



ANALYSIS

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1963, No. 9—*Local*

An Act to confer additional powers on the Hutt Valley Underground Water Authority to conserve and protect underground water
[6 September 1963]

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 Hutt Valley Underground Water Authority Empowering Act 1963.

2. Interpretation—In this Act, unless the context otherwise requires,—

“The Act” or “the principal Act” means the Underground Water Act 1953:

“Authority” means the Hutt Valley Underground Water Authority duly constituted under the Act:

“Bore” and “underground water” shall have the meanings respectively assigned to those terms by section 2 of the principal Act.

3. Power to make bylaws—(1) Notwithstanding anything to the contrary in subsection (5) of section 11 of the principal Act, the Authority may, by resolution, make bylaws providing

for the making and levying of fees and charges for the issue of permits under that Act and prescribing a scale of those fees and charges which scale shall be based on the quantity of water used:

Provided that the total amount of fees and charges so made and levied in any financial year shall not exceed the sum required for the administration of the affairs of the Authority in that year, including costs of investigation and research, or the sum of ten thousand pounds, whichever is the lesser.

(2) The provisions of subsections (2) to (8) of section 8 and of sections 9 to 12 of the principal Act shall apply to all bylaws made under this section as if they had been made under section 8 of the principal Act.

4. Compensation rights—The provisions of the principal Act relating to compensation rights shall, in their application to the Hutt Valley Underground Water Area and the Authority, be read as if subsection (4) of section 14 of that Act were omitted, and the following subsection substituted therefor:

“(4) Where any bore or system of bores was in existence on the eighteenth day of March, nineteen hundred and fifty-nine (on which date the said Area was constituted), no person shall be entitled to compensation in respect of any prohibition of or restriction upon the use of underground water taken or used from that bore or system of bores in excess of the maximum quantity of underground water taken or used by that person from that bore or system of bores for his reasonable requirements without waste in any period of twenty-four hours in the year ended the thirty-first day of March, nineteen hundred and fifty-nine, or in the year ended the thirty-first day of March, nineteen hundred and sixty-three.”
