

New Zealand.

ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Slip, boats, and appliances at Port Robinson vested in Cheviot County. 3. Collection of revenue and maintenance of slip. 4. Council may have powers of a Harbour Board. 5. Power to construct wharves and levy special rate. | <ol style="list-style-type: none"> 6. Annual statement to be sent to Minister of Lands. Statement to be laid on the table of the House of Representatives. 7. Power to resume possession if conditions not complied with. 8. Revenue collected since 1st April, 1896, payable to Council. 9. Certain moneys to be paid to Council. 10. Roads and other works to be constructed thereout. |
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1897, No. 22.

AN ACT to amend "The Cheviot Estate Disposition Act, 1893." Title.
[22nd December, 1897.]

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

1. The Short Title of this Act is "The Cheviot Estate Disposition Act Amendment Act, 1897." Short Title.

2. Notwithstanding anything to the contrary contained in "The Cheviot Estate Disposition Act, 1893," the Governor, by Order in Council gazetted, may vest in the Corporation of the Chairman, Councillors, and Inhabitants of the Cheviot County, as from the first day of April, one thousand eight hundred and ninety-six, the following property, that is to say, the slip, boats, sheds, engine, machinery, protective works, and all other appliances or things used in connection with the landing-service now in existence at Port Robinson, together with such area of land in the vicinity required for such landing-service, either above or below high-water mark, as may be considered desirable. Slip, boats, and appliances at Port Robinson vested in Cheviot County.

3. The property so vested in the said Corporation shall be held by the Cheviot County Council (hereinafter called "the Council") subject to such conditions as to the collection of revenue derivable therefrom, and the application of the same by the Council to the management and maintenance thereof and of all other works hereafter erected or constructed in connection therewith, and also to the maintenance of the road commonly known as the "Bluff Road," as the Governor from time to time by Order in Council prescribes, Collection of revenue and maintenance of slip.

Council may have powers of a Harbour Board

4. The Governor may, by Order in Council gazetted, declare that the Council may exercise all the powers of a Harbour Board within the limits of Port Robinson, as such limits are defined by the same or any subsequent Order in Council.

Power to construct wharves and levy special rate.

5. From and after the date of the gazetting of such Order in Council the Council shall be deemed to be a Harbour Board as if it had been so constituted by special Act, and the provisions of sections two hundred and forty-three and two hundred and forty-four of "The Counties Act, 1886," shall apply to the Council accordingly as if it had been duly appointed a Harbour Board under the provisions of that Act.

Annual statement to be sent to Minister of Lands.

6. The Council shall forward to the Minister of Lands, not later than the thirtieth day of April in each year, a full and correct statement of the quantity of goods received and shipped from Port Robinson during the twelve months ending on the thirty-first day of March previously, and of the revenue derived therefrom and of the expenditure connected therewith.

Statement to be laid on the table of the House of Representatives.

Such statement shall be laid upon the table of the House of Representatives within ten days after the opening of the next-succeeding session of Parliament.

Power to resume possession if conditions not complied with.

7. If at any time the Governor in Council is of opinion—

- (1.) That any portion of the revenue derived from the property and other works vested in the said Corporation or held by the Council as aforesaid is not being applied by the Council to the proper maintenance of the same; or
- (2.) That the Council does not impose fees and dues to such an extent as in his opinion is necessary in order to allow of such proper maintenance; or
- (3.) That the Council does not comply with the conditions of this Act or of any Order in Council made under this Act,—

then, and in any such case, he may, by Order in Council gazetted, resume, either absolutely or for a time, the possession of the property vested in the said Corporation as aforesaid, and during such resumption the rights of the Council therein and to any revenue derivable therefrom shall absolutely cease and determine, and the Governor may during such resumption exercise all the powers in respect thereof theretofore exercisable by the Council.

Revenue collected since 1st April, 1896, payable to Council.

8. The net surplus of the revenue collected by the Government at Port Robinson in respect of the said slip and landing-service, between the first day of April, one thousand eight hundred and ninety-six, and the gazetting of the Order in Council under section two hereof shall, after deducting all expenses incurred by the Government in and about the collection of such revenue and the construction and maintenance of all works connected with such slip and landing-service, be paid to the Council without further appropriation than this Act.

Certain moneys to be paid to Council.

9. Notwithstanding anything to the contrary contained in "The Cheviot Estate Disposition Act, 1893," the Minister of Lands may from time to time agree to pay and may without further appropriation than this Act pay over to the Council such sum or sums from the

moneys received under that Act not exceeding three thousand five hundred pounds as may be necessary.

10. All sums so paid shall be applied by the Council in laying off, constructing, or maintaining roads, streets, bridges, culverts, drains, fences, and other works of a like nature within the county, upon such terms and conditions as may be agreed upon between the Minister and the Council; and any agreement for such payment and any payment so made prior to the coming into operation of this Act shall be deemed to have been made under this Act.

Roads and other
works to be con-
structed thereout.