

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE ON
THE STATUTES AMENDMENT BILL]

House of Representatives, 22 October 1957

Hon. Mr Smith

COUNTIES AMENDMENT

ANALYSIS

Title	2. Investment of funds in local
1. Short Title	authority securities
	3. Width of county roads

A BILL INTITULED

An Act to amend the Counties Act 1956

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

1. **Short Title**—This Act may be cited as the Counties
Amendment Act 1957, and shall be read together with and
deemed part of the Counties Act 1956 (hereinafter referred
to as the principal Act).

51 2. **Investment of funds in local authority securities**—
(1) Section one hundred and fifty-seven of the principal Act
is hereby amended by inserting, after paragraph (e), the
following paragraph:

20 “(ee) In the debentures or stock of any local authority
within the meaning of the Local Authorities Loans
Act 1956 that are authorised investments for the
investment of trust funds under the provisions of
section four of the Trustee Act 1956:

“Provided that the Commissioners shall not be entitled under this paragraph so to invest any money forming part of the Depreciation Fund, if at the time of the investment the total amount of the securities of such local authorities held pursuant to this paragraph or to paragraph (f) of this section as investments of that Fund, together with the money proposed to be then invested, exceeds half the total investments for the time being of the money in that Fund; or”.

(2) Section one hundred and sixty-four of the principal Act is hereby amended by inserting in subsection six, after paragraph (e), the following paragraph:

“(ee) In the debentures or stock of any local authority within the meaning of the Local Authorities Loans Act 1956 that are authorised investments for the investment of trust funds under the provisions of section four of the Trustee Act 1956:

“Provided that the Council shall not be entitled under this paragraph so to invest any money forming part of the Reserve Fund, if at the time of the investment the total amount of the securities of such local authorities held pursuant to this paragraph or to paragraph (f) of this subsection as investments of that Fund, together with the money proposed to be then invested, exceeds half the total investments for the time being of the money in that Fund; or”.

3. Width of county roads—Section one hundred and ninety-one of the principal Act is hereby amended by repealing subsection four, and substituting the following subsections:

“(4) Except as otherwise provided in this or any other Act, every county road shall be not less than sixty-six feet wide measured at right angles to its course:

“Provided that, where it is difficult or inexpedient to lay off a road at a width of sixty-six feet throughout the whole of its length as required by this subsection and the Council has resolved that any specified width (being not less than forty feet) is adequate for present and likely future traffic over that road, the Council may, pursuant to a special order in that behalf, lay off or permit the laying off of that road at that specified width for the whole or any part or parts of its length:

“Provided further that, except where the road serves only industrial or commercial premises, the Council shall in every such special order require that, when new buildings are erected or any buildings are rebuilt or re-erected on land having a
5 frontage to any part of that road which has a width of less than sixty-six feet, no part of any such buildings shall stand within a specified distance (being not less than thirty-three feet) of the middle line of the road.

“(4A) The provisions of section one hundred and twenty-
10 eight of the Public Works Act 1928 shall not apply with respect to any land having a frontage to any part of a road which has been laid off at a width of less than sixty-six feet pursuant to a special order under subsection four of this section.

“(4B) As soon as conveniently may be after the making of a
15 special order under subsection four of this section, the Council shall send a copy of the special order to the District Land Registrar or the Registrar of Deeds, as the case may require, who shall, without payment of any fee, deposit the same in his office and register against the title to all land affected thereby
20 a memorandum under his hand that the land is subject to the building line restriction specified in the second proviso to subsection four of this section.

“(4c) Any road may be diminished in width for the whole
or any part of its length subject to and in accordance
25 with the provisions of this Act and any other Act to less than sixty-six feet but not less than forty feet, provided the Council first resolves that the proposed width will be adequate for present and future traffic over that road.”