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Local Legislation Act 1969

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Note

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

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

This Act is administered by the Department of Internal Affairs.

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

1 Short Title

This Act may be cited as the Local Legislation Act 1969.

City and borough councils

2 Validating variation of terms of raising certain loan money by Geraldine Borough Council

Whereas by Order in Council made on 9 January 1962, consent was given to the raising by the Geraldine Borough Council (in this section referred to as the **Council**) of a loan of \$8,500 to be known as the Housing Loan 1961 (in this section referred to as the **loan**): And whereas the Local Authorities Loans Board determined that the loan or any part of it should be repaid over a period of 25 years: And whereas on 14 May 1962 the term over which the loan could be repaid was varied to 10 years: And whereas the Council raised the loan on conditions that required repayment over a period of 25 years and had no authority to do so: 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 loan on the said conditions is hereby validated and declared to have been lawful; and all debentures and stock that have been issued in respect

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

3 Amending Palmerston North Reserves Empowering Act 1966

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

4 Authorising refund by Petone Borough Council to District Fund Account from loan money

Whereas, before the Petone Borough Council (in this section referred to as the **Council**) obtained authority to raise a loan of \$120,000 to be known as the Land Purchase Loan 1965 (in this section referred to as the **loan**), the Council expended out of its District Fund Account, for certain purposes for which the loan was to be raised, the sum of \$10,156.25: And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund the sum so expended to its District Fund Account out of the proceeds of the loan: Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$10,156.25 to its District Fund Account out of the proceeds of the loan.

5 Providing for expenditure by Picton Borough Council in connection with centennial celebrations of Picton Volunteer Fire Brigade

Whereas in the year 1972 the Picton Volunteer Fire Brigade (in this section referred to as the **Brigade**) is to celebrate the centennial of the founding of the Brigade: And whereas the Picton Borough Council (in this section referred to as the **Council**) wishes to expend money in respect of the celebration and commemoration of the centennial: And whereas it is necessary to make special provision to enable the Council to set aside money for that purpose: Be it therefore enacted as follows:

- (1) The Council is hereby authorised to establish a separate bank account to be known as the Fire Brigade Centennial Fund Account (in this section referred to as the **Fund**) and to pay into the Fund in each financial year until and including the financial year ending with 31 March 1973, a sum not exceeding \$125.

- (2) The money in the Fund shall be expended by the Council solely in respect of the celebration and commemoration of the centennial of the founding of the Brigade and any sum remaining in the Fund after all such expenditure has been made shall be transferred to the District Fund Account of the Council to the credit of the General Account.

6 Validating loan raised by the Timaru City Council and validating refund by Council to District Fund Account from loan money

Whereas on 13 February 1968, the Local Authorities Loans Board sanctioned the raising by the Timaru City Council (in this section referred to as the **Council**) of a loan of \$28,000 to be known as the Airport Loan 1968 (in this section referred to as the **loan**): And whereas the Council raised the loan without the consent of the Minister of Finance: And whereas before the Council obtained authority to raise the loan the Council expended out of its District Fund Account, for certain purposes for which the loan was to be raised, the sum of \$15,642: And whereas it is desirable that the action of the Council in raising the loan be validated: And whereas since the loan has been raised the Council has refunded to its District Fund Account out of the proceeds of the loan the sum of \$15,642 but had no authority to do so: And whereas it is desirable to validate the refund: Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Local Authorities Loans Act 1956, the action of the Council in raising the loan without the prior consent of the Minister of Finance is hereby validated and declared to have been lawful, and all debentures and stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to their tenor.
- (2) The action of the Council in refunding the sum of \$15,642 to its District Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful.

7 Validating refund by Timaru City Council to District Fund Account from loan money

Whereas before the Timaru City Council (in this section referred to as the **Council**) obtained authority to raise a loan of \$32,000 to be known as the Housing Loan 1967 (in this section referred to as the **loan**), the Council expended out of its District Fund Account, for certain purposes for which the loan was to be raised, the sum of \$10,110: And whereas when that authority had been obtained and the loan raised the Council refunded the sum of \$10,110 to its District Fund Account out of the proceeds of the loan, but had no authority to do so: And whereas it is desirable to validate the refund: Be it therefore enacted as follows:

The action of the Council in refunding the sum of \$10,110 to its District Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful.

8 Authorising Inglewood Borough Council to raise a special loan

Whereas the Inglewood Borough Council (in this section referred to as the **Council**) has expended out of its District Fund Account the sum of \$30,000 in payment of the balance of money owing for the sewerage installation carried out under the Sewerage Reticulation and Extension and Sewerage Treatment Loan 1965: 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 to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan of not more than \$30,000 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 \$30,000 for the purpose of refunding to its District Fund Account the sum expended from that account as aforesaid.

9 Authorising refund by Marton Borough Council to District Fund Account from loan money

Whereas before the Marton Borough Council (in this section referred to as the **Council**) obtained authority to raise a loan of \$15,000 to be known as the Pensioner Housing Loan 1969 (in this section referred to as the **loan**), the Council expended out of its District Fund Account, for certain purposes for which the loan was to be raised, the sum of \$2,942: And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund the sum so expended to its District Fund Account out of the proceeds of the loan: Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$2,942 to its District Fund Account out of the proceeds of the loan.

10 Authorising Rotorua City Council to guarantee repayment of a loan

Whereas the Young Women's Christian Association of Rotorua (Incorporated) (in this section referred to as the **Association**) intends to erect a hostel on the land described in subsection (5) and for that purpose intends to raise a loan: And whereas the Rotorua City Council (in this section referred to as the **Council**) wishes to guarantee repayment of the loan but has no authority to do so: Be it therefore enacted as follows:

- (1) The Council may, in the name and on behalf of the Mayor, Councillors, and Citizens of the City of Rotorua, by deed or other instrument, guarantee to any financial institution within the meaning of section 326 of the Municipal Corporations Act 1954 repayment of the whole or any portion of any money which the financial institution may advance to the Association by way of mortgage on the security of the land described in subsection (5):

provided that the Council shall not exercise the power conferred by this subsection unless the money so advanced to the Association by the financial institution amounts to not more than \$30,000 or two-thirds of the total estimated value of the land and the proposed hostel when erected thereon, whichever is the less.

- (2) Any such guarantee shall contain such terms and conditions as the Council and the financial institution may agree upon, and may from time to time be varied by deed or other instrument executed by the Council in the name and on behalf of the Mayor, Councillors, and Citizens of the City of Rotorua, and by the financial institution.
- (3) The mortgage securing the advance shall contain such terms and conditions as the Council, the financial institution, and the Association may agree upon.
- (4) For the purpose of providing funds to enable it to make any payment for which it becomes liable pursuant to a guarantee given under this section or for the purpose of refunding to its General Account any money paid from that account under such a guarantee, the Council may borrow money by way of special loan under the Local Authorities Loans Act 1956, by special order, and, notwithstanding anything in section 34 of that Act, any such special loan may be raised without the prior consent of the ratepayers.
- (5) The land to which this section relates is described as follows:
All that piece of land containing 1 acre and 0.4 perches, more or less, situated in the City of Rotorua, being Section 46 and part Section 3, Block I, Tarawera Survey District, being more particularly defined and shown edged red on Survey Office Plan numbered 42697 lodged in the office of the Chief Surveyor at Hamilton.

11 Validating certain expenditure incurred by Whakatane Borough Council

The expenditure by the Whakatane Borough Council during the financial year ended with 31 March 1968 of the sum of \$3,008.44 in connection with the celebration of the 50th jubilee of the Borough of Whakatane is hereby validated and declared to have been lawfully incurred.

12 Validating rate books used by Manukau City Council, former Manukau County Council, and former Manurewa Borough Council

Whereas it has been found that certain rate books formerly kept by the Manukau City Council (in this section referred to as the **City Council**), the former Manukau County Council (in this section referred to as the **County Council**), and the former Manurewa Borough Council (in this section referred to as the **Borough Council**) were not in the form prescribed by the Rating Act 1925: And whereas it is desirable to validate the actions of the City Council, County Council, and Borough Council in keeping rate books that were not in the prescribed form: Be it therefore enacted as follows:

- (1) The rate books adopted and kept by the County Council and the City Council in respect of the period commencing on 1 April 1956 and ending with 31 March 1968 shall be deemed to have been in the form prescribed by the Rating Act 1925; and the making, levying, and collecting of rates by the City Council and County Council in respect of that period shall be deemed to have been and to be lawful.
- (2) The rate books adopted and kept by the Borough Council and the City Council in respect of the period commencing on 1 April 1958 and ending with 31 March 1966 shall be deemed to have been in the form prescribed by the Rating Act 1925; and the making, levying, and collecting of rates by the Borough Council and City Council in respect of that period shall be deemed to have been and to be lawful.
- (3) All money received by the City Council, the County Council, and the Borough Council in payment of such rates shall be deemed to have been lawfully paid to and received by those Councils; and any such rates not yet paid shall be lawfully payable to the City Council.
- (4) This section shall not affect the rights of any parties under any judgment given in any court before the passing of this section or under any judgment given on appeal from any such judgment, whether the appeal is commenced before the passing of this section or not.

13 Validating refund by Taumarunui Borough Council to District Fund Account from loan money

Whereas before the Taumarunui Borough Council (in this section referred to as the **Council**) obtained authority to raise a loan of \$80,000 to be known as the Sewerage Additional Loan 1967 (in this section referred to as the **loan**), the Council expended out of its District Fund Account for certain purposes for which the loan was to be raised the sum of \$42,654.81: And whereas when that authority had been obtained and the loan raised the Council refunded to its District Fund Account out of the proceeds of the loan the sum of \$42,654.81 but had no authority to do so: And whereas it is desirable to validate the refund: Be it therefore enacted as follows:

The action of the Council in refunding the sum of \$42,654.81 to its District Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful.

14 Authorising the Corporation of the City of Wanganui to expend certain compensation money

Whereas the land known as Reserve L (in this section referred to as the **Reserve**) is vested in the Corporation of the City of Wanganui (in this section referred to as the **Corporation**) in trust as an endowment in aid of the funds of the City: And whereas part of the Reserve was taken by Proclamation for the construction of a motorway and compensation paid to the Corporation in terms of section 9 of the Reserves and Other Lands Disposal Act 1961: And whereas the compensation together with other money held by the Corporation was to be used in the development and improvement of the land described in subsection (5) of the said section 9 (in this section referred to as the **land**): And whereas the land is now fully developed except for the installation of footpaths: And whereas money will be set aside for that purpose: And whereas it is desirable that provision be made for the use of surplus money paid and to be paid as compensation for the taking of part of the Reserve: Be it therefore enacted as follows:

- (1) Any compensation money held by the Corporation in connection with the taking of part of the Reserve for motorway purposes shall be held in the General Account of the Corporation

as provided by section 9 of the Reserves and Other Lands Disposal Act 1961.

- (2) The Corporation shall hold in the General Account a sufficient sum to complete the footpaths on or across the land.
- (3) Notwithstanding anything to the contrary in any Act or rule of law, the Corporation is hereby authorised and empowered, after setting aside the sum of money referred to in subsection (2), to use any surplus compensation money held by it in terms of section 9 of the Reserves and Other Lands Disposal Act 1961 for all or any of the following purposes:
 - (a) investment in the purchase of land:
 - (b) investment in securities of local authorities within the meaning of the Local Authorities Loans Act 1956, other than the Wanganui City Council:
 - (c) deposit with the National Provident Fund, or the Post Office Savings Bank, or any trading bank within the meaning of the Reserve Bank of New Zealand Act 1964, or any trustee savings bank within the meaning of the Trustee Savings Banks Act 1948, or any private savings bank within the meaning of the Private Savings Banks Act 1964:
 - (d) investment on first mortgage for housing loans to members of the staff of the Wanganui City Council.
- (4) The income derived from the use of the compensation money shall be used in aid of the funds of the City of Wanganui.

15 Authorising Brunner Borough Council to raise a special loan

Whereas the Brunner Borough Council (in this section referred to as the **Council**) has expended out of its District Fund Account the sum of \$11,500 in payment of part of the cost of the installation of a high-pressure water supply system at Stillwater: 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 that sum to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding \$11,500 for the purpose of recouping its District Fund Account in respect of the money

so expended from the account: 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 \$11,500 for the purpose of refunding to its District Fund Account the money so expended from the account.

County councils

16 Authorising Waihemo County Council to raise a special loan

Whereas, by Order in Council made on 20 December 1965, consent was given to the raising by the Waihemo County Council (in this section referred to as the **Council**) of a loan of \$12,000 to be known as the Dunback Water Supply Loan No 1, 1965 (in this section referred to as the **loan**) for the purpose of providing a rural and domestic water supply in the Dunback Rural Water Supply District: And whereas after expending the amount of the loan, the Council expended out of its County Fund Account the sum of \$4,400 in completing the work: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan to enable the Council to refund the sum of \$4,400 to its County Fund Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding \$4,400 for the purpose of refunding that sum to its County Fund Account: 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 \$4,400 for the purpose of refunding to its County Fund Account the sum expended from that account as aforesaid.

17 Authorising Inangahua County Council to raise a special loan

Whereas the Inangahua County Council (in this section referred to as the **Council**) has expended out of its County Fund Account the sum of \$13,700 in carrying out alterations and

improvements to the Reefton Water Supply Scheme: 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 to its County Fund Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding \$13,700 for the purpose of recouping its County 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 \$13,700 for the purpose of refunding to its County Fund Account the sum expended from that account as aforesaid.

18 Authorising Amuri County Council to raise a special loan

Whereas the Amuri County Council (in this section referred to as the **Council**) has expended out of its County Fund Account the sum of \$10,000 to repay the balance outstanding in respect of the Hanmer Water Supply Loan 1956: 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 to its County Fund Account: And whereas it is desirable to authorise the Council to raise a loan of not more than \$10,000 for the purpose of recouping its County Fund Account in respect of the sum so expended from that account: 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 \$10,000 for the purpose of refunding to its County Fund Account the sum so expended from that account, and, notwithstanding anything in section 34 of that Act, the special loan may be raised without the prior consent of the ratepayers.

*Harbour boards***19 Validating certain expenditure incurred by the Northland Harbour Board**

The expenditure by the Northland Harbour Board during the financial year ended with 30 September 1967 of the sum of \$863.57, during the financial year ended with 30 September 1968 of the sum of \$1,549.23, and during the financial year ended with 30 September 1969 of the sum of \$16.93, in the acquisition of a Coat of Arms, is hereby validated and declared to have been lawfully incurred.

20 Authorising refund by Northland Harbour Board to Harbour Fund Account from loan money

Whereas section 6 of the Northland Harbour Board Vesting and Empowering Act 1966 (in this section referred to as the **Act**) authorised the Northland Harbour Board (in this section referred to as the **Board**) to raise a loan of \$500,000 for the purpose of extending berths at Port Whangarei: And whereas section 8 of the Act authorised the Board to refund to its Harbour Fund Account, from money borrowed under the Act, any money (not exceeding \$100,000) expended from the Account, for certain specified purposes, before or within 6 months after the passing of the Act: And whereas the Board so expended the sum of \$27,797.15 from its Harbour Fund Account after the expiry of the said period of 6 months: And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Board to refund the sum of \$27,797.15 to its Harbour Fund Account out of the proceeds of the loan: Be it therefore enacted as follows:

The Board is hereby authorised to refund the sum of \$27,797.15 to its Harbour Fund Account out of the proceeds of the loan.

21 Authorising Northland Harbour Board to make a contribution to the Seafarers' Welfare Board of New Zealand (Incorporated)

The Northland Harbour Board is hereby authorised to pay from its Harbour Fund Account a sum not exceeding \$10,000 to the Seafarers' Welfare Board of New Zealand (Incorp-

orated) as a contribution towards the cost of establishing a seamen's mission building at Marsden Point.

22 Validating contract between Southland Harbour Board and New Zealand Aluminium Smelters Limited

Whereas the Southland Harbour Board (in this section referred to as the **Board**) is required by section 94 of the Harbours Act 1950 to make harbour dues by bylaws and to charge such dues equally to all persons in respect of the same description of ships, the same description of voyage, and the same description of goods: And whereas the Board was authorised by the Southland Harbour Board Empowering Act 1968 to raise money for the purpose, *inter alia*, of providing additional berthage and by section 5 of that Act to grant a lease or licence of the berthage for a term not exceeding 35 years at such rental and on such terms as may be agreed upon, without selling the lease or licence by public auction or public tender: And whereas the Board has accepted a tender for the construction of the berthage at Tiwai Peninsula to service an aluminium smelter: And whereas the Board has entered into a contract to grant a licence of the berthage to New Zealand Aluminium Smelters Limited (in this section referred to as the **licensee**) for a term of 35 years with a right of renewal for a further term of 35 years at such licence fee for the renewed term as may be agreed upon or, failing agreement, as may be determined by arbitration: And whereas the licence fee for the initial term of the licence includes the payment of all loan charges in respect of the loan raised to construct the berthage and certain other charges: And whereas the licence fee will be charged to and paid by the licensee in lieu of payment of dues on goods loaded or unloaded by or for the licensee or its shareholders over the berthage: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, the action of the Board in entering into a contract to grant a licence of the berthage for a term of 35 years with a right of renewal for a further term of 35 years at a licence fee to be charged to the licensee in lieu of dues on goods loaded or unloaded by or for the licensee or its shareholders over the berthage is hereby

validated and declared to have been lawful, and the Board is hereby empowered to grant the licence.

Affecting 2 classes of public bodies

23 Validating agreement between Bluff Borough Council and Southland Harbour Board

Whereas the Bluff Borough Council (in this section referred to as the **Council**) and the Southland Harbour Board (in this section referred to as the **Board**) at a joint meeting held on 7 March 1966 agreed by joint resolution confirmed by the Council on 8 March 1966 and by the Board on 29 March 1966 (no written agreement being entered into) that the half-yearly instalments of principal payable to the Board by the Council under the Waterworks Repayment Loan 1952 be suspended for a further period of 5 years commencing on 1 April 1966 and that the interest payable on the principal repayments for the same period be waived: And whereas the said agreement was contrary to section 3 of the Bluff Borough Council and Bluff Harbour Board Empowering Act 1952 and section 4 of the Bluff Water Supply Act 1958: And whereas it is desirable to validate the said agreement: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, the Council and the Board shall be deemed to have at all times been authorised and empowered to enter into the said agreement which is hereby declared to have been lawfully made and which shall have effect according to its tenor.

24 Authorising Tauranga Harbour Board to grant a lease

Whereas the Tauranga Harbour Board (in this section referred to as the **Board**) is the registered proprietor of the land described in subsection (4) (in this section referred to as the **land**): And whereas the Board, in accordance with an arrangement between the Board and the Tauranga City Council (in this section referred to as the **Council**) desires to grant a lease to the Mayor, Councillors, and Citizens of the City of Tauranga (in this section referred to as the **Corporation**) for a term of 99 years commencing on 1 December 1964: And whereas the

Board has no authority to grant a lease for a term exceeding 50 years or to grant such a lease without selling it by public auction or public tender or offering it by public application for lease at a fixed rental: Be it therefore enacted as follows:

- (1) Notwithstanding the provisions of sections 5 and 8 of the Public Bodies' Leases Act 1908 and section 66 of the Statutes Amendment Act 1945, the Board is hereby authorised to grant to the Corporation a lease of the land for a term not exceeding 99 years.
- (2) The lease may provide that it is to operate retrospectively and commence on 1 December 1964.
- (3) The lease may provide for differing rentals for specified parts of its term or for the rental for any part of the term to be fixed by agreement between the lessor and the lessee, or, failing agreement, to be fixed by arbitration.
- (4) The land to which this section relates is described as follows:
All that piece of land containing 3 roods 33 perches, more or less, situated in Block X, Tauranga Survey District, being Lot 2, Deposited Plan S 12590, being part Allotment 413, Section 1, Town of Tauranga, and being also part of the land comprised and described in certificate of title, Volume 10C, folio 425, South Auckland Registry.

25 Authorising Raetihi Borough Council and Waimarino County Council to build doctor's house and surgery

- (1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954 or the Counties Act 1956 or in any other Act, the Raetihi Borough Council (in this section referred to as the **Borough Council**) and the Waimarino County Council (in this section referred to as the **County Council**) are hereby authorised to unite in accordance with section 51 of the Municipal Corporations Act 1954 and section 31 of the Counties Act 1956, and to expend money, for the purpose of—
 - (a) causing a medical practitioner's surgery, or house and surgery, to be erected on any land in the Borough of Raetihi belonging to or leased by the Borough Council or County Council;

- (b) the taking, purchase or other acquisition by the Borough Council or County Council of any land in the Borough of Raetihi for the purpose of erecting thereon a medical practitioner's surgery, or house and surgery.
- (2) The Borough Council or County Council, as the case may be, may let any such medical practitioner's surgery, or house and surgery, to any medical practitioner on such tenancy or lease, at such rent, for such term, and upon such conditions as it thinks fit.
- (3) The Public Bodies' Leases Act 1908 shall not apply to any tenancy or lease granted under this section.
- (4) Nothing in this section shall authorise the Borough Council or County Council to deal with any public reserve within the meaning of the Reserves and Domains Act 1953 otherwise than in accordance with the provisions of that Act.

26 Authorising Waipawa Borough Council and Waipawa County Council to provide doctor's house and surgery

- (1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954 or the Counties Act 1956 or in any other Act, the Waipawa Borough Council (in this section referred to as the **Borough Council**) and the Waipawa County Council (in this section referred to as the **County Council**) are hereby authorised to unite in accordance with section 51 of the Municipal Corporations Act 1954 and section 31 of the Counties Act 1956, and to expend money, for the purpose of—
 - (a) causing a medical practitioner's surgery, or house and surgery, to be erected on any land in the Borough of Waipawa belonging to or leased by the Borough Council or County Council:
 - (b) the taking, purchase, or other acquisition by the Borough Council or County Council of any land in the Borough of Waipawa for the purpose of erecting thereon a medical practitioner's surgery, or house and surgery.
- (2) The Borough Council or County Council, as the case may be, may let any such medical practitioner's surgery, or house and surgery, to any medical practitioner on such tenancy or lease, at such rent, for such term, and upon such conditions as it thinks fit.

- (3) The Public Bodies' Leases Act 1908 shall not apply to any tenancy or lease granted under this section.
- (4) Nothing in this section shall authorise the Borough Council or County Council to deal with any public reserve within the meaning of the Reserves and Domains Act 1953 otherwise than in accordance with the provisions of that Act.

Miscellaneous provisions

27 Amending Selwyn Plantation Board Act 1953

[Repealed]

Section 27: repealed, on 8 October 1998, by section 20(2) of the Selwyn Plantation Board Empowering Act 1992 (1992 No 4 (L)).

28 Validating a memorandum of mortgage given by Kawhia Pest Destruction Board

Whereas the Kawhia Pest Destruction Board (in this section referred to as the **Board**) on 8 July 1968 contracted with the State Advances Corporation of New Zealand (in this section referred to as the **Corporation**) for the purchase from the Corporation of a house situated on the land described in subsection (2) for the accommodation of employees of the Board: And whereas the Board agreed that, of the purchase price of \$5,600, the sum of \$2,150 should be secured by memorandum of mortgage over the land: And whereas on 12 August 1968 the Board completed the purchase and gave and executed the memorandum of mortgage: And whereas the action of the Board in giving and executing the memorandum of mortgage was contrary to the provisions of section 68(2) of the Agricultural Pests Destruction Act 1967 and of Part 1 of the Local Authorities Loans Act 1956 in that no application was made by the Board to the Local Authorities Loans Board under section 8 of the Local Authorities Loans Act 1956 for sanction to borrow or contract to borrow money from the Corporation: And whereas it is desirable that the action of the Board in giving and executing the memorandum of mortgage be validated: Be it therefore enacted as follows:

- (1) The action of the Board in contracting for and giving and executing the memorandum of mortgage securing the sum of \$2,150 is hereby validated and declared to have been lawful,

and the memorandum of mortgage shall be deemed to have been lawfully executed and shall have full force and effect according to its tenor.

- (2) The land in respect of which the memorandum of mortgage was executed is described as follows:

All that piece of land containing 2 roods 27 perches, more or less, being Lot 1, DP S1770, being part Section 16, Block VIII, Kawhia North Survey District, and being also all of the land comprised and described in Proclamation S63852, South Auckland Registry.

29 Authorising North Canterbury Catchment Board to transfer money from its Plant and Equipment Purchase and Replacement Account to its Office Renewal Reserve Account

The North Canterbury Catchment Board is hereby authorised to transfer the sum of \$60,000 from its Plant and Equipment Purchase and Replacement Account to its Office Renewal Reserve Account.

30 Validating agreement between Eastbourne Urban Fire Authority and Hutt Valley and Bays Fire Board

Whereas section 43 of the Local Legislation Act 1966 validated an agreement made between the Eastbourne Urban Fire Authority and the Hutt Valley and Bays Fire Board: And whereas that agreement ceased to have effect on 31 March 1969: And whereas by a further agreement dated 6 October 1969 made between the 2 public bodies it was agreed that the original agreement should continue in force for a further period ending with 31 March 1972: And whereas it is desirable to validate the further agreement: Be it therefore enacted as follows:

The Eastbourne Urban Fire Authority and the Hutt Valley and Bays Fire Board shall be deemed to have been authorised and empowered to enter into the further agreement dated 6 October 1969, and the further agreement is declared to have been lawfully made and shall have full force and effect according to its tenor.

31 Authorising adjustment of short payment by Waitemata County Council to Auckland Regional Authority

Whereas for the purpose of assessing, in accordance with section 60 of the Auckland Regional Authority Act 1963 (in this section referred to as the **Act**), the contributions payable to it by its contributing authorities in respect of the year which commenced on 1 April 1969, the Auckland Regional Authority (in this section referred to as the **Authority**) pursuant to subsection (2) of section 2 of the Act and subsection (1) of section 159 of the Rating Act 1967, requested the Valuer-General to make an adjusted valuation of the rateable capital value of all rateable property within its district: And whereas the certificate, specifying the total amount of the rateable capital values of all rateable property within the Authority's district supplied to the Authority by the Valuer-General in accordance with subsection (3) of section 159 of the Rating Act 1967 did not include the values of the rateable properties situated within the Glenfield County Town and certain other properties adjacent thereto, all within the district of the County of Waitemata: And whereas as a result of the non-inclusion of the values of such properties in the said certificate, the amount of the contribution for which the Waitemata County Council (in this section referred to as the **Council**) was assessed by the Authority pursuant to section 60 of the Act in respect of the year which commenced on 1 April 1969 was \$11,189 less than the amount for which it would have been so assessed had the rateable capital values of such properties been included in the said certificate: And whereas the amount of \$11,189 not paid by the Council was included in the assessments made by the Authority against its other contributing authorities in respect of the said year and paid by the other contributing authorities in various proportions in accordance with the Act: And whereas it is desired to adjust the short payment and overpayments: Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Act, the Authority shall not include the said sum of \$11,189 in its estimate, prepared in accordance with section 58 of the Act, in respect of the year which commences on 1 April 1970, and the Authority shall assess the contributions payable to it by its contributing

authorities in respect of that year without regard to the said sum of \$11,189.

- (2) The amount for which the Council is assessed by the Authority in accordance with section 60 of the Act and subsection (1) in respect of the year which commences on 1 April 1970 shall be increased by the sum of \$11,189, and the Council shall pay the amount of such assessment, increased as aforesaid, to the Authority at the times and in the manner provided by section 65 of the Act; and all the provisions of the Act shall apply to the increased assessment in the same manner and to the same extent as they apply to an annual assessment.
 - (3) The Authority shall reduce the amount of any assessment made against each of its contributing authorities (other than the Council) pursuant to section 60 of the Act and subsection (1) in respect of the year which commences on 1 April 1970, by such amount as each respective contributing authority was overcharged in the assessment made against it in respect of the year which commenced on 1 April 1969.
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Notes

1 *General*

This is a reprint of the Local Legislation Act 1969. The reprint incorporates all the amendments to the Act as at 8 October 1998, 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)*

Selwyn Plantation Board Empowering Act 1992 (1992 No 4 (L)): section 20(2)
