



NEW ZEALAND

ANALYSIS

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. System of election by electors of constituent districts to apply to all Boards. Repeals. | <ol style="list-style-type: none"> 3. Authorizing Electric-power Boards to raise additional loans for reticulation of added area without poll of ratepayers, and to consolidate special rates when loan raised. 4. Extending powers of Board to raise certain loans for provision of dwellings for employees. 5. Section 73 of principal Act (as to signing of cheques on behalf of Board) amended. |
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1947, No. 20

Title. AN ACT to amend the Electric-power Boards Act, 1925.
[26th September, 1947

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

Short Title.

1. This Act may be cited as the Electric-power Boards Amendment Act, 1947, and shall be read together with and deemed part of the Electric-power Boards Act, 1925 (hereinafter referred to as the principal Act).

See Reprint of Statutes, Vol. III, p. 4

System of election by electors of constituent districts to apply to all Boards.

2. (1) Where the Board of any electric-power district consists of members elected by the ratepayers of the whole district the following provisions shall apply:—

(a) The general election of members of the Board to be held in the year nineteen hundred and forty-seven shall be an election of members

by the electors of the several constituent districts instead of by such ratepayers as aforesaid:

(b) For the purposes of that election, and thereafter for all purposes, the provisions of sections ten to fourteen and sections sixteen to nineteen of the principal Act shall apply with respect to the Board and the electric-power district:

(c) The members of the Board holding office on the passing of this Act shall continue in office until their successors come into office pursuant to section eighteen of the principal Act.

(2) Where any electric-power district is constituted at any time after the passing of this Act the members of the Board of the district shall be elected by the electors of the several constituent districts.

(3) Subsection one of section three of the principal Act is hereby consequentially amended by repealing subparagraph (vi) of paragraph (b), and substituting the following new subparagraph:—

“(vi) A statement as to the number of members proposed to be elected as representatives of each constituent district and combined district.”

(4) Section sixty-seven of the principal Act is hereby consequentially amended by omitting the words “(whether such election is by the electors of the several constituent districts or by the ratepayers of the whole district)”.

(5) Subsection two of section five, subsection one of section sixteen, section twenty, and subsection five of section twenty-three of the principal Act are hereby repealed. Repeals.

3. (1) Where at any time, whether before or after the passing of this Act, any Electric-power Board has raised a loan for the purpose of the reticulation of its district, and as security for the loan has made and levied a special rate over the whole of the district, and at any time after the raising of the loan the boundaries of the district have been altered, pursuant to the principal Act or any other Act, so as to include therein any defined area (in this section referred to as the

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of Statutes,
Vol. V, p. 371

added area), the Board may by special order, and without taking the steps prescribed by sections nine to thirteen of the Local Bodies' Loans Act, 1926, raise upon the security of a special rate to be made and levied over the whole of the district, as constituted after the alteration of boundaries, a further special loan to provide moneys for the further reticulation of the district as constituted after the alteration.

(2) Notwithstanding anything contained in the Local Bodies' Loans Act, 1926, where any special rate is made and levied under this section, all special rates theretofore made and levied by the Board, in respect of special loans not wholly repaid, over the whole district as constituted before the alteration shall, as from the making and levying of the special rate under this section, be deemed to have been also made and levied over the added area, and all the rateable property in the added area shall become liable to those special rates.

(3) Where for the purposes of any special order under this section any public notice of a resolution is given pursuant to paragraph (c) of subsection one of section forty-five of the principal Act, the notice shall contain, in addition to any other particulars required to be stated therein, a statement to the effect that after the making and levying of a special rate for the purposes of the loan referred to in the resolution all rateable property in the added area will, under section three of the Electric-power Boards Amendment Act, 1947, become liable to all special rates previously made over the district as constituted before the alteration of boundaries, as well as to the special rate to be made as security for the loan.

Ibid., p. 418

(4) In any case to which this section applies, the notice required to be given to the Minister of Finance under section ten of the Local Government Loans Board Act, 1926, shall not be given until after the confirmation of the resolution to raise the loan by special order.

(5) Where any special rate is made and levied, or is to be made and levied, as security for any special loan raised or to be raised pursuant to this section, the Board may from time to time by special order make and levy over the whole district, as constituted after

the alteration of boundaries, a rate (in this section referred to as a consolidated rate) in place of that special rate and of the special rates referred to in subsection two of this section.

(6) Every consolidated rate shall be of such amount as will produce a sum not greater than the sum that would be produced by the special rates in place of which it is made if those special rates were made and levied separately.

(7) Every special order making a consolidated rate, and every demand for any consolidated rate, shall specify the several special rates in place of which the consolidated rate is made.

(8) Every special order making a consolidated rate shall be published in the *Gazette*.

(9) Nothing in this section shall be so construed as to affect in any way the security afforded by any special rate to any creditor of the Board.

(10) The proceeds of a consolidated rate made and levied under this section shall be applied proportionately for the purposes of the several special rates in place of which the consolidated rate is made.

4. Section fifteen of the Statutes Amendment Act, 1938, is hereby amended by repealing paragraph (d) and substituting the following new paragraph:—

“(d) Acquiring land, erecting dwellings, and purchasing land with dwellings thereon, in exercise of the powers conferred on the Board by subsection one of section one hundred and twenty-two of the principal Act.”

Extending powers of Board to raise certain loans for provision of dwellings for employees.
1938, No. 20

5. Section seventy-three of the principal Act is hereby amended by omitting from subsection two the words “any two of such of the members”, and substituting the words “any one of such of the members”.

Section 73 of principal Act (as to signing of cheques on behalf of Board) amended.