

**Reprint  
as at 31 August 1946**



**Tahunanui Town Board  
Empowering Act 1946**

Local Act    1946 No 2  
Date of assent    30 August 1946  
Commencement    30 August 1946

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**An Act to empower the Tahunanui Town Board to accept a transfer by way of gift of certain lands to be utilised and maintained by the Town Board as an access way for foot-passengers only**

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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.

**1 Short Title**

This Act may be cited as the Tahunanui Town Board Empowering Act 1946.

**2 Authorising acceptance of transfer of land**

Notwithstanding anything contained in the Municipal Corporations Act 1933 or in any other Act, the Tahunanui Town Board may for the purpose of providing more direct access from Rocks Road to Edward Street for foot-passengers accept a transfer by way of gift from Edward Austin Herbert Bisley, Ethel Lois Maxwell, and Doris Kathleen Houliker of all that parcel of land containing 30.1 perches, more or less, being the strips of land 15.15 links wide, being more particularly shown as rights of way on the plan numbered 1413, deposited in the office of the District Land Registrar at Nelson, and being part of Section 1, Suburban South, in Block IV, Waimea Survey District, and being part of the land in Certificate of Title, Volume 53, folio 229, Nelson Registry; subject to an agreement as to fencing contained in Transfer No 18883; and subject to Order in Council No 605; and subject to grants of right of way appurtenant to the land in Certificate of Title, Volume 51, folio 299, Nelson Registry, granted by Transfer No 20366; and subject to grant of right of way appurtenant to Lots 51 and 52 on the said plan numbered 1413 granted by Transfer 21321, such parcel of land being hereinafter referred to as the **said land** and being more particularly delineated on plan marked PWD No 123839 deposited in the office of Public Works Department at Wellington, and thereon coloured pink.

**3 Access way for foot-passengers**

The said land shall be used only as an access way for foot-passengers and entrances thereto shall be so fenced or barricaded that horses, cattle, or motor vehicles cannot enter the said land.

**4 Buildings to have other frontage**

The said Town Board shall not authorise any person to erect a building on any site adjoining the said land unless such site has a frontage to some street, private street, or duly authorised private way as defined by the Municipal Corporations Act 1933.

**5 Restriction on building**

No person shall acquire any right to erect a building by reason of the existence of the said land as an access way for foot-passengers.

**6 Maintenance of way**

The said Town Board may construct, grade, and maintain the said land so that the same shall be suitable for foot-passengers only.

**7 No fencing contribution**

No person shall be entitled to require from the said Town Board any contribution under the provisions of the Fencing Act 1908 by reason of the ownership of the said land by the said Town Board.

**8 Access way not a street**

Nothing in this Act shall be deemed to constitute the said land a street.

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**Notes****1 General**

This is a reprint of the Tahunanui Town Board Empowering Act 1946. The reprint incorporates all the amendments to the Act as at 31 August 1946, 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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