

Wellington City Empowering and Amendment Act 1938

Local Act 1938 No 10
Date of assent 14 September 1938

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An Act to confer Further Powers on the Wellington City Corporation and to amend the Wellington City Trading Departments' Reserve and Renewal Funds Act 1917.

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 Wellington City Empowering and Amendment Act 1938.

2 Interpretation

In this Act, if not inconsistent with the context, **Council** means the Wellington City Council.

3 Council authorized to make allowances to servants retired through infirmity

- (1) The Council may pay to officers, or servants, or other employees who have, with the consent of the Council, retired through infirmity, arising from old age or illness, such sums by way of retiring-allowance or compassionate allowance as the Council thinks fit.
- (2) All such allowances shall be paid out of the District Fund.
- (3) No such allowance shall exceed an amount which, together with the superannuation allowance (if any) payable to the recipient under the National Provident Fund Restructuring Act 1990, or otherwise, shall equal the limit of amount of superannuation allowance payable under the said Act.
- (4) This section shall not apply to persons retiring on superannuation in the ordinary course merely on account of having reached the retiring-age or having completed the prescribed period of service.
- (5) Section one hundred and thirteen of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1919, is hereby consequentially repealed.

The National Provident Fund Act 1950, was substituted, as from 23 November 1950, for a reference to the National Provident Fund Act 1926 pursuant to sec-

tion 80(1) of the National Provident Fund Act 1950 (1950 No 55). The National Provident Fund Act 1950 referred to in subsection (3), was repealed, as from 1 April 1991, by section 81(1) National Provident Fund Restructuring Act 1990 (1990 No 126).

4 Validation of payments made to employees on their retirement

- (1) All payments heretofore authorized or made by the Council by way of retiring-allowance, or in lieu of annual leave not taken, to employees on retirement, not being payments made under the provisions of section one hundred and thirteen of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1919, are hereby validated.
- (2) Any superannuation allowance paid or payable under the National Provident Fund Restructuring Act 1990, or otherwise, to any such employee is hereby declared to be and to have been due, and to run as from the day on which such person actually ceased to work for the Council.

The National Provident Fund Act 1950, was substituted, as from 23 November 1950, for a reference to the National Provident Fund Act 1926 pursuant to section 80(1) of the National Provident Fund Act 1950 (1950 No 55). The National Provident Fund Act 1950 referred to in subsection (2), was repealed, as from 1 April 1991, by section 81(1) National Provident Fund Restructuring Act 1990 (1990 No 126).

5 Repeal of subsection (1) of section 7 of the Wellington City Trading Departments' Reserve and Renewal Funds Act 1917, and substitution of new subsection

Section seven of the Wellington City Trading Departments' Reserve and Renewal Funds Act 1917, is hereby amended by repealing subsection one thereof, and substituting therefor the following:—

- “(1) The Commissioners may invest all sums of money received by them pursuant to the last preceding section in the manner following, that is to say:—
 - “(a) In New Zealand Government securities:
 - “(b) On deposit in any bank lawfully carrying on the business of banking in New Zealand:
 - “(c) In any securities issued by the State Advances Corporation of New Zealand:
 - “(d) In the Post Office Savings-bank:

“(e) In any other securities that may from time to time be authorized by the Governor-General in Council.”

6 Repeal of subsection (5) of section 13 of the Wellington City Trading Departments’ Reserve and Renewal Funds Act 1917, and substitution of new subsection

[Repealed]

Section 6 was repealed, as from 13 October 1950, by section 2(2) Wellington City Trading Departments’ Reserve and Renewal Funds Amendment Act 1950 (1950 No 11(L)).

7 Council empowered to erect in Wellington Harbour water fountain to be operated and lit by electricity

The Council is hereby empowered, subject to compliance with the provisions of the Harbours Act 1923, to erect in Wellington Harbour a water fountain to be operated and lit by electricity.

8 Council authorized to spend part of Wellington Jubilee Fund in purchase of books, maps, illustrations, matters, and other documents relating to the early history of New Zealand

The Council is hereby authorized to expend in the purchase of books, maps, illustrations, matters, and other documents relating to the early history of New Zealand the moneys in the hands of the Council under deed dated the thirty-first day of July, nineteen hundred and eleven, made between Charles John Johnston, of the City of Wellington, Merchant, of the one part, and the Mayor, Councillors, and Citizens of the City of Wellington, of the other part, relating to certain moneys held for the purpose of carrying into effect resolutions passed at a public meeting held in the City of Wellington on the fifth day of June, eighteen hundred and ninety, as set out in that deed.