum calculated in accordance with the rates provided in the said agreement:

And whereas by reason of an error in the said agreement by both the contractor and the Board the contractor suffered loss as the rate charged for the longer piles was stated at a rate lower than for the shorter piles:

And whereas the Board, having regard to the circumstances, is desirous of making a payment of 205 pounds and 10 pence to the contractor:

Be it therefore enacted as follows:

The Board is hereby authorised and empowered to pay the sum of 205 pounds and 10 pence to the contractor by way of compensation in respect of the loss suffered by the contractor as aforesaid.

**36 Authorising distribution by Auckland Harbour Board of proceeds collected from visit of Chilean Naval Training Ship *Esmeralda***

Whereas the Auckland Harbour Board (in this section referred to as the **Board**) collected certain money in public tolls during

the visit of the Chilean Naval Training Ship *Esmeralda* to the Port of Auckland in the month of June 1961:

And whereas the said money, less certain costs incurred in the collection thereof, amounted to the sum of 604 pounds 5 shillings and 10 pence:

And whereas the Board is desirous of donating the said sum equally to and between certain seamen's welfare organisations:

Be it therefore enacted as follows:

The Board is hereby authorised to expend the said sum as 5 equal donations of 120 pounds 17 shillings and 2 pence to each of the following organisations and fund; The Auckland Sailors' Home, The British Sailors' Society Auckland (Incorporated), The "Flying Angel" Missions to Seamen, The Apostleship of the Sea (Auckland) Incorporated, and the Royal New Zealand Navy Benevolent Fund.

**37 Validating certain expenditure incurred by the Southland Harbour Board in connection with official opening of its new wharves**

The expenditure by the Southland Harbour Board during the financial year ended on 30 September 1961 of the sum of 2,404 pounds and 8 shillings in connection with the official opening of its new wharves and functions held in conjunction therewith is hereby validated and declared to have been lawfully incurred.

**38 Validating variation of terms of raising certain loan money by Whangarei Harbour Board**

Whereas by Order in Council made on 14 November 1960 consent was given to the raising by the Whangarei Harbour Board (in this section referred to as the **Board**) of a loan of 235,500 pounds to be known as the Development Loan 1960 (in this section referred to as the **loan**):

And whereas 3 of the conditions determined by the Local Authorities Loans Board in respect of the loan were that the loan should extend over a term of 25 years, that the interest payable in respect of such loan money should not exceed four and

seven-eighths per centum per annum, and that the loan together with interest thereon should be repaid by equal aggregate annual or half-yearly instalments:

And whereas the Board raised the sum of 84,450 pounds, as part of the loan by borrowing a sum of 5,200 pounds for a term of 1 year, a sum of 4,300 pounds for a term of 2 years, a sum of 4,200 pounds for a term of 3 years, a sum of 3,500 pounds for a term of 4 years, a sum of 4,500 pounds for a term of 5 years, a sum of 6,900 pounds for a term of 6 years, a sum of 6,800 pounds for a term of 7 years, a sum of 3,400 pounds for a term of 8 years, a sum of 500 pounds for a term of 9 years, a sum of 17,500 pounds for a term of 10 years, a sum of 650 pounds for a term of 11 years, a sum of 4,000 pounds for a term of 11 years with interest payable at the rate of 5 per centum per annum, a sum of 1,000 pounds for a term of 12 years with interest payable at the rate of 5 per centum per annum, a sum of 1,200 pounds for a term of 15 years, a sum of 500 pounds for a term of 20 years, a sum of 4,600 pounds for a term of 24 years, and a sum of 15,700 pounds for a term of 25 years, all such sums having been borrowed on terms that repayment be made by a lump sum paid on their respective dates of maturity:

And whereas it is desirable that the action of the Board should be validated:

Be it therefore enacted as follows:

The action of the Board in raising the sum of 84,450 pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of 84,450 pounds shall be deemed to have been lawfully borrowed and all stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor.

**39 Provision with respect to lease of land by Otago Harbour Board to British Sailors' Society (Otago Branch) Incorporated, and provisions incidental thereto**

Whereas the Otago Harbour Board (in this section referred to as the **Board**) is required by section 26 of the Local Legislation Act 1960 to pay to the British Sailors' Society (Otago Branch)



Incorporated (in this section referred to as the **Society**) the sum of 200 pounds, if and whenever the Society shall erect a sailors' home or sailors' rest in Dunedin, and, until such home or rest is built, is required to pay to the Society the sum of 10 pounds a year:

And whereas by the said section 26 the Board is empowered to lease part of certain land to the Society, and as from the commencement of the term of the said lease the Board is freed and discharged from its liability for the payment to the Society of the said annual sum of 10 pounds:

And whereas the Board is registered as the proprietor of an estate in fee simple in Lots 1 and 2, Deposited Plan 9757, being parts Block LXI, Town of Dunedin, and both being parts of the Otago Harbour Endowment comprised in certificates of title, Volume 106, folio 245, and Volume 184, folio 224, Otago Registry:

And whereas the Board and the Society have agreed that the land to be leased to the Society shall be the said Lot 2 on Deposited Plan Number 9757, together with a right of way over such part of the said Lot 1 on Deposited Plan Number 9757 as may be agreed upon between the Board and the Society:

Be it therefore enacted as follows:

- (1) If and whenever the Society shall erect a sailors' home or sailors' rest in Dunedin the Board shall pay to the Society the sum of 200 pounds, and, subject to subsection (4), shall, until such home or rest is built, continue to pay to the Society the sum of 10 pounds a year and so in proportion for any less period than a year.
- (2) The Board is hereby authorised and empowered to lease to the Society the said Lot 2, Deposited Plan 9757, for a term of 21 years at a peppercorn annual rental and upon and subject to such other terms, conditions, and provisions as may be agreed upon with the Society, including provision for renewal of the lease for 1 or more recurring periods at the same rental or otherwise as may be agreed upon between the Board and the Society.
- (3) Upon the Board's granting to the Society a lease as aforesaid, the Board shall grant to the Society a right of way over such

part of the said Lot 1, Deposited Plan 9757, as may be agreed upon with the Society for a term similar to that of the lease, and shall on any renewal of the lease grant a further right of way for a term similar to the term of that renewal.

- (4) As from the commencement of the term of the said lease the Board shall be freed and discharged from its liability, under subsection (1), for the payment to the Society of the annual sum of 10 pounds.
- (5) Section 26 of the Local Legislation Act 1960 is hereby repealed.

**40 Authorising Auckland Harbour Board to transfer land to British Sailors' Society Auckland (Incorporated)**

Whereas the Auckland Harbour Board (in this section referred to as the **Board**) desires to transfer the land described in subsection (5) (in this section referred to as the **said land**) to the British Sailors' Society Auckland (Incorporated) being a body duly incorporated under the Incorporated Societies Act 1908 (in this section referred to as the **Society**) or so much of the said land as from time to time shall be required for use as a site for a building or buildings to be erected by the Society, upon the trusts set forth in subsection (2):

And whereas it is desirable that the Board be authorised and empowered to transfer the said land or such part or parts thereof to the Society upon those trusts:

Be it therefore enacted as follows:

- (1) The Board is hereby authorised and empowered from time to time to transfer the whole or any part or parts of the said land to the Society to be held upon the trusts set forth in subsection (2).
- (2) The Society shall hold the said land or such part or parts thereof so transferred in trust to erect and maintain thereon a building or buildings to be known as the Auckland Citizens Seamen's Memorial Centre to be used for any 1 or more of the following purposes, namely, the provision of club rooms, residential accommodation or any other amenities for the fur-

therance of the religious, moral, mental, or physical welfare and well-being of seamen:

provided that if any land so transferred to the Society or any building erected thereon shall at any time cease to be used for any of such purposes as aforesaid or be used for any purpose or purposes other than those purposes for a period of 6 successive months, then that land and the buildings thereon shall vest in the Board without transfer or any payment of compensation, and shall thenceforth be held by the Board upon trust for the provision of amenities for seamen or for such other purposes whether charitable or non-charitable as the Board may from time to time think fit.

- (3) The District Land Registrar for the Land Registration District of Auckland is hereby authorised to issue such certificates of title, to accept such documents for registration, to require the deposit of such plans, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) If and whenever any land transferred by the Board to the Society becomes again vested in the Board pursuant to subsection (2) the Board shall furnish to the said District Land Registrar notice in writing to that effect, and on receipt of such notice the said District Land Registrar shall note the relevant certificate or certificates of title accordingly.
- (5) The land to which this section relates is more particularly described as follows:

All that area in the North Auckland Land District, City of Auckland, being part Bed of the Waitemata Harbour reclaimed from the sea, situated in Block VIII, Rangitoto Survey District, containing 1 rood 16 perches and six-tenths of a perch more or less: as the same is shown on SO Plan 43111, lodged in the Office of the Chief Surveyor at Auckland.

#### *Electric power boards*

#### **41 Validating variation of terms of raising certain loan money by Wairere Electric Power Board**

Whereas on 26 March 1957 the Local Government Loans Board sanctioned the raising by the Wairere Electric Power Board (in this section referred to as the **Board**) of a loan

of 48,000 pounds to be known as the Lines Extension and Improvement Loan 1957 (in this section referred to as the **loan**), subject to certain conditions:

And whereas one of those conditions was that no money should be borrowed after the expiration of 2 years from the date of the Order in Council consenting to the raising of the loan:

And whereas that Order in Council was made on 19 June 1957:

And whereas after the expiration of the said period of 2 years the Board raised the sum of 8,000 pounds as portion of the loan:

And whereas it is expedient that the action of the Board in raising the said portion of the loan should be validated:

Be it therefore enacted as follows:

The action of the Board in raising the sum of 8,000 pounds as portion of the loan after the expiration of the period specified by the Local Government Loans Board is hereby validated, and the said sum shall be deemed to have been lawfully borrowed, and the debenture issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to its tenor.

**42 Authorising the Waitemata Electric Power Board to sell certain land by private treaty**

Whereas by an agreement dated 24 April 1961 made between the Waitemata Electric Power Board (in this section referred to as the **Board**), of the one part, and Walpasi Flats Limited (in this section referred to as the **Company**), of the other part, a copy of which agreement is deposited in the Department of Internal Affairs at Wellington under Number IA 105/953, the Board by private treaty agreed to sell and the Company agreed to purchase the Board's property situate at 81 Albert Street in the City of Auckland being the land described in subsection (3) upon the terms and conditions contained in the said agreement:

And whereas doubts have arisen as to the authority of the Board to enter into the said agreement and as to the validity thereof and it is desirable to remove those doubts and to validate the said agreement:

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in the Public Works Act 1928, or in any other Act, the Board is hereby authorised and empowered to sell by private treaty the land described in subsection (3) and the said agreement is hereby declared to be valid and binding in all respects according to its tenor.
- (2) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is more particularly described as follows:

All that area of land in the City of Auckland, being part Allotment 16 of Section 21, Town of Auckland, DP 20023, and being the land comprised and described in certificate of title, Volume 461, folio 289, Auckland Registry.

**43 Validating borrowing of and variation of terms of raising certain loan money by Te Awamutu Electric Power Board**

Whereas by Order in Council made on 23 September 1959 consent was given to the raising by the Te Awamutu Electric Power Board (in this section referred to as the **Board**) of a sum of 30,000 pounds known as the Building Loan 1959 (in this section referred to as the **building loan**):

And whereas by Order in Council made on 3 August 1960 consent was given to the raising by the Board of a sum of 60,000 pounds known as the Extension Loan 1960 (in this section referred to as the **extension loan**):

And whereas the Board raised a sum of 10,000 pounds as part of the building loan on terms that it should be repaid by various dates within a period of 11 years:

And whereas the Board raised a further sum of 10,000 pounds as part of the building loan on terms that it should be repaid by various dates within a period of 12 years:

And whereas the Board raised a sum of 11,050 pounds as part of the extension loan on terms that it should be repaid by various dates within a period of 10 years:

And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the raising of the said 2 sums of 10,000 pounds, and the said sum of 11,050 pounds was that those sums should be repaid by equal aggregate annual or half-yearly instalments of principal and interest over a term of 20 years:

And whereas it is desirable that the action of the Board in raising the said sums otherwise than in accordance with the conditions determined by the Local Authorities Loans Board be validated:

Be it therefore enacted as follows:

The action of the Board in raising the 2 sums of 10,000 pounds as part of the building loan and the sum of 11,050 pounds as part of the extension loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said 2 sums of 10,000 pounds and the said sum of 11,050 pounds shall be deemed to have been lawfully borrowed and all stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor.

#### **44 Including Kawau Island in Waitemata Electric Power District**

Whereas the Island of Kawau (in this section referred to as the **Island**), situated in the Hauraki Gulf, is not included in an electric power district constituted under the Electric Power Boards Act 1925 (in this section referred to as the **Act**):

And whereas the inhabitants of the Island are desirous of having a supply of electricity made available to them on the Island:

And whereas the said inhabitants cannot petition the Governor-General in accordance with section 3 of the Act to have the Island included in an electric power district as the Island does not form part of a borough, county, town district, or road district:

And whereas the Waitemata Electric Power District extends to and includes the adjacent County of Rodney, the nearest point on the mainland:

And whereas it is desirable that the Island should be included in that District:

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in the Act, the Island is hereby declared to be included in the Waitemata Electric Power District and it shall be deemed to be a constituent district of that Electric Power District.
- (2) All persons who would be electors of that constituent district if the Island formed part of a county shall be the electors of that district for the purposes of the Act.

#### *Hospital boards*

#### **45 Validating borrowing of and variation of terms of raising certain loan money by North Canterbury Hospital Board**

Whereas by Order in Council made on 23 February 1960 consent was given to the raising by the North Canterbury Hospital Board (in this section referred to as the **Board**) of a sum of 175,000 pounds (in this section referred to as the **loan**) as portion of a loan of 1,081,000 pounds known as Loan Number 14, 1959:

And whereas the Board raised a sum of 23,570 pounds as part of the loan on terms that it should be repaid at the expiration of a term of 20 years:

And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the raising of the said sum of 23,570 pounds was that that sum should be repaid over a term not exceeding 10 years:

And whereas it is desirable that the action of the Board in raising the said sum otherwise than in accordance with the conditions determined by the Local Authorities Loans Board be validated:

Be it therefore enacted as follows:

The action of the Board in raising the sum of 23,570 pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of 23,570 pounds shall be deemed to have been lawfully borrowed and all stock issued in

respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor.

**46 Validating variation of terms of raising certain loan money by Auckland Hospital Board**

Whereas by Order in Council made on 24 May 1961 consent was given to the raising by the Auckland Hospital Board (in this section referred to as the **Board**) of a loan of 200,000 pounds (in this section referred to as the **loan**) as portion of a loan of 800,000 pounds known as the Works Loan 1960:

And whereas 3 of the conditions determined by the Local Authorities Loans Board in respect of the loan were that the loan should extend over a term of 20 years, and that the loan together with interest thereon should be repaid by equal aggregate annual or half-yearly instalments extending over that term, and that the rate of interest should not produce to the lender or lenders a rate or rates exceeding four and seven-eighths per cent per annum:

And whereas the Board has raised the sum of 111,250 pounds by borrowing a sum of 10,000 pounds for a term of 1 year, a sum of 8,800 pounds for a term of 2 years, a sum of 5,400 pounds for a term of 3 years, a sum of 8,350 pounds for a term of 4 years, a sum of 8,500 pounds for a term of 5 years, a sum of 5,000 pounds for a term of 6 years, a sum of 6,500 pounds for a term of 7 years, a sum of 1,500 pounds for a term of 8 years, and a sum of 57,200 pounds for a term of 10 years at a rate of interest of 5% per annum, all such sums having been raised on terms that repayment be made by a lump sum paid on their respective dates of maturity:

And whereas it is desirable that the action of the Board be validated:

Be it therefore enacted as follows:

The action of the Board in raising the sum of 111,250 pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of 111,250 pounds shall be deemed to have been lawfully borrowed and all debentures and



stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

**47 Authorising the Otago Hospital Board to make *ex gratia* payment in respect of a contract**

Whereas by an agreement dated 4 May 1959 made between Baker Perkins (N.Z.) Limited (in this section referred to as the **contractor**), of the one part, and the Otago Hospital Board (in this section referred to as the **Board**), of the other part, the contractor agreed to perform certain work in respect of laundry machinery at the Board's Parkside Hospital and at the Board's new Central Laundry at Dunedin:

And whereas the contractor has performed part of the said work and the remainder of the said work is about to be completed:

And whereas the contractor made certain errors and omissions in calculating the cost of the supply and installation of certain necessary parts of such machinery:

And whereas as a result of such errors and omissions the contractor would suffer a loss amounting to 1,062 pounds:

And whereas the Board, having regard to this loss and to the hardship which the contractor would otherwise suffer, is desirous of making a payment of 1,062 pounds to the contractor:

Be it therefore enacted as follows:

The Board is hereby authorised and empowered to pay the sum of 1,062 pounds to the contractor by way of compensation in respect of the loss incurred by the contractor, conditional on the satisfactory performance of the remainder of the said work.

*Rabbit boards*

**48 Validating borrowing of certain money by Millers Flat Rabbit Board**

Whereas by Order in Council made on 15 June 1960 consent was given to the raising by the Millers Flat Rabbit Board (in this section referred to as the **Board**) of a loan of 1,370 pounds to be known as the Staff Housing Loan 1960 (in this section referred to as the **loan**):

And whereas, contrary to the provisions of the Local Authorities Loans Act 1956, the Board had raised the loan before it was sanctioned by the Local Authorities Loans Board and before it was authorised by the said Order in Council:

And whereas it is desirable that the action of the Board should be validated:

Be it therefore enacted as follows:

The action of the Board in raising the loan before it had been sanctioned by the Local Authorities Loans Board and without the precedent consent of the Governor-General in Council is hereby validated, and the money raised by the Board in respect thereof shall be deemed to have been lawfully borrowed, and all securities issued in respect thereof shall be deemed to have been lawfully executed and issued by the Board and shall have full force and effect according to their tenor.

**49 Dissolving the Edendale Rabbit Board, and provisions incidental thereto**

Whereas the Edendale Rabbit District was constituted by Order in Council dated 17 December 1941:

And whereas the boundaries of the said Edendale Rabbit District were altered and redefined by Order in Council dated 10 March 1959:

And whereas by Order in Council dated 26 October 1960 the boundaries of the Woodlands Rabbit District were altered and redefined to include a portion of the Edendale Rabbit District:

And whereas by a further Order in Council dated 26 October 1960 the boundaries of the Glencoe Rabbit District were altered and redefined to include the remaining portion of the Edendale Rabbit District:

And whereas by a further Order in Council dated 26 October 1960 the East Road–Makarewa Rabbit District, the Waimatua Rabbit District, and the Woodlands Rabbit District were declared to be united to form 1 district having the name of the Awarua Rabbit District:

And whereas by an agreement dated 22 May 1961 between the Awarua Rabbit Board and the Glencoe Rabbit Board, the Awarua Rabbit Board agreed to take over the assets and as-

sume the liabilities of the Edendale Rabbit Board and to pay to the Glencoe Rabbit Board the sum of 2,290 pounds and to transfer to it assets valued at 496 pounds:

And whereas the Board had no authority to enter into the said agreement:

Be it therefore enacted as follows:

- (1) The agreement dated 22 May 1961 between the Awarua Rabbit Board and the Glencoe Rabbit Board is hereby validated.
- (2) The Edendale Rabbit Board is hereby dissolved.
- (3) The Awarua Rabbit Board shall be deemed to have lawfully acquired the assets and assumed the liabilities and engagements of the Edendale Rabbit Board and all proceedings pending by or against the Edendale Rabbit Board may be carried on or prosecuted by or against the Awarua Rabbit Board.

**50 Authorising Waimakariri Rabbit Board to raise special loan**

Whereas the Waimakariri Rabbit Board (in this section referred to as the **Board**) has expended out of its General Account the sum of 3,500 pounds on the purchase of a house property and land:

And whereas the Local Authorities Loans Board has no power to sanction the raising of a loan for the purpose of enabling the Board to refund the said sum of 3,500 pounds to its General Account:

And whereas it is desirable to authorise the Board to raise a special loan not exceeding the sum of 3,500 pounds for the purpose of recouping its General Account in respect of the money expended from that account as aforesaid:

Be it therefore enacted as follows:

The Board is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956, an amount not exceeding 3,500 pounds for the purpose of refunding to its General Account the money expended from that account on the purchase of the said house property and land.

*Catchment boards***51 Validating advance of certain money by Southland Catchment Board**

Whereas by Order in Council made on 20 June 1956 consent was given to the raising by the Southland Catchment Board (in this section referred to as the **Board**) of the sum of 7,000 pounds to be known as the Dipton Channel Works Loan 1956 (in this section referred to as the **loan**) for the purpose of undertaking certain works for the benefit of part of the Southland Catchment District:

And whereas because of flood damage during construction of the said works the amount of the loan was found to be insufficient to complete the said works:

And whereas the Board advanced the sum of 872 pounds 6 shillings and 3 pence out of its General Account for purposes supplementary to the loan, the said sum to be recouped by an annually recurring separate rate on all rateable property in the Dipton Channel Rating District:

And whereas the Board advanced the said sum from its General Account without first complying with the provisions of section 31 of the Local Authorities Loans Act 1956;

And whereas it is desirable that the action of the Board in advancing the said sum be validated:

Be it therefore enacted as follows:

- (1) The action of the Board in advancing the sum of 872 pounds 6 shillings and 3 pence from its General Account for the purpose of completing the said works, without first complying with the provisions of section 31 of the Local Authorities Loans Act 1956, is hereby validated and the said money shall be deemed to have been lawfully advanced.
- (2) The annually recurring separate rate made and levied by the Board on all rateable property in the Dipton Channel Rating District for the purpose of recouping the sum so advanced is hereby declared to have been lawfully made and levied.

**52 Authorising the Wairarapa Catchment Board to reclaim certain land in the Wairarapa Catchment District**

Whereas the Wairarapa Catchment Board proposes to reclaim certain land adjacent to and on the foreshore of Lake Wairarapa, Lake Onoke, and the Ruamahanga River and from the beds of the said lakes and river in pursuance of the Lower Wairarapa Valley Development Scheme:

And whereas there are some doubts as to the Catchment Board's powers to do this work:

And whereas it is desirable that the necessary powers be granted to the Catchment Board:

Be it therefore enacted as follows:

- (1) Notwithstanding the provisions of section 175 of the Harbours Act 1950 or of any other Act, but subject to the provisions of sections 178 to 182 of the Harbours Act 1950, the Wairarapa Catchment Board is hereby authorised to reclaim land adjacent to and on the foreshore of Lake Wairarapa, Lake Onoke, and the Ruamahanga River and from the beds of the said lakes and river, being the land described in subsection (2).
- (1A) Nothing in this section or in the Soil Conservation and Rivers Control Act 1941 shall authorise the Wairarapa Catchment Board to take any of the land described in subsection (2) under the Public Works Act 1928 for reclamation purposes.
- (2) The land to be reclaimed is described as follows:

All that area in the Wellington Land District, County of Featherston, containing 5 700 acres approximately, as shown on the plan marked MD 11069, deposited in the Head Office of the Marine Department, at Wellington, and thereon edged red.

Section 52(1A): inserted, on 14 December 1962, by section 46 of the Local Legislation Act 1962 (1962 No 117).

*Affecting 2 or more classes of public bodies*

**53 Validating an agreement between New Plymouth City Council and certain other local authorities as to establishment of museum**

Whereas for the purpose of making provision for the establishment and control of a museum in the Provincial District of Taranaki and for defraying the cost thereof, the local author-

ities mentioned in subsection (4) have entered into an agreement dated 10 August 1960 a certified copy of which agreement is recorded in the Department of Internal Affairs at Wellington as IA 105/784:

And whereas doubts have arisen as to the powers of the local authorities concerned to enter into and be bound by the said agreement:

And whereas it is desirable that the said agreement should be validated and that the powers contained in subsection (2) should be conferred on the New Plymouth City Council:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954, the Counties Act 1956, or in any other Act, the said agreement is hereby validated and confirmed, and the local authorities mentioned in subsection (4) shall be deemed to have been at all times authorised and empowered to enter into and execute the said agreement which shall be binding on the parties thereto and shall for all purposes without further authority than this section be effective according to its tenor.
- (2) While the said agreement remains in full force and effect, the New Plymouth City Council may make bylaws from time to time for the purpose of regulating, controlling, or prohibiting any act, matter, or thing in connection with the control, management, maintenance, and use of the museum:  
provided that no such bylaw shall have any force or effect unless and until the same has been approved by a resolution of the Taranaki Museum Board to be constituted pursuant to the said agreement, which approval may be proved by the production of a copy of the resolution with a certificate thereon purporting to be signed by the Chairman and any 2 members of the said Board.
- (3) The provisions of Part 29 of the Municipal Corporations Act 1954 shall apply to any bylaws made under subsection (2).
- (4) The local authorities to which this section relates are:  
New Plymouth City Council  
Waitara Borough Council  
Inglewood Borough Council

Stratford Borough Council  
Eltham Borough Council  
Hawera Borough Council  
Patea Borough Council  
Taranaki County Council  
Inglewood County Council  
Clifton County Council  
Stratford County Council  
Eltham County Council  
Hawera County Council  
Egmont County Council  
Waimate West County Council  
Patea County Council.

**54 Authorising refund of purchase price of stopped street transferred to Auckland Harbour Board by Auckland City Council**

Whereas Jellicoe Street in the City of Auckland was reclaimed, formed, and dedicated as a public street by the Auckland Harbour Board (in this section referred to as the **Board**):

And whereas that part of Jellicoe Street described in subsection (2) (in this section referred to as the **said land**) has now been stopped by the Auckland City Council (in this section referred to as the **Council**) pursuant to the provisions of the Municipal Corporations Act 1954:

And whereas the Council desired to transfer the said land to the Board without consideration but had no power to do so:

And whereas the Council transferred the said land to the Board pursuant to section 190 of the Municipal Corporations Act 1954 in consideration of the payment of the sum of 8,375 pounds:

And whereas it was agreed between the Council and the Board that they would seek legislative authority for the Council to refund the said sum to the Board:

Be it therefore enacted as follows:

- (1) Notwithstanding the provisions of section 190 of the Municipal Corporations Act 1954 or any other Act, the Council

is hereby empowered to refund to the Board the sum of 8,375 pounds paid by the Board to the Council as aforesaid.

- (2) The land to which this section relates is more particularly described as follows:

All that parcel of land containing 1 rood 4 perches and six-tenths of a perch, more or less, being section 4, Block XVI, Waitemata Survey District, and being all the land comprised and described in certificate of title, Volume 1853, folio 52, Auckland Registry.

**55 Authorising Wellington City Council to make a grant in respect of Day's Bay Wharf**

Whereas the Wellington Harbour Board (in this section referred to as the **Board**) owns and controls a wharf at Day's Bay in and over the Harbour of Wellington (in this section referred to as the **wharf**):

And whereas the wharf was constructed for use by vessels engaged in the Wellington Harbour Ferry Passenger Service plying between the Wellington wharves and the Day's Bay and other wharves in the Wellington Harbour:

And whereas the wharf has not been used for commercial purposes since the ferry service was discontinued some years ago:

And whereas the upkeep of the wharf has become uneconomic and the Board has under consideration the demolition of the said wharf:

And whereas the Wellington City Council (in this section referred to as the **Council**) has requested the Board to recondition the wharf as an amenity for use by pleasure craft and has offered to make a grant to the Board of the sum of 2,500 pounds towards the cost of reconditioning the wharf for such purpose:

And whereas the Board is prepared to agree to the Council's request:

And whereas it is desirable to authorise the Council to make the said grant to the Board:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to make a grant to the Board of the sum of 2,500 pounds for the purpose



of reconditioning the wharf to provide an amenity for use by pleasure craft.

**56 Validating the terms of an agreement between Wellington Harbour Board and Eastbourne Borough Council**

Whereas the Wellington Harbour Board (in this section referred to as the **Board**) owns and controls a wharf in and over the Harbour of Wellington which together with the approach wharf thereto constructed on land is known as the Rona Bay Wharf (in this section referred to as the **wharf**):

And whereas the wharf is no longer required or suitable for shipping or harbour purposes and the Eastbourne Borough Council (in this section referred to as the **Council**) desires to lease the wharf from the Board for use as a promenade and pleasure and recreational resort for the convenience of the public, and the Board is willing to grant such a lease to the Council:

And whereas the Board desires to pay to the Council the sum of 2,000 pounds to be used and expended by the Council towards the maintenance of the wharf during the continuance of such lease and thereafter towards the demolition and removal of the wharf:

And whereas the Board and the Council entered into an agreement dated 1 August 1961 for the purpose of giving effect to the proposals in respect of the wharf, and a copy thereof has been deposited in the Department of Internal Affairs under Number IA 105/894:

And whereas the Board and the Council had no authority to enter into the said agreement and the Board has no authority to make the proposed payment of 2,000 pounds to the Council:  
And whereas it is desirable to validate the said agreement and to authorise the Board to grant and pay the said sum to the Council:

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in the Harbours Act 1950 or in any other Act, the Board and the Council shall be deemed to have been authorised and empowered to enter into the said

agreement and the same is declared to have been lawfully made and shall have effect according to its tenor.

- (2) The Board is hereby authorised and empowered to pay the sum of 2,000 pounds to the Council as a grant in accordance with the terms of the said agreement.

*Miscellaneous*

**57 Provision with respect to Warkworth War Memorial project**

Whereas certain sums of money were publicly subscribed towards the cost of a War Memorial for the Town District of Warkworth:

And whereas the War Memorial was a charitable purpose within the meaning of Part 4 of the Charitable Trusts Act 1957:

And whereas the form of the War Memorial was changed and all the money publicly subscribed was spent on the War Memorial as so changed:

And whereas the provisions of Part 4 of the Charitable Trusts Act 1957 were not complied with although the money was spent in carrying out a charitable purpose other than that for which the money raised was held:

And whereas it is desirable to validate the spending of that money for that purpose:

Be it therefore enacted as follows:

Notwithstanding the provisions of the Charitable Trusts Act 1957 or of any other Act, all money publicly subscribed towards the War Memorial for the Town District of Warkworth is hereby declared to have been lawfully spent on the War Memorial as built although the Memorial was different in form from that for which the money was subscribed.

**58 Declaring certain deed to be arbitrator's award for  
purposes of section 65(5) of Auckland Metropolitan  
Drainage Act 1960**

*[Repealed]*

Section 58: repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

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**Notes****1 General**

This is a reprint of the Local Legislation Act 1961. The reprint incorporates all the amendments to the Act as at 1 November 2010, 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 (Auckland Transitional Provisions) Act 2010 (2010 No 37):  
section 113(1)

Auckland Improvement Trust Act 1971 (1971 No 9 (L)): section 12(1)

Local Legislation Act 1970 (1970 No 124): section 17(3)

Local Legislation Act 1962 (1962 No 117): sections 27, 46

Local Legislation Act 1961 (1961 No 127): sections 10(5), 24(3)

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