



## ANALYSIS

Title 1. Short title and commencement	2. Interpretation 3. Apportionment of gross estimated income and general expenses
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1977, No. 10—*Local*

**An Act to amend the Order in Council constituting a borough under the name of Kapiti Borough by extending the powers by which the Borough shall in each year apportion gross estimated income, and apportion the general expenses of the Borough among its 3 wards** [25 November 1977]

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 and commencement**—(1) This Act may be cited as the Kapiti Borough (Apportionment of Income and General Expenses) Act 1977.

(2) This Act shall be deemed to have come into force on the 1st day of April 1977.

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

“Act” means the Municipal Corporations Act 1954:

“Council” means the Kapiti Borough Council:

“Order” means the Order in Council published in *Gazette*, 5 September 1974, No. 86, at page 1851, constituting Kapiti Borough and altering the boundaries of Hutt County and Horowhenua County.

**3. Apportionment of gross estimated income and general expenses**—Clause 5 of the order is hereby amended by adding the following provisos:

“Provided that notwithstanding the provisions of section 121 (1) (c) of the Act, the Council may apportion the gross estimated income in payment of the whole, or such part as the Council determines from time to time, of the cost of constructing or maintaining all such roads within the Borough (not being Government roads) as the Council from time to time, by special order, declares to be main roads, and all or any bridges on those roads:

“Provided also that notwithstanding the provisions of section 121 (3) of the Act, the Council may determine that the proportion of the general expenses of the borough to be borne by each ward under section 121 (2) of the Act shall be such as the Council considers fair and reasonable having regard to the direct or indirect benefit derived by each ward from the general expenses of the borough.”

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