

New Zealand.



ANALYSIS.

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1901, No. 2.—*Local.*

AN ACT to amend “The Wellington Harbour Board Act, 1879.” Title.  
[24th August, 1901.

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 Wellington Harbour Board Act 1879 Amendment Act, 1901.” Short Title.

2. This Act shall be deemed to be a special Act within the meaning of “The Harbours Act, 1878”; and shall be read together with “The Harbours Act, 1878,” and the Acts amending the same, and “The Wellington Harbour Board Act, 1879.” Special Act within meaning of Harbours Acts.

3. In this Act and in the Schedule hereto, if not inconsistent with the context,— Interpretation.

“The said Act” shall mean “The Harbours Act, 1878,” and all Acts amending the same:

“The special Act” shall mean “The Wellington Harbour Board Act, 1879”:

“Delegate” shall mean a person appointed in accordance with the provisions of this Act to take part in the election of a member of the Harbour Board:

“Returning Officer” shall mean the Clerk to the Council of the county or borough wherein the delegates are herein directed to assemble:

“Board” shall mean the Wellington Harbour Board:

“Secretary” shall mean the Secretary to the Wellington Harbour Board.

4. The Board shall, on and after the tenth day of February, one thousand nine hundred and two, consist of eleven members, of whom five shall form a quorum. Number of members

Repeal.

5. Subsections five and six of section five of the special Act are hereby repealed, and the following subsections are substituted in lieu thereof:—

Elections of members.

“(5.) One member to be elected jointly by the Councils of the County of the Hutt and of the Boroughs of the Lower Hutt, Petone, Onslow, Melrose, and Karori, and by the Councils of any other county or borough hereafter to be constituted within or from the said county or boroughs.

“(6.) One member to be elected jointly by the Councils of the Counties of Wairarapa South, Pahiatua, Akiteo, Eketahuna, Mauriceville, Castlepoint, and Masterton, and of the Boroughs of Masterton, Carterton, Greytown, and Pahiatua, and by the Councils of any other county or borough hereafter to be constituted within or from the said counties or boroughs.”

“(8.) One member to be elected jointly by the Councils of the Counties of Manawatu, Oroua, Horowhenua, Pohangina, and Kiwitea, and of the Boroughs of Foxton, Feilding, and Palmerston North, and by the Councils of any other county or borough hereafter to be constituted within or from the said counties or boroughs.”

Time, manner, and place of election.

6. The election of members in compliance with the preceding section shall take place at the time, in the manner, and at the places set forth in the Schedule hereto.

Annual accounts.

7. Notwithstanding anything to the contrary in the said Act, the Board shall, after the expiration of the year ending on the thirty-first day of December, one thousand nine hundred and one, cause its accounts to be balanced in every year to the thirtieth day of September.

Schedule, and forms.

## SCHEDULE.

1. Prior to the 21st day of January, 1902, and thereafter prior to the 21st day of January in every second year, the Councils of the counties and boroughs referred to in this Act shall each at a duly constituted meeting appoint a delegate.

2. Such appointment shall be determined by open voting and by the majority present. In case of an equality of votes the Chairman or Mayor, as the case may be, or Councillor acting as Chairman, shall have a second or casting vote.

3. Immediately after such appointment the Clerk to every such County or Borough Council shall draw out and sign in triplicate a certificate in the Form A hereto. One copy shall be delivered to or posted to the delegate; one copy shall be posted to the Secretary; and the third copy shall be posted to the Returning Officer. Such certificate shall be conclusive evidence that the delegate was duly appointed at a properly convened and constituted meeting of the Council and in accordance with the provisions hereof.

4. On the 14th day of February, 1902, and thereafter on the second Monday in the month of February in every second year, the delegates shall assemble and proceed to elect a member of the Board.

5. The delegates of the Councils referred to in subsection (5) of section 5 of this Act shall assemble at the office of, or at some other place in the City of Wellington appointed by, the Council of the County of the Hutt.

6. The delegates of the Councils referred to in subsection (6) of section 5 of this

Act shall assemble at the office of, or at some other place within the Borough of Masterton appointed by, the Council of the said borough.

7. The delegates of the Councils referred to in subsection (8) of section 5 of this Act shall assemble at the office of, or at some other place within the Borough of Palmerston appointed by, the Council of the said borough.

8. Each Returning Officer shall, at least seven days prior to the day fixed for any assembly of delegates, notify each delegate as to the place, date, and time of the assembly.

9. At an assembly of the delegates those present shall form a quorum; each delegate then present shall deliver to the Returning Officer his certificate of appointment, and the delegates shall then proceed to elect one of their number then present to be Chairman. The Chairman shall call for nominations of candidates for the position of a member of the Board. Nominations shall be in writing and signed by two delegates, and contain the consent of the person nominated. The Chairman shall then call upon each delegate present to vote, and shall record the number of votes given for each candidate.

10. The candidate obtaining the largest number of votes shall be declared elected. In case of any equality of votes the Chairman shall, in addition to his deliberative vote or votes, have a casting-vote.

11. The voting-power of each delegate shall be proportionate to the inhabitants of the county or borough that he represents. The number of inhabitants shall be determined by the census returns last published previous to the meeting of the delegates, in accordance with the following scale: Under 1,500 inhabitants one vote, and one additional vote for every complete 1,000 or part of 1,000 over and above the first 1,500 inhabitants.

12. Each Returning Officer shall, prior to the day appointed for the assembly of the delegates, prepare a schedule in the Form B hereto, showing the number of inhabitants, as determined by the census returns as aforesaid, of the counties and boroughs entitled to appoint delegates, and the number of votes each delegate shall be entitled to give.

13. Immediately after the election the Returning Officer shall draw up and sign a certificate in the Form C hereof, and shall attach thereto the schedule referred to in the last preceding clause. And, after obtaining the counter-signature of the Chairman to such certificate, shall forward the same to the Secretary. Such certificate shall be conclusive evidence that the person named therein was duly elected a member of the Board at a properly constituted meeting of the delegates.

14. If an extraordinary vacancy shall occur within the meaning of sections 38 and 39 of the said Act, the Secretary shall give notice to the Returning Officer that an extraordinary vacancy has occurred; and the Returning Officer shall, on receipt of such notice, summon the delegates to assemble on a day and at a time to be fixed by him, being not more than sixty days and not less than thirty days from the day on which he received such notice.

15. The proceedings of an assembly of delegates, meeting for the election of a member to fill an extraordinary vacancy, shall in all respects be conducted in the manner hereinbefore provided for the assembly of the delegates.

16. If any delegate shall die, resign, become bankrupt or of unsound mind, or be convicted of any crime, the Council of the county or borough that appointed such delegate shall forthwith appoint another delegate under the provisions hereinbefore prescribed for the appointment of delegates.

FORM A.

To the Secretary of the Wellington Harbour Board.  
To the Returning Officer.  
To the Delegate.

I, D. E., of \_\_\_\_\_, Clerk to the \_\_\_\_\_ County [or Borough] Council, hereby certify that at a properly convened and duly constituted meeting of the Council of the said County [or Borough] of \_\_\_\_\_, A. B., of \_\_\_\_\_, was, on the day of \_\_\_\_\_, 19\_\_\_\_, duly appointed to be the delegate for the said county [or borough] to vote at the election of a member of the Wellington Harbour Board.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

D. E., Clerk.

## FORM B.

County [or Borough] of	Inhabitants at last published Census.	Number of Votes of Delegate.

Dated this            day of            , 19            .            L. M., Returning Officer.

## FORM C.

To the Secretary to the Wellington Harbour Board.

I, L. M., of            , Clerk to the Council of the County [or Borough] of            , being the Returning Officer for the election of a member of the Wellington Harbour Board, hereby certify,—

1. That at a properly constituted assembly of the delegates of the Councils of the counties and boroughs referred to in subsection (            ) of section 5 of "The Wellington Harbour Board Act 1879 Amendment Act, 1901," held on the            day of            , 19            , in the            , in the County [or Borough] of            , A. B., of            , was elected a member of the Wellington Harbour Board.

2. That the Schedule attached hereto shows the number of the inhabitants of the county [or counties] and the boroughs entitled under "The Wellington Harbour Board Act 1879 Amendment Act, 1901," to be represented at such assembly, and the number of votes each delegate was entitled to give.

Dated the            day of            , 19            .

L. M., Returning Officer.

Certified correct: J. K.,  
Chairman of the Assembly of Delegates.