

**Reprint  
as at 28 November 1989**



**Napier City Council (Land)  
Empowering Act 1989**

Local Act 1989 No 6  
Date of assent 27 November 1989  
Commencement 27 November 1989

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**An Act to provide that certain land is to be held by the Napier City Council for general purposes and not for any particular purpose**

**1 Short Title**

This Act may be cited as the Napier City Council (Land) Empowering Act 1989.

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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.

**2 Interpretation**

In this Act, unless the context otherwise requires, **Council** means the Napier City Council as constituted by clause 52 of the Local Government (Hawke's Bay Region) Reorganisation Order 1989 (*Gazette* 1989, Vol III, p 2334).

**3 Powers of Council in relation to certain land**

(1) Notwithstanding anything in—

- (a) the Napier Harbour Board Empowering and Loan Act 1884; or
- (b) the Napier Public Baths Act 1908; or
- (c) the Napier Foreshore Act 1927; or
- (d) clause 123 of the Local Government (Hawke's Bay Region) Reorganisation Order 1989 (*Gazette* 1989, Vol III, p 2334)—

for the purposes of section 572 of the Local Government Act 1974, so much of the land described in the Schedule as is for the time being vested in the Council shall be deemed to be held for the general purposes of the Council's district and not for any particular purpose, except any part or parts of it set apart for a particular purpose, after the commencement of this Act, pursuant to any other enactment.

(2) All money received by the Council from the exercise of its powers under section 572 of the Local Government Act 1974 in respect of any land to which subsection (1) applies, or in respect of any buildings situated on any such land, shall be credited to the Council's general revenues.

**4 Powers of District Land Registrar**

The District Land Registrar for the Hawke's Bay Land Registration District is hereby authorised and directed to make such entries in the Registrar's registers and do all such other things as may be necessary to give effect to the provisions of this Act.

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### **Schedule**

- 1 All that parcel of land situated in the Land Registration District of Hawke's Bay containing 1 416 square metres, more or less, being Lot 1 on DP 2183; as shown marked E on SO plan 9657.
  - 2 All those parcels of land situated in the Land Registration District of Hawke's Bay containing 2.0317 hectares, more or less, being part Lots 2, 4, and 6 on DP 6121, Lot 5 on DP 6121, and part Lot 1 on DP 11354; as shown marked D, F, G, H, and I on SO plan 9657.
  - 3 All those parcels of land situated in the Land Registration District of Hawke's Bay containing 1 617 square metres, more or less, being Lot 2 on DP 2183, part Lot 1 on DP 6121, and part Lot 3 on DP 6121; as shown marked A, B, and C on SO plan 9657.
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**Notes****1 General**

This is a reprint of the Napier City Council (Land) Empowering Act 1989. The reprint incorporates all the amendments to the Act as at 28 November 1989, 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)*

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