

Rt. Hon. R. J. Seddon.

LOCAL BODIES' LOANS AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Law relating to the raising of Loans by **Title.**
Local Authorities.

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

1. The Short Title of this Act is "The Local Bodies' Loans **Short Title.**
Amendment Act, 1903"; and it shall form part of and be read
together with "The Local Bodies' Loans Act, 1901" (hereinafter
10 referred to as "the principal Act").

2. Section twelve of "The Municipal Corporations Amend- **Repeal.**
ment Act, 1902," is hereby repealed.

3. (1.) The repeal of sections one hundred and twenty to one **Certain proceedings**
hundred and fifty-three, and the Fifth Schedule, of "The Municipal **validated.**
15 Corporations Act, 1900," by section twelve of "The Local Bodies'
Loans Amendment Act, 1902," and by section twelve of "The Muni-
cipal Corporations Amendment Act, 1902," shall not affect any special
loan raised under the said repealed provisions, or any proceedings
20 taken prior to the passing of "The Municipal Corporations Amend-
ment Act, 1902," for the purpose of raising any special loan under the
said repealed provisions.

(2) Any special loan, the proceedings for the raising of which
were commenced under the said repealed provisions, shall be validly
25 raised if such loan has been completed either under or in pursuance
of the said repealed provisions, or under or in pursuance of the pro-
visions of "The Local Bodies' Loans Act, 1901."

(3.) Such repeal shall not affect any security for any special
loan, the proceedings for the raising of which were commenced under
the said repealed provisions, or any security agreed to be given for
30 such loan or the rights or power of recovery of any holder of any
debenture or coupon, whether issued under the said repealed pro-

visions or under the provisions of "The Local Bodies' Loans Act, 1901."

(4.) Where proceedings for the raising of a special loan under the said repealed provisions were commenced prior to the passing of "The Municipal Corporations Amendment Act, 1902," it shall be lawful, notwithstanding the repeal of section one hundred and thirty of "The Municipal Corporations Act, 1900," to pay out of loan interest not exceeding one year's interest on the loan.

Disputed polls.

4. If the result of any poll is disputed, any six ratepayers may, in the manner prescribed by section forty-eight of "The Regulation of Local Elections Act, 1876," in the case of disputed elections, require an inquiry to be held, and the matter in dispute shall be determined in the same manner, *mutatis mutandis*, as if the poll were an election held under that Act:

Provided that where the number of ratepayers on the roll of any district or on any special roll does not exceed twenty, then the inquiry may be held as aforesaid on the requisition of not less than one-fourth of the number of ratepayers on such roll.

Rate of interest payable until inscription.

5. (1.) A loan under Part II. of the principal Act shall be deemed to be made when the local authority has complied with all necessary formalities under that Act in respect thereof, and the Treasurer has agreed to make the loan; and such loan or any advance on account thereof shall bear interest at the rate of four pounds per centum per annum until the next ensuing first day of February, when such loan or advance shall be inscribed.

Repeal.

(2.) Section fifty-six and so much of subsection one of section fifty-seven of the principal Act as follows the words "render an account thereof to the local authority" are hereby repealed.

Interest payable half-yearly.

6. Interest on the amount inscribed shall be payable half-yearly, the first of such payments being payable on the first day of August following the date of inscription.

Currency of loans.

7. (1.) No loan shall hereafter be granted under Part II. of the principal Act having a longer currency than thirty-two years.

(2.) Paragraph (c) of section fifty-nine of the principal Act and the word "or" in paragraph (b) of the same section are hereby repealed:

Provided that any loan provisionally approved or agreed to be granted by the Treasurer at the passing of this Act may be completed as if this section had not passed.

Debentures not necessary for loans under Part II.

8. The provisions of Part I. of the principal Act relating to the issue of debentures by local authorities shall not apply to any loan raised by local authorities under Part II. of that Act.

Adjustment of register on merger of area.

9. Section eleven of "The Local Bodies' Loans Amendment Act, 1902" (providing for the payment of special rates in merged areas), is hereby amended by adding thereto the following subsection:—

"(4A.) In every such case such entries may, with the previous consent and approval of the Auditor, be made in the register prescribed by section nine hereof as are necessary to duly adjust or apportion the liability in respect of such loan amongst the respective local authorities concerned."

Repeal of forms.

10. The forms numbered (1) and (2) in the principal Act are hereby repealed, and those set forth in the Schedule hereto substituted in lieu thereof.

SCHEDULE.

Schedule.

(1.) VOTING-PAPER.

[Name of local authority.]

PROPOSAL to raise a Special Loan under "The Local Bodies' Loans Act, 1901," upon which a poll will be taken upon the day of , 19 .

[Insert full particulars of the notice required by section 8 of that Act.]

1. I vote for the above proposal.
2. I vote against the above proposal.

N.B.—The voter must erase the line marked 2, if he wishes to vote for the proposal; or line 1, if he wishes to vote against it. The voter shall erase one or other of the said lines, and his vote shall be deemed to be given according to the one of the said lines which he leaves un erased.

(2.) SPECIAL ORDER MAKING SPECIAL RATE.

IN pursuance and exercise of the powers vested in it in that behalf by "The Local Bodies' Loans Act, 1901," the [Name of local authority] hereby resolves as follows:—

That for the purpose of providing the interest and other charges on a loan of [Amount of loan], authorised to be raised by [Name of local authority], under the above mentioned Act, for [Name the public work or works for which loan is required], the said [Name of local authority] hereby makes and levies a special rate of [State amount in the pound] upon the rateable value of all rateable property of the [Name of district], comprising [State the number of sections and block, and name of survey district, or describe the district by its boundaries], and that such special rate shall be an annual recurring rate during the currency of such loan, and be payable half-yearly on the day of , and the day of in each and every year during the currency of such loan, being a period of [State number] years, or until the loan is fully paid off.