

Mr. Holland

CANTERBURY PUBLIC LIBRARY

[LOCAL BILL]

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A BILL INTITULED

AN ACT to transfer the Canterbury Public Library from the Canterbury University College to the Corporation of the City of Christchurch.

Title.

5 *Struck out*

10 WHEREAS by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury intituled the Canterbury Museum and Library Ordinance, 1870, a board of trustees was constituted to manage the affairs, concerns, and property, *inter alia*, of the Canterbury Public Library: And whereas by a further Ordinance of the said Superintendent and Provincial Council intituled the Canterbury Museum and Library Ordinance Amendment Ordinance, 1873, all the functions, powers, and authorities then vested in such trustees were transferred to the Canterbury College, of which the name was changed by the

Preamble.

Struck out

provisions of the Canterbury University College Act, 1933, to the Canterbury University College: And whereas the assets of the Canterbury Public Library are vested in the Canterbury University College: And 5

New

WHEREAS the Canterbury Public Library is controlled by the Canterbury University College, and the assets of the library are vested in the College: And whereas it is now anticipated that considerable expenditure will be involved in the proper development of the Library, and it has been agreed by and between the Canterbury University College Council and the Christchurch City Council that it is desirable that the Library as a whole be transferred to the Corporation of the City of Christchurch. 10 15

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

Short Title. 1. (1) This Act may be cited as the Canterbury Public Library Act, 1948. 20

Commencement. (2) This Act shall come into force on the first day of October, nineteen hundred and forty-eight.

Vesting of library-site. 2. (1) On the first day of October, nineteen hundred and forty-eight, the vesting in the Canterbury University College of all that parcel of land containing two roads, or thereabouts, situated in the City of Christchurch, being Town Sections 405 and 406, and being all the land comprised and described in certificate of title, Volume 364, folio 261, Canterbury Registry, shall be deemed to be cancelled, and the said land shall, as on and from that day, be deemed to be vested in the Corporation of the City of Christchurch. 25 30

(2) The District Land Registrar for the Land Registration District of Canterbury is hereby empowered and directed to make such entries in the registers and generally to do all such things as may be necessary to give full effect to the provisions of this section, and to transfer the title to the said land into the name of the Mayor, Councillors, and Citizens of the City of Christchurch. 35 40

Transfer of other assets. 3. All other assets of the Canterbury Public Library as shown in the balance-sheet of the Public Library appearing in the accounts of the Canterbury University College as at the thirtieth day of September, nineteen hundred and forty-eight, shall, by virtue of this Act, 45

vest on the first day of October, nineteen hundred and forty-eight, in the Corporation of the City of Christchurch.

4. All the land and other assets referred to in sections *two* and *three* hereof shall be held by the Corporation of the City of Christchurch upon the trusts and for the specific purposes contemplated in respect of a library by the Canterbury Museum and Library Ordinance, 1870, and by a certain deed dated the fifteenth day of December, 1873, whereby the said land and then-existing assets of the Library were conveyed by the trustees of the Christchurch Literary Institute to the Superintendent of Canterbury, and subject to any special trusts affecting any of such assets.

Trusts and purposes affecting Library.

5. (1) All obligations, engagements, and liabilities of the Canterbury University College in respect of the Public Library shall, by virtue of this Act, be obligations, engagements, and liabilities of the Corporation of the City of Christchurch:

Transfer of obligations, &c.

Provided that nothing in this Act shall be so construed as to affect in any way the rights of any creditor.

(2) The Corporation of the City of Christchurch shall indemnify the Canterbury University College against all its liabilities in respect of the Public Library.

6. (1) All the functions, powers, and authorities prior to the coming into force of this Act vested in the Canterbury University College or which might lawfully be exercised by the Canterbury University College Council in relation to the Canterbury Public Library shall, *by virtue of this Act*, be vested in the Corporation of the City of Christchurch and may be lawfully exercised by the Christchurch City Council.

Transfer of functions and powers and authority to City Council to make by-laws.

Struck out

(2) The Christchurch City Council may from time to time make such by-laws as it thinks fit for the regulating, controlling, or prohibiting of any act, matter, or thing in relation to the Canterbury Public Library.

(3) The provisions of the Municipal Corporations Act, 1933, relating to by-laws shall apply to all such by-laws, which shall be made, administered, and enforced in all things as though they were by-laws made under the authority of the Municipal Corporations Act, 1933.

Contribution by
Canterbury
University
College Council.

7. The Canterbury University College Council shall annually pay to the Christchurch City Council for the purposes of the Public Library one-fifth of the net income available from its Museum, Library, and School of Technical Science Endowment.

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Payments from
Gammack
Trust.

8. The trustees for the time being of the will of James Gammack, late of Springston, farmer, deceased, shall from time to time pay to the Christchurch City Council, to be applied for the benefit of the circulating department of the Public Library, all moneys which would be payable to the Canterbury University College Council for such purposes if this Act had not been passed, and the receipt of the *Treasurer* of the Christchurch City Council shall be a complete discharge to the trustees for all moneys so paid.

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