

New Zealand.



ANALYSIS.

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1912, No. 4.—*Local.*

AN ACT to give Borrowing-powers to the Mokau Harbour Board
for the Purpose of rebuilding its Wharf at Mokau. Title.

[2nd October, 1912.]

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

1. This Act may be cited as the Mokau Harbour Board Empowering Act, 1912, and shall be read with and form part of the Mokau Harbour Board Act, 1900. Short Title.
2. This Act shall be deemed to be a special Act within the meaning of the Harbours Act, 1908, and the Harbours Amendment Act, 1910, which Acts are hereby incorporated with this Act. Special Act.
3. In this Act, if not inconsistent with the context,—
 - “Board” means the Mokau Harbour Board;
 - “Harbour district” means the Mokau Harbour district as described in the First Schedule to the Mokau Harbour Board Act, 1900;
 - “Special-rating district” means the district described in the Schedule hereto;
 - “Elector” means any person whose name appears on the special roll of the special-rating district;
 - “Returning Officer” means the officer appointed by the Board to conduct elections and polls within the special-rating district.Interpretation.
4. The Local Elections and Polls Act, 1908, shall apply to every poll taken under this Act; and the Board shall appoint some Certain Acts to apply.

person to be Returning Officer for the conduct of the poll hereinafter authorized throughout the special-rating district.

Power to borrow.

5. The Board may, with the consent of the electors, borrow the sum of one thousand pounds at a rate of interest not exceeding five per centum per annum, with provision for enabling the Board to set aside a sinking fund not exceeding one per centum per annum; and the Board may borrow for such period or periods as it may think fit, and as the same becomes due may renew or again borrow the said sum or any part thereof for such further or other period or periods as the Board may think fit.

Application of moneys borrowed.

6. The moneys so borrowed shall be applied by the Board—

(a.) In rebuilding the wharf at Mokau, and also in the erection and construction of all such approaches, sheds, cranes, and works in connection with such wharf as the Board may consider necessary for the safety, convenience, or reception of vessels loading or unloading at such wharf:

Provided that the Board may, out of such moneys so borrowed, repay any loan or advances which may have been made to the Board to enable it, as a matter of urgency and pending the raising of the loan hereunder, to proceed with such works:

(b.) In payment of the costs and expenses incurred by the Board in connection with the promotion of this Act and raising the loan thereunder, and the first year's interest and sinking fund in respect of such loan:

Provided that if there is any available surplus money in respect of such loan, the Board may apply the same in the construction or erection of such other harbour-works as it deems advisable.

Money may be raised as prescribed by Local Bodies' Loans Act, 1908.

7. The said sum of one thousand pounds may be raised in the manner prescribed by the Local Bodies' Loans Act, 1908, and its amendments, and the provisions thereof shall apply as if the Board were a local authority and the said works public works within the meaning of Part I of that Act, subject, however, to the modification that where anything is required to be done by special order it may be done by the Board by ordinary resolution.

Special roll to be prepared for taking of poll.

8. The Valuer-General shall, whenever so requested by the Chairman of the Board, for the purpose of a poll under this Act, prepare from the district valuation roll for the time being in force under the Valuation of Land Act, 1908, a special roll setting forth the names of all owners of freehold and leasehold lands within the special-rating district, together with particulars of their respective properties and the capital value of their respective interests therein. Such roll shall be signed by the Chairman or two members of the Board, and when so signed shall be delivered to the Returning Officer, and shall be the roll upon which the poll shall be taken.

Votes of electors.

9. Every elector upon the special roll of the special-rating district shall be entitled to vote at any poll hereunder according to the following scale:—

If the capital value of his interest in the property as appearing on the special roll amounts in the aggregate to not more than one thousand pounds, he shall have one vote;

If such capital value is more than one thousand pounds but not more than two thousand pounds, he shall have two votes; and

If such capital value is more than two thousand pounds, he shall have three votes.

10. If a poll in favour of a proposal to raise the said loan is carried, and as security for the payment of the said moneys hereby authorized to be borrowed and the yearly interest and sinking-fund payments in respect thereof, the Board may make and levy a special rate not exceeding three-farthings in the pound on the capital value of all rateable property within that part of the harbour district described in the Schedule hereto, which is hereby constituted a special-rating district under the Local Bodies' Loans Act, 1908, for the purposes of such loan.

Special rate may be levied as security of loan.

11. If on the poll for the loan the proposal is rejected, it shall be lawful for the Board, at any time after the expiration of twelve months from the date of the publication in the *Gazette* of such notice, to direct that another poll be held in the same manner and subject to the same conditions upon the same proposal; and if at such second poll the proposal is again rejected, the Board may at any time within two years from the date of such second poll direct that a third poll be held in the same manner and subject to the same conditions upon the same proposal:

If proposal of first poll rejected, subsequent polls may be taken.

Provided that nothing in this Act shall authorize the taking of more than three polls.

12. No rate or levy made under this Act shall be set aside or quashed in or by any proceedings in any Court or otherwise, and no defect in the same or the making thereof or in any direction for levy shall be set up as a defence to any action which may be brought to recover the same.

Rate not illegal through any informality of levy.

SCHEDULE.

Schedule.

ALL that area in the Auckland and Taranaki Land Districts: bounded towards the north by the Awakino River from the sea to the north-eastern boundary-line of Section No. 2, Block X, Awakino North Survey District, produced to the river; thence towards the north-east to and by the north-eastern boundary of the said Section No. 2 to the south-eastern corner thereof; thence towards the south-east by the south-eastern boundary-line of same Section No. 2 and the south-eastern boundary-line of part of Section No. 1 (scenic reserve), Block X, Awakino North Survey District, to Te Horo Totara; towards the north-west by north-west boundary of western portion Mangaawakino No. 4 to the Kaipaku Stream; thence towards the east generally by the Kaipaku and Mangaawakino Streams to the Mokau River; thence towards the north-east by the Mokau River to the eastern boundary-line of Section No. 13, Mokau-Mohakatino No. 1F Block; thence towards the east by the eastern boundary-line of Section No. 13 aforesaid to the south-eastern corner of the same section; thence by the south-western boundary of Section No. 15 and the Purupuru Road to the north-eastern corner of Section No. 22, Mokau-Mohakatino No. 1F Block; thence by the eastern boundary of that section to the Mohakatino River; thence by the Mohakatino River to the sea; and thence towards the west by the Tasman Sea to the Awakino River, the point of commencement.