

**Reprint
as at 1 July 1995**



**Palmerston North City Council
Empowering Act 1995**

Local Act 1995 No 3
Date of assent 30 June 1995
Commencement 30 June 1995

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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.

An Act to—

- (a) provide that certain land is vested in the Palmerston North City Council as an endowment for the general purposes of that Council; and**
- (b) authorise the sale of that land and the application of the proceeds of sale towards the construction of a new public library; and**
- (c) provide that certain other land is vested in that Council for a public right of way**

1 Short Title

This Act may be cited as the Palmerston North City Council Empowering Act 1995.

2 Interpretation

In this Act, **Council** means the Palmerston North City Council.

3 Land vested in Council as an endowment, etc

- (1) The land described in Schedule 1 is hereby vested in the Council as an endowment for the general purposes of the Council.
- (2) Notwithstanding anything in any other enactment, the Council is hereby authorised to sell the land described in Schedule 1, by private contract, on such terms and conditions as it thinks fit, and to apply the net proceeds of that sale towards the construction of a new public library in the city of Palmerston North.

4 Land vested in Council for a public right of way

The land described in Schedule 2 is hereby vested in the Council for an estate in fee simple to be used as a public right of way for the general public.

5 Repeals and savings

- (1) *Amendment(s) incorporated in the Act(s).*
- (2) The repeal of the enactments referred to in subsection (1) shall not affect any deed or instrument made, signed, or acknowledged or anything done or suffered or any estate, interest, right, or benefit created or conferred under or by virtue of any such enactment.

- (3) Nothing in this Act shall affect the validity of any contract, agreement, conveyance, deed, lease, licence, or other instrument, undertaking or notice (whether or not in writing) in respect of or relating to the land described in Schedules 1 and 2 and subsisting immediately before the commencement of this Act.
- (4) Nothing in this Act shall affect the validity of any previous use of the land described in Schedules 1 and 2.

6 Powers of District Land Registrar

The District Land Registrar for the Wellington 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.

Schedule 1

ss 3, 5(3), (4)

- 1 All that piece of land situated in the City of Palmerston North, containing firstly 12 square metres, more or less, being Parts Section 662, Town of Palmerston North, and secondly 73 square metres, more or less, being Parts Section 662, Town of Palmerston North below a reduced level of 31.21 metres and above a reduced level of 35.11 metres in terms of the Moturiki Datum, and being also all the land comprised and described in certificate of title 14D/1467 (Wellington Registry), subject to a grant of electricity rights (in gross) created by Transfer B.400840.1.
- 2 All that piece of land situated in the City of Palmerston North, containing 926 square metres, more or less, being part of Section 662, Town of Palmerston North, and being also all the land comprised and described in certificate of title 474/109 (Wellington Registry), subject to a grant of electricity rights (in gross) created by Transfer B.400840.1.

Schedule 2

ss 4, 5(3), (4)

All that piece of land situated in the City of Palmerston North, containing 73 square metres, more or less, being Lot 1, Deposited Plan 41988, below a reduced level of 35.11 metres and above a reduced level of 31.21 metres in terms of the Moturiki Datum and being also all the land comprised and described in certificate of title 14D/1458 (Wellington Registry).

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Notes

1 *General*

This is a reprint of the Palmerston North City Council Empowering Act 1995. The reprint incorporates all the amendments to the Act as at 1 July 1995, 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)***
