

River Boards Amendment Act 1910

Public Act 1910 No 23
Date of assent 2 November 1910

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An Act to amend the River Boards Act 1908

BE IT ENACTED by the General Assembly of New Zealand
in Parliament assembled, and by the authority of the same, as
follows:—

1 Short Title

This Act may be cited as the River Boards Amendment Act 1910, and shall form part of and be read together with the River Boards Act 1908 (hereinafter referred to as the principal Act).

2 Power to purchase lands liable to be injuriously affected by river works

In addition to the powers conferred by section 74 of the principal Act, a River Board may purchase or otherwise acquire (but not by compulsory taking) any land which is in danger of being or is injuriously affected by any works or operations undertaken or intended to be undertaken by that Board, and the Board may dispose of or otherwise deal with that land or any part thereof as it thinks fit.

3

Section 3 was repealed, as from 30 March 1985, by section 39(3) Local Government Amendment Act 1985 (1985 No 60).

4

Sections 4 and 5 were repealed, as from 9 December 1976, by section 2(2) River Boards Amendment Act 1976 (1976 No 118).

5

Sections 4 and 5 were repealed, as from 9 December 1976, by section 2(2) River Boards Amendment Act 1976 (1976 No 118).

6 Financial arrangements on abolition of district

- (1) Where a river district is abolished, the Audit Office, or such person as the Governor-General may appoint, shall hold an inquiry and make an award apportioning the property of the Board, and the debts, liabilities, and engagements thereof, amongst the districts of territorial authorities within the meaning of the Local Government Act 2002, or portions thereof respectively in the district so abolished.
- (2) Any such award may provide for all or any of the matters included in the subject for inquiry, and may declare in whom any property shall be vested, and by whom any money shall be paid, including the payment of the whole or any part of the expenses of the inquiry; and the person making the award may make and give such directions generally as may be necessary for giving full effect to the objects of the inquiry.
- (3) Every such award shall be final, and shall from the date thereof have the operation of and be enforceable as a judgment of the High Court.
- (4) Nothing in this section shall in any way affect the rights or interests of any bondholder or other creditor of the Board, or

shall relieve the ratepayers for the time being in the area comprised in the river district from their liability to pay any special rate made under the principal Act as a security for any loan.

Subsection (1) was amended, as from 1 April 1980, by section 8(3) Local Government Amendment Act 1979 (1979 No 59) by substituting the words “districts of territorial authorities within the meaning of the Local Government Act 1974” for the words “boroughs, counties, road districts, and town districts”.

Subsection (1) was amended, as from 1 July 2003, by section 262 Local Government Act 2002 (2002 No 84) by substituting the words “districts of territorial authorities within the meaning of the Local Government Act 2002” for the words “districts of territorial authorities within the meaning of the Local Government Act 1974”. *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

In subsection (3) the words “High Court” were substituted, as from 1 April 1980, for the words “Supreme Court” pursuant to section 12 Judicature Amendment Act 1979 (1979 No 124).

7 **Miscellaneous amendments of principal Act**

The principal Act is hereby amended in manner indicated in the Schedule hereto.

Schedule

Section 7

Parts of this Schedule were repealed, as from 4 December 1913, by sections 2(2), 3(3), and 11(1) River Boards Amendment Act 1913 (1913 No 35).