

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,  
9th October, 1895.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. Ward.

GOVERNMENT ADVANCES TO SETTLERS ACT  
AMENDMENT.

ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Provisions as to constitution of General Board.</li> <li>3. Power of Superintendent to sue and be sued.</li> <li>4. Temporary investment of moneys.</li> </ol> | <ol style="list-style-type: none"> <li>5. Amendment of section 25 as to suburban lands.</li> <li>6. Additional classes of land on which money may be advanced.</li> <li>7. Extension of time for raising residue of loans.</li> <li>8. Section 41, subsection (2), amended.</li> </ol> |
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A BILL INTITULED

AN ACT to amend "The Government Advances to Settlers Act, Title, 1894."

BE IT 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 Government Advances to Settlers Act Amendment Act, 1895," and it shall be read with "The Government Advances to Settlers Act, 1894" (hereinafter called "the principal Act").

2. (1.) With respect to the constitution of the General Board, the following provisions shall apply:—

- (a.) The General Board shall consist of five persons—to wit, the four persons holding for the time being the offices of the Colonial Treasurer, the Superintendent, the Public Trustee, and the Commissioner of Taxes, all of whom shall be *ex officio* members of the General Board, and one competent person (not being a member of the Civil Service) to be appointed by the Governor in Council:
- (b.) Such last-mentioned person shall hold office for two years (subject nevertheless to the right of the Governor in Council to remove him at any time) but may be re-appointed, and whilst holding office shall be paid such salary or fees as is fixed from time to time by the General Assembly:
- (c.) The Colonial Treasurer shall be *ex officio* Chairman of the General Board:

- (d.) In the absence of the Colonial Treasurer from any meeting of the General Board, the Minister of Lands, or, in the absence of the Minister of Lands, any *other* member of the Executive Council may attend such meeting in the stead and as the substitute of the Colonial Treasurer, and when so attending shall be deemed to be a member of the General Board: 5
- (e.) In the absence of the Commissioner of Taxes from any meeting of the General Board, the person for the time being holding the office of Deputy Commissioner of Taxes may attend such meeting in his stead and as his substitute, and, when so attending, shall be deemed to be a member of the General Board: 10
- (f.) The fact that any such substitute *so* attends ~~or~~ *and* acts at any such meeting shall be conclusive proof of his authority so to do: 15
- (g.) If and so long as the Superintendent holds conjointly the office of Public Trustee, the person for the time being appointed to act as Deputy of the Public Trustee shall be *ex officio* member of the General Board: 20
- (h.) Three members shall form a quorum at any meeting of the General Board.

(2.) Section fifteen of the principal Act is hereby modified in so far as it is inconsistent with the provisions of this section.

(3.) Sections sixteen and seventeen, and subsections one and two of section eighteen, of the principal Act are hereby repealed. 25

Power of Superintendent to sue and be sued.

3. The Superintendent, in his official style and capacity, may sue and be sued in all actions arising out of any act, matter, or thing whatsoever done or suffered in relation to himself or the Advances to Settlers Office or the General Board; and no such action shall abate or be dismissed by reason only that the cause of action relates to the Advances to Settlers Office or the General Board, and not to the Superintendent himself. 30

Temporary investment of moneys.

4. Moneys in the Investment Account may, whilst awaiting investment on mortgage under the principal Act, be temporarily invested from time to time on such securities as the Governor in Council declares to be securities for the purposes of this section. 35

Amendment of section 25 as to suburban lands.

5. For the purposes of section twenty-five of the principal Act,—

- (1.) The expression "suburban lands" means land situate in the vicinity of a town or borough, and held or occupied for residential or manufacturing purposes; but does not include land which, although situate in the vicinity of a town or borough, is held or occupied for farming, dairying, or market-gardening purposes: 40
- (2.) The General Board shall at all times have full power to decide whether the land offered as security for an advance is, or is not, suburban land; *but such land shall be valued on the basis of the land being used for one or more of such purposes only.* 45

Additional classes of land on which money may be advanced.

6. In addition to the nine classes of land specified in section twenty-five of the principal Act as lands upon first mortgages of which 50

advances may be made, there are hereby included the three classes following, that is to say:—

5 “(10.) Educational and other reserves which are subject to the provisions of ‘The Land Act, 1892,’ by virtue of Proclamation made under section two hundred and forty-three thereof, and are held on perpetual lease or lease in perpetuity.

“ (11.) Crown land held by license on the deferred-payment system, under Part III. of ‘The Land Act, 1885.’

10 “(12.) Land held under lease from a leasing authority as defined by ‘The Public Bodies’ Powers Act, 1887,’ and providing for the payment by the incoming tenant of valuation for improvements made upon the land, whether by the lessee named in such lease or any former lessee or tenant.”

15 7. For the purpose of raising the residue of the loans authorised to be raised under Part II. of the principal Act, it is hereby declared that all the authorities in that behalf conferred upon the Governor in Council by that Act shall continue in force and may be exercised by him until, but not later than, the expiration of *three* years from the  
20 coming into operation of this Act, anything in section twenty-eight of the principal Act to the contrary notwithstanding.

Extension of time for raising residue of loans.

8. Subsection two of section forty-one of the principal Act is hereby amended by substituting the words “granting of” in lieu of the words “application for.”

Section 41, subsection (2), amended.