

# LOCAL LEGISLATION BILL, 1947

## EXPLANATORY NOTES

### *County Council*

*Clause 2 :* Authorizing Raglan County Council to refund its County Fund Account in respect of moneys advanced for housing purposes (I.A. 105/439).—In April, 1947, the Raglan County Council was authorized to raise a loan of £25,000 for housing purposes.

Before sanction was given to the raising of the loan, however, the Council proceeded with the erection of two houses for tenancy by two experienced employees and their families who at the time were living in caravans. Accommodation for these employees was urgently required, and as the Council was faced with the loss of the services of these employees if suitable accommodation was not forthcoming it was forced to take the opportunity of having the houses erected while a builder was available.

The sum expended in anticipation of the loan amounted to £1,543, and, owing to a substantial debit balance during the financial year ended on 31st March, 1947, the Council is unable to meet this sum from its County Fund Account and it has no authority to refund that account from the proceeds of the said loan of £25,000. Legislation is accordingly necessary to enable the County Fund Account to be refunded from the loan, and the clause confers the necessary authority on the Council.

### *City and Borough Councils*

*Clause 3 :* Validating repayment of District Fund Account out of loan-moneys by Palmerston North City Council (I.A. 105/422).—In order to relieve the acute housing shortage in Palmerston North the Palmerston North City Council found it necessary to inaugurate a Transit Housing Scheme, and for the purpose of financing the scheme steps were taken to raise the Palmerston North City Council Transit Housing Loan, 1945, of £5,000, the Palmerston North City Council Transit Housing Loan, 1946, No. 2, of £5,000, and the Palmerston North City Council Transit Housing Loan, 1946, No. 3, of £5,000.

Before obtaining the sanction of the Local Government Loans Board to the raising of the first-mentioned loan the Council expended from its District Fund Account the sum of £871 9s. 8d., towards the inauguration of the scheme. Sanction to the raising of loans Nos. 2 and 3 was given on the 5th June, 1946, but before this approval was given the Council had expended the sum of £5,744 13s. 5d., in anticipation of the sanctioning of these loans.

When the loans were raised the Council duly reimbursed its District Fund Account in respect of the sums expended prior to the sanctioning of the loans. The Council had no authority to refund its District Fund Account in respect of these moneys, and the clause validates its action accordingly.

*Clause 4 :* Authorizing Palmerston North City Council to raise a loan of £2,500 for purpose of refunding its District Fund Account in respect of moneys advanced for gasworks purposes (I.A. 105/425).—Prior to obtaining the sanction of the Local Government Loans Board to the raising of a loan of £7,500 for the purpose of purchasing certain essential equipment required for gasworks purposes, the Palmerston North City Council incurred expenditure to the extent of some £2,500 in the purchase of certain portions of the gasworks equipment which were urgently required and part of which

was supplied from overseas earlier than the Council anticipated. The Local Government Loans Board had no authority to sanction the raising of moneys for the purpose of meeting expenditure already incurred, and the loan was reduced by that amount. Legislation is therefore necessary to authorize the Council to raise a further loan of £2,500 for the purpose of refunding its District Fund Account in respect of moneys advanced thereout to meet the expenditure incurred prior to the approval of the Council's application by the Local Government Loans Board. This is the purpose of the clause.

*Clause 5:* Validating certain expenditure incurred by Whangarei Borough Council in connection with Jubilee Celebrations (I.A. 105/386).—The purpose of this clause is to validate the expenditure of the sum of £1,124 9s. 10d. incurred by the Whangarei Borough Council during the financial year ended on the 31st March, 1947, for the purpose of commemorating the Golden Jubilee of the Borough of Whangarei.

*Clause 6:* Validating payment of special grant of £50 by Tauranga Borough Council (I.A. 100/60).—Miss Alice Heron Maxwell is the owner of a property situate in the Borough of Tauranga known as "The Elms." This property is of great historical interest, and in recognition of Miss Maxwell's services in conducting visitors over the property and explaining the historical associations of the buildings and surroundings the Tauranga Borough Council has paid to Miss Maxwell a grant of £50. The Council has no authority to make this payment, and the clause validates its action in this respect.

*Clause 7:* Validating reimbursement of District Fund Account from loan-moneys by Te Awamutu Borough Council (I.A. 105/426).—In anticipation of the raising of a Transit Housing Loan of £18,000 and on the grounds of urgency the Te Awamutu Borough Council expended from its District Fund Account the sum of £719 5s. 2d. on transit-housing purposes. The loan has since been raised and the Council's District Fund Account has been reimbursed in respect of the sum advanced therefrom. The Council had no authority to refund its District Fund Account in respect of moneys expended prior to the raising of the loan, and the clause accordingly validates the refund of the said sum of £719 5s. 2d. to the Council's District Fund Account from the loan.

*Clause 8:* Authorizing Christchurch City Council to make a donation to the Young Women's Christian Association Building Fund Appeal (I.A. 105/411).—The purpose of this clause is to authorize the Christchurch City Council to make a grant of £1,000 as a contribution towards the Building Fund Appeal made by the Young Women's Christian Association in Christchurch.

*Clause 9:* Authorizing Masterton Borough Council to raise a loan of £4,000 for transit housing purposes (I.A. 105/421).—In order to alleviate the acute housing shortage in Masterton the Masterton Borough Council in April, 1946, decided to erect a number of transit houses, and an application for a loan of the sum of £3,000 for the purpose of financing the project was lodged with the Local Government Loans Board.

Before the application was finalized by that Board the construction of the units was proceeded with as a matter of extreme urgency. For various reasons the Local Government Loans Board was unable to finalize the Council's application for some considerable time, and in the interim a considerable portion of the estimated expenditure on the project had been incurred by the Council. It was also subsequently found that the expenditure of the sum of £4,000 would be necessary instead of the sum of £3,000 as originally anticipated. Having incurred expenditure prior to the sanctioning of the loan the Council now requires legislative authority to enable it to proceed with the raising of the loan which the Local Government Loans Board is now precluded from sanctioning.

The purpose of the clause is therefore to authorize the Council to raise a loan of £4,000 and to refund to its District Fund Account all moneys applied therefrom towards the erection of the transit houses in anticipation of the loan.

*Clause 10:* Validating certain expenditure incurred by Rotorua Borough Council (I.A. 105/436).—The annual conference of the Municipal Association of New Zealand, Incorporated, was held in Rotorua in the month of March, 1947. The Rotorua Borough Council expended the sum of £567 17s. 7d. in meeting the cost of the reception and entertainment of delegates and other persons attending the conference. Provision is contained in section 9 of the Municipal Association Act, 1939, authorizing the local authority in the location of any annual conference of the association to expend an amount not exceeding 1 per cent. of its general rate for that year on the entertainment and reception of visitors attending the conference. The above expenditure was offset by certain receipts, and after allowing for these receipts, and also the amount authorized under the above section, a sum of £325 19s. 8d. was outstanding. The Council had no authority to incur this expenditure, and legislation is necessary to validate its action in this respect. This is the purpose of the clause.

*Clause 11:* Authorizing Hastings Borough Council to make a refund to its District Fund Account from loan-moneys (I.A. 105/438).—In the year 1946 the Hastings Borough Council decided to establish a Community Centre in Hastings, and for the purpose of providing the necessary finance for the purchase of a site and certain preliminary expenses application was made for authority to raise a loan of £10,000. Sanction was duly given to the loan, which is known as the Community Centre (Preliminary) Loan, 1946.

Before the sanction of the Local Government Loans Board was given to the raising of the loan a portion of the land comprising the desired site for the community centre became available, and as the owner had received an offer for its purchase from a prospective buyer it was necessary for the Council to take immediate steps to purchase the land in question in order to prevent the area being lost to the Council for the purposes of its scheme. The Council expended from its General Account the sum of £1,100 in finalizing this transaction. It now desires authority to refund this sum to its General Account from the loan. The clause provides accordingly.

*Clause 12:* Authorizing Levin Borough Council to raise a loan for the purpose of meeting the cost of extensions and improvements to abattoir (I.A. 105/271).—During the period commenced on the 1st April, 1940, and ended on the 31st March, 1947, sums amounting to £2,522 4s. 7d. were expended by the Levin Borough Council for the purpose of effecting improvements and extensions to the premises occupied by the Levin Borough Abattoir, and also purchasing certain additional equipment required in connection with the operations of the abattoir. This sum was advanced from the Council's District Fund Account and charged to the Abattoir Revenue Account.

The Council, in order to reimburse its District Fund Account in respect of this expenditure, made application for authority under the Meat Act, 1939, to increase the abattoir charges. This application was challenged on the grounds that such expenditure was capital expenditure and could not be appropriately charged to the Abattoir Revenue Account.

The only alternative available to the Council for the purpose of meeting the expenditure is to raise a special loan, but, in view of the fact that the expenditure has already been incurred, there is no authority under which such a loan can be raised, and an application has accordingly been made for legislative authority. In addition to meeting the expenditure already incurred, the Council desires to increase the proposed loan to £2,700 to enable it to finance further improvements of a minor nature. The clause is accordingly intended to authorize the raising of a loan of £2,700.

*Clause 13* : Authorizing Hamilton City Council to erect a clock-tower and clock in the City of Hamilton (I.A. 105/442).—Having received a donation of £1,000 towards the erection of a public clock in the City of Hamilton, the Hamilton City Council proposes to erect a clock-tower and clock on the junction of Victoria Street and Garden Place in the City. Although the amount of the donation will meet the greater portion of the cost of the proposal it will be necessary for the Council to provide funds to meet the balance of the cost of the work.

The Council has no authority to expend moneys towards this purpose, and the clause provides accordingly.

*Clause 14* : Authorizing remission of rates by Gisborne Borough Council (I.A. 100/11).—The purpose of this clause is to authorize the Gisborne Borough Council to remit rates due and payable by the Y.M.C.A., Gisborne, in respect of the year ending 31st March, 1948. The amount involved is £49 17s. 2d.

*Clause 15* : Validating agreement made by Lower Hutt City Council and Eastbourne Borough Council with respect to water-supply (I.A. 105/444).—The Lower Hutt City Council and the Eastbourne Borough Council have entered into an agreement for the supply of water to the Borough of Eastbourne for a period of fifteen years from the 1st March, 1947.

In view of the provisions of section 256 of the Municipal Corporations Act, 1933, these local authorities had no authority to enter into a contract for the supply of water for a term exceeding three years without obtaining the sanction of a poll of electors.

Legislation is therefore necessary to override this section and also section 253, subsection (3), of the above Act, which requires a Borough Council to retain the right, in a contract for water-supply, to discontinue such water-supply at any time on three months' notice in writing without being liable to payment of compensation. The clause validates the action of these local authorities in entering into the agreement, notwithstanding the provisions of the Municipal Corporations Act.

*Clause 16* : Authorizing payment of compassionate allowance by Waihi Borough Council (I.A. 105/454).—The purpose of this clause is to authorize the Waihi Borough Council to make a compassionate grant of £100 to the widow of a former Mayor of the Borough of Waihi, Mr. W. M. Wallnutt, in recognition of long and valuable service rendered to the community.

*Clause 17* : Provision with respect to cancellation of licence to occupy portions of Huntly Municipal Buildings (I.A. 105/443).—The Huntly Town Board was authorized by section 53 of the Local Legislation Act, 1928, to grant to the Huntly War Memorial Club a licence to use certain premises in the Huntly Municipal Buildings for the purposes of the Club.

This licence was granted in consideration of the payment to the Board of the sum of £425 13s. 9d.

Pursuant to this legislation the premises in question were used as club rooms not only by the Huntly War Memorial Club, but also by the Huntly Returned Services' Association, which replaced the Huntly War Memorial Club.

The Huntly Returned Services' Association has now obtained its own club rooms, which have been in use by the association since the year 1944. As the association will not require the use of the Town Hall premises in future it is proposed by arrangement between the parties that the licence granted in perpetuity by the said section 53 of the Local Legislation Act, 1928, should be cancelled and that in consideration therefor the Huntly Borough Council, which replaced the Huntly Town Board upon the constitution of the town district as a borough in the year 1931, be authorized to make a grant of the sum of £250 to the association.

Doubts have arisen as to the power of the Council to make the grant in question, and legislation is necessary to resolve these doubts and also to provide for the cancellation of the licence for the use of the Town Hall premises. The clause makes provision accordingly.

*Clause 18:* Changing date for triennial appointment of Opunake Harbour Committee (I.A. 58/8).—Section 12 of the Opunake Harbour Act, 1938, provides for the appointment by the Opunake Borough Council of a Harbour Committee in the month of May in each year in which an election of the Council is held.

In view of the changing of the date for the holding of the general elections of members of local authorities to the month of November by the provisions of the Local Elections and Polls Amendment Act, 1946, it is desired to change the time for the appointment of the Opunake Harbour Committee to the month of December in each election year. The clause provides accordingly.

*Clause 19:* Thames Borough Council authorized to make rates payable by instalments (I.A. 103/32).—In terms of the Thames Borough Commissioner Amendment Act, 1940, the system of Commissioner control in the Borough of Thames will automatically expire this year. The Government, after giving careful consideration to the financial position of Thames and the interests of the debenture-holders, has decided that the time has arrived for the borough to revert to normal administration by a duly elected Borough Council.

It is necessary, however, to continue in force certain of the special provisions now provided for in the Thames Borough legislation. The particular provision to which this clause relates is contained in section 15 of the Thames Borough Commissioner Amendment Act, 1934, under which the Borough Commissioner is authorized to make rates payable by instalments instead of in one sum each year. This method of collecting rates has proved to be very popular in Thames and has been a material factor in maintaining a high level of rate collections.

The Council desires that this particular method of collecting rates be continued in view of its advantage both to the ratepayers and Council. The clause contains the necessary authority.

*Clause 20:* Continuation of special valuation roll for Borough of Thames (I.A. 103/32).—The Thames Borough Commissioner Amendment Act, 1934, made provision for the preparation of a special valuation roll for rating purposes in the Borough of Thames. That legislation became necessary because of the fact that, at a time of financial collapse, the rateable values in the borough were becoming unreasonably low by reason of individual applications for reductions in valuations, and were rapidly becoming useless for rating purposes.

The special valuation roll remains in force until this year under existing legislation, but it is quite evident the borough cannot go back to the old valuations for rating purposes, and accordingly the special valuation roll will necessarily require to continue in operation until other arrangements are made.

The Council has recommended that the period of operation of the special rate be extended until the 31st March following the next revision of the district valuation roll by the Valuer-General, and the Government has agreed to this.

The clause gives effect to this arrangement. Consequential amendments of the relevant provisions are proposed in the clause as Commissioner control of the borough will cease this year and the borough will revert to normal control by a duly elected Council.

*Clause 21:* Authorizing Whangarei Borough Council to refund to its General Account moneys expended in connection with the establishment of Municipal Milk Department (I.A. 105/428).—For the purpose of establishing and conducting a Municipal Milk Department in the Borough of Whangarei the Whangarei Borough Council has been constituted as a Milk Authority under the Milk Act, 1944, and in order to establish such Municipal Milk Department it became necessary for the Council to take over certain existing milk rounds, one of which will be acquired from the Milk Marketing Department, the other having been acquired from a private company dealing in the distribution of milk. For the purpose of obtaining the necessary finance to operate as a Milk Authority it will also be necessary for the Council to expend moneys in the purchase of land and buildings, plant and machinery, the establishment of a milk-token bank, and certain other preliminary expenses. It is estimated that the total cost of financing the project will amount to the sum of approximately £40,000, which the Council proposes to raise by means of a special loan.

The Council, as the Whangarei Milk Authority, has been dealing in the treatment and distribution of milk as from the 1st April, 1947, and since that date it became necessary to acquire the privately-owned milk business as a matter of urgency, and to establish a milk-token bank and incur certain preliminary expenses. In this connection expenditure amounting to the sum of £2,860 11s. 2d. has been incurred in anticipation of the raising of the proposed loan.

The expenditure incurred has been met out of the Council's General Account, and legislation is necessary to enable that account to be refunded from the proceeds of the loan when raised. This is the purpose of the clause.

#### *Town Board*

*Clause 22:* Validating variation of terms of raising of Waterworks Loan, 1945, by Kamo Town Board (I.A. 105/429).—The Kamo Town Board was authorized by Order in Council dated 23rd January, 1946, to raise a loan of £12,000, known as the Waterworks Loan, 1945, subject to certain terms and conditions laid down by the Local Government Loans Board. The Board, however, did not adhere strictly to the terms of the raising of the loan, which was raised on an instalment-repayment basis in lieu of provision being made for the establishment of a sinking fund for the purpose of liquidating the loan.

The Board's action in varying the terms of repayment is illegal, and validating legislation is necessary to legalize this action. This is the purpose of the clause.

#### *Harbour Boards*

*Clause 23:* Validating certain expenditure incurred by Auckland Harbour Board (I.A. 105/435).—The Fourteenth Conference of Harbour Boards in New Zealand was held in Auckland on the 6th and 8th November, 1946. In accordance with the usual practice the harbour authority in the area in which the conference was held—namely, the Auckland Harbour Board—provided for the entertainment of visitors to the conference. The Board expended the sum of £210 8s. 6d. in this connection. This expenditure was however, incurred without legal authority, and the purpose of the clause is therefore to validate the action of the Board.

*Clause 24:* Authorizing sale of certain land by Otago Harbour Board (I.A. 105/456).—During the years 1911 to 1914 the Otago Harbour Board purchased six sections in the Township of Sunshine, Dunedin, for the purpose of a quarry-site to be used in connection with the construction of a reclamation wall along the foreshore at Dunedin. Practically all the available rock in the quarry has now been excavated and the area is no longer useful for that purpose.

In the circumstances the Board desires to sell certain portions of the area as building sections, but there are some doubts as to whether it has the necessary authority under the provisions of the Harbours Act, 1923. The clause accordingly authorizes the Board to sell from time to time such portions of the land as it thinks fit.

*Clause 25:* Authorizing certain expenditure by Auckland Harbour Board (I.A. 105/413).—The Auckland Harbour Board recently conducted an exhibition featuring the Port of London Authority. The purpose of the exhibition was to raise funds to assist the "Food-for-Britain" Campaign.

The Board incurred liabilities amounting to the sum of £110 in conducting the exhibition, and the purpose of the clause is to authorize the payment of that amount in settlement of the liabilities incurred.

*Clause 26:* Authorizing Auckland Harbour Board to make a donation to the Public Relations Office of Auckland, Incorporated (I.A. 105/446).—The Auckland Harbour Board desires to make a donation of the sum of £100 towards the funds of the Public Relations Office of Auckland, Incorporated, which has been established with the objects of encouraging tourist traffic to Auckland and furthering the interests of the City of Auckland and the Auckland Province generally. The Board has no authority to make the grant in question, and as its unauthorized expenditure account contains insufficient funds to enable the grant to be made from that account legislation is necessary to confer authority on the Board to make the grant out of its Harbour Fund. The clause confers the necessary authority.

*Clause 27:* Provision with respect to lease of land to the British Sailors' Society (Otago Branch), Incorporated, by Otago Harbour Board (I.A. 105/453).—Under the provisions of section 73 of the Reserves and other Lands Disposal and Public Bodies' Empowering Act, 1921–22, an area of land comprising 1 rood, owned by the Sailors' Home Trustees in Dunedin and held as a site for a sailors' home, was transferred to the Otago Harbour Board on condition that the Board should pay to the British Sailors' Society the sum of £200 when the society proceeded with the erection of a sailors' home or sailors' rest in Dunedin. The section also provided that until such home or rest was built the Board should pay to the society an annual sum of £10.

The British Sailors' Society (Otago Branch), Incorporated, now proposes to replace its existing building, which is old and dilapidated and quite unsuitable for the present needs of the society. The Harbour Board is the owner of the only land available near the waterfront, and it is agreeable to lease an area of 35.3 perches, being Section 23, Block 63, Dunedin Registry, to the society as a site for its building project. The Board is prepared to lease the whole or part of this area to the society for an initial term of forty-two years, with the right of renewal for further terms of twenty-one years. In return for this concession the Board will require to be absolved from its responsibility for the annual payment of £10, and it is also to be understood that the society will not ask for further donations from the Board.

The Board has no authority to lease the area in question to the society, and legislation is necessary to confer this power and also to relieve the Board from its responsibilities for the payment of the annual grant of £10 as provided by section 73 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1921–22. This is the purpose of the clause.

#### *Electric-power Board*

*Clause 28:* Validating raising of portion of Reticulation Loan, 1943, by Waitomo Electric-power Board (I.A. 105/449).—The Waitomo Electric-power Board was authorized by Order in Council dated 9th June, 1943, to raise a loan of £10,000, to be known as the Reticulation Loan, 1943, for the purpose of carrying out certain reticulation

works in the Waitomo Electric-power District. One of the conditions laid down by the Order in Council was that no moneys should be borrowed thereunder after the expiration of a period of two years from the date of the making thereof.

The Board did not proceed to raise the whole amount of the loan prior to the expiration of the loan authority, and the sum of £5,000 was borrowed as part of the loan on the 5th August, 1946. In view of the lapse of the loan authority the Board had no authority to borrow this amount, and legislation validating its action in this respect has been applied for. The clause provides accordingly.

#### *Drainage Board*

*Clause 29*: Section 50 of the Local Legislation Act, 1936, extended (I.A. 105/114).—This clause is intended to extend for a further period of three years the authority conferred on the Mangapu Drainage Board by section 41 of the Local Legislation Act, 1939, to make and levy general rates on the various classes of land in the district on a slightly higher basis than is authorized by the Land Drainage Act, 1908. The rates have been made and levied on the higher basis for some years past, and a continuation thereof is necessary to enable the Board to meet its annual commitments with respect to necessary drainage-work undertaken by the Board.

The last extension to section 50 of the Local Legislation Act, 1936, expired on the 31st March, 1945. The Board, however, continued to levy rates on the higher basis for the years ended 31st March, 1946, and 31st March, 1947. This clause also validates the rates levied for those years.

#### *Hospital Boards*

*Clause 30*: Validating certain unauthorized expenditure by Auckland Hospital Board (I.A. 105/431).—On the occasion of the opening of the Middlemore Hospital the Auckland Hospital Board incurred expenditure to the extent of the sum of £200. The Board had no authority to incur this expenditure, and the purpose of the clause is to validate its action in this respect.

*Clause 31*: Validating raising of portion of Te Puia Hospital Building Loan 1944 by Waiapu Hospital Board (I.A. 105/419).—The Waiapu Hospital Board was authorized by Order in Council dated 26th April, 1944, to raise a loan of £20,000, being the Board's share of the cost of erecting additions to the Te Puia Hospital. It was provided by the Order in Council that the loan was to be raised by the issue of debentures which were to be negotiated at the rate of £5,000 per quarter. Owing to the fact that the work was considerably delayed, debentures amounting only to the sum of £10,000 had been negotiated up to the 31st March, 1946.

The loan authority was current for a period of two years after the passing of the Order in Council referred to, and after the expiration of that authority debentures totalling £5,000 were negotiated by the Board. The Board had no authority to raise this portion of the loan owing to the expiration of the loan authority, and its action in this respect was invalid. The purpose of the clause is to validate the raising of the said sum of £5,000.

*Clause 32*: Validating unauthorized expenditure by Opotiki Hospital Board (I.A. 105/455).—As a result of the destruction of hospital buildings and staff quarters by fire on the 4th December, 1946, certain members of the domestic staff employed by the Opotiki Hospital Board lost all their possessions. As the domestics concerned had no insurance cover on their effects, the Board made a contribution towards the cost of replacement and incurred expenditure amounting to the sum of £135 11s. 8d. in this connection. The Board had no authority to incur this expenditure, and the clause is intended to validate its action in this respect.

*Clause 33*: Validating lease of land by Waikato Hospital Board (I.A. 105/451).—The Waikato Hospital Board has executed an agreement with an ex-employee of the Board, a Miss Mary Reidy, providing for the lease by the Board of a small area of land containing 1 rood 9 perches to be used as a site for a cottage to be occupied by Miss Reidy during the remainder of her life. A nominal charge of only 1s. per annum will be made for the use of the land, which has been leased on this basis in recognition of Miss Reidy's long service in the employ of the Board as matron of the Kawhia Hospital.

The Board has more land at Kawhia than it requires for hospital purposes at the present time, and as the land in question is vested in the Board to be held in trust as a site for a public hospital it has no power to lease such land, and legislation validating the agreement referred to has been applied for. The agreement is also invalid as the provisions of the Public Bodies' Leases Act, 1908, which require a lease of this nature to be made by public auction or by public tender, have not been complied with. The purpose of the clause is therefore to validate the said agreement.

*Clause 34*: Authorizing Wellington Hospital Board to expend moneys in connection with the celebration of the hundredth anniversary of Wellington Hospital (I.A. 105/466).—The Wellington Hospital Board proposes to incur certain expenditure in connection with the celebration of the hundredth anniversary of the establishment of a public hospital in Wellington. Expenditure will also be incurred in connection with the publication of a history of the Wellington Hospital and associated institutions. The Board is unable to meet such expenditure from its Unauthorized Expenditure Account, and the purpose of the clause is to confer authority on the Board to expend moneys, not exceeding the sum of £250, and to validate any expenditure already incurred in this connection.

#### *Affecting Two or More Classes of Public Bodies*

*Clause 35*: Authorizing Wanganui Harbour Board to transfer certain land to Wanganui City Council (I.A. 105/213).—The Wanganui Harbour Board is the owner of an area of land comprising 2 roods 31·8 perches adjoining an area vested in the Wanganui City Council for use as a pleasure-ground which was transferred to the City Council by the Harbour Board under the provisions of section 40 of the Local Legislation Act, 1941. The area owned by the Board is leased to the Council for use as a pleasure-ground, and as it is not required by the Harbour Board for harbour purposes it is the desire of both local authorities that it should be vested in the City Council for the purpose of providing pleasure-grounds and gardens as an addition to the area previously transferred.

As the Harbour Board has no power to dispose of the land, legislation is necessary to give effect to the desire of the local authorities, and this is the purpose of the clause.

*Clause 36*: Authorizing Hutt County Council to pay to Lower Hutt City Council certain sewerage and water-supply charges and to collect same from property-owners (I.A. 105/467).—As the result of negotiations between the Hutt County Council and the Lower Hutt City Council, the City Council has agreed to permit twenty household properties situated in the Wainui-o-mata Riding of the Hutt County and adjacent to the city boundaries to be connected with the City Council's sewerage and water-supply systems. It is proposed that a flat annual charge will be levied in respect of the properties serviced by these systems.

Normally such a charge would be made and collected by the Lower Hutt City Council, as required by the Municipal Corporations Act, 1933. For convenience, however, it has been agreed between the County Council and the City Council that the County Council shall pay to the City Council the total amount of the charges accruing each year in respect of the services, such charges to be recovered direct from the individual

owners by the County Council. It is necessary, however, to make legislative provision to permit the County Council to collect the charges on behalf of the City Council, and this is the purpose of the clause, which also provides for the payment of the amounts collected to the City Council. The clause also limits the arrangement to a period of ten years.

*Clause 37:* Vesting certain land held by Governors of Wellington College and Girls' High School in the Corporation of the City of Wellington (I.A. 105/465).—The Governors of the Wellington College and Girls' High School are the owners of certain land in Wellington fronting on to Hobson Street and Fitzherbert Terrace. Part of this land comprises what is known as Hobson Street Gully, over which the Hobson Street suspension bridge passes. The gully has never been of any use to the Board, being precipitous, and has not been included in leases granted by the Board of the remainder of the land fronting on to Hobson Street and Fitzherbert Terrace. Although the gully is useless from a revenue point of view and is merely an unauthorized rubbish-tip, the Board has, nevertheless, been paying rates on it.

As the area comprising the gully is of no use to the Board it has decided to offer the land to the Wellington City Council, subject to an understanding with the Council that the area will be filled with clean spoil and vested in the Council as a public reserve. The Board has no power to transfer the land to the Council, and the clause confers the necessary authority and provides for the vesting of the area as a public reserve.

*Clause 38:* Provision with respect to dissolution of Oamaru Athenæum and Mechanics' Institute and vesting of property in the Corporation of the Borough of Oamaru (I.A. 105/427).—The trustees of the Oamaru Athenæum and Mechanics' Institute and the Oamaru Borough Council have agreed that in the best interests of the borough the assets of the Institute, including the Athenæum Library, should be taken over by the borough. As the lands and property comprising these assets are vested in the Institute by a special Act, legislative authority for the proposed transfer is required.

It has also been agreed that power should be granted to the Borough Council to sell a farm property which is one of the assets involved, and to expend the proceeds of such sale for the benefit of the library.

The clause provides the necessary authority.

*Clause 39:* Provision with respect to taking-over of Te Puke Borough Council's electricity supply undertaking by Tauranga Electric-power Board (I.A. 105/447).—As the result of negotiations which have been entered into between the Tauranga Electric-power Board and the Te Puke Borough Council certain agreements have been executed by these local authorities providing for the taking over by the Board of the whole of the electricity supply undertaking of the Council in the Borough of Te Puke.

In consideration of the transfer of the assets involved the agreements referred to provide for the payment by the Board to the Council of the sum of £14,000. It has been agreed that this sum will be paid by the issue of debentures spread over such period as may be approved by the Local Government Loans Board. This transaction is, of course, subject to the provisions of the Local Bodies' Loans Act, 1926, and the Board had no authority to enter into the agreement referred to without the prior approval of the Local Government Loans Board, which is now precluded from giving that authority. Legislation is therefore necessary to validate the agreements and to authorize the raising of a sum of £14,000 as a special loan without taking a poll of ratepayers. This is the purpose of the clause, which also makes provision to facilitate the taking-over of the electricity supply undertaking by the inclusion of the Borough of Te Puke in the boundaries of the Tauranga Electric-power District.

*Miscellaneous*

*Clause 40:* Provision with respect to abolition of Clarence Rabbit District and dissolution of Board (I.A. 105/437).—The Clarence Rabbit District was constituted under the Rabbit Nuisance Act, 1928, by Order in Council dated 5th July, 1944. Owing to certain irregularities in connection with the rates levied by the Board during the financial year ended on the 31st March, 1946, these rates were challenged and it was not practicable to proceed with their collection.

In the circumstances the Board was unable to obtain the necessary revenue to carry on its operations.

At the request of the Board the Department of Agriculture has resumed the administration of the district, and the Board, having discharged its liabilities and disposed of its assets, it is proposed to abolish the district and dissolve the Board. The clause provides accordingly.

*Clause 41:* Authorizing Canterbury Provincial Patriotic Council to make a grant to the C. H. Upham Scholarship Trust Board (I.A. 105/387/1).—The Canterbury Provincial Patriotic Council is desirous of making a grant of the sum of £1,000 to a fund which has been set up in the Provincial District of Canterbury for the purpose of providing financial assistance towards the higher education of the sons of ex-servicemen and ex-servicewomen.

The fund has been established in commemoration of Captain Charles Hazlitt Upham, V.C. and Bar, and will be administered by a Board of Trustees incorporated under the Religious, Charitable, and Educational Trusts Act, 1908.

There is some doubt as to whether the Canterbury Provincial Patriotic Council has power to make the grant in question, and the purpose of the clause is to resolve these doubts.

*Clause 42:* Extending powers of Waipawa-Ngaruroro Rabbit Board to borrow by way of overdraft (I.A. 128/73).—The Waipawa-Ngaruroro Rabbit District was constituted early in the year 1946, and during the first year of its existence the operations of the Waipawa-Ngaruroro Rabbit Board were comparatively restricted as the Board's proposals for the destruction of rabbits could not be fully realized. In order to obtain the necessary finance required by the Board to cover its restricted operations a rate of only 2d. per acre was levied over the district.

The Board's operations have been considerably expanded during the current financial year, and to enable these operations fully to be effected it has been necessary for the Board to strike a rate of 8d. per acre. Pending the collection of the proceeds of this rate it is essential for the Board to borrow moneys in anticipation of its revenue, but, pursuant to the provisions of the Local Bodies' Finance Act, 1921-22, its borrowing-powers are limited to three-quarters of its revenue for the preceding year.

Legislation is accordingly necessary to enable the Board to borrow on overdraft up to the limit of three-quarters of its estimated revenue for the current financial year. The clause confers the necessary authority.

*Clause 43:* Authorizing Waipawa-Ngaruroro Rabbit Board to make refunds to certain ratepayers (I.A. 105/441).—The Waipawa-Ngaruroro Rabbit District was constituted by Order in Council dated the 10th April, 1946, and the Waipawa-Ngaruroro Rabbit Board levied a rate of 2d. per acre over the district during the financial year ended on the 31st March, 1947.

As the Board was not in a position to make immediate arrangements for the engagement of rabbiters after its constitution, it was decided in the meantime to encourage the continuation of the policy of eradication of rabbits by the farmers in the

district. An arrangement was accordingly made between the Board and certain ratepayers in the district whereby such ratepayers would continue the work of destroying rabbits on the understanding that any expenditure incurred in this connection would be reimbursed from revenue received from rates payable to the Board.

The Board has no authority to make a refund of rates as desired, and the clause empowers it to refund to the ratepayers concerned such amounts as may have been expended by them on the destruction of rabbits up to but not exceeding a total sum of £600.

*Clause 44* : Authorizing Marlborough Coast Rabbit Board to raise a special loan for housing purposes (I.A. 105/440).—The Marlborough Coast Rabbit Board has erected five houses for the use of its employees at a total cost of £2,101. These houses were erected over a period of years and were financed out of surplus revenue which the Board had accumulated owing to a shortage of labour. The Board feels that the present ratepayers should not be asked to pay the total cost of these dwellinghouses, which will remain for the benefit of ratepayers for many years. An application has therefore been lodged for authority to raise a special loan of £1,000 for the purpose of meeting part of the expenditure incurred by refunding that amount to the Board's General Account, to be ultimately applied towards the destruction of rabbits.

As the expenditure has already been incurred, the Local Government Loans Board is precluded from giving its consent to the raising of the loan, and, in addition, the Board has no authority to refund its General Account from the proceeds of the loan when raised. Legislation is therefore necessary to enable the Board to raise the loan and to refund its General Account therefrom. The clause accordingly makes provision for the raising of the loan subject to the consent of the ratepayers as required by section 88 of the Rabbit Nuisance Act, 1928, and authorizes the payment of the loan, when raised, into the Boards' General Account.

*Clause 45* : Provision with respect to validation of ratepayers list and roll of electors for Wairarapa East Rabbit District (I.A. 105/472).—In accordance with the provisions of the Rabbit Nuisance Act, 1928, a ratepayers list for the Wairarapa East Rabbit District was prepared in the year 1946. The appropriate steps were not taken, however, to prepare a ratepayers list for the district for the year 1947-48, and the Board has levied its rates on the basis of the list prepared in the year 1946. As the ratepayers list is used for the purpose of compiling the roll of electors for the district, the effect of the omission is that the list was invalid for the purpose of compiling the electors roll for the general election of members of the Wairarapa East Rabbit Board.

It also appears that the ratepayers list may be invalid as the Chairman of the Board, since its inception, has not possessed the necessary qualification to be placed on the roll of electors. The Board accordingly desires to protect itself from any action by the validation of the rates which have been levied during the past two years. It also desires the validation of the electors roll compiled from the ratepayers list. The clause makes appropriate provision in this connection.

*Clause 46* : Authorizing Tokarahi Rabbit Board to raise a loan for housing purposes (I.A. 105/468).—The Tokarahi Rabbit Board has incurred expenditure amounting to the sum of £414 in acquiring a small area of land and erecting a dwellinghouse and effecting certain improvements thereon. The dwellinghouse was required by the Board for the use of its employees, and owing to a shortage of housing accommodation it was necessary to proceed with the erection of the building as a matter of some urgency.

Although the expenditure has been met from the Board's General Account, the Board desires to obtain authority to raise a special loan of £400 for the purpose of refunding its General Account in respect of the moneys advanced therefrom for the above purpose. The clause confers this authority.

Hon. Mr. Parry

## LOCAL LEGISLATION

### ANALYSIS

- | Title.   |   |
|--|---|
| 1. Short Title.  |   |
|  | <i>County Council</i>   |
| 2. Authorizing Raglan County Council to refund its County Fund Account in respect of moneys advanced for housing purposes.   |   |
|  | <i>City and Borough Councils</i>  |
| 3. Validating repayment of District Fund Account out of loan-moneys by Palmerston North City Council.  |   |
| 4. Authorizing Palmerston North City Council to raise a loan of £2,500 for purpose of refunding its District Fund Account in respect of moneys advanced for gasworks purposes. |   |
| 5. Validating certain expenditure incurred by Whangarei Borough Council in connection with Jubilee Celebrations.   |   |
| 6. Validating payment of special grant of £50 by Tauranga Borough Council.   |   |
| 7. Validating reimbursement of District Fund Account from loan-moneys by Te Awamutu Borough Council.   |   |
| 8. Authorizing Christchurch City Council to make a donation to the Young Women's Christian Association Building Fund Appeal.   |   |
|  | 9. Authorizing Masterton Borough Council to raise a loan of £4,000 for transit housing purposes.                                      |
|  | 10. Validating certain expenditure incurred by Rotorua Borough Council.   |
|  | 11. Authorizing Hastings Borough Council to make a refund to its District Fund Account from loan-moneys.                              |
|  | 12. Authorizing Levin Borough Council to raise a loan for the purpose of meeting the cost of extensions and improvements to abattoir. |
|  | 13. Authorizing Hamilton City Council to erect a clock-tower and clock in the City of Hamilton.                                       |
|  | 14. Authorizing remission of rates by Gisborne Borough Council.   |
|  | 15. Validating agreement made by Lower Hutt City Council and Eastbourne Borough Council with respect to water-supply.                 |
|  | 16. Authorizing payment of compassionate allowance by Waihi Borough Council.  |
|  | 17. Provision with respect to cancellation of licence to occupy portions of Huntly Municipal Buildings. Repeal.                       |
|  | 18. Changing date for triennial appointment of Opunake Harbour Committee.   |
|  | 19. Thames Borough Council authorized to make rates payable by instalments.   |

20. Continuation of special valuation roll for Borough of Thames.
21. Authorizing Whangarei Borough Council to refund to its General Account moneys expended in connection with the establishment of Municipal Milk Department.
- Town Board*
22. Validating variation of terms of raising of Waterworks Loan, 1945, by Kamo Town Board.
- Harbour Boards*
23. Validating certain expenditure incurred by Auckland Harbour Board.
24. Authorizing sale of certain land by Otago Harbour Board.
25. Authorizing certain expenditure by Auckland Harbour Board.
26. Authorizing Auckland Harbour Board to make a donation to the Public Relations Office of Auckland, Incorporated.
27. Provision with respect to lease of land to the British Sailors' Society (Otago Branch), Incorporated, by Otago Harbour Board.
- Electric-power Board*
28. Validating raising of portion of Reticulation Loan 1943 by Waitomo Electric-power Board.
- Drainage Board*
29. Section 50 of the Local Legislation Act, 1936, extended.
- Hospital Boards*
30. Validating certain unauthorized expenditure by Auckland Hospital Board.
31. Validating raising of portion of Te Puia Hospital Building Loan, 1944, by Waiapu Hospital Board.
32. Validating unauthorized expenditure by Opotiki Hospital Board.
33. Validating lease of land by Waikato Hospital Board.
34. Authorizing Wellington Hospital Board to expend moneys in connection with the celebration of the hundredth anniversary of Wellington Hospital.
- Affecting Two or More Classes of Public Bodies*
35. Authorizing Wanganui Harbour Board to transfer certain land to Wanganui City Council.
36. Authorizing Hutt County Council to pay to Lower Hutt City Council certain sewerage and water-supply charges and to collect same from property-owners.
37. Vesting certain land held by Governors of Wellington College and Girls' High School in the Corporation of the City of Wellington.
38. Provision with respect to dissolution of Oamaru Athenaeum and Mechanics' Institute and vesting of property in the Corporation of the Borough of Oamaru. Repeal.
39. Provision with respect to taking over of Te Puke Borough Council's electricity-supply undertaking by Tauranga Electric-power Board.
- Miscellaneous*
40. Provision with respect to abolition of Clarence Rabbit District and dissolution of Board.
41. Authorizing Canterbury Provincial Patriotic Council to make a grant to the C. H. Upham Scholarship Trust Board.
42. Extending powers of Waipawa-Ngaruroro Rabbit Board to borrow by way of overdraft.
43. Authorizing Waipawa-Ngaruroro Rabbit Board to make refunds to certain ratepayers.
44. Authorizing Marlborough Coast Rabbit Board to raise a special loan for housing purposes.
45. Provision with respect to validation of ratepayers' list and roll of electors for Wairarapa East Rabbit District.
46. Authorizing Tokarahi Rabbit Board to raise a loan for housing purposes.

A BILL INTITULED

AN ACT to confer certain Powers on certain Public Bodies and to validate certain Transactions. 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 Local Legislation Act, 1947. Short Title.

*County Council*

2. Whereas the Raglan County Council (in this section referred to as the Council), in anticipation of the sanction of the Local Government Loans Board being given to the raising of the Housing Loan, 1946, of the sum of twenty-five thousand pounds (in this section referred to as the loan), expended out of its County Fund Account moneys amounting in the aggregate to the sum of one thousand five hundred and forty-three pounds in and towards the erection of two houses for its employees: And whereas the loan has since been raised pursuant to authority granted in that behalf, and the Council is desirous of recouping its County Fund Account out of the proceeds of the loan: And whereas it is desirable to authorize the Council to recoup its County Fund Account in respect of the expenditure incurred in anticipation of sanction being given to the raising of the loan: Be it therefore enacted as follows:—

Authorizing Raglan County Council to refund its County Fund Account in respect of moneys advanced for housing purposes.

The Council is hereby authorized and empowered to refund to its County Fund Account, out of the proceeds of the loan, the said sum of one thousand five hundred and forty-three pounds.

*City and Borough Councils*

3. Whereas the Palmerston North City Council (in this section referred to as the Council) has obtained the sanction of the Local Government Loans Board to the raising of three loans known as the Palmerston North City Council Transit Housing Loan, 1945, the Palmerston North City Council Transit Housing Loan, 1946, No. 2, and the Palmerston North City Council Transit

Validating repayment of District Fund Account out of loan-moneys by Palmerston North City Council.

Housing Loan, 1946, No. 3, respectively: And whereas, in anticipation of the necessary authority being granted to the raising of the Palmerston North City Council Transit Housing Loan, 1945, the Council expended from its District Fund Account the sum of eight hundred and seventy-one pounds nine shillings and eightpence, and, in anticipation of the necessary authority being granted to the raising of the other two loans hereinbefore mentioned, the Council expended from that Account the sum of five thousand seven hundred and forty-four pounds thirteen shillings and fivepence: And whereas repayment of the said sums of eight hundred and seventy-one pounds nine shillings and eightpence, and five thousand seven hundred and forty-four pounds thirteen shillings and fivepence, has since been made by the Council into its District Fund Account from the proceeds of the said loans: And whereas it is desirable to validate the repayment so made into that Account: Be it therefore enacted as follows:—

The payment by the Council into its District Fund Account from its Transit Housing Loan Accounts of the sum of eight hundred and seventy-one pounds nine shillings and eightpence and the sum of five thousand seven hundred and forty-four pounds thirteen shillings and fivepence by way of refund of moneys previously expended for transit housing purposes is hereby validated and declared to have been lawfully made.

Authorizing Palmerston North City Council to raise a loan of £2,500 for purpose of refunding its District Fund Account in respect of moneys advanced for gasworks purposes.

4. Whereas the Palmerston North City Council (in this section referred to as the Council) applied to the Local Government Loans Board for authority to raise a loan of the sum of seven thousand five hundred pounds for the purpose of purchasing and installing a water-gas plant, pan ash-separator, and jib crane: And whereas the Local Government Loans Board sanctioned the application to the extent of the sum of five thousand pounds and consent to the raising of that sum was given by Order in Council dated the fifteenth day of January, nineteen hundred and forty-seven: And whereas part of the said equipment arrived in New Zealand before the date of the said Order in Council and it was necessary for the Council to expend the sum of two thousand five hundred pounds from its District Fund Account in the purchase and installation

of that part of the equipment: And whereas, in the circumstances, the Local Government Loans Board has no authority to sanction the raising of the balance of the proposed loan, amounting to the sum of two thousand and five hundred pounds, and it is desirable to authorize the Council to raise a loan of that amount for the purpose of recouping its District Fund Account: Be it therefore enacted as follows:—

The Council is hereby authorized to raise a loan of two thousand five hundred pounds for the purpose of refunding to its District Fund Account all moneys advanced thereout towards the purchase and installation of gas plant and equipment.

5. The expenditure by the Whangarei Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and forty-seven, of the sum of one thousand one hundred and twenty-four pounds nine shillings and tenpence, for the purpose of meeting expenses incurred in connection with the celebration of the Golden Jubilee of the Borough of Whangarei, is hereby validated and declared to have been lawfully incurred.

Validating certain expenditure incurred by Whangarei Borough Council in connection with Jubilee Celebrations.

6. The payment by the Tauranga Borough Council, out of its District Fund Account, of the sum of fifty pounds as a grant to Alice Heron Maxwell, of Mission Street, in the Borough of Tauranga, in recognition of her services in permitting and assisting the public to visit her property known as "The Elms", is hereby validated and declared to have been lawfully made.

Validating payment of special grant of £50 by Tauranga Borough Council.

7. Whereas the Te Awamutu Borough Council (in this section referred to as the Council) applied to the Local Government Loans Board for authority to raise a loan of the sum of eighteen thousand pounds for transit housing purposes: And whereas the Local Government Loans Board sanctioned the application on the thirty-first day of December, nineteen hundred and forty-six: And whereas, before that date, the Council expended from its District Fund Account, for transit housing purposes the sum of seven hundred and nineteen pounds five shillings and twopence, which sum

Validating reimbursement of District Fund Account from loan-moneys by Te Awamutu Borough Council.

has since, without legal authority, been repaid into that Account from the proceeds of the loan: And whereas it is desirable to validate the repayment so made: Be it therefore enacted as follows:—

The payment by the Council into its District Fund 5  
Account of the sum of seven hundred and nineteen  
pounds five shillings and twopence from its Transit  
Housing Loan Account by way of a refund of moneys  
previously expended for transit housing purposes is  
hereby validated and declared to have been lawfully 10  
made.

Authorizing  
Christchurch  
City Council  
to make a  
donation to  
the Young  
Women's  
Christian  
Association  
Building Fund  
Appeal.

8. The Christchurch City Council is hereby autho-  
rized to make a payment of the sum of one thousand  
pounds to the Young Women's Christian Association as  
a donation to the building fund established by the 15  
Association in Christchurch.

Authorizing  
Masterton  
Borough  
Council to  
raise a loan  
of £4,000 for  
transit housing  
purposes.

9. Whereas the Masterton Borough Council (in  
this section referred to as the Council) established a  
Transit Housing Centre in the Borough of Masterton,  
and, in anticipation of obtaining sanction to the raising 20  
of a loan for that purpose, expended from its District  
Fund Account a total sum of four thousand pounds:  
And whereas the Local Government Loans Board  
has now no authority to sanction an application  
by the Council for a loan for the purpose of enabling 25  
the Council to refund to its District Fund Account the  
moneys expended in establishing the Transit Housing  
Centre, and it is desirable that authority be given for  
that purpose: Be it therefore enacted as follows:—

See Reprint  
of Statutes,  
Vol. V, p. 360

The Council is hereby authorized and empowered to 30  
borrow, by way of special loan under the Local Bodies'  
Loans Act, 1926, by special order, and without taking  
the steps prescribed by sections nine to thirteen of that  
Act, an amount not exceeding the sum of four thousand  
pounds, for the purpose of refunding to the Council's 35  
District Fund Account all moneys heretofore applied  
by the Council in the establishment of the aforesaid  
Transit Housing Centre.

10. The expenditure by the Rotorua Borough Council of the sum of three hundred and twenty-five pounds nineteen shillings and eightpence in connection with the reception and entertainment of delegates and  
 5 other persons attending the annual meeting of the Municipal Association of New Zealand, Incorporated, held at Rotorua during the month of March, nineteen hundred and forty-seven, is hereby validated and declared to have been lawfully incurred.
- 10 11. Whereas the Hastings Borough Council (in this section referred to as the Council) has received the sanction of the Local Government Loans Board to the raising of a loan of the sum of ten thousand pounds (known as Community Centre (Preliminary) Loan,  
 15 1946) for the purpose of purchasing land to provide a site for a Community Centre: And whereas, in anticipation of the sanction being given, the Council expended from its District Fund Account the sum of one thousand one hundred pounds in purchasing portion of the land  
 20 required: And whereas part of the loan has since been raised pursuant to authority granted in that behalf, and the Council is desirous of recouping its District Fund Account out of the proceeds of the loan: And whereas it is desirable to authorize the Council to  
 25 recoup its District Fund Account in respect of the expenditure incurred: Be it therefore enacted as follows:—
- The Council is hereby authorized and empowered to refund to its District Fund Account, out of the proceeds of the loan, the said sum of one thousand one  
 30 hundred pounds.
12. Whereas the Levin Borough Council (in this section referred to as the Council) has, during the period that commenced on the first day of April, nine-  
 35 teen hundred and forty, and ended on the thirty-first day of March, nineteen hundred and forty-seven, carried out certain extensions and improvements to the Levin Municipal Abattoir: And whereas the Council has paid the sum of two thousand five hundred and  
 40 twenty-two pounds four shillings and sevenpence out of its District Fund Account for the purpose of making the extensions and improvements, and has charged that

Validating certain expenditure incurred by Rotorua Borough Council.

Authorizing Hastings Borough Council to make a refund to its District Fund Account from loan-moneys.

Authorizing Levin Borough Council to raise a loan for the purpose of meeting the cost of extensions and improvements to abattoir.

amount to its Abattoir Revenue Account: And whereas, in order to reimburse the Abattoir Revenue Account, and to make provision for possible future minor extensions and improvements, it is expedient that the Council be empowered to raise by way of loan a sum not exceeding two thousand seven hundred pounds: Be it therefore enacted as follows:—

(1) The Council may, for the purpose of meeting the cost of making the said extensions and improvements to the Levin Municipal Abattoir, borrow an amount not exceeding the sum of two thousand seven hundred pounds, by way of special loan under the Local Bodies' Loans Act, 1926, by special order and without taking the steps prescribed by sections nine to thirteen of that Act.

See Reprint  
of Statutes,  
Vol. V, p. 360

(2) The Council may, out of the proceeds of the loan, refund to its District Fund Account, for the credit of its Abattoir Revenue Account, the sum of two thousand five hundred and twenty-two pounds four shillings and sevenpence, advanced therefrom to provide for the cost of making extensions and improvements to the Levin Municipal Abattoir.

Authorizing  
Hamilton City  
Council to erect  
a clock-tower  
and clock in the  
City of  
Hamilton.

**13.** The Hamilton City Council is hereby authorized and empowered to erect a clock-tower and clock on the junction of Victoria Street and Garden Place in the City of Hamilton, and for those purposes to expend such amount as may be required.

Authorizing  
remission of  
rates by  
Gisborne  
Borough  
Council.

**14.** Whereas the Gisborne Borough Council (in this section referred to as the Council) is desirous of obtaining authority to remit rates amounting to the sum of forty-nine pounds seventeen shillings and two-pence, being the rates levied by the Council for the year ending on the thirty-first day of March, nineteen hundred and forty-eight, and due and payable by the Gisborne and East Coast Young Men's Christian Association (Incorporated) in respect of that piece of land situated in the Borough of Gisborne, containing one rood and thirty-six perches, more or less, being Lot 1, Deposited Plan No. 3003 of 6A Fitzherbert Street, in the Borough of Gisborne, and numbered 3228 on the

District Valuation Roll for that Borough: And whereas the Council has no legal authority to make the remission: Be it therefore enacted as follows:—

5 The Council is hereby authorized to remit the sum of forty-nine pounds seventeen shillings and twopence, being the total amount of the said rates, and to absolve the said Association and the said lands from liability in respect thereof.

10 15 20 15. Whereas the Lower Hutt City Council (in this section referred to as the City Council) and the Eastbourne Borough Council (in this section referred to as the Borough Council) entered into a deed of agreement dated the sixteenth day of July, nineteen hundred and forty-seven, of which a certified copy is deposited in the Department of Internal Affairs at Wellington under number I.A. 105/444, whereby the City Council agreed to supply and the Borough Council agreed to take a supply of water upon the terms and conditions therein set out: And whereas it is desirable to validate the said deed of agreement: Be it therefore enacted as follows:—

Validating agreement made by Lower Hutt City Council and Eastbourne Borough Council with respect to water-supply.

25 Notwithstanding anything contained in the Municipal Corporations Act, 1933, or in any other Act, the City Council and the Borough Council shall be deemed to have been at all times authorized and empowered to enter into the said deed of agreement, which shall be binding on the parties thereto and shall for all purposes be effective according to its tenor.

1933, No. 30

30 16. The Waihi Borough Council is hereby authorized and empowered to pay the sum of one hundred pounds as a compassionate allowance to the widow of the late William Miller Wallnutt, formerly Mayor of the Borough of Waihi.

Authorizing payment of compassionate allowance by Waihi Borough Council.

35 40 17. Whereas by section fifty-three of the Local Legislation Act, 1928, the Huntly Town Board (in this section referred to as the Board) was empowered to grant to the Huntly War Memorial Club (an unincorporated society of discharged soldiers at Huntly), in consideration of payment by the Club to the Board of funds raised for the purposes of providing a building for the accommodation of the Club, a licence in perpetuity to occupy in manner therein provided certain

Provision with respect to cancellation of licence to occupy portions of Huntly Municipal Buildings. 1928, No. 48

rooms in the Huntly Municipal Buildings: And whereas the Huntly War Memorial Club duly paid to the Board the sum of four hundred and twenty-five pounds thirteen shillings and ninepence: And whereas the functions of the Huntly War Memorial Club are now 5 exercised by the Huntly Returned Services' Association (in this section referred to as the Association) and the Town District of Huntly is now constituted as the Borough of Huntly: And whereas, in consideration of the payment of two hundred and fifty pounds by the 10 Huntly Borough Council (in this section referred to as the Council) the Association is agreeable to the cancellation of the said licence: And whereas it is expedient that the Council be empowered to make the said payment and that provision should be made for the 15 cancellation of the said licence: Be it therefore enacted as follows:—

(1) The Council is hereby empowered to pay to the Association the sum of two hundred and fifty pounds.

(2) On the payment by the Council to the Associa- 20 tion of the said sum of two hundred and fifty pounds the licence granted by section fifty-three of the Local Legislation Act, 1928, shall be cancelled.

(3) Section fifty-three of the Local Legislation Act, 1928, is hereby repealed. 25

Repeal.

Changing date for triennial appointment of Opunake Harbour Committee. 1938 (Local), No. 9

18. Section twelve of the Opunake Harbour Act, 1938, is hereby amended by omitting from subsection one the word "May", and substituting the word "December".

Thames Borough Council authorized to make rates payable by instalments. 1934, (Local), No. 10

19. Notwithstanding anything to the contrary in 30 any Act, the powers conferred on the Thames Borough Commissioner by section fifteen of the Thames Borough Commissioner Amendment Act, 1934, may, as from the date upon which the said Commissioner ceases to hold 35 office, be exercised by the Thames Borough Council and from that date the provisions of that section shall, with the necessary modifications, apply to rates made and levied by the Council.

20. (1) Notwithstanding the provisions of any Act, the special valuation roll prepared pursuant to section four of the Thames Borough Commissioner Amendment Act, 1934, shall continue to be operative until the  
 5 thirty-first day of March next following the date of the first revision of the ordinary valuation roll for the Borough of Thames which is made after the thirty-first day of March, nineteen hundred and forty-seven.

Continuation of special valuation roll for Borough of Thames.

1934, (Local), No. 10

(2) The Thames Borough Commissioner Amendment Act, 1934, is hereby amended as follows:—

(a) By inserting in subsection one of section five, after the word "Commissioner", the words  
 " or the Council ":

(b) By inserting in subsection three of section five, after the word "Commissioner", the words  
 15 " the Council, ":

(c) By omitting from subsection two of section eight thereof the words " Advisory Committee ", and substituting the word  
 20 " Council ":

(d) By inserting in subsection four of section eight, after the word " Commissioner " the words  
 " or the Council "; and by omitting from the same subsection the words " by him ", and substituting the words " in that behalf ":

(e) By inserting in subsection one of section ten, after the word " Commissioner ", the words  
 25 " or the Council ".

(3) Section fifteen of the Thames Borough Commissioner Amendment Act, 1940, is hereby repealed.

21. Whereas the Whangarei Borough Council (in this section referred to as the Council) is constituted as the Whangarei Milk Authority under the Milk Act, 1944: And whereas for the purpose of paying the  
 35 purchase price of established milk-vending businesses and the cost of providing necessary plant, the Council proposes to raise a special loan in exercise of the powers granted by section sixty of the Milk Act, 1944, to be known as the Whangarei Borough Milk Loan  
 40 1947: And whereas in anticipation of the sanction of the Local Government Loans Board being given to the raising of the said loan the Council has expended out

Authorizing Whangarei Borough Council to refund to its General Account moneys expended in connection with the establishment of Municipal Milk Department. 1944, No. 30

of its General Account the sum of two thousand eight hundred and sixty pounds eleven shillings and two pence in the purchase of a milk-vending business, the establishment of a milk token bank, and for certain preliminary expenses: Be it therefore enacted as follows:— 5

The Council is hereby authorized to refund to its General Account from a special loan to be known as the Whangarei Borough Milk Loan 1947, all moneys, not exceeding the sum of two thousand eight hundred and sixty pounds eleven shillings and two pence already expended by it for the purpose of the purchase of the milk-vending business of Hailes and Harris, of Whangarei, milk-vendors, the establishment of a milk token bank, and certain preliminary expenses. 15

#### Town Board

Validating variation of terms of raising of Waterworks Loan, 1945, by Kamo Town Board. See Reprint of Statutes, Vol. V, p. 418

22. Whereas the Kamo Town Board (in this section referred to as the Board) was by Order in Council dated the twenty-third day of January, nineteen hundred and forty-six, made pursuant to section eleven of the Local Government Loans Board Act, 1926, and published in the *Gazette* of the thirty-first day of January, nineteen hundred and forty-six, authorized to raise a loan of twelve thousand pounds to be known as the Waterworks Loan, 1945 (in this section referred to as the loan), subject to certain terms and conditions: And whereas one of the terms and conditions was that the Board should, before raising the loan, make provision for repayment by establishing a sinking fund: And whereas the Board, pursuant to the said Order in Council, has raised the loan but has not made specific provision for a sinking fund as required by the said Order: And whereas the Board has issued a series of forty debentures numbered one to forty inclusive, each for the sum of four hundred and fourteen pounds nineteen shillings and ninepence, being the half-yearly sum required to provide for the repayment of the loan with interest thereon at the rate of three pounds seven shillings and sixpence per centum per annum: And whereas it is desirable to validate the action of the 40

Board in raising the loan and securing the repayment thereof by the issue of the said debentures: Be it therefore enacted as follows:—

5 The action of the Board in raising the loan is hereby validated and the said moneys shall be deemed to have been lawfully borrowed and the securities given in respect thereof to have been lawfully issued and the said debentures shall have full force and effect according to their tenor.

10

*Harbour Boards*

15 **23.** The expenditure by the Auckland Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and forty-seven, of the sum of two hundred and ten pounds eight shillings and sixpence, in connection with the holding of the fourteenth Harbours Conference in Auckland, and the entertainment of delegates thereto, is hereby validated and declared to have been lawfully incurred.

Validating certain expenditure incurred by Auckland Harbour Board.

20 **24.** Whereas all those lands comprising Allotments 22, 23, 24, 25, 74, and 75, Township of Sunshine, on the plan deposited in the Land Registry Office at Dunedin as Number 2087, and being all the land comprised in certificates of title, Volume 171, folio 215, and Volume 162, folio 159, Otago Registry, are vested  
25 in the Otago Harbour Board (in this section referred to as the Board): And whereas the said lands were acquired by the Board for the purposes of harbour-works, but part of the said lands are no longer required for those purposes and the Board is desirous  
30 of selling the same: Be it therefore enacted as follows:—

Authorizing sale of certain land by Otago Harbour Board.

The Board is hereby authorized to sell such part or parts of the said lands as the Board shall from time to time determine for such consideration as may be  
35 agreed upon and upon and subject to such terms and conditions as the Board shall decide, and the moneys received by the Board as the purchase-price of any lands sold as aforesaid shall be applied in accordance with the provisions of section twenty of the Finance  
40 Act, 1934.

1934, No. 2

Authorizing certain expenditure by Auckland Harbour Board.

**25.** The Auckland Harbour Board is hereby authorized to expend out of its Harbour Fund the sum of one hundred and ten pounds for the purpose of meeting expenditure incurred in conducting an exhibition of the Port of London Authority's wartime activities. 5

Authorizing Auckland Harbour Board to make a donation to the Public Relations Office of Auckland, Incorporated.

**26.** The Auckland Harbour Board is hereby authorized to expend from its Harbour Fund the sum of one hundred pounds as a donation to the funds of the Public Relations Office of Auckland, Incorporated, to be used for the encouragement of tourist traffic to Auckland and the furtherance of the interests of Auckland and the Auckland Province generally. 10

Provision with respect to lease of land to the British Sailors' Society (Otago Branch), Incorporated, by Otago Harbour Board. 1921, No. 59

**27.** Whereas by section seventy-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1921-22, it is provided that if and whenever the British and Foreign Sailor's Society (Otago Branch), Incorporated, shall erect a sailors' home or sailors' rest in Dunedin, the Otago Harbour Board (in this section referred to as the Board) shall pay to the said society the sum of two hundred pounds and the sum of ten pounds a year until the home or rest is built: And whereas by a memorandum of alteration of rules registered under the Incorporated Societies Act, 1908, on the fourteenth day of May, nineteen hundred and thirty-four, the name of the said society was changed to the British Sailors' Society (Otago Branch), Incorporated (in this section referred to as the society): And whereas the Board is registered as the proprietor of an estate in fee-simple in Section 23, Block LXIII, City of Dunedin, as shown on Deposited Plan Number 1900 in the Land Registry Office at Dunedin: And whereas the Board and the society have agreed, subject to the necessary power being conferred by legislation, that the Board shall lease to the Society the whole, or such part of the said land as may be agreed upon, for a term of forty-two years at such annual rental as may be agreed upon, and that as from the commencement of the term of any such lease the Board shall be freed and discharged from the 15  
20  
25  
30  
35

Sec Reprint of Statutes, Vol. III, p. 922

payment to the Society of the annual sum of ten pounds: Be it therefore enacted as follows:—

(1) The Board is hereby empowered to lease to the Society the whole or such part of the said land as  
5 may be agreed upon for a term of forty-two years at such annual rental as may be agreed upon during the said term and upon and subject to such terms, conditions, and provisions as may be agreed upon between the Board and the Society, including provisions for  
10 renewal of the lease for one or more recurring periods.

(2) As from the commencement of the term of the said lease the Board is hereby freed and discharged from its liability for the payment to the Society of the annual sum of ten pounds required to be made pursu-  
15 ant to the provisions of section seventy-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1921-22.

#### *Electric-power Board*

**28.** Whereas by Order in Council made on the ninth  
20 day of June, nineteen hundred and forty-three, consent was given to the raising by the Waitomo Electric-power Board (in this section referred to as the Board) of a loan of ten thousand pounds, to be known as the Reticulation Loan 1943 (in this section referred to as  
25 the loan), subject to the determinations as to borrowing and repayment set forth in the said Order in Council, one of those determinations being that no moneys should be borrowed after the expiration of two years from the date of the Order in Council: And whereas the said  
30 period of two years expired on the ninth day of June, nineteen hundred and forty-five: And whereas on the fifth day of August, nineteen hundred and forty-six, the Board borrowed, as part of the loan, the sum of five thousand pounds: And whereas it is desirable that the  
35 borrowing of the said sum of five thousand pounds should be validated: Be it therefore enacted as follows:—

The action of the Board in borrowing the sum of five thousand pounds as part of the loan after the  
40 expiration of the period specified in the said Order in Council is hereby validated, and the said sum of five thousand pounds shall be deemed to have been lawfully borrowed.

Validating raising of portion of Reticulation Loan 1943 by Waitomo Electric-power Board.

*Drainage Board*

Section 50 of  
the Local  
Legislation  
Act, 1936,  
extended.  
1936, No. 54  
1937, No. 25  
1939, No. 25  
1942, No. 17

See Reprint  
of Statutes,  
Vol. IV, p. 478

29. Whereas by section fifty of the Local  
Legislation Act, 1936, as extended by section  
forty-two of the Local Legislation Act, 1937, section  
forty-one of the Local Legislation Act, 1939, and section 5  
twenty-eight of the Local Legislation Act, 1942,  
the Mangapu Drainage Board (in this section referred  
to as the Board) was authorized to make and levy for  
certain years as set out in those sections, a general  
rate, not exceeding threepence in the pound, on the 10  
land classified in accordance with section thirty-three  
of the Land Drainage Act, 1908, as "A" lands; a  
general rate, not exceeding twopence in the pound, on  
lands so classified as "B" lands; and a general rate,  
not exceeding one penny in the pound, on lands so 15  
classified as "C" lands: And whereas the Board  
continued to levy rates on that basis for the years ended  
on the thirty-first day of March, nineteen hundred and  
forty-six, and the thirty-first day of March, nineteen 20  
hundred and forty-seven, without authority: And  
whereas it is expedient that the levying of the said  
rates for the years ended on the thirty-first day of  
March nineteen hundred and forty-six, and the thirty-  
first day of March, nineteen hundred and forty-seven, 25  
on that basis should be validated and that the Board  
should be empowered to continue to rate on that basis  
for a further period: Be it therefore enacted as  
follows:—

(1) The general rates levied by the Board for the  
years ended on the thirty-first day of March, nineteen 30  
hundred and forty-six, and on the thirty-first day of  
March, nineteen hundred and forty-seven, shall be  
deemed to have been lawfully made.

(2) The provisions of section fifty of the Local  
Legislation Act, 1936, as extended by section forty-two 35  
of the Local Legislation Act, 1937, section forty-one of  
the Local Legislation Act, 1939, and section twenty-eight  
of the Local Legislation Act, 1942, shall be deemed to  
be further extended to authorize and to have authorized  
the Board to make and levy the general rates as set 40  
out in subsection two of section fifty of the Local

Legislation Act, 1936, for the years ending respectively on the thirty-first day of March, nineteen hundred and forty-eight, the thirty-first day of March, nineteen hundred and forty-nine, and the thirty-first day of March, nineteen hundred and fifty.

### Hospital Boards

30. The expenditure by the Auckland Hospital Board during the financial year ending on the thirty-first day of March, nineteen hundred and forty-eight, in connection with the official opening of Middlemore Hospital, and amounting to the sum of two hundred pounds, is hereby validated and declared to have been lawfully incurred.

Validating certain unauthorised expenditure by Auckland Hospital Board.

31. Whereas by Order in Council made on the twenty-sixth day of April, nineteen hundred and forty-four (in this section referred to as the said Order in Council), consent was given to the raising by the Waiapu Hospital Board (in this section referred to as the Board) of a loan of twenty thousand pounds, to be known as Te Puia Hospital Building Loan, 1944 (in this section referred to as the loan): And whereas clause six of the said Order in Council provided that no moneys should be borrowed thereunder after the expiration of two years from the date of the said Order in Council: And whereas the period of two years expired on the twenty-sixth day of April, nineteen hundred and forty-six: And whereas on the first day of July, nineteen hundred and forty-six, the Board borrowed from the Bank of New Zealand, as part of the loan, the sum of five thousand pounds: And whereas it is desirable that the borrowing of the said sum of five thousand pounds should be validated: Be it therefore enacted as follows:—

Validating raising or portion of Te Puia Hospital Building Loan, 1944, by Waiapu Hospital Board.

The action of the Board in borrowing the sum of five thousand pounds, as part of the loan, after the expiration of the period specified in the said Order in Council, is hereby validated, and the said sum of five thousand pounds shall be deemed to have been lawfully borrowed.

Validating  
unauthorized  
expenditure by  
Opotiki  
Hospital Board.

**32.** The payment by the Opotiki Hospital Board during the year ended on the thirty-first day of March, nineteen hundred and forty-seven, of the sum of one hundred and thirty-five pounds eleven shillings and eightpence, for the purpose of replacement of hospital staff personal effects lost by fire on the fourth day of December, nineteen hundred and forty-six, is hereby validated and declared to have been lawfully made. 5

Validating  
lease of land  
by Waikato  
Hospital Board.

**33.** Whereas that piece of land containing one rood nine perches and being Lot 27 of Block II of the Te Puru Township, and being part of the land included in certificate of title, Volume 458, folio 159, Auckland Registry (in this section referred to as the said land), is vested in the Waikato Hospital Board (in this section referred to as the Board) in fee-simple to be held in trust as a site for a public hospital: And whereas the said land is not at present required as a site for a public hospital: And whereas, by memorandum of lease dated the eighth day of August, nineteen hundred and forty-seven, the Board leased the said land to Mary Reidy, of Kawhia, nurse, for the term of her natural life at a nominal rental and subject to the covenants, conditions, and restrictions set forth in the said memorandum of lease: And whereas the Board has no power to execute the said lease, but it is desirable that such power should be granted and that the said memorandum of lease should be validated: Be it therefore enacted as follows:— 10 15 20 25

The memorandum of lease dated the eighth day of August, nineteen hundred and forty-seven, made between the Board and the said Mary Reidy is hereby validated, and the District Land Registrar at Auckland is hereby authorized and directed to register the said memorandum of lease against the title to the said land. 30 35

Authorizing  
Wellington  
Hospital  
Board to  
expend  
moneys in  
connection  
with the  
celebration of  
the hundredth  
anniversary of  
Wellington  
Hospital.

**34.** (1) The Wellington Hospital Board is hereby authorized to expend moneys, not exceeding the sum of two hundred and fifty pounds, out of its general revenues for the purposes of providing funds for the celebration and commemoration of the hundredth anniversary of the establishment of a public hospital in the City of Wellington and the publication of a history of the Wellington Hospital and associated institutions, and to make grants to any person or persons for any such purposes. 40 45

(2) All payments and grants of money heretofore made by the Wellington Hospital Board for any of the purposes specified in subsection *one* of this section are hereby validated and declared to have been lawfully made:

Provided that the total expenditure under the authority of this section shall not exceed the sum of two hundred and fifty pounds.

*Affecting Two or More Classes of Public Bodies*

- 10 **35.** Whereas the Wanganui Harbour Board (in this section referred to as the Board) is possessed of an estate in fee-simple in the land described in subsection *two* of this section: And whereas the lands adjoining such land are held by the Wanganui City Council (in
- 15 this section referred to as the Council) for the purposes of providing pleasure grounds, gardens, or other means of enjoyment or recreation: And whereas the land owned by the Board has been let to the Council for the purpose of being used in conjunction with the adjoining
- 20 lands and for the same purposes as those lands: And whereas the Board and the Council desire that the said land should be vested in the Corporation of the City of Wanganui (in this section referred to as the Corporation) for an estate in fee-simple for the said purposes:
- 25 And whereas the Board has no power to transfer the said land to the Corporation: Be it therefore enacted as follows:—

Authorizing  
Wanganui  
Harbour Board  
to transfer  
certain land to  
Wanganui City  
Council.

- (1) Notwithstanding anything contained in any Act, the Board is hereby empowered to transfer, without
- 30 consideration, the land described in subsection *two* of this section to the Corporation to be held by the Council for the purposes of providing pleasure grounds, gardens, or other means of recreation and enjoyment.

- (2) The land to which this section relates is
- 35 described as follows:—

- All that piece of land situate in the City of Wanganui, containing two roods thirty-one perches and eight-tenths of a perch, more or less, being part of Section 355 of the Left Bank of the Wanganui River,
- 40 and being also part of Lot 3 on Deposited Plan 12357, bounded towards the east by Anzac Parade, towards

the south by Lot 5, towards the west by other part of the said Lot 3, being accretion to the said section 355, and towards the north by Lot 2, all on Deposited Plan 12357 aforesaid, being part of the land comprised and described in certificate of title, Volume 492, folio 248, Wellington Registry, the said piece of land being shown outlined in colour red on a plan marked M.D. 8633, deposited in the Office of the Marine Department at Wellington. 5

Authorizing  
Hutt County  
Council to  
pay to Lower  
Hutt City  
Council  
certain  
sewerage and  
water-supply  
charges and  
to collect  
same from  
property-  
owners.

1933, No. 30

**36.** Whereas the Hutt County Council (in this section referred to as the County Council) has requested the Lower Hutt City Council (in this section referred to as the City Council) to extend its sewerage and water-supply systems beyond the City boundary by connecting with those systems the properties mentioned in subsection *four* of this section situated in the Hutt County: And whereas the City Council, in pursuance of the powers conferred upon it by sections two hundred and twenty-eight and two hundred and fifty-three of the Municipal Corporations Act, 1933, is agreeable to extend the systems accordingly, subject to the owners of the properties concerned entering into such agreements with the City Council as the City Council shall require and subject to the County Council carrying out the necessary reticulation and accepting responsibility for such charges as the City Council may from time to time impose in respect of each property connected with the systems: And whereas it is expedient to authorize the County Council to pay to the City Council the sewerage and water charges and to recover the amounts so paid from the owners of the properties concerned: Be it therefore enacted as follows:— 10 15 20 25 30

(1) The County Council may pay to the City Council all charges that may from time to time be made by the City Council in respect of each property to which this section relates that is connected with the City Council's sewerage and water-supply systems. 35

(2) The charges, when paid by the County Council, shall be recoverable by the County Council from the owners of the properties concerned as if the charges were rates in respect of the several properties concerned. 40

(3) Amounts paid by the County Council and recovered from the owners of the properties shall be respectively debited and credited by the County Council to the Wainui-o-mata Riding Account.

5 (4) The properties to which this section relates are described as follows:—

All those properties situated in Seddon Street and Crawford Street in the Wainui-o-mata Riding of the Hutt County, comprising Lots 1 to 12 inclusive on a  
10 plan deposited in the Land Registration Office at Wellington as Number 13153, and Lots 1 to 8 inclusive on a plan deposited in the said office as Number 12831 ”.

(5) This section shall continue in force until the thirty-first day of March nineteen hundred and fifty-  
15 seven and shall then be deemed to be repealed.

**37.** Whereas the land described in subsection *three* of this section is vested in the Governors of the Wellington College and Girls' High School subject to the provisions of the Wellington College and Girls' High  
20 School Act, 1887: And whereas it is desirable that the said land should be vested in the Mayor, Councillors, and Citizens of the City of Wellington for the purpose of a public reserve, but the Governors of the Wellington College and Girls' High School have no power to  
25 dispose of the land for that purpose: Be it therefore enacted as follows:—

Vesting certain land held by Governors of Wellington College and Girls' High School in the Corporation of the City of Wellington.  
1887 (Local), No. 17

(1) The vesting of the land described in subsection *three* of this section in the Governors of the Wellington College and Girls' High School is hereby cancelled, and  
30 the said land is hereby vested in the Mayor, Councillors, and Citizens of the City of Wellington as a public reserve, but otherwise freed and discharged from the trusts, reservations, and restrictions heretofore affecting the same.

35 (2) The District Land Registrar of the Land Registration District of Wellington is hereby authorized and directed to make such entries in the register books and to do all such things as may be necessary to give effect to the provisions of this section.

(3) The land to which this section relates is particularly described as follows:—

All that piece of land in the City of Wellington, containing by admeasurement two roods three perches, more or less, being part of Sections 606, 607, and 608, of the Town of Wellington, and being part of the land comprised and described in certificate of title, Volume 464, folio 104, Wellington Registry, as the same is more particularly delineated on a plan deposited in the office of the Chief Surveyor at Wellington, Number S.O. 19821, and thereon coloured yellow. 5 10

Provision with respect to dissolution of Oamaru Athenæum and Mechanics' Institute and vesting of property in the Corporation of the Borough of Oamaru. 1905 (Local), No. 6

**38.** Whereas the lands particularly described in subsection *eight* of this section are vested in the Trustees of the Oamaru Athenæum and Mechanics' Institute (in this section referred to as the Institute) pursuant to the Oamaru Athenæum and Mechanics' Institute Act, 1905: And whereas the principal activity of the Institute has been the conduct and maintenance of a library and reading-room in the Town of Oamaru: And whereas it now appears that the library and reading-room would be more advantageously conducted by the Oamaru Borough Council on behalf of the Corporation of the Borough of Oamaru (in this section referred to as the Corporation): Be it therefore enacted as follows:— 15 20

(1) The lands of the Institute, being the lands particularly described in subsection *eight* of this section, are hereby vested in the Corporation for an estate in fee-simple, subject to all existing leases and tenancies affecting the said lands, and shall be held as public reserves for the purposes of a public library in the Borough of Oamaru. 25 30

(2) All the personal property of whatsoever nature, including all choses-in-action, and the benefit of all contracts and agreements and all rights and powers exercisable thereunder or pertaining thereto, belonging to the Institute are hereby vested in the Corporation free from all trusts and reservations heretofore affecting the same, and all debts and other liabilities lawfully incurred by the Institute and existing on the passing of this Act shall hereafter be debts and liabilities 35 40

of the Corporation, and the said Council is hereby authorized and empowered to discharge the said debts and liabilities out of its ordinary revenues.

(3) The District Land Registrar for the Land Registration District of Otago is hereby authorized and directed to make such entries in the register and to issue, on the application of the Corporation, such certificates of title as are necessary to give effect to the provisions of this section.

10 (4) The Institute is hereby dissolved.

(5) Notwithstanding the provisions of subsection *one* of this section, the Corporation may sell the whole or any portion of the lands thirdly described in subsection *eight* of this section by public auction or by  
15 public tender.

(6) The net amount derived from any sale of the lands thirdly described in subsection *eight* of this section shall be used and applied by the Corporation for alterations and additions to the buildings erected on  
20 the lands firstly and secondly described in the said subsection *eight*.

(7) The Oamaru Athenæum and Mechanics' Institute Act, 1905, and section one hundred and fifty-seven of the Reserves and other Lands Disposal and Public  
25 Bodies' Empowering Act, 1922, are hereby repealed.

Repeal.  
1922, No. 50

(8) The lands to which this section relates are particularly described as follows:—

Firstly, all that parcel of land in the Otago Land District, containing by admeasurement one rood, more  
30 or less, situate in the Town of Oamaru, being Section numbered 6, Block 95, and marked "Mechanics' Institute Reserve" on the map of the said town deposited in the Chief Surveyor's Office at Dunedin, and being the whole of the land comprised and described in certificate of title, Volume 65, folio 84, Otago  
35 Registry.

Secondly, all that parcel of land in the Otago Land District, containing by admeasurement one rood, more or less, situate in the Town of Oamaru, being part of  
40 Block 95 of the said town, commencing at the

north-east corner of Section 6 of the said Block and bearing from thence in a north-easterly direction along Thames Street for a distance of 100 links; thence at right angles in a north-westerly direction for a distance of 250 links; thence at right angles in a south-westerly direction for a distance of 100 links; thence in a south-easterly direction at right angles for a distance of 250 links, to the starting-point; be all the aforesaid linkages more or less, and being the whole of the land comprised and described in certificate of title, Volume 69, folio 89, Otago Registry.

Thirdly, all that parcel of land in the Otago Land District, containing one hundred and two acres one rood thirty and eight-tenths perches, more or less, situate in the Oamaru Survey District, being Allotments numbered respectively 52, 53, 54, 55, 56, 57, 59, and 60 on the plan of the Ardgowan Estate (Subdivision Number 1), deposited in the Land Registry Office in Dunedin, and being the whole of the land comprised and described in certificate of title, Volume 64, folio 29, Otago Registry, the land in this certificate of title being subject to memorandum of lease registered Number 7248.

Provision with respect to taking-over of Te Puke Borough Council's electricity-supply undertaking by Tauranga Electric-power Board.

**39.** Whereas by agreements dated the twenty-third day of June, nineteen hundred and forty-seven, and the seventh day of November, nineteen hundred and forty-seven, made between the Corporation of the Borough of Te Puke (in this section referred to as the Corporation), of the one part, and the Tauranga Electric-power Board (in this section referred to as the Board), of the other part, copies of which agreements are recorded in the Department of Internal Affairs at Wellington as I.A. 105/447, the Corporation agreed to sell to the Board and the Board agreed to purchase the electricity-supply undertaking of the Corporation at the purchase-price and upon the terms therein set out: And whereas it is provided in the said agreements that the purchase-price and interest thereon shall be paid by the Board giving to the borough debentures for such amount of the purchase-price as

the Board may elect, and by payment of any balance in cash on the date (in this section referred to as the date of settlement) when the Board takes over the undertaking: And whereas the debentures are to be  
5 for a term of twenty-five years or for such shorter term as may be approved by the Local Government Loans Board and to bear interest at the rate of three pounds five shillings per centum per annum payable half-yearly from the date of settlement: And whereas  
10 it has been further agreed between the Corporation and the Board that the said debentures shall be for the sum of fourteen thousand pounds and shall be secured by a mortgage over the revenues to be derived from the Board's undertaking: And whereas it is  
15 desirable that the terms of payment of the purchase-price and interest thereon and the agreements between the Corporation and the Board should be validated: Be it therefore enacted as follows:—

(1) The Corporation and the Board shall be deemed  
20 to have been duly empowered to enter into the said agreements, which shall have effect and be binding according to the terms thereof.

(2) The Corporation is hereby empowered to accept  
25 the said securities and the Board is hereby empowered to give security to the Corporation for the sum of fourteen thousand pounds with interest thereon at the rate of three pounds five shillings per centum per annum payable half-yearly and for that purpose to give  
30 a charge over the revenues derived from the Board's undertaking and operations within the Borough of Te Puke.

(3) Nothing in this section shall be deemed to affect  
the provisions of section seventy-six of the Electric-  
power Boards Act, 1925.

(4) The Board is hereby authorized to raise under  
35 the Local Bodies' Loans Act, 1926, by special order, and without taking the steps prescribed by sections nine to thirteen of that Act, a special loan of fourteen  
40 thousand pounds for the purpose of carrying out its obligations under the said agreements.

See Reprint  
of Statutes,  
Vol. III, p. 39

Ibid., Vol. V,  
p. 360

(5) Notwithstanding anything contained in section three of the Electric-power Boards Act, 1925, the Borough of Te Puke shall be deemed to be included in and form part of the Board's district.

*Miscellaneous*

5

Provision with respect to abolition of Clarence Rabbit District and dissolution of Board.  
See Reprint of Statutes, Vol. I, p. 252

**40.** Whereas by Order in Council dated the fifth day of July, nineteen hundred and forty-four, and published in the *Gazette* on the thirteenth day of the same month, the Governor-General constituted the Clarence Rabbit District under Part II of the Rabbit Nuisance Act, 1928: 10  
And whereas the Clarence Rabbit Board has ceased to function and has discharged its liabilities and disposed of all its assets and it is deemed desirable to abolish the said District and dissolve the said Board: 15  
Be it therefore enacted as follows:—

The Clarence Rabbit District is hereby abolished and the Board thereof is hereby dissolved.

Authorizing Canterbury Provincial Patriotic Council to make a grant to the C. H. Upham Scholarship Trust Board.

**41.** Whereas a fund has been set up in the Provincial District of Canterbury for the purpose of commemorating the valorous deeds of Captain Charles 20  
Hazlitt Upham, Victoria Cross and Bar, by providing, or assisting in the provision of, financial assistance for the higher education of sons of former New Zealand servicemen or servicewomen: And whereas the said fund is to be administered by a Board of Trustees 25  
incorporated under the Religious, Charitable, and Educational Trusts Act, 1908, under the name of the C. H. Upham Scholarship Trust Board: And whereas, for the purpose of assisting the said fund, the Canterbury Provincial Patriotic Council, constituted 30  
under Part II of the Patriotic Purposes Emergency Regulations 1939, is desirous of making a grant of the sum of one thousand pounds to the said Board, but has no legal authority to make the grant: Be it therefore enacted as follows:—

See Reprint of Statutes, Vol. I, p. 774

Serial number 1939/174

The Canterbury Provincial Patriotic Council is hereby authorized and empowered to make a grant of the sum of one thousand pounds to the C. H. Upham Scholarship Trust Board. 35

42. Whereas the Waipawa-Ngaruroro Rabbit District was constituted by Order in Council made under the provisions of the Rabbit Nuisance Act, 1928, on the tenth day of April, nineteen hundred and forty-six: And whereas the Waipawa-Ngaruroro Rabbit Board (in this section referred to as the Board) has undertaken the destruction of rabbits within the said District: And whereas the bank overdraft which the Board is permitted to raise by virtue of section three of the Local Bodies' Finance Act, 1921-22, is inadequate to enable the Board to maintain the work of the destruction of rabbits pending the collection of its revenue from rates during the financial year ending on the thirty-first day of March, nineteen hundred and forty-eight: Be it therefore enacted as follows:—

The Board is hereby authorized and empowered to borrow by way of overdraft a sum not exceeding three-fourths of its estimated revenue for the current financial year, calculated upon a general rate of eightpence per acre levied over the rateable property in the district of the Board.

Extending powers of Waipawa-Ngaruroro Rabbit Board to borrow by way of overdraft. See Reprint of Statutes, Vol. I, p. 243

Ibid., Vol. V, p. 354

43. Whereas the Waipawa-Ngaruroro Rabbit District was constituted by Order in Council made under the provisions of the Rabbit Nuisance Act, 1928, on the tenth day of April, nineteen hundred and forty-six: And whereas, pending the engagement of rabbiters by the Waipawa-Ngaruroro Rabbit Board (in this section referred to as the Board) for the purpose of carrying out the destruction of rabbits in the said District, certain ratepayers, by arrangement with the Board, engaged rabbiters on the understanding that any expenditure incurred in the employment of the rabbiters would be refunded by the Board: And whereas, in pursuance of the said arrangement, the Board is now desirous of refunding to the said ratepayers an amount not exceeding the sum of six hundred pounds: Be it therefore enacted as follows:—

Authorizing Waipawa-Ngaruroro Rabbit Board to make refunds to certain ratepayers. See Reprint of Statutes, Vol. I, p. 243

Notwithstanding the provisions of section eighty of the Rabbit Nuisance Act, 1928, the Board is hereby authorized to refund to the ratepayers concerned any sums expended by them towards the destruction of rabbits pursuant to the said arrangement, up to but not exceeding the sum of six hundred pounds.

Ibid., p. 270

Authorizing  
Marlborough  
Coast Rabbit  
Board to raise  
a special loan  
for housing  
purposes.

**44.** Whereas the Marlborough Coast Rabbit Board (in this section referred to as the Board) has erected five dwellinghouses for the use of employees of the Board: And whereas the Board has paid out of its General Account the sum of two thousand one hundred and one pounds, being the cost of the said buildings and improvements: And whereas, in order to reimburse the Board's General Account part of the amount expended, it is expedient that the Board be empowered to raise, by way of special loan, a sum not exceeding one thousand pounds: Be it therefore enacted as follows:—

(1) The Board is hereby authorized to borrow, for the purpose of meeting in part the cost of the erection of five dwellinghouses, an amount not exceeding the sum of one thousand pounds by way of special loan under the provisions of the Local Bodies' Loans Act, 1926, by special resolution and without taking the steps prescribed by sections nine to thirteen of that Act:

See Reprint  
of Statutes,  
Vol. V, p. 360

Ibid., Vol. I,  
p. 273

Provided that the Board shall adopt the procedure laid down in section eight-eight of the Rabbit Nuisance Act, 1928, and shall comply with all the provisions of that section.

(2) The Board is hereby authorized to pay the proceeds of the loan into its General Account in part repayment of the moneys advanced thereout for the purpose of erecting the said dwellinghouses.

Provision with  
respect to  
validation of  
ratepayers' list  
and roll of  
electors for  
Wairarapa East  
Rabbit  
District.

See Reprint  
of Statutes,  
Vol. I, p. 243

**45.** Whereas the Wairarapa East Rabbit Board (in this section referred to as the Board) failed to take the steps prescribed by sections thirty-nine to forty-four of the Rabbit Nuisance Act, 1928, in respect of the general election of members of the Board required to be held in the month of November, in the year nineteen hundred and forty-seven: And whereas for the purposes of the said election the Board adopted and used the ratepayers' list and roll of electors for its district in force before the first day of January, nineteen hundred and forty-seven: And whereas doubts have arisen as to the validity of the rates made and levied or which the Board purported to make and levy in respect of the period commenced on the first day of April, nineteen hundred and forty-six and ended on the thirty-first day of March, nineteen hundred and forty-seven, and in

respect of the period commenced on the first day of April, nineteen hundred and forty-seven and ending on the thirty-first day of March, nineteen hundred and forty-eight: And whereas it is deemed advisable to  
5 continue in force the ratepayers' list and roll of electors adopted and used by the Board for the purposes of the said election until a new ratepayers' list and roll of electors for the district of the Board is made and comes into force pursuant to the provisions of the  
10 said Act and to validate the said ratepayers' list, the said election, and the said rates: Be it therefore enacted as follows:—

(1) The ratepayers' list and roll of electors made by the Board and in force before the first day of January, nineteen hundred and forty-seven, shall, notwithstanding anything to the contrary in the Rabbit Nuisance Act, 1928, but subject to amendment pursuant to section forty-five of that Act, continue in force as the  
15 ratepayers' list and roll of electors for the Wairarapa East Rabbit District until a new list and roll is made and comes into force in accordance with the provisions of the said Act, and shall be deemed to be valid for all purposes as if the Board had, in the year  
20 nineteen hundred and forty-seven, made a new ratepayers' list and roll of electors by taking the steps prescribed by sections thirty-nine to forty-four of the said Act.

(2) The general election held by the Board in the month of November in the year nineteen hundred and  
30 forty-seven is hereby declared to be valid, and the members declared to be elected at the said election shall be deemed to have been duly elected.

(3) The rates made and levied, or which the Board purported to make and levy, for the said period ended  
35 on the thirty-first day of March, nineteen hundred and forty-seven shall be valid and be deemed to have been valid from the first day of May, nineteen hundred and forty-six, the date when the Board purported to make and levy the same.

(4) The rates made and levied, or which the Board purported to make and levy, for the said period ending on the thirty-first day of March, nineteen hundred and forty-eight shall be valid and be deemed to have been valid from the eighteenth day of July, nineteen hundred and forty-seven, the date when the Board purported to make and levy the same. 5

Authorizing Tokarahi Rabbit Board to raise a loan for housing purposes.

**46.** Whereas the Tokarahi Rabbit Board (in this section referred to as the Board) has acquired a piece of land and erected a dwellinghouse and effected improvements thereon for the use of employees of the Board at a total cost of four hundred and fourteen pounds which amount was paid out of its General Account: And whereas in order to reimburse the Board's General Account part of the sum expended as aforesaid it is expedient that the Board be empowered to raise by way of special loan an amount not exceeding the sum of four hundred pounds: Be it therefore enacted as follows:— 10 15

(1) The Board is hereby authorized to borrow an amount not exceeding the sum of four hundred pounds by way of special loan under the provisions of the Local Bodies' Loans Act, 1926, by special resolution and without taking the steps prescribed by sections nine to thirteen of that Act. 20 25

See Reprint of Statutes, Vol. V, p. 360

(2) The Board may pay the proceeds of the loan into its General Account in part repayment of the moneys advanced thereout for the purposes aforesaid.