

Mr. Davey.

CHRISTCHURCH DISTRICT DRAINAGE ACT 1875
AMENDMENT.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Interpretation. 3. Board empowered to borrow to an amount not exceeding £100,000. 4. Purposes for which money raised and expended. 5. Board to have the powers vested in local bodies authorised to raise loans by "The Local Bodies' Loans Act, 1901." 6. Board may raise special loan by special order without complying with sections 7 to 13 inclusive of "The Local Bodies' Loans Act, 1901." 7. Board may appropriate and pledge special rates for the purpose of securing repayment of loan, &c. 8. The Board may reborrow moneys at maturity of any debenture. 9. Production of copy of resolution under seal evidence that such loan has been autho-</p>	<p>rised. Production of certificate under seal evidence of appointment of agent for raising loan. 10. Provisions of this Act to prevail over "The Christchurch District Drainage Act, 1875," and amendments in respect of loans authorised. 11. Board may pay interest, or interest and sinking fund, on such loan out of revenue derived from any general rate. 12. Board may invest sinking fund or other moneys in any of the securities mentioned in "The Trustee Act, 1883." 13. Section 7 of "The Christchurch District Drainage Act, 1875," amended. 14. Section 8 of "The Christchurch District Drainage Act 1875 Amendment Act, 1887," repealed. 15. Section 94 of "The Christchurch District Drainage Act, 1875," amended. 16. Districts of Avon, North-east Christchurch, and Riccarton altered.</p>
--	---

A BILL INTITULED

AN ACT to amend "The Christchurch District Drainage Act, 1875."

Title.

WHEREAS and in the interests of the public health it is desirable that the Christchurch Drainage Board should have power to raise money for the purpose of extending its sewerage system throughout that portion of the Christchurch Drainage District known as the sewerage area, providing extra machinery at the pumping-station of the Board, laying a second main delivery-pipe from the said pumping-station to the Board's sewage farm at Bromley, preparing land at the said farm for treatment with sewage, and for other works in connection with the operations of the Board:

Preamble.

BE IT THEREFORE 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 Christchurch District Drainage Act 1875 Amendment Act, 1905."

Short Title.

2. In the interpretation of this Act the following expressions shall have the meanings hereby assigned to them:—

Interpretation.

“Board” means the Christchurch Drainage Board as constituted by “The Christchurch District Drainage Act, 1875,” and Acts amending the same or any Act passed in substitution therefor :

“District” means the district of the said Board as constituted by “The Christchurch District Drainage Act, 1875,” and Acts amending the same :

“Sewerage area” means the sewerage area as constituted from time to time.

Board empowered to borrow to an amount not exceeding £100,000.

3. (1.) *Subject to the consent of the ratepayers obtained in the manner prescribed by “The Local Bodies’ Loans Act, 1901,”* the Board is hereby empowered to borrow by way of special loan, and at such rate of interest not exceeding four and a half per centum per annum as it shall think fit, such sum or sums of money, not exceeding in the whole the sum of one hundred thousand pounds, as may from time to time be determined by the Board. 5 10 15

New subclause.

(2.) Such moneys may be raised in the manner prescribed by “The Local Bodies’ Loans Act, 1901.”

Purposes for which money raised and expended.

4. Moneys so borrowed shall be raised and expended for the purposes herein specified, that is to say :— 20

- (a.) In payment of commission, charges, and expenses incurred in connection with obtaining authority to raise and the raising of the said loan ;
- (b.) In extending and improving the sewerage system of the Board throughout the whole or any portion or portions of the district known as “the sewerage area” ; 25
- (c.) In adding to and improving the machinery and plant at the pumping-station of the Board, providing extra pumping-stations and machinery where necessary, and procuring and providing electrical power for use at any such pumping-station ; 30
- (d.) In providing and laying a second main delivery-pipe from the said pumping-station to the Board’s sewage farm at Bromley ; 35
- (e.) In the preparation of land at the said sewage farm for treatment with sewage.
- (f.) Any balance which, in the opinion of the Board, may remain after satisfying the purposes aforesaid may be applied to such other purposes connected with the said sewerage system as the Board may think desirable. 40

Struck out.

Board to have the powers vested in local bodies authorised to raise loans by “The Local Bodies’ Loans Act, 1901.”

5. With respect to raising the said special loan, securing the repayment thereof with interest, the creation of a sinking fund in respect of the said loan, and otherwise in relation to such loan or consequent thereon the Board shall have and may at its discretion exercise all and every or any of the powers vested in local bodies authorised to raise loans by “The Local Bodies’ Loans Act, 1901.” 45

Board may raise special loan by special order without complying with sections 7 to 13 inclusive of “The Local Bodies’ Loans Act, 1901.”

6. The Board may raise the special loan authorised by this Act by special order without taking the steps described in sections numbered seven to thirteen inclusive of “The Local Bodies’ Loans Act, 1901.” 50

7. For the purpose of securing the repayment of the said loan, providing for the payment of interest thereon, and the creation of a sinking fund (if so determined by the Board) in respect thereof it shall be lawful for the Board at its discretion and from time to time to appropriate and pledge a special rate or rates to be made and levied upon the rateable property situate within that part of the said district commonly called "the sewerage area," as the said sewerage area is now constituted and defined or as the said sewerage area may from time to time hereafter be constituted and defined by the said Board, pursuant to the powers and authorities conferred upon it by "The Christchurch District Drainage Act, 1875," and amendments :

Board may appropriate and pledge special rates for the purpose of securing repayment of loan, &c.

New proviso.

15 Provided that such sewerage area shall not at any time be enlarged except with the consent of the proposed new area obtained in the manner prescribed by "The Local Elections Act, 1904."

8. At the maturity of any debenture or debentures issued under the authority of this Act the Board may from time to time and as it may deem necessary reborrow such sum or sums of money as may be required for the purpose of paying off the whole or any portions of the loan represented thereby, and the provisions of this Act shall apply to such reborrowings.

The Board may reborrow moneys at maturity of any debenture.

9. The production of a copy of a resolution under the seal of the Board authorising the raising of any loan under the authority of this Act shall be conclusive evidence that such loan has been duly authorised and may be raised ; and the production of a certificate under the seal of the Board as to the appointment of any agent or agents for the purpose of raising any such loan shall be conclusive evidence of the authority of such agent or agents.

Production of copy of resolution under seal evidence that such loan has been authorised.

Production of certificate under seal evidence of appointment of agent for raising loan.

10. The provisions of this Act shall, so far as any loan hereby authorised is concerned, prevail over any provisions of "The Christchurch District Drainage Act, 1875," and Acts amending the same or any other Act, in so far as the same are inconsistent with or contrary to anything contained in this Act.

Provisions of this Act to prevail over "The Christchurch District Drainage Act, 1875," and amendments, in respect of loans authorised.

11. Notwithstanding that any moneys raised by way of special loan under the authority of this Act may be secured by a special rate made and levied as aforesaid, it shall be lawful for the Board from time to time as it may think fit to pay the interest, or interest and sinking fund, on such moneys out of the revenue derived from any general rate or rates made and levied by the Board in respect of rateable property comprised within the said sewerage area ~~or other general revenue of the Board~~ ; and in such case, and to the extent to which such interest or interest and sinking fund shall be so paid as aforesaid, it shall not be necessary to collect such special rate.

Board may pay interest, or interest and sinking fund, on such loan out of revenue derived from any general rate.

12. Notwithstanding anything contained in "The Christchurch District Drainage Act, 1875," or any Acts amending the same, any sinking fund or other moneys belonging to or held in trust for the Board or the holders of debentures issued by the Board may be invested in any of the securities mentioned in "The Trustee Act, 1883," or any Act amending the same.

Board may invest sinking fund or other moneys in any of the securities mentioned in "The Trustee Act, 1883."

Section 7 of
"The Christchurch
District Drainage
Act, 1875,"
amended.

Section 8 of "The
Christchurch
District Drainage
Act 1875
Amendment Act,
1887," repealed.

Section 94 of "The
Christchurch
District Drainage
Act, 1875,"
mended.

Districts of Avon,
North-east
Christchurch, and
Riccarton altered.

13. Section seven of "The Christchurch District Drainage Act, 1875," is hereby amended by the substitution of the word "second" for the word "first" where the said last-mentioned word occurs in the said section.

14. Section eight of "The Christchurch District Drainage Act 1875 Amendment Act, 1887," is hereby repealed. 5

15. Section ninety-four of "The Christchurch District Drainage Act, 1875," is amended by the omission therefrom of the word "December," and the substitution of the word "March" in place and stead thereof. 10

16. The Districts of Avon, North-east Christchurch, and Riccarton, mentioned in the First Schedule to "The Christchurch District Drainage Act, 1875," are altered as follows:—

(a.) The Districts of Avon and of North-east Christchurch respectively as at present constituted are hereby altered so as to exclude from the District of Avon and include in the District of Christchurch North-east so much of the said Avon District as constituted the Richmond Ward of the City of Christchurch immediately before the first day of April, one thousand nine hundred and three. 15 20

(b.) The Districts of Avon and of Riccarton as at present constituted are hereby altered so as to exclude from the District of Avon and include in the District of Riccarton all that parcel of land bounded as follows: Commencing at a point being the intersection of the North Road with the north side of Purarekanui Stream (River Styx); thence southerly and on the east by the North Road to the southern corner of Rural Section 203; thence north-westerly by the south-west boundary of the said Section 203 to the north-east corner of the Papanui Church Reserve; thence south-westerly by the south-eastern boundary of that reserve and the north-western boundary of Rural Section 151 to the north-western boundary of the said reserve; thence north-easterly by the said north-western boundary of that reserve to the Harewood Road; thence north-westerly by the said Harewood Road to the western corner of Section 203; thence north-westerly by the north-western boundary of Sections 203, 5, 3, 25, 292, 291, 290, 280, 279, and 243 to the northern side of the Purarekanui Stream; and thence easterly by the said stream to the starting-point. 25 30 35 40