

**Reprint
as at 19 November 1992**



Local Legislation Act 1992

Public Act 1992 No 103
Date of assent 18 November 1992
Commencement see section 1(2)

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

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.

1 Short Title and commencement

- (1) This Act may be cited as the Local Legislation Act 1992.
- (2) Except as provided in section 5(5), this Act shall come into force on the day on which it receives the Royal assent.

2 Clutha District Council: validating invalid rate of former Lawrence Borough Council

Notwithstanding that the general rate for the year that ended with March 1989 resolved to be made and levied by the former Lawrence Borough Council at a duly notified meeting held on 20 June 1988 was invalid in that it exceeded the limit prescribed by section 136 of the Local Government Act 1974,—

- (a) the rate is hereby validated and deemed to have been lawfully made:
- (b) all actions of both the former Lawrence Borough Council and the Clutha District Council in making, levying, and collecting the rate are hereby validated and deemed to have been lawful:
- (c) all money received by either of the councils in payment of the rate is hereby deemed to have been lawfully paid to and received by it:
- (d) such part of the rate as has not yet been paid to either of the councils is hereby deemed to be lawfully payable, and capable of being collected as if it has always been lawfully payable, to the Clutha District Council.

3 Palmerston North City Council: purchase of Ongley Park Gymnasium

For the avoidance of doubt, the actions of the Palmerston North City Council in expending \$111,375 out of the Palmerston North Reserves Sales Account established by section 8 of the Palmerston North Reserves Empowering Act 1966 in purchasing the building known as the Ongley Park Gymnasium (at the time erected on the recreational reserve known as Ongley Park) and paying the goods and services tax payable in respect of the purchase are hereby validated and declared to have been lawful.

4 Wellington City Council: distribution of funds held under Johnsonville School Reserve Act 1898

- (1) As soon as is practicable after the commencement of this section, the Wellington City Council (as successor to the former Johnsonville Town Board) shall pay to—
 - (a) the governing bodies of Johnsonville Free Kindergarten and Johnsonville West Kindergarten; and
 - (b) the Boards of Trustees of Johnsonville School, Johnsonville West School, Onslow College, Raroa Normal Intermediate School, and Saint Brigid's School; and
 - (c) the Paparangi Kohanga Reo Whanau Committee,—
in 8 equal shares, the special fund comprising money paid by the Crown to the Council as compensation for the taking of the land vested in the former Town Board by section 2 of the Johnsonville School Reserve Act, 1898, and accumulated interest earned by the fund.
- (2) The receipt of the Secretary or Treasurer of a body specified in subsection (1) shall be a full and sufficient discharge to the Council of its obligations to that body under that subsection in respect of the money to which the receipt relates; and that body or Board may use the money free of all trusts and restrictions.
- (3) The following enactments are hereby consequentially repealed:
 - (a) the Johnsonville School Reserve Act, 1898;
 - (b) the Johnsonville School Reserve Act Amendment Act, 1900.
 - (c), (d) *Amendment(s) incorporated in the Act(s)*.

5 Amending Wellington Harbour Board and Wellington City Council Vesting and Empowering Act 1987

- (1)–(3) *Amendment(s) incorporated in the Act(s)*.
- (4) Notwithstanding section 14 of the principal Act (as amended by subsection (1)), the principal Act shall apply to the period commencing on 1 October 1991 and ending with 30 June 1992 as if it is a financial year for the Lambton Harbour Development Project.
- (5) Subsection (2) shall come into force on 1 January 1993.

6 Repeals and savings

- (1) The enactments specified in the Schedule are hereby repealed.
 - (2) The repeal by subsection (1) of any enactment does not affect the validity or effect of anything done or validated by the enactment or, before the commencement of this Act, done under the enactment.
 - (3) Without limiting the generality of subsection (2), it is hereby declared that the repeal by subsection (1) of this section of—
 - (a) section 10 of the Local Legislation Act 1962 shall not affect the division of the City of Takapuna into wards:
 - (b) section 19 of that Act shall not affect the use by the Wellington City Council of the land described in subsection (2) of that section:
 - (c) section 8 of the Local Legislation Act 1963 shall not affect any leases to which it related, or any renewals of any such leases:
 - (d) section 22 of that Act shall not affect the use by the Timaru City Council of the land described in subsection (2) of that section:
 - (e) section 28 of that Act shall not affect any lease granted under that section, or the powers of any successor of the former Napier Harbour Board under or in respect of any such lease.
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Schedule
Enactments repealed

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Auckland and Parnell Endowment Lands Act 1895 (1895 No 3 (L))

Auckland City Borrowing Act 1899 (1899 No 17 (L))

Auckland City Borrowing Act Amendment Act 1904 (1904 No 3 (L))

Auckland City Loans Consolidation and Empowering Act 1909 (1909 No 21 (L))

Auckland City Market Empowering Act 1942 (1942 No 1 (L))

Auckland Electric Lighting Act 1900 (1900 No 17 (L))

Auckland Electric-power Station Site Act 1911 (1911 No 28 (L))

Auckland Waterworks Loans, Sinking Funds and Borrowing Act Amendment Act 1905 (1905 No 9 (L))

Christchurch City Betterment Act 1908 (1908 No 7 (L))

Christchurch City Borrowing Act 1899 (1899 No 2 (L))

Christchurch City Empowering Act 1939 (1939 No 3 (L))

Christchurch City Sanitation Empowering Act 1908 (1908 No 17 (L))

Christchurch City Sanitation Empowering Amendment Act 1922 (1922 No 5 (L))

Christchurch City Sanitation Empowering Amendment Act 1927 (1927 No 1 (L))

Christchurch Milk-supply and Markets Act 1914 (1914 No 10 (L))

Christchurch Milk-supply and Markets Amendment Act 1917 (1917 No 15 (L))

Christchurch Public Works Loan Validation Act 1885 (1885 No 11 (L))

Christchurch Rating Agreements Enabling Act 1916 (1916 No 5 (L))

City of Auckland Additional Loan Act 1883 (1883 No 9 (L))

City of Auckland Empowering Act 1903 (1903 No 42 (L))

City of Auckland Enabling Act 1909 (1909 No 20 (L))

City of Auckland Loans Acts Amendment and Council Empowering Act 1900 (1900 No 11 (L))

City of Christchurch Empowering Act 1911 (1911 No 11 (L))

Elingamite Rehearing Act 1911 (1911 No 20 (L))

Invercargill Corporation Reserve Exchange Act 1895 (1895 No 10 (L))

Invercargill Corporation Reserve Exchange Act 1902 (1902 No 18 (L))

Invercargill Garrison Hall Trustees Empowering Act 1899 and Amendment 1907 (1899 No 4 (L))

Invercargill Reserve Vesting Act 1911 (1911 No 34 (L))

Invercargill Reserves Exchange Act 1883 (1883 No 26 (L))

Local Legislation Act 1927 (1927 No 58)

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

Local Legislation Act 1955 (1955 No 86)

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

Local Legislation Act 1962 (1962 No 117)

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

Local Legislation Act 1963 (1963 No 138)

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

Remuera Waterworks Empowering Act 1901 (1901 No 25 (L))

**St Albans Borough Council Special Loan Enabling Act 1896
(1896 No 15 (L))**

**St Albans Special Loan Validation and Empowering Act 1903
(1903 No 22 (L))**

**Tauranga County Council Empowering Act 1955 (1955 No 11
(L))**

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Notes**1 General**

This is a reprint of the Local Legislation Act 1992. The reprint incorporates all the amendments to the Act as at 19 November 1992, 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)*
