

district may be included in any such district either on the original constitution thereof, or thereafter at any time by Order in Council.

Exception.

If any borough or town district becomes included in a district as aforesaid, it shall form a separate subdivision thereof.

Districts may be subdivided.

4. The Board hereinafter mentioned may from time to time, as they think fit, divide any district into subdivisions, and may prescribe the boundaries of such subdivisions, and assign names thereto, and also may from time to time alter such boundaries or abolish such subdivisions, or any of them. 5

Rating and Public Works Acts in force in districts.

5. Immediately on the constitution of a district, "The Regulation of Local Elections Act, 1876," "The Rating Act, 1882," "The Public Works Act, 1882," and all Acts amending the same respectively, shall be in force in such district. 10

Board of Trustees.

6. For every district there shall be a Board of Trustees (herein referred to as "the Board"), to consist of not less than five nor more than seven members as shall be fixed in the aforesaid Order in Council, who shall be elected in the manner hereinafter directed. 15

(1.) The Governor shall appoint such person as he shall think fit to be the Returning Officer to hold the first election of Trustees. 20

(2.) The Governor shall appoint the day for the first election of the Trustees, and shall have full power to do all things of what kind soever necessary to provide for bringing this Act into operation in such district, according to the true intent and purpose thereof. 25

(3.) The Trustees elected at such first election shall hold office until the month of November in the year following the year in which they are elected, or until the election of their successors at the first triennial election held as hereinafter mentioned. 30

All provisions relating to the qualifications, disqualifications, and voting at elections for members of a County Council shall apply, *mutatis mutandis*, and be in force with respect to elections of Trustees for a district under this Act.

Returning Officer to make out "ratepayers' list."

7. The Returning Officer forthwith on his appointment, and thereafter, on or before the thirty-first day of August in every year, shall cause to be made out a list, to be called the "ratepayers' list," of every person whose name appears on the assessment roll made by the Property-tax Commissioner of real property in that part of the county wherein any part of the district is included, and which shall be deemed to be the valuation roll of the rateable property in such district, and shall insert on such list opposite the name of each person therein the amount at which his property is valued on such assessment roll, and shall deposit such list, or a true copy thereof, at the office of the Resident Magistrate's Court in the most central place in the district for inspection without fee; and shall publicly notify the place where the said list is deposited as aforesaid, and in such notice shall also notify the day and place on and at which the Resident Magistrate of such Court will sit to hear objections, and finally revise such list. 35 40 45 50

Objections.

8. Any person who considers himself aggrieved by reason of the insertion or incorrectness of any matter in any such list or the omission of any matter therefrom, may object as herein provided.

(1.) The Resident Magistrate aforesaid, on the day fixed for hearing objections, shall hear and determine all objections, and may alter the list in respect of anything objected to, by correcting anything therein, or by inserting any matter therein, or erasing any matter therefrom, which it is proved to his satisfaction ought to be altered, inserted, or erased, as the case may be; and his decision shall be final and without appeal.

Revised list to form the roll.

(2.) The list, when so corrected, shall be signed by the Magistrate hearing such objections, and when so signed shall, for the purpose of this Act, be conclusive evidence that the persons named therein are ratepayers, and of the valuation of their property, and such list shall come into force immediately after the same is so signed, and shall be the roll of ratepayers for the district until a new roll comes into force in like manner.

9. Every person whose name appears on the above-mentioned roll of ratepayers shall be deemed to be a "ratepayer" within the meaning of this Act; and shall be an elector, and entitled to vote in the election of Trustees, and shall exercise at every such election the same number of votes as he could exercise in respect of the same qualification at the election of a member of a County Council; and, if of full age, shall be qualified to be elected as a Trustee, subject as hereinafter mentioned.

Persons on roll to be deemed "ratepayer," and entitled to vote or be elected a Trustee.

10. The following persons shall be incapable of being or of being elected to be Trustees, that is to say,—

Who incapable of being Trustees.

- (1.) A bankrupt or insolvent who has not obtained his final order of discharge;
- (2.) Any person attainted of treason, or convicted of felony, perjury, or of any infamous crime;
- (3.) Any person of unsound mind.

11. On the first Monday in the month of November in the year following the year in which the first Trustees for any district are elected, and on the same day in each succeeding third year thereafter, the ratepayers of the district shall elect the required number of persons to be members of the Board of Trustees of such district, who shall hold office till the election of their successors.

Triennial election of Trustees after the first.

(1.) If at any such appointed day no election is held, or if at any election of Trustees no persons are duly elected as such, or if a less number is elected than by law required to be elected, then the Governor may appoint such and so many as are qualified to be such Trustees as the occasion may require.

Notice of election to be gazetted.

(2.) If any Trustee shall die, or by writing addressed to the Chairman shall resign his office as such Trustee, or shall cease to reside permanently in the colony, or shall absent himself from four consecutive meetings of the Board without leave being granted, or shall otherwise become incapable to act as such Trustee, an election shall be held of a person in lieu of the Trustee so dying, resigning, ceasing to reside, absenting himself, or otherwise becoming incapable to act as aforesaid; and the person so elected

shall hold office as Trustee for the period or residue of the period his predecessor in such office would have held the same had he remained a member.

Notice of every election of a Trustee shall be gazetted, and the *Gazette* containing such notice shall be conclusive evidence that the person, notice of whose election is gazetted, has been duly elected a Trustee.

Chairman and Treasurer, &c.

12. The Board shall from time to time appoint any one of their number who may be willing to act in such capacity as Chairman, who shall have a casting as well as a deliberative vote, who shall hold office until the appointment of his successor, and may from time to time appoint a Treasurer and such officers and persons as collectors of rates, or in other capacities as they think necessary.

Meetings of Board.

13. The Chairman or any two Trustees may, by giving seven days' public notice, or by notice in writing delivered to each of the Trustees, convene a meeting of the Board.

Quorum.

All acts, matters, and things authorised by this Act to be done and performed by the Board of a district may be done and performed by any three of the members thereof at a duly-convened meeting.

Powers of full Board.

Nothing done at any meeting of the Board shall be held to be irregular or illegal if all the members of the Board are present, or afterwards confirm the proceedings of such meeting; or if such meeting shall have been called by notices, signed by the Secretary, posted to the members of the Board not less than seven days before such meeting specifying the time and place of such meeting.

Board to have powers of County Council for irrigation works and water-supply.

14. The Board shall have and may exercise all the powers of a County Council for the purpose of constructing and maintaining irrigation works within the district; and, for this purpose, sections two hundred and sixty-six to two hundred and sixty-eight, two hundred and seventy-two, and two hundred and seventy-five to two hundred and eighty-four, all inclusive, of "The Counties Act, 1886," shall be deemed to be incorporated with this Act, and shall be read with the substitution of the word "Board" for "Council" or "County Council," and "district" for "county" wherever the context requires it.

Whatever by the aforesaid sections a County Council is required to do by special order, the Board may do by resolution passed by a majority of the entire number of its members at a meeting to be convened for the purpose, of which seven days' notice in writing stating the special object of the meeting shall be given to each Trustee by the Chairman.

For the purpose of constructing any such works as aforesaid, the Board shall be deemed to be a local authority within the meaning of "The Public Works Act, 1882."

Nothing in this section contained shall authorise the Board to undertake any drainage works under the sections of "The Counties Act, 1886," above enumerated.

Supply of water for domestic use to boroughs or town districts.

15. When any borough or town district becomes included in the district, the Board may make special arrangements for the supply of water to the residents therein for domestic use, and may make similar arrangements for such supply to the residents of any other town or place which the Board shall think has sufficient population.

For the purposes of this section, the powers conferred by section two hundred and seventy-two of "The Counties Act, 1886," shall be

deemed to include the laying down piping for the distribution of water from a water-race to any town or place, and along, over, or under any street, road, or public place in such town or place.

16. The Board, after not less than ten days' public notice by advertisement in a newspaper having general circulation within the district has been given of their intention, may levy in each year for the purposes of this Act a rate not exceeding *six farthings* in the pound on the rateable property in the district, and the said rate may be levied as the Board may from time to time determine either—

Annual rate may be levied not exceeding 1½d. either uniform or graduated on classification of lands.

- 10 (1.) On an uniform scale; or
 (2.) On a graduated scale according to the classification of lands in the district, and the benefit the said lands will receive from the irrigation works.

Every such rate shall be deemed to be a rate made under "The Rating Act, 1882," and may be levied, sued for, and recovered under the said Act.

Where any rate is levied under this section, according to the classification of lands in the district, sections ninety-seven to one hundred and four of "The River Boards Act, 1884," shall apply as if the same were incorporated with this section, *mutatis mutandis*.

For the purpose of levying any rate under this Act the Board shall be deemed to be a local body within the meaning of "The Rating Act, 1882."

The Board may appoint a time and place for the payment of rates levied under this Act, and all rates not so paid may without further notice be recovered by the Board in any Court of competent jurisdiction.

17. The roll of ratepayers hereinbefore required to be made up shall be conclusive evidence of the liability of the persons whose names are therein respectively for the rate to be levied as aforesaid.

Ratepayers' roll evidence of liability.

18. The invalidity of any rate or assessment as a whole shall not avail to prevent the recovery of the rate, unless such invalidity be on the ground that such rate is a rate at a greater amount than the Board is empowered to levy.

Invalidity of rate not to bar its recovery.

19. All moneys whatsoever levied, received, or recovered under the authority of this Act shall be at the sole and absolute disposal of the Board, to be by them applied in such manner as they see fit for the purpose of carrying out the administration and purposes of this Act in the district, and to no other purpose.

Moneys coming to Board how to be expended.

20. The Board shall cause books to be provided and kept, and true and regular accounts to be entered therein of all sums of money received and paid under authority of this Act, and of the several purposes for which such sums of money shall have been received and paid.

Accounts.

21. All moneys received by the Treasurer of the Board shall be paid by him into some one of the public banks of the colony to the account of the Board of the district, and no part of such moneys shall be drawn out of such bank except by cheque, signed by the Treasurer and countersigned by a member of the Board.

Moneys received to be paid into bank.

(1.) The Board of every district shall, before the end of the second week in January in each year, cause the accounts of the Board for the past year, up to and including the last day of Decem-

Statement of accounts to be annually prepared.

ber, to be balanced, and also a full and true statement and account to be prepared of the amount of all rates made and levied and of all moneys received and expended during the past year, and also of all debts then owing by and to the Board; and such statement and account, signed by the Chairman and one other member of the Board at least, shall be submitted by such Chairman to the Auditor. 5

Audit of accounts.

(2.) The accounts of the Board for the past year shall be audited in the month of January, or as early as possible thereafter, in each year by an Auditor to be appointed by the Governor.

Publication of accounts.

(3.) The Treasurer of every district shall forthwith after such audit make out and cause to be printed and published, in any newspaper circulating in the district, a full abstract of the accounts for the year as audited. 10

Governor may remedy defects in Act by regulations published in *Gazette*.

22. In all cases in which no provision or no sufficient provision is, in the opinion of the Governor, made by this Act, it shall be lawful for the Governor from time to time, for the purpose of facilitating or more effectually carrying into execution any of the objects of this Act, to make and prescribe all such regulations and orders, either general or applicable to particular cases only, as he shall think fit, and such regulations and orders from time to time to revoke or alter as to the Governor shall appear requisite. 15 20

All such regulations and orders shall be published in the *Gazette*, and, being so published, shall have the force of law at the expiration of fourteen days after such publication.