

**Reprint
as at 21 October 1981**



**Taranaki Harbours Board
Empowering Act 1981**

Local Act 1981 No 6
Date of assent 20 October 1981
Commencement 20 October 1981

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**An Act to authorise the Taranaki Harbours Board to lease
certain land at Port Taranaki**

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.

1 Short Title

This Act may be cited as the Taranaki Harbours Board Empowering Act 1981.

2 Interpretation

In this Act, **Board** means the Taranaki Harbours Board.

3 Power to lease and incidental powers

(1) It shall be lawful for the Board to lease by private contract—

- (a) the whole or any part of the land described in Part 1 of the Schedule and such additional land adjoining that land as the Board shall think fit to the Petrochemical Corporation of New Zealand Limited:
- (b) the whole or any part of the land described in Part 2 of the Schedule and such additional land adjoining that land as the Board shall think fit to Petralgas Chemicals NZ Limited:
- (c) the land described in Part 3 of the Schedule to Liquigas Limited—

in each case for such term of years, on such terms and conditions, and at such rental or rentals as are approved by the Board; and from time to time to accept the surrender or vary the terms and conditions of any such lease upon such terms and conditions as are approved by the Board.

(2) Sections 7, 8, 9, 17, 18, and 19 of the Public Bodies Leases Act 1969 and section 173(f) of the Harbours Act 1950 shall not apply in respect of any lease granted under the authority of subsection (1).

(3) A lease granted under the authority of subsection (1) shall be deemed not to be a sale within the meaning of section 270 of the Local Government Act 1974, but the Board shall pay in respect of every such lease, within 3 months after the granting of the lease, such reserve contribution under Part 20 of that Act as would have been payable had this subsection not been enacted.

4 Other Acts not affected

Nothing in section 3 shall be construed as limiting or affecting in any way the application of the provisions of—

- (a) the Town and Country Planning Act 1977; or
- (b) the New Zealand Ports Authority Act 1968.

5 Validating prior agreements

Notwithstanding the provisions of the Harbours Act 1950, the Public Bodies Leases Act 1969, or the Local Government Act 1974, the deed dated 4 February 1977 made between the Board and Shell BP and Todd Oil Services Limited whereby the Board granted to that company a licence to occupy a berth on Blyde Wharf at Port Taranaki, and the agreement dated 2 April 1976 between the same parties whereby the Board agreed to lease to that company a piece of land adjoining the said berth (the said berth and land being described in Part 4 of the Schedule) are each hereby validated and deemed to be lawful according to their tenor.

Schedule

Part 1

7 618 square metres, more or less, being part New Plymouth Roadstead, situated in Block IV, Paritutu Survey District. Part certificate of title 102/148 (Taranaki Registry), and being more particularly delineated as area A on Survey Office Plan 11733.

Part 2

2 999 square metres, more or less, being part New Plymouth Roadstead, and part Harbour Reserve L (DP 3830), situated in Block IV, Paritutu Survey District. Part certificate of title 102/148 and part certificate of title 144/101 (Taranaki Registry), and being more particularly delineated as area B on Survey Office plan 11733. Subject to a right to discharge cooling water contained in *Gazette* extract 270438.

Part 3

1.5386 hectares, more or less, being part Lot 1, DP 8434, being part Section 1, Grey District, part Section 1015 Grey District, and parts Harbour Reserves A and L, all situated in Block IV, Paritutu Survey District. Part certificate of title A2/48, part certificate of title F1/108 and part certificate of title 102/148 (Taranaki Registry), and being more particularly delineated as area C on Survey Office Plan 11734.

Part 4

2 077 square metres, more or less, being part New Plymouth Roadstead, situated in Block IV, Paritutu Survey District. Part certificate of title 102/148 (Taranaki Registry), and being more particularly delineated as area D on Survey Office Plan 11734.

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Notes

1 *General*

This is a reprint of the Taranaki Harbours Board Empowering Act 1981. The reprint incorporates all the amendments to the Act as at 21 October 1981, 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)*
