

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,
2nd October, 1929.

Hon. Mr. Wilford.

LOCAL AUTHORITIES EMPOWERING (AVIATION ENCOURAGEMENT).

ANALYSIS.

Title.	5. Prescribing conditions subject to which certain classes of local authorities may establish and maintain aerodromes.
1. Short Title.	6. Power of local authorities to make by-laws as to use of aerodromes, &c.
2. Interpretation.	7. Conferring on certain City Councils a limited authority to borrow money for establishment of aerodrome without taking a poll of ratepayers.
3. Minister of Defence may recognize aviation authorities for purposes of this Act.	
4. Local authorities may contribute to funds of recognized aviation authority.	

A BILL INTITULED

AN ACT to empower certain Classes of Local Authorities to establish and maintain Aerodromes; to empower all Classes of Local Authorities and Public Bodies to contribute towards the Cost of establishing such Aerodromes, and to contribute to the Funds of Recognized Aviation Authorities; and, further, to empower all Local Authorities and Public Bodies to grant Rights for Aviation Purposes over Reserves or other Lands vested in them.

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

1. This Act may be cited as the Local Authorities Empowering (Aviation Encouragement) Act, 1929. Short Title.

2. In this Act, unless the context otherwise requires,— Interpretation.
15 “Aviation authority” means any person or association of persons, whether corporate or unincorporate, having for the time being authority to use aircraft by virtue of a license issued in accordance with regulations made under the Aviation Act, 1918; and the term “recognized aviation authority” means an aviation authority recognized for
20 the purposes of this Act in manner provided in the next succeeding section:

25 “Local authority” means a local authority as defined by the Local Government Loans Board Act, 1926, and includes any public body declared by the Governor-General in Council to be a local authority for the purposes of that Act.

Minister of Defence may recognize aviation authorities for purposes of this Act.

Local authorities may contribute to funds of recognized aviation authority.

Prescribing conditions subject to which certain classes of local authorities may establish and maintain aerodromes.

Cf. 10 & 11, Geo. V. c. 80, s. 8

Power of local authorities to make by-laws as to use of aerodromes, &c.

3. (1) The Minister of Defence may by notice published in the *Gazette* recognize for the purposes of this Act any aviation authority as hereinbefore defined.

(2) Any such notice may be at any time in like manner revoked.

4. (1) Subject to the provisions of this section, any local authority may from time to time out of its general funds contribute to the funds of any recognized aviation authority. 5

(2) Except with the approval of the Local Government Loans Board, given in accordance with the *next succeeding* subsection, the maximum contribution made by any local authority in any financial year to the funds of a recognized aviation authority shall not exceed an amount equal to its possible unauthorized expenditure for that year, being the amount which by section one hundred and twenty-nine of the Public Revenues Act, 1926, or by the corresponding provisions of any other Act, it is empowered to spend for purposes not authorized by law. 10 15

(3) The Local Government Loans Board, on the application of any local authority, may consent to the making by that local authority of a contribution to the funds of a recognized aviation authority in excess of the amount limited by the foregoing provisions of this section. If any local authority within the meaning of this Act is not empowered by any Act to expend any portion of its funds for purposes not authorized by law, it may contribute to the funds of an aviation authority with the approval of the Local Government Loans Board, but not otherwise. 20 25

5. (1) Any Borough Council, County Council, or Harbour Board, or the Board of any town district not forming part of a county, acting with the prior consent of the Governor-General in Council and subject to such conditions as may be prescribed by the Governor-General in Council, shall have power to establish and maintain aerodromes (including power to provide and maintain approaches, buildings, and other accommodation and apparatus, and equipment for such aerodromes), and to acquire land for that purpose, either within or without its district. The establishment of an aerodrome under the authority conferred by this section shall be deemed to be a public work within the meaning of the Local Bodies' Loans Act, 1926. 30 35

(2) Any local authority providing an aerodrome under this section shall have power to carry on in connection therewith any subsidiary business which in the opinion of the Governor-General in Council is ancillary to the carrying-on of an aerodrome. 40

(3) Any other local authority may from time to time out of its general funds contribute towards the cost of the provision and maintenance of an aerodrome under this section in the same manner and to the same extent as if the local authority establishing such aerodrome were a recognized aviation authority within the meaning of this Act. 45

6. (1) Any local authority that has established an aerodrome under the *last preceding* section may make by-laws—

(a) Prescribing the charges to be paid by aviators for the use of such aerodrome:

(b) Prescribing charges for admission of members of the public to the aerodrome, or to any lands the property of or controlled by the local authority that may be adjacent to such aerodrome: 50

(c) Prescribing rules to be observed for conserving the safety of persons using the aerodrome and of the general public :

(d) Generally for the administration of the aerodrome, and for the management of any business ancillary thereto that may be carried on by the local authority pursuant to the foregoing provisions of this Act.

(2) The power conferred by this section to prescribe charges for admission to an aerodrome, or to lands adjacent to an aerodrome, shall not be limited by the provisions of the Public Reserves, Domains, and National Parks Act, 1928, restricting the number of days in any year on which charges may be made for admission to recreation reserves ; nor shall any day in respect of which charges are made under this section be taken into account for the purpose of determining the days on which charges may be made under the last-mentioned Act.

(3) All by-laws made by a local authority under this section shall be made in accordance with the provisions as to by-laws contained in the Municipal Corporations Act, 1920, the Counties Act, 1920, the Harbours Act, 1923, or the Town Boards Act, 1908, as the case may require.

7. (1) This section applies only with respect to the Auckland City Council, the Wellington City Council, the Christchurch City Council, and the Dunedin City Council.

Conferring on certain City Councils a limited authority to borrow money for establishment of aerodrome without taking a poll of ratepayers.

(2) Any local authority to which this section applies may, without taking the steps described in sections nine to thirteen of the Local Bodies' Loans Act, 1926, borrow, for the establishment of an aerodrome pursuant to section five of this Act, such amount as may be required for the purpose, not exceeding in any case the sum of five thousand pounds.

(3) The power conferred by the last preceding subsection may be exercised by any of the City Councils aforesaid pursuant to a resolution passed at a special meeting of the Council and confirmed at a subsequent meeting (either ordinary or special) held not sooner than the tenth day after the day of such special meeting. Public notice of the place and date fixed for such subsequent meeting, and of the resolution proposed to be confirmed thereat, shall be given at least twice in the period intervening between the two meetings.

(4) The Local Government Loans Board shall not sanction any proposal to raise a loan under the authority of this section unless it is satisfied, on the production of particulars by the local authority concerned, either that the proposed work can be carried out at a cost not exceeding the sum of five thousand pounds, or that the local authority will be able to pay the cost of such work, in so far as it may exceed five thousand pounds, out of moneys other than loan-moneys.