

LOCAL LEGISLATION BILL

EXPLANATORY NOTE

County Councils

Clause 2: Provision with respect to expenditure of moneys by Cheviot County Council in connection with Canterbury centennial celebrations.—Local authorities within the boundaries of the provincial district of Canterbury were authorized to expend moneys in connection with the Canterbury centennial celebrations by section 8 of the Finance Act (No. 2) 1949.

The Cheviot County Council has expended certain moneys for this purpose and wishes to entail further expenditure, but it has been discovered that although Cheviot County is in the Canterbury Land District, and was included in the Canterbury Provincial District for the purposes of the New Zealand Centennial Act 1938, it did not form part of Canterbury Province as it existed before the abolition of Provincial Government.

Legislation is necessary to remove any legal doubts as to the powers of the Cheviot County Council to contribute moneys towards the centennial celebrations, and to validate the expenditure already incurred. This clause provides accordingly.

Clause 3: Authorizing Matamata County Council to make *ex gratia* payment in respect of a contract.—In 1947 a firm of contractors, Messrs. McHarrie Brothers, of Hamilton, entered into a contract with the Matamata County Council to erect two bridges on the Matamata to Kaimai Main Highway. Because of delays arising through shortage of materials and because of the increased costs incurred, the firm suffered substantial loss. In the circumstances the County Council wishes to be granted the necessary powers to make an *ex gratia* payment of the sum of £634 10s. 5d. to the firm to compensate for its loss.

This clause provides the necessary powers for the County Council to make this payment.

Clause 4: Validating raising of certain loan moneys by Tauranga County Council.—In 1947 the Local Government Loans Board approved the raising by the Tauranga County Council of the Te Puke No. 2 Road Water Supply Loan 1946 of £10,000, and the necessary consenting Order in Council was made on 30 July 1947. One of the conditions specified was that no moneys should be borrowed after the expiration of two years from the date of the Order in Council. The first instalment of £6,000 was raised on 1 March 1948, but the balance of £4,000 was not raised until 1 March 1950, after the expiration of the period of two years. This clause validates the unlawful raising of the balance of the loan moneys.

Clause 5: Authorizing raising of special loan by Murchison County Council.—The Murchison County Council wishes to raise a special loan for the purpose of refunding its County Fund Account in respect of moneys expended for the completion of hydro-electric works. After the expenditure of loan moneys authorized to be raised for construction purposes the Council had to meet further expenditure which was paid from the Council's County Fund Account. This extra expenditure was caused by rising costs of material and labour, and by heavy flooding. This clause provides the necessary authority for the special loan to be raised.

Clause 6: Provision with respect to certain contract of Whangaroa County Council.—The Whangaroa County Council has entered into a contract for the purchase of a quantity of bridge timber from Lane and Sons, Limited, which is the only firm in the area able to supply the needs of the Council. The principal of the firm, Mr. C. L. Lane, is a member of the County Council and by reason of the provisions of the Local Authorities (Members' Contracts) Act 1934 he automatically becomes disqualified from office as a Councillor because the amount of the contract in question exceeds the limit of £250 imposed by the Act.

The firm is easily able to dispose of its stock of bridge timber without selling to the Council and Councillor Lane cannot be said to have gained any unfair advantage from his firm entering into the contract. The Council's need for bridge timber is urgent, but it does not wish disqualification to be imposed on Councillor Lane.

In the circumstances it is desirable to make provision whereby the Local Authorities (Members' Contracts) Act 1934 shall not apply to the contract in question and this clause provides accordingly.

Clause 7: Authorizing Westland County Council to raise a special loan for housing purposes.—The Westland County Council wishes to raise a special loan of £2,500 for the purpose of refunding to its County Fund Account moneys expended thereout in the purchase of a dwellinghouse for the engineer employed by the Council. This expenditure was incurred by the Council prior to the sanction of the Local Government Loans Board being obtained to the raising of a loan, and the Board has now no authority to sanction the raising of a special loan for this purpose. This clause makes the necessary provision for the Council to raise a special loan.

Clause 8: Provision with respect to overdraft of Coromandel County Council.—At 31 March 1951 the Coromandel County Council had incurred liabilities in excess of the limits prescribed by the Local Bodies' Finance Act 1921–22 amounting to the sum of £7,145 3s. 4d. The Council had no authority to incur these excess liabilities and is not in a position to meet them from its General Account during the current financial year. It now desires that legislation be enacted validating the incurring of these excess liabilities and authorizing the Council to borrow the sum of £7,000 from its bankers by way of overdraft for the purpose of partially repaying the excess liabilities. It is proposed that the Council should repay the sum of £7,000 by seven equal annual payments out of its General Account, and that a separate account at the bank should be maintained in respect of the sum of £7,000 so borrowed. This clause provides accordingly.

Clause 9: Provision with respect to expenditure of moneys by Manawatu County Council in connection with jubilee celebrations.—The Manawatu County Council wishes to obtain authority to incur expenditure of up to £300 in connection with the commemoration and celebration of the seventy-fifth anniversary of the county. It also desires that any expenditure already incurred should be validated. This clause provides accordingly.

Clause 10: Authorizing Waikohu County Council to raise a special loan for housing purposes.—The Waikohu County Council wishes to raise a special loan of £1,300 for the purpose of refunding to its General Account moneys expended thereout in the purchase of land in connection with a staff housing scheme.

This expenditure was entered into by the Council before the sanction of the Local Government Loans Board was obtained to the raising of a loan, and the Board has no authority to sanction the raising of a loan for this purpose.

This clause makes the necessary provision for the Council to raise a special loan.

Cities and Borough Councils

Clause 11: Authorizing Wellington City Council to effect a change over from direct current system to alternating current system.—This clause authorizes the Wellington City Council to change over from the direct current system to the alternating current system in respect of its supply of electrical energy to some three hundred consumers by means of the former system.

The direct current installations are mainly in respect of lifts and motors in the central city area and most of these are from twenty to thirty years old. Some are supplied from overhead tram wires, but most are supplied from underground cables on the same system and voltage as the tram wires.

The Council wishes to make a gradual change over of this installation to alternating current supply to do away with the present direct current reticulation. Maintenance on this is heavy and many of the cables are due for replacement. This would be uneconomic and unnecessary when the consumers, by adapting their installations, can be supplied from the existing alternating current network. It is also considered by the State Hydro-electric Department that alternating current supply to the premises concerned would have a greater margin of safety and would reduce fire risk.

The Council propose that the cost of changing over these consumers' installations to alternating current should be apportioned between the Council and the consumers, according to the age and condition of each installation. The consumer is to pay $2\frac{1}{2}$ per cent for each year the installation has been in service, and it is estimated that the division of cost will be—consumers 65 per cent and Council 35 per cent. It is also necessary for the Council to instal a rectifier at the Chews Lane Substation.

Some of the consumers with obsolete installations are pressing the Council to effect this change over, and the Council wishes to obtain legal authority to cease direct current supply. Provision must also be made for the terms and conditions under which consumers will be changed over to alternating current supply. This clause provides accordingly.

Clause 12: Authorizing Opotiki Borough Council to raise a special loan for housing purposes.—The Opotiki Borough Council wishes to raise a special loan of £2,300 for the purpose of refunding to its District Fund Account moneys expended thereout in the purchase and renovation of a dwellinghouse for a member of its staff. This expenditure was entered into by the Council before the sanction of the Local Government Loans Board was obtained to the raising of a loan, and the Board has now no authority to sanction the raising of a loan for this purpose. This clause makes the necessary provision for the Council to raise a special loan.

Clause 13: Authorizing Dannevirke Borough Council to expend moneys in connection with Jubilee Celebrations.—The Dannevirke Borough Council wishes to obtain authority to incur anticipated expenditure of up to £510 in connection with the Borough's Jubilee in 1952. This expenditure is to cover several items on which the Council has no statutory power to expend moneys, such as a concert, a children's fancy dress parade, a garden party, and the publication of a souvenir programme relating to the celebrations. This clause provides the necessary authority.

Clause 14: Authorizing Putaruru Borough Council to levy separate rate.—When the Town District of Putaruru was constituted in 1926 and declared not to form part of Matamata County, the Town Board and the County Council entered into an agreement adjusting financial matters whereby the Board was to pay to the County Council out of its general revenue for each year a share of interest and sinking funds on loans raised before the constitution of the town district. Because of the lower rates of interest now prevailing, the County Council has recently offered the Borough Council, as successor to the Town Board, the right of repayment of its financial obligations under the agreement by twelve half-yearly instalments of £262 15s. 7d. instead of the remaining thirty-two instalments of £124 18s. now due. The Borough Council has accepted this offer as it effects a saving of £843 9s. As the Borough Council finds it difficult to pay the instalments out of general revenue it is desirous of levying a separate rate over its district for the purpose of meeting these instalments. The Council has no authority to levy a separate rate for this purpose, and this clause provides the necessary authority.

Clause 15: Validating raising of certain loan moneys by Dannevirke Borough Council.—In 1948 the Local Government Loans Board approved the raising by the Dannevirke Borough Council of the Rest Room Loan 1947, of £2,000, and the necessary consenting Order in Council was made on 10 November 1948. One of the conditions specified was that no moneys should be borrowed after the expiration of two years from the date of the Order in Council. The first instalment of £100 was raised during the two-year period, but the balance of £1,900 was not raised until after the expiration of the period. This clause validates the unlawful raising of the balance of the loan moneys.

Clause 16: Validating raising of certain loan moneys by Christchurch City Council.—In 1947 the Local Government Loans Board approved the raising by the Christchurch City Council of the Water Supply Extension Loan 1947, of £120,730, and the necessary consenting Order in Council was made on 23 July 1947, one of the conditions specified being that no moneys should be borrowed after the expiration of a period of two years from the issue of the consenting Order in Council. On 20 July 1949 the time within which the loan was authorized to be raised was extended for a further period of one year. Owing to lack of response to the loan by investors, the Council applied to the Local Government Loans Board for an increase in the rate of interest from 3 per cent to 3½ per cent and also for a further extension of the period within which

the loan could be raised. Consent was given to this by Order in Council made on 8 May 1951, but during the period between 23 July 1950 and 8 May 1951 the Council raised the sum of £1,200 without having the necessary authority to do so. This clause validates the unlawful raising of these loan moneys.

Clause 17: Validating certain agreement made between New Plymouth City Council and the Crown.—An agreement has been reached between the Postmaster-General, on behalf of the Crown, and the New Plymouth City Council whereby the City Council is to lease to the Crown for the purposes of a telephone exchange certain premises in an existing building owned by the Corporation and certain additional premises in a new building which the Corporation proposes to erect. To assist the Corporation to erect the new building it is proposed that the Crown shall make certain substantial payments to the Corporation by way of rent in advance and that the Crown shall be credited with interest on any such payments at 3 per cent per annum until they become due. Doubts have been expressed as to whether the City Council has statutory authority to expend moneys as proposed and also as to whether the payments of rental in advance does not in fact amount to borrowing by the Council. The purpose of this clause is to validate the agreement entered into between the Corporation and the Crown.

Clause 18: Provision with respect to application of proceeds derived from sale of certain land by Lower Hutt City Council.—Since 1905 the Lower Hutt City Council has held a certain area of land in trust for sanitary purposes. This land is now in the midst of a heavy industrial area and the Council has agreed to sell portions of it so that it may be used for industrial purposes. The Council has adequate sanitary reserves and no longer requires the land for this purpose, but is required by section 156 of the Municipal Corporations Act 1933 to apply the proceeds of the sale of the land towards the purchase of other lands to be held for the same purpose. It is desired that the Council be empowered to apply the proceeds of the sale of any portion of the land for library purposes and this clause makes the necessary provision.

Clause 19: Provision with respect to certain contract entered into by Dunedin City Council.—The Dunedin City Council is undertaking an extension of its existing water-supply system and has made application to the Local Government Loans Board for its sanction to the raising of a loan of £535,000 for this purpose. In view of the difficulties in obtaining supplies of steel the Council, prior to sanction being given to the raising of the loan, entered into a contract with Spiral Welded Pipes (N.Z.), Limited, for the supply of a quantity of concrete-lined steel pipes. These pipes are now being supplied and progress payments have been made to the contractors by the Council, in terms of the contract. The Council has no authority to make the payments other than from the general revenues of the Council, and the purpose of this clause is to confer the necessary authority on the Council to charge the payments against loan moneys when raised.

Clause 20: Provision with respect to refund to General Account from loan moneys by Auckland City Council. The Auckland City Council desires to obtain authority to make a refund to its General Account out of loan moneys in respect of certain unauthorized expenditure on the Freeman's Bay Redevelopment Scheme. Prior to obtaining the sanction of the Local Government Loans Board to the raising of a loan of £400,000 for this scheme the Council expended out of its General Account for this purpose moneys amounting to £7,636 3s. 1d., as this was necessary for the implementation of the scheme. Authority has since been obtained to the raising of the loan, and the Council wishes to recoup its General Account out of the proceeds of the loan. This clause provides the necessary authority.

Clause 21: Provision with respect to closing of street in the Borough of Whangarei.—The Whangarei Borough Council wishes to stop an unnamed and unformed street which is vested in the Corporation and which adjoins Cameron Street, in the Borough of Whangarei. The street is along the bank of a tidal river, and by reason of the proviso to section 175 (4) (h) of the Municipal Corporations Act 1933 the Council has no authority to stop a street along the bank of a river. The street, being in an unformed state, is serving no useful purpose, and there have been no objections locally to the proposal that it be stopped. It is desirable that the Council be authorized to stop the street on compliance with the procedure set out in the Fifth Schedule to the Municipal Corporations Act, and this clause provides accordingly.

Clause 22: Provision with respect to construction of bridge by Lower Hutt City Council.—The Lower Hutt City Council desires to construct a bridge over the Hutt River in substitution for the Hutt Pipe Bridge. It is considered reasonable that the local authorities whose districts will benefit from the proposed bridge should contribute to the cost of the bridge, but the amounts of the respective contributions have not yet been agreed upon. In the meantime, it is advisable that plans be prepared and other preliminary matters be attended to in connection with the construction of the bridge. The local authorities concerned have agreed that the Lower Hutt City Council should proceed with these preliminary steps prior to an application being made to the Local Government Loans Board for authority to raise the necessary loan moneys for the construction of the bridge. It is desired that the Lower Hutt City Council be authorized to reimburse its District Fund Account in respect of any moneys so expended, out of loan moneys subsequently authorized and raised, or from contributions by the adjacent local authorities, and this clause provides accordingly.

Clause 23: Validating borrowing of certain loan moneys by Gore Borough Council.—By the Gore Borough Loans Conversion Order 1934 (No. 1), the Gore Borough Council was given the right to redeem debentures after 1 September 1939, on giving six months' notice in the *Gazette*. On 2 August 1948, the Council at a special meeting resolved to exercise this power of redemption and instructed the Town Clerk to apply to the Local Government Loans Board for its sanction to the raising of a special loan of £14,500 in respect of debentures maturing between 1 March 1949 and 1 March 1954.

The debenture holders were then issued with new debentures with the exception of debentures amounting to £1,000 which were not reissued, but no application was made to the Loans Board for sanction to the borrowing of the sum of £13,500 which was actually raised.

The purpose of this clause is to validate the borrowing by the Council of these loan moneys without first obtaining the necessary sanction.

Harbour Boards

Clause 24: Authorizing Wellington Harbour Board to make *ex gratia* payment in respect of a contract.—On 11 February 1947, Wilkins and Davies Construction Co., Ltd., entered into a contract with the Wellington Harbour Board to erect for the Board a shed on the Wellington wharves. The original date for the completion of the contract was 30 April 1948, but because of delays arising through shortages of materials the contract was not actually completed until 14 August 1950.

Because of this delay and of increased costs the firm suffered a substantial loss on the contract. The Board, in the circumstances, wishes to make an *ex gratia* payment of £3,739 11s. 8d. to compensate the firm.

This clause provides the necessary authority.

Clause 25: Authorizing raising of special loan by Lyttelton Harbour Board.—Prior to the sanction of the Local Government Loans Board being given to the raising of a loan by the Lyttelton Harbour Board for the erection of a Waterfront Industry Building pursuant to the provisions of the Lyttelton Harbour Board Loan Act 1949 the Board advanced certain moneys out of its Harbour Fund Account in connection with the payment of fees and the preparation of a site for the erection of the building. The Loans Board has now no authority to sanction the raising of that part of the proposed loan which relates to the purposes for which these moneys have been expended. This clause authorizes the Board to raise a special loan for the purpose of refunding to its Harbour Fund Account the moneys so expended.

Town Board

Clause 26: Validating incorrect application of loan moneys by Otorohanga Town Board.—Consent was given by Order in Council made on 11 June 1947 to the raising by the Otorohanga Town Board of the Roads and Footpaths Improvement Loan 1946 of £9,000. One of the conditions attached to the consent was that the sum of £5,000 should be allocated to the forming, metalling, and sealing of roads, and that the balance of £4,000 should be allocated to the construction of concrete footpaths. The Board actually spent the sum of £6,484 9s. 9d. on roads because of its inability to obtain an adequate cement allocation for the completion of its footpaths construction programme. This led to the over-expenditure of the roading portion of the loan by £1,484 9s. 9d., and this clause validates the incorrect application of these loan moneys.

Road Board

Clause 27: Authorizing Orapiu Road Board to raise a special loan.—The Orapiu Wharf, which is under the control of the Orapiu Road Board, is in need of urgent repairs, and unless these repairs are undertaken the Board will be unable to continue to use the wharf. In the district of the Board there are only some fifty-seven ratepayers, and the Board's income is not sufficient to enable it to meet the cost of these repairs from revenue. The Board therefore desires to obtain authority to enable it to raise a special loan of £600 for this purpose. The clause provides accordingly.

River Board

Clause 28: Authorizing Hutt River Board to expend certain moneys in publication of booklet.—The Hutt River Board wishes to publish a booklet comprising an historical survey of the Board's activities since its inception in 1899. It is estimated that the cost of publication will not exceed £500, and the Board does not intend to recoup its expenditure by sales. It will not be possible for the Board to meet the cost of publication from its unauthorized expenditure account, and legislative authority will be necessary to expend the required sum. This clause makes the necessary provision.

Catchment Board

Clause 29: Authorizing Nelson Catchment Board to make *ex gratia* payment in respect of contracts.—The Nelson Catchment Board entered into two agreements with a contractor in December 1950 to construct certain stop-banks on both sides of the Motueka River. The contractor's tenders were considerably below those of his competitors, and allowed very little margin of profit. As a result of the general wage increase ordered by the Arbitration Court to take effect as from 15 February 1951 the contractor is faced with a loss in respect of the contracts, and the Catchment Board, with the approval

of the Soil Conservation and Rivers Control Council, wishes to compensate the contractor by paying him an additional amount not exceeding 10 per cent of the contract prices. This clause provides the necessary authority for the Catchment Board to make this *ex gratia* payment.

Affecting Two or more Classes of Public Bodies

Clause 30: Section 56 of Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919 further amended.—Section 56 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, as amended by section 54 of the Local Legislation Act 1939, authorizes the Pahiatua County Council and the Pahiatua Borough Council to make and levy a rate over their respective districts for the purpose of providing funds to contribute towards the maintenance and improvement of Carnival Park. This park is situated in the Borough of Pahiatua and is under the control of the Carnival Park Domain Board. The maximum amount which may be contributed by each local authority is fixed by the said section 56 at £200 per annum.

This amount is now inadequate, and it is desirable to increase the maximum amount which may be contributed to the Domain Board by this means to £300 per annum.

This clause provides accordingly.

Clause 31: Authorizing St. Kilda Borough Council to make certain payment to Dunedin Drainage and Sewerage Board.—The Dunedin Drainage and Sewerage Board is empowered by the Dunedin District Drainage and Sewerage Act 1900 to direct constituent local authorities, of which the St. Kilda Borough Council is one, to make, levy, and collect certain rates on its behalf. St. Kilda borough was revalued as at 31 March 1950, and the new valuation came into force on 1 April 1950. However, the Council made, levied, and collected rates on behalf of the Board on the basis of the old valuation. The actual amount collected was £6,639 15s., whereas the Board has claimed that the amount which should have been collected was £10,722 10s., a difference of £4,082 15s. An agreement has been reached between the two parties whereby the Council has agreed to pay to the Board, and the Board has agreed to accept, the sum of £2,857 18s. 6d. in settlement of the claim. The Council has no authority to make this payment, and this clause provides the necessary authority.

Clause 32: Validating Agreement between Rotorua County Council and Rotorua Borough Council.—The Local Government Commission promulgated a final scheme on 11 May 1949 providing for the exclusion of certain lands from the Borough of Rotorua, and their inclusion in the County of Rotorua. This final scheme was given effect to by Order in Council made on 24 August 1949. A condition of the final scheme was that an agreement should be entered into between the Borough Council and the County Council whereby the former should agree to indemnify the latter against any damage which might occur as a result of the operation by the Borough Council of a water supply installation situated on these lands.

The County Council and the Borough Council accordingly entered into an agreement on 20 September 1949, but there is a doubt as to their legal authority to do so. This clause makes provision for the validation of the agreement.

Clause 33: Provision with respect to stopping of street in Opunake Borough and vesting land in Opunake Electric Power Board.—In 1919 the Opunake Town Board established a hydro-electric scheme for Opunake and surrounding districts, and in 1922 these works were purchased by the newly constituted Opunake Electric Power Board. In the original scheme a

site was provided for the erection of a generating station, but this station was not built until after the Power Board purchased the works, and the site was not transferred by the Town Board to the Power Board at the time of the sale. The site comprises portion of a public street which is not required for that purpose as the presence of the generating station on the site does not impede access to the land of any person. It is desired that this portion of the street be stopped, that the land be vested in the Power Board, and that the Power Board shall pay to the Borough Council, as successor to the Town Board, the sum of fifty pounds as consideration for the land in terms of an agreement entered into between the two local authorities. This clause provides accordingly.

Clause 34: Provision with respect to certain contract entered into by Southbridge Town Board as Southbridge Secondary Urban Fire Authority.—The Southbridge Town Board, which also acts as the Southbridge Secondary Urban Fire Authority, has made a payment to one of its members, Mr. D. H. Goulden, for the supply, reconditioning, and fitting of a fire engine.

The question has been raised as to whether Mr. Goulden becomes disqualified from office in respect of one or both bodies by reason of the provisions of the Local Authorities (Members' Contracts) Act 1934, because the amount of the payment in question exceeds the limit of £250 imposed by the Act.

Mr. Goulden refused a considerably higher offer for this vehicle and sold it at cost price to the Board, as well as contributing his voluntary services in giving it a complete refit for fire fighting purposes. This clause validates the transaction.

Clause 35: Validating certain deed made between Lower Clutha River Trust and Otago Catchment Board.—An agreement was reached between the Lower Clutha River Trust and the Otago Catchment Board whereby the Catchment Board agreed to submit to the Soil Conservation and Rivers Control Council a report in accordance with the provisions of the Soil Conservation and Rivers Control Act 1941, and to request that the Catchment Board be required to present a petition to the Governor-General praying for the dissolution of the River Trust and the transfer of its powers and functions to the Catchment Board. The Board prepared and submitted the report and was required to present the petition to the Governor-General which it duly did.

Doubts have arisen as to the validity of the deed and as to the authority of the Catchment Board to give effect to its provisions, and the River Trust has given notice of objection to its dissolution unless full effect is given to the provisions of the deed.

This clause provides for the Catchment Board to be deemed to have had authority to enter into the deed and validates the deed.

Miscellaneous

Clause 36: Section 3 of Petone and Lower Hutt Gas Amendment Act 1927 (as to contracting with Wellington Gas Company, Limited), amended.—The Petone and Lower Hutt Gas Board desires to be given the necessary authority to enter into a contract with the Wellington Gas Company Ltd., for the supply of gas in bulk to the Board without the necessity for taking a poll of ratepayers as required at present.

It is considered that as a large proportion of the persons eligible to vote at such a poll are not consumers of the Board, they could conceivably defeat such a proposal whilst having little real interest in it and that if the Board can provide a more efficient service by purchasing gas in bulk from the Company, it should be empowered to do so.

This clause provides the necessary authority.

Clause 37: Authorizing Wellington Acclimatization Society to borrow moneys for certain purposes.—The Wellington Acclimatization Society is establishing a new game farm at Paraparaumu in place of its present farm, and it desires to obtain authority to borrow moneys to finance the project. The society is not at present empowered to borrow moneys for any purpose, but it is considered desirable that powers should be granted for this specific purpose. The clause provides accordingly.

Clause 38: Authorizing Dunedin Drainage and Sewerage Board to make *ex gratia* payment in respect of a contract.—On 29 June 1950 J. K. Wooldridge, contractor, of Dunedin, entered into a contract with the Dunedin Drainage and Sewerage Board to construct for the Board a duplication of the Kaikorai Valley Foul Sewer. The contractor encountered unexpected difficulties in the nature of the ground to be worked, and also had to pay increased wages. As a consequence he was unable to complete the contract, and the Board completed the work itself. The Board's Drainage Engineer estimates the difference between the contractor's tender and the final cost of the work performed by him to amount to £1,282 8s. 9d., and the Board wishes to make an *ex gratia* payment of this amount to the contractor as compensation for the loss he sustained. This clause provides accordingly.

Clause 39: Authorizing Waimahaka Rabbit Board to raise a special loan for housing purposes.—The Waimahaka Rabbit Board wishes to raise a special loan of £2,150 for the purpose of refunding to its General Account moneys expended thereout in the purchase of land and dwellings and effecting improvements to the dwellings in connection with a staff housing scheme.

This expenditure was entered into by the Rabbit Board without the sanction of the Local Government Loans Board being obtained to the raising of a loan, and the Loans Board has no authority to sanction the raising of a loan for this purpose.

This clause makes the necessary provision for the Rabbit Board to raise a special loan.

Clause 40: Changing title of Christchurch Tramway Board.—This clause changes the name of the Christchurch Tramway Board to the Christchurch Transport Board.

Hon. Mr. Bodkin

LOCAL LEGISLATION

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40. Change of title of Christchurch Tramway Board.		

A BILL INTITULED

Title. AN ACT to confer certain powers on certain Public Bodies and to validate certain transactions.

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

Short Title.

1. This Act may be cited as the Local Legislation Act 1951.

County Councils

2. The Cheviot County Council (in this section referred to as the Council) is hereby authorized and empowered to expend moneys out of its general account 5 for the purpose of celebrating and commemorating the hundredth anniversary of the settlement of Canterbury, and in connection with the establishment of a centennial memorial or centennial memorials, and, for any such purpose, to make grants to the body known as the 10 Canterbury - New Zealand Centennial Association, Incorporated, and the expenditure of moneys by the Council prior to the passing of this Act for any such purpose is hereby validated and declared to have been lawfully made.

Provision with respect to expenditure of moneys by Cheviot County Council in connection with Canterbury centennial celebrations.

15 3. Whereas by an agreement dated the tenth day of March, nineteen hundred and forty-seven, made between McHarrie Brothers, of Hamilton, bridge builders (in this section referred to as the contractors), of the one part, and the Chairman, Councillors, and Inhabitants of 20 the County of Matamata (in this section referred to as the Council), of the other part, the contractors agreed with the Council to execute and complete the construction of two reinforced bridges on the Matamata to Kaimai Main Highway over the Omahine and Waiomou Streams 25 at Te Poi: And whereas, owing to circumstances beyond their control causing delay in completion of the works, increased costs were incurred by the contractors and the contractors suffered considerable loss: And whereas the Council, in the circumstances, is desirous of making 30 a payment of six hundred and thirty-four pounds ten shillings and fivepence to the contractors: Be it therefore enacted as follows:—

Authorizing Matamata County Council to make *ex gratia* payment in respect of a contract.

The Council is hereby empowered to pay the sum of six hundred and thirty-four pounds ten shillings and 35 fivepence to the contractors by way of compensation in respect of the loss incurred by the contractors.

4. Whereas by Order in Council made on the thirtieth day of July, nineteen hundred and forty-seven, consent was given to the raising by the Tauranga County 40 Council (in this section referred to as the Council) of a loan of ten thousand pounds, to be known as the Te Puke No. 2 Road Water Supply Loan 1946 (in this section

Validating raising of certain loan moneys by Tauranga County Council.

referred to as the loan), subject to certain terms and conditions: And whereas one of the said terms and conditions was that no moneys should be borrowed after the expiration of two years from the date of the said Order in Council: And whereas, at a date subsequent to the expiration of the said period of two years, the Council raised the sum of four thousand pounds as portion of the loan: And whereas it is expedient that the action of the Council in raising the said portion of the loan should be validated: Be it therefore enacted as follows:—

The action of the Council in raising the said portion of the loan after the expiration of the period specified by the said Order in Council is hereby validated, the moneys received by the Council in respect thereof shall be deemed to have been lawfully borrowed, and the debentures issued in respect thereof shall be deemed to have been lawfully executed and issued by the Council and shall have full force and effect according to their tenor.

Authorizing raising of special loan by Murchison County Council.

See Reprint of Statutes, Vol. V, p. 415

5. Whereas, by Orders in Council made on the second day of February, nineteen hundred and forty-nine, and the sixth day of September, nineteen hundred and fifty, pursuant to the Local Government Loans Board Act 1926, consent was given to the raising by the Murchison County Council (in this section referred to as the Council), of loans of fifteen thousand six hundred pounds and one thousand five hundred and sixty pounds, to be known respectively as the Maruia Hydro Development Loan 1948, and the Maruia Hydro Development Supplementary Loan 1950: And whereas, after expending the amount of the said loans, the Council expended, out of its County Fund Account, moneys amounting in the aggregate to the sum of two thousand four hundred and sixty-three pounds ten shillings and fivepence in completion of the works for which the aforesaid loans were raised: And whereas it is desirable to authorize the Council to raise a loan of two thousand four hundred and fifty pounds for the purpose of recouping its County Fund Account in respect of portion of the moneys advanced thereout as aforesaid: Be it therefore enacted as follows:—

The Council is hereby authorized and empowered to 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, 5 a sum not exceeding two thousand four hundred and fifty pounds, and to refund that sum to its County Fund Account.

See Reprint of Statutes, Vol. V, p. 415

6. Notwithstanding anything to the contrary in any Act or rule of law, nothing in the Local Authorities 10 (Members' Contracts) Act 1934, shall be deemed to apply or to have applied to a contract made on the twenty-third day of October, nineteen hundred and fifty-one, between the Whangaroa County Council and Lane and Sons, Limited, for the supply of bridge timber for 15 use by the said Council not exceeding in total value the sum of fifteen hundred pounds.

Provision with respect to certain contract of Whangaroa County Council. 1934, No. 17

7. Whereas the Westland County Council (in this section referred to as the Council), prior to the sanction of the Local Government Loans Board being given to 20 the raising of a loan for the purpose of purchasing a dwellinghouse for the engineer employed by the Council, expended out of its County Fund Account moneys amounting in the aggregate to the sum of two thousand 25 five hundred pounds in the purchase of the dwellinghouse: And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum to its County Fund Account: And whereas it is desirable that authority be given for that purpose: Be it therefore 30 enacted as follows:—

Authorizing Westland County Council to raise a special loan for housing purposes.

The Council is hereby authorized and empowered to 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, 35 an amount not exceeding the sum of two thousand five hundred pounds for the purpose of refunding to its County Fund Account all moneys applied by the Council as aforesaid in the purchase of the said dwellinghouse.

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

Provision with
respect to
overdraft of
Coromandel
County
Council.

See Reprint
of Statutes,
Vol. V, p. 354

8. Whereas the Coromandel County Council (in this section referred to as the Council) has from time to time borrowed and owed moneys and incurred liabilities in excess of the limits prescribed by the Local Bodies' Finance Act 1921-22: And whereas the liabilities of the Council in excess of the limits prescribed by the said Act, as at the thirty-first day of March, nineteen hundred and fifty-one, amounted to the sum of seven thousand one hundred and forty-five pounds three shillings and fourpence: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows: —

(1) Notwithstanding anything to the contrary in the Local Bodies' Finance Act 1921-22 or in any other Act, all moneys heretofore borrowed and owed by the Council, and all other liabilities heretofore incurred by the Council, in excess of the limits prescribed by the said Act shall for all purposes be deemed to have been at all times lawfully borrowed and owed and incurred by the Council.

(2) For the purpose of partially repaying the said excess liabilities the Council is hereby authorized and empowered to borrow from its bankers by way of overdraft, in the manner prescribed by section three of the said Act, the sum of seven thousand pounds.

(3) The Council shall repay the said sum of seven thousand pounds by seven equal payments out of moneys credited to its General Account, one such payment to be made in each year during the period of seven years commencing on the first day of April, nineteen hundred and fifty-two:

Provided that the Council may in any year repay out of the said General Account an amount greater than a seventh part.

(4) The said sum of seven thousand pounds shall be carried to a separate account at the bank, and all payments made in reduction of the said sum shall be credited to that account.

(5) The said sum of seven thousand pounds shall not at any time heretofore be deemed to have been taken into account, nor shall any amount at any time lawfully owing under this section hereafter be taken into account, in determining the amount that may be borrowed or that may be owed by the Council pursuant to section three of the said Act.

9. The Manawatu County Council (in this section referred to as the Council) is hereby authorized and empowered to expend out of its General Account a sum not exceeding three hundred pounds for the purpose of celebrating and commemorating the seventy-fifth anniversary of the County of Manawatu, and any expenditure heretofore incurred or made by the Council for that purpose is hereby validated and declared to have been lawfully incurred and made.

Provision with respect to expenditure of moneys by Manawatu County Council in connection with jubilee celebrations.

10. Whereas the Waikohu County Council (in this section referred to as the Council) has made application to the Local Government Loans Board for authority to raise a loan of ten thousand pounds to be known as the Staff Housing Loan 1951 (in this section referred to as the proposed loan), for the purpose of acquiring land, erecting staff houses thereon, and purchasing a house for removal and re-erection on the said land: And whereas, prior to sanction being given to the raising of the proposed loan, the Council had expended out of its General Account the sum of one thousand three hundred pounds in the purchase of the land described in subsection *three* of this section: And whereas the Local Government Loans Board has no authority to sanction that part of the proposed loan which relates to the purposes upon which the said sum has been expended: And whereas it is desirable to authorize the Council to raise a special loan not exceeding one thousand three hundred pounds for the purpose of recouping its General Account in respect of the moneys advanced thereout as aforesaid: Be it therefore enacted as follows:—

Authorizing Waikohu County Council to raise a special loan for housing purposes.

(1) The Council is hereby authorized and empowered to 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 one thousand three hundred pounds for the purpose of refunding to its General Account moneys advanced thereout in the purchase of the said land.

(2) The Council is hereby authorized, out of the proceeds of the said loan, when raised, to refund to its General Account such moneys as may have been advanced thereout for the purposes for which the said loan is to be raised.

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

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

All that parcel of land containing by admeasurement six acres three roods and twenty-three perches, more or less, being part of Karaka 1 Block and being also Lot 2 on a plan deposited in the Deeds Registry Office at Gisborne as Number 3085, and being the whole of the land comprised and described in certificate of title, Volume 103, folio 138, Gisborne Registry. 5

City and Borough Councils 10

Authorizing Wellington City Council to effect a change over from direct current system to alternating current system.

11. Whereas the Wellington City Council (in this section referred to as the Council) proposes to cease supplying electrical energy to some consumers on the direct current system and instead to supply electrical energy on the alternating current system: And whereas it is expedient to authorize the change and prescribe the conditions subject to which the Council may cease supplying electrical energy on the direct current system: Be it therefore enacted as follows:— 15

(1) Subject to the provisions of this section and of any Order in Council made pursuant to this section, the Council is hereby authorized to discontinue the supply to any consumer of electrical energy on the direct current system and to supply instead electrical energy on the alternating current system. 20 25

(2) The Council shall not discontinue the supply to any consumer of electrical energy on the direct current system until the consumer has had reasonable notice of the date when any such supply will be discontinued so as to enable him to adapt his installation to utilize alternating current or to install other power. 30

(3) The Governor-General may from time to time, by Order in Council, make provision as to the methods of apportioning the cost and expenses in connection with the change in the method of supply of electrical energy referred to in subsection *one* of this section and as to the payment thereof and may prescribe any further conditions he thinks fit, and all such provisions and conditions shall be valid and binding on the Council and on every consumer affected. 35 40

(4) The Council is hereby authorized to pay its proportion of the costs and expenses incurred pursuant to this section.

12. Whereas the Opotiki Borough Council (in this section referred to as the Council) on the nineteenth day of December, nineteen hundred and forty-nine, agreed to purchase the land described in subsection *three* of this section: And whereas the Council purchased the said land and the buildings erected thereon for the purpose of providing a dwelling for an employee of the Council: And whereas the amount paid by the Council for the said land and buildings and for incidental costs amounted to the sum of one thousand nine hundred and thirty-six pounds, and the amount subsequently spent by the Council in repairs and renovations to the house erected on the said land amounted to the sum of three hundred and seventy-four pounds, both of which amounts were paid by the Council out of its District Fund Account: And whereas, in order to refund to its District Fund Account the amounts expended as aforesaid, it is desirable that the Council should be authorized to raise a special loan of two thousand three hundred pounds:
- 20 Be it therefore enacted as follows:—
- (1) The Council is hereby authorized and empowered, by special order, to raise the sum of two thousand three hundred pounds by way of special loan pursuant to the provisions of the Local Bodies' Loans Act 1926 without taking the steps prescribed by sections nine to thirteen of that Act.
- (2) The Council shall, out of the proceeds of the said loan when raised, refund to its District Fund Account the moneys advanced thereout for the purpose of meeting the cost of the purchase of the said land and buildings and of repairs and renovations to the buildings and of incidental expenses.
- (3) The land to which this section relates is more particularly described as follows:—
- 35 All that parcel of land, situated in the Borough of Opotiki containing by admeasurement one rood eleven perches and ninety-two hundredths of a perch, more or less, being Lot 2 on Deposited Plan Number 3690, Gisborne Registry, and being the whole of the land comprised in certificate of title, Volume 95, folio 238, Gisborne Registry.

Authorizing
Opotiki
Borough
Council to
raise a special
loan for housing
purposes.

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

Authorizing
Dannevirke
Borough
Council to
expend moneys
in connection
with Jubilee
Celebrations.

13. The Dannevirke Borough Council is hereby authorized and empowered to expend moneys, not exceeding the sum of five hundred and ten pounds, out of its general revenues in connection with the celebration and commemoration of the Borough Jubilee in nineteen hundred and fifty-two, and to make payments and grants to any person or persons for those purposes. 5

Authorizing
Putaruru
Borough
Council to
levy separate
rate.

14. Whereas, by an agreement (in this section referred to as the first agreement) dated the twelfth day of December, nineteen hundred and twenty-seven, made between the Putaruru Town Board (in this section referred to as the Board), of the one part, and the Chairman, Councillors, and Inhabitants of the County of Matamata (in this section referred to as the County Council), of the other part, the Board agreed to pay to the County Council the sum of three hundred and fourteen pounds four shillings annually: And whereas, by a further agreement (in this section referred to as the second agreement) dated the twenty-second day of May, nineteen hundred and thirty-five, made between the Board and the County Council it was provided that the payment due on the first day of April, nineteen hundred and thirty-five in terms of the first agreement, and all subsequent payments specified by the first agreement should be cancelled, and instead thereof the Board should pay to the County Council sixty-four half-yearly payments, each of the sum of one hundred and twenty-four pounds eighteen shillings, on the first day of June and December in every year until the first day of December, nineteen hundred and sixty-six: And whereas the County Council made an offer to the Putaruru Borough Council (in this section referred to as the Borough Council), as successor to the Board, to vary the second agreement by accepting, instead of the remaining thirty-two payments due, twelve half-yearly payments, each of the sum of two hundred and sixty-two pounds fifteen shillings and sevenpence, and the Borough Council accepted the offer: And whereas the Borough Council is desirous of making and levying a separate rate, based on the unimproved value, on all lands in the Borough of Putaruru to provide for the said payments: Be it therefore enacted as follows:-- 10
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The Borough Council is hereby authorized and empowered to make and levy a separate rate, based on the unimproved value, on all rateable property in the Borough of Putaruru for a period of five years commencing on the first day of April, nineteen hundred and fifty-two, to provide for payments due to the County Council in terms of the second agreement.

15. Whereas by Order in Council made on the tenth day of November, nineteen hundred and forty-eight, consent was given to the raising by the Dannevirke Borough Council (in this section referred to as the Council) of a loan of two thousand pounds, to be known as the Rest Room Loan 1947 (in this section referred to as the loan), subject to certain terms and conditions:

15 And whereas one of the said terms and conditions was that no moneys should be borrowed after the expiration of two years from the date of the said Order in Council: And whereas at a date subsequent to the expiration of the said period of two years the Council raised the sum

20 of one thousand nine hundred pounds as portion of the loan: And whereas it is expedient that the action of the Council in raising the said portion of the loan should be validated: Be it therefore enacted as follows:—

Validating raising of certain loan moneys by Dannevirke Borough Council.

The action of the Council in raising the said portion of

25 the loan after the expiration of the period specified by the said Order in Council is hereby validated, the moneys received by the Council in respect thereof shall be deemed to have been lawfully borrowed, and the debentures issued in respect thereof shall be deemed to have been lawfully

30 executed and issued by the Council and shall have full force and effect according to their tenor.

16. Whereas by Order in Council made on the twenty-third day of July, nineteen hundred and forty-seven, consent was given to the raising by the Christchurch City Council (in this section referred to as the Council) of a loan of one hundred and twenty thousand seven hundred and thirty pounds, to be known as the Water Supply Extension Loan 1947 (in this section referred to as the loan), subject to certain terms and conditions:

35 And whereas one of the said terms and conditions was that no moneys should be borrowed after the expiration of two years from the date of the said Order in Council: And whereas, by Order in Council made on the twentieth day of July, nineteen hundred and forty-nine, the time

Validating raising of certain loan moneys by Christchurch City Council.

within which the loan was authorized to be raised was extended for a further period of one year: And whereas, subsequent to the expiration of the period specified by the said Orders in Council, the Council raised sums amounting in all to one thousand two hundred pounds as portion of the loan: And whereas it is expedient that the action of the Council in raising the said portion of the loan should be validated: Be it therefore enacted as follows:—

The action of the Council in raising the said portion of the loan after the expiration of the period specified by the said Orders in Council is hereby validated, the moneys received by the Council in respect thereof shall be deemed to have been lawfully borrowed, and the debentures issued in respect thereof shall be deemed to have been lawfully executed and issued by the Council and shall have full force and effect according to their tenor.

Validating
certain
agreement made
between
New Plymouth
City Council
and the Crown.

17. Whereas by an agreement dated the thirtieth day of July, nineteen hundred and fifty-one, of which a certified copy is deposited in the Department of Internal Affairs at Wellington, under Number I.A. 105/629, made between the Mayor, Councillors, and Citizens of the City of New Plymouth (in this section referred to as the Corporation), of the one part, and His Majesty the King, acting by and through the Postmaster-General (in this section referred to as the Crown), of the other part, the Corporation agreed to lease to the Crown for the purposes of a telephone exchange certain premises in a building owned by the Corporation and certain other premises in a new building which the Corporation agreed to erect on land owned by the Corporation: And whereas, to assist the Corporation to meet the cost of erecting the said new building, the Crown agreed in the said agreement to make the following payments to the Corporation by way of rent paid in advance, that is to say:—

(a) A payment of six thousand pounds immediately the erection of the said new building shall have begun; and

(b) A payment of six thousand pounds immediately the said erection shall have been half completed; and

(c) A payment of six thousand pounds immediately the said erection shall have been three-quarters completed; and

5 (d) A final payment when the said erection shall have been completed of an amount which, when added to the amount of eighteen thousand pounds already paid, will equal eighty-five per cent of the cost of the erection of the new building:

10 And whereas by the said agreement it was further agreed that the payments made by the Crown as aforesaid should represent the present value of the rent so paid in advance actuarially calculated as at the date of payment on the basis of three pounds per cent per annum with
15 yearly rests: And whereas doubts have arisen as to the validity of the said agreement and it is desirable that it should be validated: Be it therefore enacted as follows:—

20 Notwithstanding anything contained in the Municipal Corporations Act 1933, or in any other Act, the Corporation shall be deemed to have been at all times authorized and empowered to enter into and execute the said agreement which shall be binding on the parties thereto and shall for all purposes, without further authority than
25 this section, be effective according to its tenor.

18. Whereas the Mayor, Councillors, and Citizens of the City of Lower Hutt (in this section referred to as the Corporation) is registered as the proprietor of an estate in fee simple in the land described in sub-
30 section *two* of this section, and the said land is held in trust by the Corporation for sanitary purposes. And whereas the Lower Hutt City Council (in this section referred to as the Council) has agreed to sell portion of the said land, and is required under section one
35 hundred and fifty-six of the Municipal Corporations Act 1933 to apply the proceeds of the sale of any portion of the said land for the same purposes as affected the land so disposed of: And whereas the Council has adequate sanitary reserves for the purposes of the city, and it is
40 expedient to authorize the Council to hold and apply the proceeds of the sale of any portion of the said land for the purposes of the erection of a public library: Be it therefore enacted as follows:—

(1) Notwithstanding anything contained in the
45 Municipal Corporations Act 1933 or in any other Act, the Council is hereby authorized and empowered to hold

1933, No. 30

Provision
with respect
to application
of proceeds
derived from
sale of certain
land by Lower
Hutt City
Council.

1933, No. 39

and apply the proceeds of the sale of any portion of the land described in subsection *two* of this section for or towards the purposes of the erection of a public library in the City of Lower Hutt.

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

All that area in the Wellington Land District, City of Lower Hutt, situated in Block XIV, Belmont Survey District, containing by admeasurement three acres two perches and eighty-four hundredths of a perch, more or less, being part of Lot 2 on a plan deposited in the Land Registry Office at Wellington under Number 985, being part of Section 77, Hutt District, and being the balance of the land comprised and described in certificate of title, Volume 394, folio 154, Wellington Registry.

Provision
with respect
to certain
contract
entered into
by Dunedin
City Council.

19. Whereas, for the purpose of extending and augmenting its water supply system, the Dunedin City Council (in this section referred to as the Council), prior to the sanction of the Local Government Loans Board being obtained to the raising of a loan for that purpose, contracted with Spiral Welded Pipes (N.Z.), Limited (in this section referred to as the company), for the supply and manufacture of a quantity of concrete-lined steel pipes: And whereas the Council has been informed that the company is in a position to fulfil the said contract, and a progress payment has been made by the Council to the company on account: And whereas it is desirable to authorize the Council to charge the whole of the moneys paid and payable to the company in respect of the said contract against any loan which may hereafter be raised pursuant to the Local Bodies' Loans Act 1926 for the purpose of the extension of the Council's water supply system: Be it therefore enacted as follows:—

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

The Council is hereby authorized to charge the whole of the moneys paid and payable to the company in respect of the said contract against any loan hereafter authorized and raised pursuant to the Local Bodies' Loans Act 1926 for the purpose of the extension of the Council's water supply system:

Provided that the total amount that may be charged as aforesaid shall not exceed the sum of thirty thousand pounds.

20. Whereas, prior to authority being obtained to the raising of a loan of the sum of four hundred thousand pounds, known as the Freemans Bay Redevelopment (Acquisition of Land) Loan 1951, £400,000 (in this section referred to as the loan), the Auckland City Council (in this section referred to as the Council) expended out of its general account for the purposes of the loan, moneys amounting in the aggregate to the sum of seven thousand six hundred and thirty-six pounds three shillings and one penny: And whereas authority has since been obtained to the raising of the loan, and the Council is desirous of recouping its General Account out of the proceeds of the loan: And whereas it is desirable to authorize the Council to recoup its General Account in respect of the moneys advanced thereout prior to authority being obtained for the raising of the loan: Be it therefore enacted as follows:—

Provision with respect to refund to general account from loan moneys by Auckland City Council.

- The Council is hereby authorized and empowered to refund to its general account out of the proceeds of the loan the sum of seven thousand six hundred and thirty-six pounds three shillings and one penny, and any payment by way of refund of that amount made by the Council to its General Account out of the proceeds of the loan before the passing of this Act is hereby validated and declared to have been lawfully made.

21. Whereas an unnamed and unformed street adjoining Cameron Street is vested in the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Whangarei: And whereas the said street is along the bank of a tidal river known as the Waiarohia River: And whereas it is desirable that the said street, shown coloured green on a plan deposited in the office of the Minister of Works, at Wellington, as Number 132954, should be stopped: Be it therefore enacted as follows:—

Provision with respect to closing of street in the Borough of Whangarei.

- Notwithstanding anything contained in paragraph (h) of subsection four of section one hundred and seventy-five of the Municipal Corporations Act 1933, the Whangarei Borough Council may, in the manner and upon the conditions set out in the Fifth Schedule to that

1933, No. 30

Act, stop the said unnamed and unformed street adjoining Cameron Street shown coloured green on a plan deposited in the office of the Minister of Works, at Wellington, as Number 132954, and containing thirty-three perches and three-tenths of a perch, more or less. 5

Provision with respect to construction of bridge by Lower Hutt City Council.

22. Whereas the Lower Hutt City Council (in this section referred to as the Council) desires to construct a bridge over the Hutt River in substitution for the Hutt Pipe Bridge in a position that will, in the opinion of the Council, be of advantage and benefit to a considerable 10 portion of the inhabitants of adjacent districts—namely, the City of Wellington, the Borough of Petone, the Borough of Eastbourne, and the County of Hutt, as well as to the inhabitants of the City of Lower Hutt: And whereas the Council is of the opinion that it is reason- 15 able that the Wellington City Council, the Petone Borough Council, the Eastbourne Borough Council, and the Hutt County Council (in this section referred to as the adjacent local authorities) should contribute to the cost of the construction of the said bridge: And whereas 20 the Council and the adjacent local authorities have agreed that the construction of the said bridge should proceed, but are at present unable to agree upon the amount of their respective contributions to the cost thereof: And whereas the amounts of any such contri- 25 butions may be determined in the manner set out in section one hundred and thirty-five of the Public Works Act 1928, or otherwise by agreement: And whereas the Council and the adjacent local authorities consider 30 it advisable that certain plans should be prepared and investigations made, and that materials, plant, and land required in connection with the approaches to the said bridge should be acquired in anticipation of the construction of the said bridge and the settlement of the 35 respective contributions towards its cost: And whereas the adjacent local authorities have agreed with the Council that the Council should proceed to obtain the said plans and make investigations and to acquire materials, plant, and land in anticipation of the autho- 40 rization of a loan or loans to meet the cost or partial cost of the said bridge, but without prejudice to any

See Reprint of Statutes, Vol. VII, p. 686

liability of the adjacent local authorities to contribute towards the said cost: And whereas it is expedient to authorize the Council to reimburse its District Fund Account in respect of any moneys expended by the
5 Council as aforesaid out of loan moneys subsequently authorized and raised: Be it therefore enacted as follows:—

(1) The Council is hereby authorized and empowered to reimburse its District Fund Account out of the pro-
10 ceeds of any loan or loans raised by the Council, or from contributions by the adjacent local authorities, for the purpose of the construction of the said bridge and incidental thereto, in respect of all sums expended by the Council in the preparation of plans, or the making of
15 investigations, or the acquisition of materials, plant, or land, or for any work done or professional services rendered in connection with the construction of the said bridge and necessary in the opinion of the Council and the adjacent local authorities.

(2) Nothing in this section shall be deemed to impose upon the adjacent local authorities any liability to contribute any sum or any particular sum towards the cost of the construction of the said bridge.

(3) The amount of the respective contributions to be
25 made by the adjacent local authorities towards the cost of the construction of the said bridge may be fixed pursuant to the provisions of section one hundred and thirty-five of the Public Works Act 1928, or by agreement, or by such other means as may be determined by the Council
30 and the adjacent local authorities.

23: Whereas, by Order in Council made on the thirtieth day of July, nineteen hundred and thirty-four, consent was given to the issue by the Gore Borough Council (in this section referred to as the Council) of
35 new securities in conversion of existing securities as defined by and specified in the First Schedule to the said Order in Council, and subject to compliance with the determinations as to borrowing and repayment therein provided: And whereas, on the second day of August,
40 nineteen hundred and forty-eight, the Council by special resolution resolved to apply for the consent of the Governor-General in Council to the borrowing of the

Validating borrowing of certain loan moneys by Gore Borough Council.

See Reprint
of Statutes,
Vol. V, p. 415

sum of fourteen thousand five hundred pounds for the purpose of redeeming and converting securities issued under the said Order in Council, but, contrary to the provisions of the Local Government Loans Board Act 1926, neither the sanction of the Local Government Loans Board nor the consent of the Governor-General in Council to the raising of the proposed loan was first obtained: And whereas the sum actually borrowed by the Council amounted to thirteen thousand five hundred pounds: And whereas it is desirable that the action of the Council in borrowing this sum should be validated: Be it therefore enacted as follows:—

The action of the Council in borrowing the sum of thirteen thousand five hundred pounds without first obtaining the sanction of the Local Government Loans Board and the consent of the Governor-General in Council is hereby validated, and the said moneys shall be deemed to have been lawfully borrowed.

Harbour Boards

Authorizing
Wellington
Harbour Board
to make
ex gratia
payment in
respect of a
contract.

24. Whereas by an agreement dated the eleventh day of February, nineteen hundred and forty-seven, made between the Wellington Harbour Board (in this section referred to as the Board), of the one part, and Wilkins and Davies Construction Company, Limited, of Wellington, contractors (in this section referred to as the contractors), of the other part, it was agreed that the contractors should execute and complete for the Board the construction of a new store on the Wellington Wharves known as shed No. 39: And whereas the contractors have carried out the said work, but in so doing have incurred heavy additional and unanticipated expense during the progress of the work owing to lengthy delays caused through shortage of materials and increases in costs: And whereas the Board in the circumstances is desirous of making a payment of three thousand seven hundred and thirty-nine pounds eleven shillings and eightpence to the contractors as part compensation for the said additional and unanticipated expense incurred by the contractors: Be it therefore enacted as follows:—

The Board is hereby empowered to pay the sum of three thousand seven hundred and thirty-nine pounds eleven shillings and eightpence out of its Harbour Fund to the contractors.

25. Whereas the Lyttelton Harbour Board (in this section referred to as the Board), prior to the sanction of the Local Government Loans Board being given to the raising by the Board of a loan for the purpose of erecting
5 a Waterfront Industry Building pursuant to the powers vested in it in that behalf by the Lyttelton Harbour Board Loan Act 1949, expended out of its Harbour Fund Account the sum of five thousand two hundred and two pounds nine shillings and threepence in payment of fees
10 and towards the cost of the preparation of a site for the said Waterfront Industry Building: And whereas the Local Government Loans Board has no authority to sanction the raising of that part of the proposed loan which relates to the purposes for which the said sum has
15 been expended: And whereas it is desirable to authorize the Board to raise a loan of five thousand two hundred pounds for the purpose of recouping its Harbour Fund Account in respect of the moneys advanced thereout as aforesaid: Be it therefore enacted as follows:—
20 The Board is hereby authorized and empowered to 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, a sum not exceeding five thousand two hundred pounds
25 for the purpose of refunding to its Harbour Fund Account the moneys advanced thereout as aforesaid in payment of fees and towards the cost of the preparation of a site for the said Waterfront Industry Building.

Authorizing raising of special loan by Lyttelton Harbour Board.

1949 (Local), No. 5

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

Town Board

30 26. Whereas by Order in Council made on the eleventh day of June, nineteen hundred and forty-seven, consent was given to the raising by the Otorohanga Town Board (in this section referred to as the Board) of a loan of nine thousand pounds, to be known as the Roads and
35 Footpaths Improvement Loan 1946, subject to certain terms and conditions: And whereas one of the said terms and conditions was that the sum of five thousand pounds should be allocated to the forming, metalling, and sealing of roads and the sum of four thousand
40 pounds should be allocated to the construction of concrete footpaths: And whereas the Board borrowed

Validating incorrect application of loan moneys by Otorohanga Town Board.

moneys amounting to the sum of seven thousand eight hundred pounds, and of the said moneys applied the sum of six thousand four hundred and eighty-four pounds nine shillings and ninepence to the forming, metalling, and sealing of roads, and the sum of one thousand two hundred and fifty-two pounds twelve shillings and threepence to the construction of concrete footpaths: And whereas, by the expenditure of the said sum of six thousand four hundred and eighty-four pounds nine shillings and ninepence, the Board exceeded the amount authorized to be expended for the forming, metalling, and sealing of roads by the sum of one thousand four hundred and eighty-four pounds nine shillings and ninepence: And whereas it is expedient that the action of the Board should be validated: Be it therefore enacted as follows:—

The action of the Board in expending the sum of one thousand four hundred and eighty-four pounds nine shillings and ninepence in the forming, metalling, and sealing of roads is hereby validated, the moneys borrowed by the Board in respect of the said works shall be deemed to have been lawfully borrowed, and the debentures issued in respect thereof shall be deemed to have been lawfully executed and issued by the Board and shall have full force and effect according to their tenor.

Road Board

Authorizing
Orapiu Road
Board to raise
a special loan.

27. Whereas the Orapiu Road Board (in this section referred to as the Board) intends to carry out certain urgent repairs to the wharf at Orapiu: And whereas the Board desires to raise a loan for the purpose of carrying out the repairs, but has no power so to do: Be it therefore enacted as follows:—

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

The Board is hereby authorized to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of six hundred pounds for the purpose of carrying out repairs to the wharf at Orapiu.

River Board

28. Whereas the Hutt River Board (in this section referred to as the Board) is desirous of recording in permanent form the work of the Board since it was established, of collecting other data of importance and interest to the Hutt Valley, and of publishing a booklet in the form of a survey of the history of the Hutt Valley and of the Board: And whereas it is expedient to authorize the expenditure of certain moneys in the publication of the said booklet: Be it therefore enacted as follows:—

Authorizing
Hutt River
Board to
expend certain
moneys in
publication
of booklet.

The Board is hereby authorized to expend a sum not exceeding five hundred pounds in collecting information, preparing for publication, and publishing a booklet comprising a history of the Hutt Valley and of the activities of the Board in relation to its development.

Catchment Board

29. Whereas, by an agreement dated the fourth day of December, nineteen hundred and fifty, made between Lewis William Krammer, of Motueka, contractor (in this section referred to as the contractor), of the one part, and the Nelson Catchment Board (in this section referred to as the Board), of the other part, the contractor agreed to construct certain stop-banks for the Board on the right bank of the Motueka River for the sum of six thousand nine hundred and thirty-two pounds three shillings and elevenpence, and by a further agreement bearing the same date and made between the same parties the contractor agreed to construct certain stop-banks for the Board on the left bank of the Motueka River for the sum of ten thousand six hundred and thirty-six pounds and elevenpence, the said contract prices being based on the rates of wages and costs and expenses generally operating at that date, and the works in respect of which the agreements were made were duly commenced: And whereas, as a result of an increase of wages payable by the contractor, there has been an increase in costs and expenses generally payable by him, and there is no provision in either of the said agreements for a variation of contract price to cover any increase in wages, costs, or expenses: And whereas,

Authorizing
Nelson
Catchment
Board to make
ex gratia
payment in
respect of
contracts.

in respect of payments by the Board for work done under the said agreements, the Board is in receipt of contributions by way of subsidy from the Soil Conservation and Rivers Control Council (in this section referred to as the Council): And whereas the Board is desirous, with the approval of the Council, of compensating the contractor in respect of loss incurred through increases in costs and expenses: Be it therefore enacted as follows:—

The Board is hereby authorized and empowered, on the contractor producing proof to the satisfaction of the Board and the Council of additional costs and expenses incurred by him, to pay to the contractor an amount in addition to the said contract prices to compensate the contractor for any such increased costs and expenses in respect of work done by him pursuant to the said agreements subsequent to the fifteenth day of February, nineteen hundred and fifty-one:

Provided that any payment under this section shall not exceed a sum equivalent to ten per cent of the contract prices for the work pursuant to the terms of the said agreements.

Affecting Two or More Classes of Public Bodies

Section 56 of Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919 further amended. 1919, No. 54 1939, No. 25

30. (1) Section fifty-six of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, as amended by section fifty-four of the Local Legislation Act 1939, is hereby further amended by omitting from subsection one and from subsection two the words "two hundred", and substituting in each case the words "three hundred".

Repeal.

(2) Paragraph (b) of section fifty-four of the Local Legislation Act 1939 is hereby repealed.

Authorizing St. Kilda Borough Council to make certain payment to Dunedin Drainage and Sewerage Board. 1900 (Local), No. 25

31. Whereas the Dunedin Drainage and Sewerage Board (in this section referred to as the Board) is empowered under sections fifty-three and fifty-four of the Dunedin District Drainage and Sewerage Act 1900 to direct the St. Kilda Borough Council (in this section referred to as the Council) to make, levy, and collect certain rates: And whereas the Council, in purported performance of such a direction, made, levied, and collected rates on behalf of the Board for the rating year ended on the thirty-first day of March, nineteen hundred and fifty-one, amounting to the

sum of six thousand six hundred and thirty-nine pounds fifteen shillings: And whereas the Board has claimed that the Council should have collected the sum of ten thousand seven hundred and
5 twenty-two pounds ten shillings instead of the aforementioned sum collected, and has claimed to recover a sum amounting to four thousand and eighty-two pounds fifteen shillings from the Council: And whereas the Council has agreed to pay to the Board, and the Board
10 has agreed to accept, the sum of two thousand eight hundred and fifty-seven pounds eighteen shillings and sixpence in settlement of the said claim: Be it therefore enacted as follows:—

The Council is hereby authorized and empowered to
15 pay to the Board out of its General Account, and without levying any further rate, the sum of two thousand eight hundred and fifty-seven pounds eighteen shillings and sixpence in settlement of the said claim by the Board.

32. Whereas the Local Government Commission, on
20 the eleventh day of May, nineteen hundred and forty-nine, promulgated a final scheme providing for the exclusion of the land described in subsection *two* of this section from the Borough of Rotorua and the inclusion thereof in the County of Rotorua: And whereas a condition of the said final scheme was that the Rotorua
25 Borough Council (in this section referred to as the Borough Council) should enter into an agreement indemnifying the Rotorua County Council (in this section referred to as the County Council) against any damage
30 that might accrue as a result of the operation by the Borough Council of a water supply installation situated on the said land: And whereas in pursuance of that condition, the County Council and the Borough Council entered into a written agreement dated the twentieth
35 day of September, nineteen hundred and forty-nine, containing the said indemnity, a copy of which is deposited in the Department of Internal Affairs at Wellington, under Number I.A. 105/564: And whereas it is desirable that the said agreement should be vali-
40 dated: Be it therefore enacted as follows:—

Validating
agreement
between
Rotorua
County
Council and
Rotorua
Borough
Council.

(1) The action of the County Council and of the Borough Council in entering into the said agreement is hereby validated, and the agreement is hereby declared to have been lawfully made and shall for all purposes have effect according to its tenor.

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

All that area in the Auckland Land District, situated in the Borough of Rotorua, containing one hundred and twenty-seven acres, more or less, bounded by a line commencing at a point being the northernmost corner of Tihi O Tonga C No. 1 Block, and running northerly generally along the eastern boundary of Section 65, Suburbs of Rotorua, and along the eastern boundaries of Lots 2 and 1 as shown on the plan numbered 26991 deposited in the office of the District Land Registrar at Auckland, being parts of Section 64, Suburbs of Rotorua, to the easternmost corner of the last mentioned lot; thence south-easterly generally along the southern boundary of part Section 63, Suburbs of Rotorua, as shown on the plan numbered 24263, deposited as aforesaid, to and along the generally southern boundary of part Lot 2 as shown on the plan numbered 23567, deposited as aforesaid, being part of Section 32, Suburbs of Rotorua, and part Section 10, Block 1, Tarawera Survey District, and being that part of the Rotorua Domain as described in the *Gazette*, Number 74 of the eighteenth day of December, nineteen hundred and forty-seven, page 1920, to and along the western side of the Old Tauranga-Taupo Road, and along the western side of the Rotorua-Taupo State Highway to a point due west of the northernmost corner of Whakarewarewa No. 2B Block; thence due east along a right line across the said State Highway and Lot 3 as shown on the plan numbered 23567 aforesaid, being part of Section 10 aforesaid, to the left bank of the Puarenga Stream; thence southerly generally up the said left bank to the Rotorua Borough Boundary as described in the *Gazette*, Number 37 of the twenty-fourth day of June, nineteen hundred and forty-eight, page 791; thence north-westerly generally along that boundary to the point of commencement.

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33. Whereas the Opunake Town Board in this section referred to as the Town Board) was authorized by Order in Council made on the twenty-seventh day of May, nineteen hundred and nineteen, to establish a
- 5 hydro-electric scheme for Opunake and surrounding districts: And whereas the Opunake Electric Power Board (in this section referred to as the Power Board) was authorized by Order in Council made on the twenty-fourth day of October, nineteen hundred and twenty-two,
- 10 to purchase the hydro-electric works belonging to the Town Board: And whereas, in the original hydro-electric scheme, provision was made for a site for the erection of a generating station, but the said site was not transferred by the Town Board to the Power Board at the
- 15 time of the sale of the hydro-electric works: And whereas the Power Board has since built a generating station and other buildings on the said site which comprises portion of the street in the Borough of Opunake known as Bowen Crescent: And whereas the said site
- 20 is not required for the formation of a street and the stopping of the said portion of the street will not deny access to the land of any person: And whereas it is desirable that the said site should be vested in the Power Board: Be it therefore enacted as follows:
- 25 (1) That portion of the street in the Borough of Opunake known as Bowen Crescent, upon which are situated the Power Board's generating station and other buildings, together with the land surrounding the same, containing in all by admeasurement one rood twenty-two
- 30 perches and nine-tenths of a perch, more or less, is hereby stopped.
- (2) The land comprising the said portion of the street is hereby vested in the Power Board.
- (3) The Power Board shall forthwith pay to the
- 35 Opunake Borough Council, as successor to the Town Board, the sum of fifty pounds as consideration for the said land.
- (4) The District Land Registrar for the Land Registration District of Taranaki is hereby authorized and
- 40 directed, at the request of the Power Board, to issue a certificate of title for the said land in the name of the Power Board upon completion by that Board of all surveys which may be required, and to make such entries in the register books and to do all such things as may be
- 45 necessary to give effect to the provisions of this section.

Provision with respect to stopping of street in Opunake Borough and vesting land in Opunake Electric Power Board.

Provision with respect to certain contract entered into by Southbridge Town Board as Southbridge Secondary Urban Fire Authority.
1934, No. 17

34. Notwithstanding anything to the contrary in any Act or rule of law, nothing in the Local Authorities (Members' Contracts) Act 1934 shall apply or be deemed to have applied to a contract made between the Southbridge Town Board or the Southbridge Secondary Urban Fire Authority and Douglas Haig Goulden, of Southbridge, Engineer, prior to the passing of this Act.

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Validating certain Deed made between Lower Clutha River Trust and Otago Catchment Board.
1941, No. 53

35. Whereas by a Deed of Arrangement dated the twenty-fifth day of June, nineteen hundred and fifty-one (in this section referred to as the deed), of which a copy is deposited in the Department of Internal Affairs at Wellington, under Number I.A. 103/274/4, made between the Lower Clutha River Trust (in this section referred to as the Trust) of the one part, and the Otago Catchment Board (in this section referred to as the Board) of the other part, the Board agreed to prepare and submit forthwith to the Soil Conservation and Rivers Control Council a report in accordance with the provisions of the Soil Conservation and Rivers Control Act 1941, and to request therein that the Board be required to present a petition to the Governor-General containing a prayer that the Trust be dissolved and that the powers and functions thereof be transferred to the Board subject to the provisions of the deed: And whereas the Board duly prepared and submitted the said report and was required to present the said petition to the Governor-General and duly performed that requirement: And whereas the Trust has given notice of objection to its dissolution and to the transfer of its powers and functions to the Board unless full effect is given to the provisions of the deed: And whereas the Board is desirous of giving full effect to the provisions of the deed, but doubts have arisen as to the validity thereof and of the authority of the Board to give effect to its provisions: Be it therefore enacted as follows:—

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Notwithstanding anything contained in the Soil Conservation and Rivers Control Act 1941, or in any other Act, the Board shall be deemed to have been at all times authorized and empowered to enter into the deed and the deed is hereby validated and shall for all purposes have effect according to its tenor.

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Miscellaneous

36. Whereas the Petone and Lower Hutt Gas Board (in this section referred to as the Board) is empowered under section three of the Petone and Lower Hutt Gas Amendment Act 1927 to enter into a contract for the supply of gas in bulk to the Board by the Wellington Gas Company Limited, a company duly incorporated under the provisions of the Companies Act 1933 (in this section referred to as the Company) subject to the requirements of the said section three as to the taking of a poll of the persons eligible to vote on a loan proposal by the Board upon the proposal to obtain gas in bulk from the Company: And whereas it is expedient to authorize the Board to enter into such a contract with the Company without the necessity of taking such a poll: Be it therefore enacted as follows:—

Section 3 of
Petone and
Lower Hutt
Gas
Amendment
Act 1927 (as
to contracting
with
Wellington
Gas Company,
Limited)
amended.
1927 (Local),
No. 15
1933, No. 29

- The Petone and Lower Hutt Gas Lighting Amendment Act 1927 is hereby amended by repealing section three, and substituting the following section:—
- 20 “ 3. It shall be lawful for the Board to enter into a contract with the Company for the supply of gas in bulk by the Company to the Board upon such terms and subject to such conditions as the Board and the Company may determine, and at any time and from time to time
- 25 to vary, alter, amend, or rescind any such contract and to enter into a new contract in respect thereof.”

37. Whereas the Wellington Acclimatization Society (in this section referred to as the society) is establishing a new game farm at Paraparaumu in the society's district: And whereas the society is not empowered to borrow moneys for the purposes of the society or of its developmental works, and it is desirable that authority in that respect should be conferred upon the society to enable it to finance the establishment of the said game farm: Be it therefore enacted as follows:—

Authorizing
Wellington
Acclimatization
Society to
borrow moneys
for certain
purpose.

- 35 The society is hereby authorized and empowered, in accordance with any resolution of its governing body, to borrow moneys from its bankers by way of overdraft or otherwise or from any other person, for the purpose of financing the establishment of the said game farm, and
- 40 may mortgage or charge all or any of the real or personal property of the society for the purpose of securing the repayment of any moneys so borrowed.

Authorizing
Dunedin
Drainage and
Sewerage
Board to
make
ex gratia
payment in
respect of a
contract.

38. Whereas by an agreement dated the twenty-ninth day of June, nineteen hundred and fifty, made between Julian Kenneth Wooldridge, of Dunedin, contractor (in this section referred to as the contractor), of the one part, and the Dunedin Drainage and Sewerage Board (in this section referred to as the Board), of the other part, the contractor agreed to construct a duplication of the Kai-korai Valley Foul Sewer for the Board for the sum of nine thousand four hundred and thirty-four pounds sixteen shillings and elevenpence upon the terms and conditions contained in the said agreement: And whereas, by reason of certain unexpected difficulties encountered by the contractor, including the nature of the ground to be worked, statutory increases in wages, and additional work required in consequence of the methods of operation necessitated for the said work, the contractor was unable to complete the contract: And whereas the Board, being satisfied that the difficulties encountered were not and could not reasonably have been contemplated by the contractor at the time the said contract was entered into, is desirous of making a payment of one thousand two hundred and eighty-two pounds eight shillings and ninepence to the contractor, the said sum representing the difference between the contract price and the estimated reasonable cost of the work: Be it therefore enacted as follows:—

The Board is hereby authorized and empowered to pay the sum of one thousand two hundred and eighty-two pounds eight shillings and ninepence to the contractor by way of compensation for the loss incurred by him in endeavouring to carry out the said contract.

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

39. Whereas the Waimahaka Rabbit Board (in this section referred to as the Board) expended the sum of two thousand one hundred and fifty-three pounds out of its General Account in the purchase of land and dwellings erected thereon, and effecting improvements thereto (in this section referred to as the said works), for the use of employees of the Board: And whereas, in order that the Board may reimburse its General Account in respect of the moneys expended thereout in carrying out the said works, it is expedient that the Board be

empowered to raise by way of special loan a sum not exceeding two thousand one hundred and fifty pounds: Be it therefore enacted as follows:—

(1) The Board is hereby authorized and empowered
5 to borrow by way of special loan under the Local Bodies' Loans Act 1926, by resolution, and without taking the steps prescribed by sections nine to thirteen of that Act, an amount not exceeding the sum of two thousand one
10 hundred and fifty pounds for the purpose of refunding to its General Account moneys advanced thereout for the purposes of the said works.

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

(2) The Board is hereby authorized, out of the proceeds of the said loan when raised, to refund to its General Account such moneys as may have been advanced
15 thereout for the purposes for which the said loan is to be raised.

40. (1) This section shall be read together with and deemed part of the Christchurch Tramway District Act 1920 (in this section referred to as the principal Act).
20 (2) The name of the Board, constituted by section six of the principal Act, is hereby changed, and the said Board shall hereafter be called the Christchurch Transport Board.

Change of
title of
Christchurch
Tramway
Board.
1920 (Local),
No. 15

(3) The change of name shall not affect any rights
25 or obligations of the Board, or render defective any legal proceedings by or against the Board, and any legal proceedings that might have been continued or commenced against it by its former name may be continued or commenced against it by its new name.

30 (4) Notwithstanding its change of name the Board shall be and shall continue to be the same body corporate and the same local authority as was constituted by the principal Act.

(5) All references to the Christchurch Tramway
35 Board in any Act, regulation, rule, by-law, or other enactment, or in any contract, agreement, deed, application, notice, or other document whatsoever, shall, unless inconsistent with the context, be hereafter read as references to the Christchurch Transport Board.