

**Reprint
as at 8 September 1979**



**Waimea County Council
Empowering Act 1979**

Local Act 1979 No 6
Date of assent 7 September 1979
Commencement 7 September 1979

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An Act to authorise the Waimea County Council to expend the proceeds of afforestation activities on certain reserve land and to validate certain earlier expenditure

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.

Preamble

Whereas the Waimea County Council (hereinafter called the **Council**) is the administering body within the meaning of that expression as used in the Reserves Act 1977 of the reserves described in the Schedule of this Act: And whereas parts of the said reserves are, by virtue of sections 114 and 115 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920 and Orders in Council published in the *Gazette* on 25 August 1921, vested in the Council in trust for plantation purposes subject to certain conditions contained in the said Orders in Council: And whereas pursuant to such conditions and with the approval of the Commissioner of Crown Lands and the New Zealand Forest Service the Council has planted trees and carried out a programme of afforestation of the said land and has derived revenue therefrom: And whereas with the approval of the Minister of Lands the net profit from such activities has been used as to 10% thereof for the purposes of maintenance and improvement of the said reserves for recreational purposes: And whereas the balance of the net profit has been paid into the general funds of the Council and used for the general purposes of the Council: And whereas doubts have arisen as to the continued legality of such use of revenue under the terms of the Reserves Act 1977: And whereas it is desired to validate any expenditures previously made and to authorise future disposal of the revenue of the said land.

1 Short Title

This Act may be cited as the Waimea County Council Empowering Act 1979.

2 Validation

The actions of the Council in applying 10% of the net profit of the forestry and associated activities of the Council conducted on the land described in the Schedule for the purposes of maintenance and improvement of the reserves on that land for recreational purposes, and the payment of the balance of the net profit into the general funds of the Council and the use

thereof for the general purposes of the Council are hereby validated and declared to have been lawful.

3 Application of part of profit for recreational purposes

The Council shall apply 10% of the net profit from the sales of forest products and associated activities conducted on the land described in the Schedule in each financial year, or such greater proportion of it as it considers necessary, for the purposes of the adequate maintenance and improvement of the reserves on that land for recreational purposes, or for the purposes set out in section 80 of the Reserves Act 1977.

4 Application of balance of profit

Notwithstanding the provisions of the Reserves Act 1977, in each financial year the Council is hereby authorised to transfer the balance of the net profit left after the expenditure referred to in section 3 of this Act to the general funds of the Council, and to apply that balance for the general purposes of the Council.

Schedule

Nelson Land District—Waimea County

Islands Nos 3 (Rough), 4 (Birds) and 5 (Rabbit) Waimea Islands District, situated in Blocks II, III, and IV, Moutere Survey District and Blocks I, II, and III, Waimea Survey District, containing 1 195.8812 hectares.

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Notes

1 *General*

This is a reprint of the Waimea County Council Empowering Act 1979. The reprint incorporates all the amendments to the Act as at 8 September 1979, 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)*
