

Mr. Roy.

LOWER CLUTHA RIVER IMPROVEMENT
AMENDMENT (No. 3).

[LOCAL BILL.]

ANALYSIS.

Title.	3. Power to compel the erection and maintenance of fences to protect drains and levees. Power to make by-laws as to crossings over drains and levees.
1. Short Title.	4. Repeal of section 22 of the principal Act.
2. Extension of Trust District.	5. Costs of promoting this Act. Schedule.

A BILL INTITULED .

AN ACT to amend the Lower Clutha River Improvement Act, 1938. Title.

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 Lower Clutha River Improvement Amendment Act (No. 3), 1939, and shall be read together with and deemed part of the Lower Clutha River Improvement Act, 1938 (hereinafter referred to as the principal Act). Short Title.

2. (1) The Trust District is hereby extended by including therein the area described in the Schedule hereto, and the provisions of the principal Act shall apply thereto in the same manner as if the said area had been originally included in the Trust District constituted by the principal Act. Extension of Trust District.

(2) The said area shall be included in the Balclutha Subdivision.

No. 34—1.

Power to
compel the
erection and
maintenance
of fences to
protect drains
and levees.

3. (1) The Trust is hereby empowered to call on and compel the occupier or the owner of any land through or on which any drain or levee is constructed to erect along either or both sides thereof a fence in such a position and of such a nature as to prevent cattle, sheep, horses, rabbits, or other animals from damaging the same; and in the event of such occupier or owner not erecting such a fence within two months of being called upon so to do, the Trust may erect the same, and the cost thereof shall operate as a first charge upon the land of such occupier or owner and shall be recovered in the same manner as a rate. 5 10

(2) The occupier or owner shall maintain such fence in good order and condition to the satisfaction of the Trust; and in the event of such occupier or owner failing for the space of one month to repair such fence after being called upon by the Trust so to do, the Trust may repair the same, and the cost thereof shall also operate as a first charge upon the land of such occupier or owner and shall be recovered in the same manner as a rate. 15 20

Power to
make by-laws
as to crossings
over drains
and levees.

(3) The Trust may make by-laws regulating the construction of crossings over drains and levees and requiring the occupiers or owners of lands through or on which such drains and levees are constructed to construct and maintain such crossings in manner approved by the Trust. 25

Repeal of
section 22
of the
principal Act.

4. Section 22 of the principal Act is hereby repealed.

Costs of
promoting
this Act.

5. The Trust is hereby empowered to pay the cost of promoting this Act. 30

Schedule.

SCHEDULE.

ALL that area in the Otago Land District being the Clutha River, the bed thereof, and the islands therein, bounded on the south generally by a line across the said river in prolongation of the northern boundary of Section 11, Block XXXVI, Clutha Survey District, running approximately west to east from bank to bank, on the west generally by the right bank of the said river, on the north by the northern boundary of the Bengier Survey District where it crosses the said river, and on the east generally by the left bank of the said river.