

Mrs McMillan

**BOROUGH OF PORT CHALMERS LEASING
EMPOWERING**

[LOCAL]

ANALYSIS

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Preamble	
1. Short Title	

A BILL INTITULED

An Act to empower the Corporation of the Borough of Port Chalmers to vary leases of land granted by the Corporation

WHEREAS it is expedient that the provisions for valuation
5 and renewal in leases of lands of the Corporation of the Mayor, Councillors, and Citizens of the Borough of Port Chalmers may be varied or altered as hereinafter provided:

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

1. Short Title—This Act may be cited as the Borough of Port Chalmers Leasing Empowering Act 1961.

2. Variation of lease by memorandum—Notwithstanding anything to the contrary in any other Act, the Mayor,
15 Councillors, and Citizens of the Borough of Port Chalmers (in this Act referred to as the Corporation) may by a

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memorandum of variation vary or alter any lease of land of the Corporation by substituting for the provisions for valuation and renewal and all provisions ancillary or in relation thereto such or similar provisions as or to those set out in the First Schedule to the Public Bodies' Leases Act 1908:

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Provided that all the costs and expenses of and incidental to the valuation therein provided for shall be paid by the Corporation and the lessee in equal shares.

3. Form of memorandum—(1) The memorandum of variation shall be in the form of form L in the Second Schedule to the Land Transfer Act 1952, with the necessary modifications, and shall be executed by the Corporation and the lessee for the time being.

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(2) If the land affected by the memorandum of variation is at the time of the registration of the memorandum subject to any mortgage or sublease, the memorandum shall not be binding on the mortgagee or sublessee unless he has consented thereto in writing on the memorandum.

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4. Authority to register memorandum—The District Land Registrar is hereby empowered and directed to accept for registration any memorandum of variation before the expiry of the then current term of the lease.

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