

Mr. Fitzroy.

Canterbury Rivers Act Amendment.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Repeals. 3. Governor to proclaim districts on petition. 4. Constitution of Boards, all members thereof to be elected.</p>	<p>5. Lands to be classified for rating purposes. 6. Rates payable according to classification. 7. Board to appoint persons to classify lands. 8. Classification to be published. 9. Owners and occupiers to be specified. 10. Appeals from classification. 11. Classification when approved to be conclusive.</p>
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A BILL INTITULED

AN ACT further to amend "The Canterbury Rivers Act, 1870."

WHEREAS it is desirable to alter the mode of constituting districts, and the appointment of Boards of Conservators under "The Canterbury Rivers Act, 1870" (herein called "the said Act"), and it is expedient that all lands within any district established under the said Act should be classified in manner herein appearing for the purposes of rating:

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 shall be "The Canterbury Rivers Act Amendment Act, 1877."

2. Sections five, six, seven, and eight of the said Act are hereby repealed, and in lieu thereof it is enacted as follows:—

3. Upon the petition of not less than two-thirds in number of the owners or occupiers of land in any part of the provincial district of Canterbury, intersected or bounded by any river or rivers from the overflow of which damage may be apprehended, the Governor, shall by Proclamation, declare that the said Act shall come into operation within such part of the provincial district, and shall by such Proclamation define the boundaries of the same, and declare the same to be a district under the said Act, and shall also fix the name by which such district shall be known.

4. The Governor shall also, in such Proclamation, determine the number of Conservators who are to constitute the Board for each such district, but in no case shall the number be less than three nor more than five; and every such Board shall be established as follows:—

- (1.) All members of any Board of Conservators established under the said Act, or this Act, shall in future be elected thereto in manner herein provided.
- (2.) All persons who may be members of any such Board of Conservators at the time of the passing of this Act, and who were originally nominated and not elected thereto, shall retire from such Board as soon as they shall have held office as member for a period of four years from the date of their nomination respectively, unless previous to the expiration of such period they shall become otherwise disqualified under the provisions of the said Act. 5 10
- (3.) For the purpose of electing the first Board of any district, the Governor shall, within one month after such district is constituted, cause a list to be made of the owners or occupiers of property within such district, and every person whose name shall appear therein shall be entitled to vote at the election of the first Board in the manner hereinafter provided. 15
- (4.) As soon as the list as aforesaid is completed, the Governor shall cause a copy thereof to be posted up in some conspicuous place in the district, and shall within fourteen days, by notice in some newspaper in general circulation within the district, summon a general meeting of the voters at a convenient time and place within the district, and the said voters, having assembled and having appointed a Chairman, shall elect from amongst the persons qualified to vote at such meeting a sufficient number of persons to be the Board of the district: Provided that if any candidate or voter shall demand a poll, the polling shall take place on such day and at such place, being not less than three nor more than seven days after the day of nomination, as the Chairman shall appoint, and the mode of voting shall in all other respects be conducted in the same manner as provided for the election of members of the House of Representatives, and the Chairman of such meeting or some person to be appointed by him shall preside at such polling, and shall report in writing to the Governor the names of the persons so elected. 20 25 30 35
- (5.) If any district shall include one or more cities or boroughs or any part of a city or borough incorporated under the provisions of "The Municipal Corporations Act, 1876," or any similar Act that may hereafter come into operation, the Mayor of such city or borough shall be *ex officio* a Conservator of such district, in addition to the number of Conservators fixed by the Governor. 40 45

CLASSIFICATION OF LANDS.

- Lands to be classified for rating purposes.
5. For the purposes of rating property under the provisions of section nineteen of the said Act, all lands without the limits of a town shall be annually classified by the Board, or by some person appointed by them in that behalf, into the following classes, that is to say,— 50
- (1.) Lands liable to great actual damage
 - (2.) Lands liable to less actual damage.
 - (3.) Lands liable to more remote damage.
- Rates payable according to classification.
6. The rate payable in any one year in respect of lands outside the limits of a town shall be levied upon the several classes of land aforesaid in the proportion following, that is to say,— 55

149.

Class 1 shall be rated at double the amount per acre payable by class 2.

Class 2 shall be rated at one-half the amount per acre payable by class 1.

5 Class 3 shall be rated at one-fourth the amount per acre payable by class 1.

7. The Board may from time to time, by warrant under their hands, at a meeting to be held for that purpose, appoint one or more fit person or persons to examine and report upon all lands to be classified, or to classify the same in manner aforesaid; and such person or persons shall, within thirty days after the delivery to them of the warrant of appointment, report to the Board thereon; and the classification of such lands shall thereupon forthwith be made either by the Board or by any such person or persons as aforesaid as the Board may direct.

Board to appoint persons to classify lands.

8. When any classification shall have been made as aforesaid, the Board shall sign the same at a meeting of the Board; and the Board shall immediately thereafter cause public notice of such classification to be published in some newspaper generally circulated within the district, and of a place where the same may be inspected for a period of twenty-one days; and the person in whose custody such classification shall be shall permit the same to be inspected by the owner or occupier of any land included therein during office hours.

Classification to be published.

9. Every such classification as aforesaid shall specify the lands comprised therein, and the names of the owners and occupiers where known.

Owners and occupiers to be specified.

10. If any person shall think himself aggrieved by such classification, such person may appeal against the same in the manner provided by law in respect of appeals against rates, on the following additional grounds of appeal:—

Appeals from classification.

That the classification does not fairly specify the actual liability to damage of the land of the appellant.

That any land liable to be classified is omitted from the classification.

11. Every classification, when signed by the Board as aforesaid in case there be no appeal, and when revised and signed by the Court after any appeal, shall, for the purpose of any proceedings for the recovery of rates payable under the said Act and this Act, be conclusive evidence of the contents thereof.

Classification when approved to be conclusive.