

## LOCAL LEGISLATION BILL

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### EXPLANATORY NOTE

#### *County Councils*

*Clause 2:* Authorizing Raglan County Council to levy excess separate rates in certain drainage districts.—This clause is a renewal for a further period of three years of the authority given the Raglan County Council by section 5 of the Local Legislation Act 1950 to make and levy in the Ruawaro, Whangape, and Pukekapia Drainage Districts rates for the construction and maintenance of necessary works of a greater amount than the Council is authorized to make and levy.

Additional revenue is still necessary to ensure adequate maintenance of drainage works in these districts, and no objections have been received from the ratepayers concerned to a continuance of the Council's power to levy excess drainage rates for a further three years.

*Clause 3:* Authorizing Awatere County Council to make *ex gratia* payment in respect of a contract.—An agreement dated 18 December 1950 was made between the Awatere County Council and a contracting firm, T. H. Barnes and Co., Ltd., whereby the firm agreed to erect a reinforced concrete bridge on the Dashwood-Upeot Main Highway. The contract did not make provision for variations in prices of materials purchased or wages paid by the contractors. The work was completed in November 1951, but during the period of the contract a general wage increase of 15 per cent took effect and was followed by a further wage increase before the contract was completed. The cost of materials also rose during the course of the contract, and the firm has suffered fairly considerable financial loss in completing the work.

The Awatere County Council is desirous of making an *ex gratia* payment to the firm of the sum of £104 16s. 11d., which represents the net increase in labour costs only. The Council has no authority to make a payment of this nature, and the purpose of the clause is to provide the necessary authority.

*Clause 4:* Provision with respect to overdraft of Chatham Islands County Council.—As at 31 March 1952 the Chatham Islands County Council had incurred liabilities in excess of the limits prescribed by the Local Bodies' Finance Act 1921-22, amounting to approximately £8,000.

The Council does not collect rates, but derives its revenue from levies on goods imported into and exported from the islands, and the waterfront strike last year seriously affected the Council's revenue. The Council has no authority to incur these excess liabilities and is not in a position to meet them from its general revenue during the current financial year. It is now desired that legislation be enacted validating the excess liabilities of the Council and

authorizing the Council to borrow from its bankers by way of overdraft for the purpose of partially repaying the excess liabilities the sum of £7,000 to be repaid by seven equal annual instalments. It is proposed that this sum be carried to a separate account and not be taken into account in assessing the overdraft limits allowed by the Local Bodies' Finance Act 1921-22.

This clause provides accordingly.

*Clause 5:* Authorizing Tauranga County Council to raise a special loan for housing purposes.—The Tauranga County Council made application to the Local Government Loans Board for sanction to the raising of a loan of £35,000 for housing purposes, but as exact details of the proposed expenditure were not available, the Loans Board sanctioned the raising of an interim loan of £10,000 for those purposes. The Council entered into commitments to purchase four houses and also completed payment for a fifth house, but found that the cost of these houses greatly exceeded the original estimates. It was considered prudent to purchase the houses notwithstanding the increased costs, because of the long delays which would have been involved if land had been purchased and houses built under contract.

The loan was over-expended by £5,800, these moneys being found from the County Fund Account. As the Loans Board has no authority to sanction the raising of a special loan by the Council to recoup its County Fund Account in respect of this expenditure, special legislation is required.

This clause provides accordingly.

*Clause 6:* Authorizing Waipawa County Council to make *ex gratia* payment in respect of a contract to build bridge on Fernhill-Takapau road.—The firm of Hawke's Bay Asphalts, Ltd., entered into a contract with the Waipawa County Council in May 1950 for the construction of a reinforced concrete bridge on a deviation of the Fernhill-Takapau via Maraekakaho Main Highway over the Mangamauku Stream.

Owing to various causes beyond the control of the contractors there was delay in the completion of the work, and the contractors suffered considerable loss because of the increased costs of labour and materials. These increased costs amounted to £881 16s. 6d., and the Council wishes to make an *ex gratia* payment of this amount to the contractors.

This clause provides the necessary authority.

*Clause 7:* Authorizing Waipawa County Council to make *ex gratia* payment in respect of a contract to build bridge on Waipukurau-Matamau road.—The firm of Hawke's Bay Asphalts, Ltd., entered into a contract with the Waipawa County Council in December 1950 for the construction of a reinforced concrete bridge on the Waipukurau-Matamau via Hatuma Main Highway.

Owing to various causes beyond the control of the contractors there was delay in the completion of the work, and the contractors suffered considerable loss because of the increased costs of labour and materials. These increased costs amount to £424 5s. 4d., and the Council wishes to make an *ex gratia* payment of this amount to the contractors.

This clause provides the necessary authority.

*Clause 8:* Vesting certain land held by Hororata Hall Trustees in Corporation of County of Selwyn.—Certain land at Hororata is at present held by the Hororata Hall Trustees in trust for the erection of a hall for the benefit of the residents of Hororata, and a hall has been erected on part of the land. It is now proposed to make additions and improvements to this hall and to regard it as the war memorial for the district.

In order to carry out this proposal, it is desired to cancel the vesting of the land in the hall trustees, to vest portion of the land in the Corporation of the County of Selwyn as a site for a war memorial, subject to the provisions of the Public Reserves, Domains, and National Parks Act 1928, and to vest the remaining portion of the land in the Corporation as an endowment, with powers of leasing and sale, for the purposes of the war memorial.

*Clause 9:* Authorizing Piako County Council to purchase land for quarry purposes.—The Piako County Council owns an area of 5 acres situated in the Tahuna Riding of the county which is used for quarry purposes. This area has now been almost fully exploited, and the Council is desirous of extending the quarry. The adjoining owner is prepared to dispose of his land to the Council, but only on the condition that the Council purchases the whole of his farm property of 125 acres. The Council has secured an option over this property and intends to test the whole area to ascertain the amount and quality of the metal underlying the surface. The Council proposes to retain some 60 or 70 acres most suitable for quarrying purposes and to dispose of the remainder for farming or housing purposes. It is anticipated that proceeds from the sale of the area not required for quarry purposes and the profits from quarrying operations will meet the purchase price of the property. There is some doubt as to the Council's power to purchase the whole farm and then dispose of that portion not required for quarry purposes, and the purpose of this clause is to confer the necessary power on the Council. As the Council may have some difficulty in meeting the full purchase price from the County Fund Account, the clause also authorizes the Council to borrow up to £15,000 for this purpose by way of overdraft, repayable over a period of seven years.

#### *City and Borough Councils*

*Clause 10:* Section 5 of Auckland City Empowering Act 1939 amended.—Section 5 of the Auckland City Empowering Act 1939 authorizes the Auckland City Council to apply such part of the Watson Art Gallery bequest as it may think fit towards the provision of a statuary group to be erected in Albert Park.

Further consideration has been given to the site for the group, and it is now proposed to substitute a site in the Auckland Domain for that in Albert Park.

This necessitates the amendment of the original empowering legislation, and this clause provides accordingly.

*Clause 11:* Authorizing remission of rates by Napier City Council.—The Napier City Council wishes to obtain legislative authority to remit rates for the current rating year in respect of an area of 9 acres in the city owned by the Roman Catholic Church and purchased from the City Council. The Church proposes to use 1 acre of the land as a site for a church and two separate areas of 4 acres each as sites for two schools.

Pursuant to the definition of "rateable property" in the Rating Act 1925, lands occupied by churches and any area not exceeding 4 acres in a city used for a school are exempt from rating. Therefore, once the church and schools are erected, the land in question will become non-rateable property. Owing to considerable delays in the provision of a sewerage system by the Council, the Church is unable at present to use the land for the purposes for which it was acquired, and the Council wishes to remit the rates payable. Similar authority was granted the Council by section 13 of the Local Legislation Act 1949.

This clause provides the necessary authority.

*Clause 12:* Authorizing diversion of certain loan moneys by Mount Maunganui Borough Council.—In 1949 a poll of ratepayers authorized the raising of a loan of £1,250 by the Mount Maunganui Borough Council for the purpose of acquiring certain land upon which to erect municipal buildings.

Owing to an increase in the price of the property the Council was unable to complete the purchase of the land involved.

It is now the intention of the Council to erect municipal buildings on other land already vested in the Council.

It is desired to divert the loan moneys already raised towards the cost of the proposed buildings.

This clause provides accordingly.

*Clause 13:* Authorizing Dunedin City Renewal Fund Commissioners to make payments to Dunedin City Council for electricity purposes.—The Dunedin City Council Empowering Act 1914 provides for the establishment of renewal funds for the purpose of renewing equipment used in connection with the Council's trading undertakings. The Electricity Department Renewal Funds stand at a substantial figure, amounting at 31 March 1951 to £387,000 held by the Renewal Fund Commissioners and £194,000 held by the Council in a separate renewal fund account, a total of £581,000. The Council now desires to undertake capital works to the extent of £264,000 from these funds instead of borrowing the money required. There is no power contained in the Dunedin City Council Empowering Act 1914 for the Renewal Fund Commissioners appointed under that Act to transfer funds to the Council for purposes other than those which are strictly renewals of equipment. Consequently legislation is necessary to enable capital works to be financed from the renewal funds, and this clause provides accordingly.

*Clause 14:* Provision with respect to expenditure of moneys by West Harbour Borough Council in connection with jubilee celebrations.—The West Harbour Borough Council wishes to obtain authority to incur expenditure of up to £100 in connection with the borough's jubilee in November 1952. It also desires that any expenditure already incurred shall be validated.

This clause provides accordingly.

*Clause 15:* Provision with respect to charge for gas-meter rental by Waihi Borough Council.—In August 1949 the Waihi Borough Council passed a resolution prescribing, amongst other things, that a rental of 1s. per month be imposed on gas meters used by consumers of gas supplied by the Council. This rental should, however, have been prescribed by by-law, as provided by section 276 of the Municipal Corporations Act 1933.

This charge has been imposed since the making of the resolution, but the legality of the charge has recently been questioned by several gas consumers, and it is desirable to validate the action of the Council in prescribing the rental by resolution instead of by by-law.

This clause provides accordingly.

*Clause 16:* Validating action of Corporation of Borough of Paeroa in entering into and executing a deed vesting an ambulance in the Corporation.—A body known as the Paeroa and Districts Residents Ambulance Controlling Committee has raised funds for the purchase of an ambulance, and it is desired that the ambulance be vested in the Corporation of the Borough of Paeroa as

nominal owner, with the control of its operation and responsibility for all relevant financial commitments remaining with the Committee. A deed in these terms has been entered into between the Corporation and the Controlling Committee, and as doubt has been expressed as to whether the Corporation had any legal authority to enter into such a deed it is desired to secure appropriate validating legislation. This clause provides accordingly.

*Clause 17: Authorizing Dunedin City Council to make *ex gratia* payment in respect of a contract.*—The Dunedin City Council wishes to make an *ex gratia* payment to Mr. Thomas Pheloung who contracted to cart pipes to, and construct the piping of portion of, the Silverstream water race for the Council. In consequence of an alteration, which was mutually agreed on, in the commencement date of the works, the contractor incurred a considerable loss, as he had failed to make provision in his tender for the effect of wage increases and bad weather conditions which he was called on to face. The Council made a thorough investigation of the details of these extra costs, and considers as a result that an additional payment should be made to the contractor of £1,458 14s. 2d. The original contract price was £21,058 18s. 2d. This clause provides the necessary authority.

*Clause 18: Validating certain expenditure incurred by Rotorua Borough Council.*—Under section 9 of the Municipal Association Act 1939, the Council of any borough in which the annual meeting of the Municipal Association of New Zealand is held, may expend in connection with the holding of the meeting and the reception and entertainment of delegates and other persons an amount not exceeding one per cent of the total general rate struck by the Council in the year in which the meeting is held. However, the Rotorua Borough Council's net expenditure on the conference held in Rotorua in March 1952, amounted to £777 5s. 3d., whereas one per cent of the total general rate struck was £349 6s. 6d. This means that there was an excess expenditure of £427 18s. 9d. This clause provides for the validation of the excess expenditure.

*Clause 19: Extending purposes of Invercargill City Council Housing Loan 1950 of £17,500.*—By Order in Council made on 6 September 1950 consent was given to the raising by the Invercargill City Council of a loan of £17,500 for the purpose of erecting houses for employees of the Council.

The effect of the high cost of building on the rentals which would have to be charged has deterred the Council from proceeding with the erection of these houses. The opportunity has, however, been taken of purchasing a building containing three flats, and it is also desired to advance a sum to another employee to assist him in the purchase of a house.

To provide the necessary authority for these actions the City Council desires the inclusion of a clause in this Bill extending the purposes to which the loan moneys may be applied to include the purchase of houses or flats for its employees, and the making of advances to employees towards the cost of the purchase or erection of their own houses.

This clause provides accordingly.

*Clause 20: Authorizing Wellington City Council to transfer moneys from Tramway and Power Supply Accident Fund Account to Tramway and Power Supply Renewal Fund Account.*—The Wellington City Council Tramway and Power Supply Renewal Fund Account at 31 March 1952 amounted to £109,232. Since that date a claim of £37,245 has been paid, thus reducing the amount of

the Fund to approximately £72,000. The Renewal Fund is available for the purpose of renewing or replacing the plant of the tramway undertaking. The Council proposes this year to spend a sum of £49,725 in connection with the replacement of trams by trolley buses and approximately £58,000 on track renewals, a total of £107,725. It is desired to expend these moneys from the Renewal Fund, but the balance of the Fund at the present time is insufficient for the purpose. The Tramway and Power Supply Accident Fund Account, on the other hand, was in credit at 31 March 1952 to the extent of £140,000. Claims on this Fund over the past five years have amounted to only £45,000 so that ample funds are available in the Fund to meet claims which are likely to arise in future years for accident compensation. In order to carry out the essential works proposed for the year the Council is desirous of transferring a sum not exceeding £39,000 from the Accident Fund Account to the Renewal Fund Account. This will provide sufficient moneys in the Renewal Fund Account to undertake the works proposed and at the same time leave the Accident Fund Account at approximately £100,000, a figure which is considered to be sufficient. This clause provides the necessary legislative authority to make the transfer.

*Clause 21:* Authorizing Eltham Borough Council to raise a special loan for housing purposes.—In 1951 the Eltham Borough Council found it necessary to purchase two dwellings in order to obtain staff, and payment was made from the District Fund Account. It was intended to make application to the Local Government Loans Board for permission to raise a loan to reimburse the District Fund Account, but as the payment had already been made the Loans Board had no authority to approve the application. Payment of the sum of £2,060 involved in the purchase has had to be met from revenue, seriously embarrassing the finances of the Council. Since acquiring the dwellings an amount of approximately £245 has been expended on necessary repairs and renewals, and authority is required to borrow a total sum of not more than £2,300 for the purpose of refunding the District Fund Account. This clause provides accordingly.

*Clause 22:* Authorizing raising of special loan by Waihi Borough Council.—The Waihi Borough Council terminated its gas undertaking from 31 July 1952 because of the substantial losses being incurred through its operation. At 31 August 1952 there was a deficit in the Council's Gas Supply Account of £11,492 8s. 6d., and the Council desires authority to raise a special loan, without a poll of ratepayers, of £10,000 for the purpose of partially refunding the excess expenditure incurred from that account.

The Council also wishes to make some reimbursement to certain of its former gas consumers in respect of the expense incurred by them in replacing their existing gas appliances.

This clause makes provision accordingly.

*Clause 23:* Validating certain expenditure incurred by Milton Borough Council.—The Milton Borough Council incurred expenditure in the purchase of a Mayoral chain and badge of office. However, Borough Councils are not specifically empowered to purchase any such insignia, and the Council is not able to meet the sum of £77 7s. 6d. which is involved from its Unauthorized Expenditure Account.

The Council has made application for validating legislation, and this clause makes provision accordingly.

*Clause 24:* Authorizing Greymouth Borough Council to subdivide certain land for housing purposes.—The Greymouth Borough Council wishes to subdivide the lands contained in Municipal Reserve 197 into building allotments and to sell or lease the allotments, pursuant to the provisions of the Municipal Corporations Amendment Act 1948. These lands are held by the Council in trust as an endowment in aid of the funds of the Borough of Greymouth, and the Council consequently does not have the necessary authority to subdivide them.

This clause provides the necessary authority.

*Clause 25:* Vesting certain land in Corporation of Borough of Ellerslie as public street.—A strip of land in Ellerslie Borough between Hurst Street and Tecoma Street, used by the public as a street for many years, has never been vested in the Borough Council, nor in any previous local authority having control over the district. A deposited plan lodged by Robert Graham in 1884 shows that this land was intended for use as a public street, but no Proclamation or other instrument of dedication has ever been registered in respect of this land. In order that the Council may have the necessary authority to expend moneys on the maintenance of this land it is desirable that it be vested in the Council as a street.

This clause provides accordingly.

*Clause 26:* Authorizing raising of special loan by Rangiora Borough Council.—The Rangiora Borough Council is at present altering the electrical reticulation of the borough from 6,600 volts to 11,000 volts and has made application to the Local Government Loans Board for authority to raise a loan of £13,000 for this purpose. The Council has, however, expended from the Electric Receipts and Payments Account a sum of £4,930 13s. 1d. in the purchase of transformers and other equipment for use in connection with the change in the reticulation system. The Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund these moneys to the Electric Receipts and Payments Account, and this clause provides the necessary authority.

*Clause 27:* Provision with respect to maximum general rate in Borough of Thames.—The Thames Borough Commissioner Amendment Act 1934 provided for the preparation of a special valuation roll for the borough based on the values shown in the ordinary valuation roll on 31 July 1931.

This special valuation roll continued in force during the period of Commissioner control of the borough, and by an amendment to the legislation in 1947 following the reversion of control to the Borough Council it was provided that the special valuation roll should remain in force until the first revision of the ordinary valuation roll after 31 March 1947.

No revision has yet been made of the ordinary valuation roll for the borough, as it has been necessary since 1947 for the Valuation Department to await a reasonable number of property sales before fixing new valuations. However, property sales in recent years have now enabled the Valuer-General to assess property values in the borough, and it is expected that a revision of the ordinary valuation roll will have been completed by 31 March 1955.

The Thames Borough Council is therefore still working on the values fixed at the time of the financial collapse of the borough. At this time valuations of property in the borough were very low and are, of course, substantially below the valuations which would be given to properties on a revaluation of the borough. Consequently the borough has not yet derived the benefits, as have other boroughs, from enhanced property values.

Because of the low valuations the Council is finding it difficult to obtain sufficient revenue from the present maximum general rate prescribed by the Municipal Corporations Act 1933 for the proper functioning of the borough, although on a revaluation there will be an adequate margin. The Council is desirous of obtaining authority to increase to 4d. in the pound the maximum general rate upon the capital value of the borough until the next revaluation of the borough. This clause confers the necessary authority on the Council.

*Clause 28:* Authorizing Lower Hutt City Council to levy uniform charge instead of annual fee.—Under the provisions of the Lower Hutt City Empowering (Community Centres) Act 1949 the Lower Hutt City Council is authorized to establish community centre districts and to levy a uniform annual fee to be paid by the occupier, as defined by the Municipal Corporations Act 1933, of each dwelling unit situated within the community centre district for the purpose of providing the estimated amount of any loan charges and of any construction, maintenance, equipment, and administration costs of the community centre.

Community centre districts have been established in the State housing areas of the City of Lower Hutt, and the legislation provides for the amount of the uniform annual fee to be added to the rentals by the State Advances Corporation and subsequently paid over to the Lower Hutt City Council.

Now that State houses are being sold in increasing numbers it has become difficult for the Council to impose the levy on occupiers as was envisaged when the original Act was passed. Instead of levying a uniform annual fee, the Council now desires to levy a uniform annual charge as a special rate up to the same amount as the uniform annual fee on all rateable property in each community centre district liable to the fee for the purpose of defraying loan charges, &c. The Council will need to promote an amendment to its empowering Act for this purpose, but as the Council is now required to meet loan charges on community centre loans the provision of finance to meet these charges is a matter of some urgency. The purpose of this clause, therefore, is to confer temporary power on the Council to levy a uniform annual charge instead of the uniform annual fee to meet the position until the Council can proceed with a local Bill.

*Clause 29:* Provision with respect to certain contract of Temuka Borough Council.—In May of this year the Temuka Borough Council entered into a contract with Mr. R. Y. Thomson, a member of the Council, for the supply of hardboard and certain timber for use in the renovation of the Temuka Drill Hall at a cost of £267 5s. 1d. By reason of the provisions of the Local Authorities (Members' Contracts) Act 1934 Mr. Thomson automatically becomes disqualified from membership of the Council because the amount of the contract exceeds the limit of £250 imposed by that Act.

Mr. Thomson, along with the Mayor and other Councillors, has given his time, at least three nights per week and during week-ends over the past few months, to the renovation of the Drill Hall, and Mr. Thomson as well, by virtue of his trade experience, has organized all voluntary labour employed. When inquiries were made as to the availability of materials it was found that certain essential building materials were in short supply and would not be readily available for some months. However, Mr. Thomson, at expense to himself, offered to supply the required amount of materials from his allocation at cost plus 2½ per cent to cover cartage and administration costs. The offer was accepted, and at the time the Council was erroneously advised that as Mr. Thomson was not receiving any financial gain other than the 2½ per cent he



would not be disqualified from office by virtue of the Local Authorities (Members' Contracts) Act 1934. This, however, is not the case, as this Act refers to a person being concerned in or interested in contracts exceeding the limits prescribed.

In view of the circumstances, it is not desired that Mr. Thomson should be disqualified from holding office on the Council. This clause provides the necessary exemption from the provisions of the Local Authorities (Members' Contracts) Act 1934.

#### *Town Boards*

*Clause 30:* Authorizing expenditure of certain moneys held in trust by Kohukohu Town Board.—The Kohukohu Town Board wishes to obtain legislative authority to expend certain trust moneys at present held for the purposes of a brass band on the repair and maintenance of the Kohukohu town hall and the piano and furniture contained in the hall.

The Board accepted the trusteeship of the funds of the defunct Kohukohu brass band from the last surviving member of the band in 1941. The original funds of £18 12s. have now grown to £58, but it is stated that there is no possibility of the band being revived or a new band being formed in Kohukohu, and it is consequently not possible for the funds to be used for their original purpose.

During its existence the band acted on occasion as the town hall orchestra and at such times played in conjunction with the piano. It is now desired to use the funds to carry out improvements in the hall and to recondition the piano.

The Board has given notice of its intention to seek legislative authority, and no objection to this has been expressed in the district. This clause provides the necessary authority.

*Clause 31:* Authorizing Tawa Flat Town Board to raise a special loan for housing purposes.—The newly constituted Tawa Flat Town Board found considerable difficulty in obtaining a house for the Town Clerk because of the acute housing shortage in its district, and when a suitable house was offered to the Board for purchase it was considered wise to take immediate advantage of the opportunity. The Board did not obtain the prior sanction of the Local Government Loans Board to the raising of a loan for the purchase of the house, but expended the sum of £3,320 from its General Account for this purpose. As the Loans Board has no authority to sanction the raising of a special loan by the Board to recoup its General Account in respect of this expenditure, special legislation is required. This clause provides accordingly.

*Clause 32:* Validating agreement between Otorohanga Town Board and Levin Amusements, Ltd.—The Otorohanga Town Board operated a theatre at Otorohanga for a number of years without competition, until an additional theatre was licensed, and this licence transferred to Levin Amusements, Ltd. The competition caused by this firm resulted in a loss being incurred by the Board in regard to its theatre. In 1940 the parties entered into a deed of arrangement providing for pooling of funds and joint management of both theatres, and this deed was validated by section 20 of the Local Legislation Act 1942.

The pooling arrangement has proved of great financial advantage to the Board and appears to be in the best interests of both theatres and the public. This deed of arrangement expired in October 1950 and the Board now desires the validation of a slightly varied deed of arrangement expiring in October 1956.

This clause provides accordingly.

*Clause 33:* Authorizing Wyndham Town Board to raise a special loan for housing purposes.—The Wyndham Town Board recently called for applications for the position of sanitary contractor, but found that in order to secure an employee it was necessary to provide accommodation. Due to lack of accommodation and the urgency of filling the position, the Board found it necessary to purchase a house with moneys from its General Account without awaiting the prior sanction of the Local Government Loans Board to the raising of a loan. The purchase price of the house was £1,220, and the Board desires authority to raise a special loan of £600 for the purpose of partially refunding its General Account in respect of this expenditure. The Local Government Loans Board has no power to sanction the raising of a special loan, and legislative provision will be required. This clause makes provision accordingly.

*Clause 34:* Validating certain water rates levied by Kamo Town Board.—In May 1946 the Kamo Town Board made and levied water rates in respect of all properties within the Kamo Town District based on the area of the properties and the use to which they were put. These rates were made and levied initially in respect of the period from 1 January 1947 to 31 March 1947, and they have since been made and levied annually in respect of the period from 1 April 1947 to 31 March 1953 by way of half-yearly charges payable on 15 May and 15 November in each year. These water rates have been made and levied contrary to the provisions of section 84 of the Municipal Corporations Act 1933, and the Board has acted without authority in doing so.

It is desired to validate the making and levying of the said rates, and to authorize the Board to sue for and recover such of the said rates as remain unpaid, notwithstanding the provisions of section 77 of the Rating Act 1925, which prevent judgment being given for the recovery of any such rates after three years from the time when they first become due.

This clause makes provision accordingly.

*Clause 35:* Provision with respect to certain streets in Town District of Johnsonville.—The status of certain streets in the Town District of Johnsonville has been in doubt for some time, and it is desired that they be declared to be streets as defined in section 174 of the Municipal Corporations Act 1933.

This clause provides accordingly.

#### *Harbour Board*

*Clause 36:* Section 7 of Waitara Harbour Act 1940 repealed.—This clause repeals section 7 of the Waitara Harbour Act 1940 which vests certain foreshore land in the New Plymouth Harbour Board with a right for the Waitara Borough Council to enter upon the land and remove stone, shingle, and gravel. This section is opposed to the provisions of the Harbours Act 1950 which require that sand and shingle are not to be removed from the foreshore or bed of a harbour without the consent of the Minister of Marine.

#### *Electric Power Board*

*Clause 37:* Authorizing raising of special loan by Banks Peninsula Electric Power Board.—Since 1947 the Banks Peninsula Electric Power Board has been negotiating the purchase of 2 acres of Maori land near its Little River substation, with the intention of erecting houses on the land for use by employees of the

Board. Because of the protracted nature of the negotiations and the uncertainty of their outcome, the Board did not apply to the Local Government Loans Board for sanction to the raising of a loan for the purchase of this land, and when the transaction was finally approved by the Maori Land Court the Board paid the cost of purchase, amounting to £305 12s. 9d., from its Power Fund Account. The Loans Board has no authority to sanction the raising of a special loan by the Board to recoup its Power Fund Account in respect of this expenditure, and special legislation is required for this purpose.

This clause provides accordingly.

#### *Drainage Board*

*Clause 38:* Provision with respect to levying of excess general rates by Mangapu Drainage Board.—Pursuant to section 50 of the Local Legislation Act 1936, as extended from time to time by provisions in subsequent Local Legislation Acts, the Mangapu Drainage Board has been given authority to levy its general rates on a basis in excess of the limitations laid down in the Land Drainage Act 1908. The last authority expired on 31 March 1950, but the Board continued to levy its general rates on the increased scale for the two years ended 31 March 1952. It is desired that this unauthorized levying of rates be validated. In addition, the Drainage Board desires authority to levy its general rates during the current and following financial years on a slightly higher basis. The additional revenue is needed for general maintenance and improvement work on drains and streams in the Board's area. It is proposed to make an equivalent reduction in the amount of special rates levied as a surplus has been built up from special rates collected over the last two years. This clause provides accordingly.

#### *Hospital Board*

*Clause 39:* Validating issue of certain debentures by Northland Hospital Board.—The Northland Hospital Board raised the Nurses' Home No. 2 Additional Loan 1946 pursuant to a bank undertaking issued in terms of section 49 of the Finance Act (No. 2) 1948. The first instalment of the loan was uplifted on 13 November 1950, and by virtue of subsection (2) of section 49 the full amount of the loan is deemed to have been raised on that date, and interest is payable from that date. The defect in the transaction was, however, that whereas the debentures should have dated from the date of the bank undertaking (11 October 1950), or, at the latest, from the date of the uplifting of the first instalment (13 November 1950), they dated from 1 January 1951, thus having the effect of extending the loan term beyond the period of twenty-five years authorized by the Order in Council.

This clause provides for the validation of the issue of these debentures.

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

*Clause 40:* Provision with respect to fire protection over portion of Waitemata County by North Shore Fire Board.—From 31 August 1952 the former North Shore United Urban Fire District was abolished, and on 1 September 1952 a new North Shore United Urban Fire District was constituted to include the previous district together with the East Coast Bays area of the Takapuna Riding of Waitemata County.

The former North Shore Fire Board provided fire protection over the East Coast Bays area from 1 April 1952 until the area was included in the new district, and incurred certain expenditure in doing so. The Waitemata County Council also incurred expenditure during this period in contributing to the former Board that proportion of the Board's expenditure which it would have been liable to contribute if it had been a contributory local authority during the period.

It is desirable to validate the action of the former Board in providing fire protection over the area during the period, and also to validate the expenditure incurred by the former Board and by the Council. It is also desirable to provide that the duties imposed on the present North Shore Fire Board by section 32 of the Fire Services Act 1949 in respect of fire protection in the newly constituted district shall be deemed to have been imposed on the Board as from 31 August 1952 instead of from 31 March 1953, as would otherwise be the case.

This clause makes provision accordingly.

*Clause 11:* Vesting certain land held by Masterton Trust Lands Trustees in Corporation of Borough of Masterton.—This clause provides for the vesting of certain lands comprising the Cameron and Soldiers' Memorial Park, at present vested in the Masterton Trust Lands Trustees, in the Corporation of the Borough of Masterton.

*Clause 12:* Provision with respect to Waitahuna War Memorial and Community Centre Hall.—It is desired that provision should be made with respect to the dissolution of the Waitahuna Athenaeum and the vesting of the real and personal property held by the Athenaeum Trustees in the Corporation of the County of Tuapeka.

The Athenaeum, being situated at a distance of over a mile from Waitahuna Township, has gradually fallen into disuse and is now in a bad state of repair. It is proposed that the Tuapeka County Council should undertake the future control and management of the Athenaeum property for the purpose of providing a public library and reading room in the war memorial community centre hall which is in course of erection at Waitahuna, and for the general purposes of the hall. In addition, the Havelock Commonage Trustees desire to make a donation of £500 towards the cost of erection of the hall.

This clause provides accordingly.

*Clause 13:* Authorizing Wellington Harbour Board to transfer certain land to Wellington City Council.—Under an agreement dated 28 May 1908, between the Wellington Harbour Board and the Wellington City Council, the Board agreed to transfer certain land in Customhouse Quay, Wellington, to the Council for the purposes of a public street. The agreement reserved to the Board certain rights, including access and egress over the land from the adjoining wharf, and provided that the transfer by the Board to the Corporation was to be subject to these rights. Although the land actually forms part of the carriage way of Customhouse Quay, no transfer to the Council has ever been executed. Doubts have arisen as to the power of the Board to transfer the land to the Council for street purposes, and the purpose of this clause is to confer the necessary power upon the Board.

*Miscellaneous*

*Clause 14:* Provision with respect to certain contract of Omarama Rabbit Board.—The Omarama Rabbit Board has entered into a contract for the purchase from the Chairman of the Board, Mr. B. N. Thomas, of a dwellinghouse for use by employees of the Board. By reason of the provisions of the Local Authorities (Members' Contracts) Act 1934 Mr. Thomas automatically becomes disqualified from office as a member of the Board, because the amount of the contract in question exceeds the limit of £250 imposed by the Act.

The Board has found considerable difficulty in arranging for houses to be erected for its employees in back country areas, and the house which has been purchased is in a very convenient location for the Board's operations. At the same time the Board does not wish disqualification to be imposed on Mr. Thomas.

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

*Clause 15:* Provision with respect to expenditure of moneys by Council of Auckland Institute and Museum in connection with centennial celebrations.—The limit of the unauthorized expenditure of the Council of the Auckland Institute and Museum in any year is fixed by section 3 of the Auckland War Memorial Museum Maintenance Amendment Act 1931, at the figure of £60, and this amount has been almost entirely expended by the Council for the current year. The Council now wishes to be granted authority to expend up to one hundred pounds on the centennial celebrations of the Auckland Museum, and this clause makes provision accordingly.

*Clause 16:* Authorizing Otekaieke Rabbit Board to raise a special loan for housing purposes.—The Otekaieke Rabbit Board purchased, with moneys from its General Account, a dwellinghouse for removal and re-erection in a part of its district where no other accommodation was available for its employees, and carried out renovations to the house. The Board also paid the cost of erection of a prefabricated house from its General Account. Accommodation was urgently required for the Board's employees, and this expenditure was incurred without obtaining the prior sanction of the Local Government Loans Board to the raising of a loan. As the Loans Board has no authority to sanction the raising of a special loan to recoup the Rabbit Board's General Account in respect of this expenditure, special legislative provision is required. This clause provides accordingly.

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Hon. Mr. Bodkin

LOCAL LEGISLATION

Title.	ANALYSIS
1. Short Title.	11. Authorizing remission of rates by Napier City Council.
<i>County Councils</i>	12. Authorizing diversion of certain loan moneys by Mount Maungauani Borough Council.
2. Authorizing Raglan County Council to levy excess separate rates in certain drainage districts.	13. Authorizing Dunedin City Renewal Fund Commissioners to make payments to Dunedin City Council for electricity purposes.
3. Authorizing Awatere County Council to make <i>ex gratia</i> payment in respect of a contract.	14. Provision with respect to expenditure of moneys by West Harbour Borough Council in connection with jubilee celebrations.
4. Provision with respect to overdraft of Chatham Islands County Council.	15. Provision with respect to charge for gas-meter rental by Waihi Borough Council.
5. Authorizing Tauranga County Council to raise a special loan for housing purposes.	16. Validating action of Corporation of Borough of Paeroa in entering into and executing a deed vesting an ambulance in the Corporation.
6. Authorizing Waipawa County Council to make <i>ex gratia</i> payment in respect of a contract to build bridge on Fernhill-Takapau road.	17. Authorizing Dunedin City Council to make <i>ex gratia</i> payment in respect of a contract.
7. Authorizing Waipawa County Council to make <i>ex gratia</i> payment in respect of a contract to build bridge on Waipukurau-Matamau road.	18. Validating certain expenditure incurred by Rotorua Borough Council.
8. Vesting certain land held by Hororata Hall Trustees in Corporation of County of Selwyn.	19. Extending purposes of Invercargill City Council Housing Loan 1950 of £17,500.
9. Authorizing Piako County Council to purchase land for quarry purposes.	20. Authorizing Wellington City Council to transfer moneys from Tramway and Power Supply Accident Fund Account to Tramway and Power Supply Renewal Fund Account.
<i>City and Borough Councils</i>	
10. Section 5 of Auckland City Empowering Act 1939 amended.	

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| <p>21. Authorizing Eltham Borough Council to raise a special loan for housing purposes.</p> <p>22. Authorizing raising of special loan by Waihi Borough Council.</p> <p>23. Validating certain expenditure incurred by Milton Borough Council.</p> <p>24. Authorizing Greymouth Borough Council to subdivide certain land for housing purposes.</p> <p>25. Vesting certain land in Corporation of Borough of Ellerslie as public street.</p> <p>26. Authorizing raising of special loan by Rangiora Borough Council.</p> <p>27. Provision with respect to maximum general rate in Borough of Thames.</p> <p>28. Authorizing Lower Hutt City Council to levy uniform annual charge instead of annual fee.</p> <p>29. Provision with respect to certain contract of Temuka Borough Council.</p> <p style="text-align: center;"><i>Town Boards</i></p> <p>30. Authorizing expenditure of certain moneys held in trust by Kohukohu Town Board.</p> <p>31. Authorizing Tawa Flat Town Board to raise a special loan for housing purposes.</p> <p>32. Validating agreement between Otorohanga Town Board and Levin Amusements, Ltd.</p> <p>33. Authorizing Wyndham Town Board to raise a special loan for housing purposes.</p> <p>34. Validating certain water rates levied by Kamo Town Board.</p> <p>35. Provision with respect to certain streets in Town District of Johnsonville.</p> <p style="text-align: center;"><i>Harbour Board</i></p> <p>36. Section 7 of Waitara Harbour Act 1940 repealed.</p> | <p style="text-align: center;"><i>Electric Power Board</i></p> <p>37. Authorizing raising of special loan by Banks Peninsula Electric Power Board.</p> <p style="text-align: center;"><i>Drainage Board</i></p> <p>38. Provision with respect to levying of excess general rates by Mangapu Drainage Board.</p> <p style="text-align: center;"><i>Hospital Board</i></p> <p>39. Validating issue of certain debentures by Northland Hospital Board.</p> <p style="text-align: center;"><i>Affecting Two or More Classes of Public Bodies.</i></p> <p>40. Provision with respect to fire protection over portion of Waitemata County by North Shore Fire Board.</p> <p>41. Vesting certain land held by Masterton Trust Lands Trustees in Corporation of Borough of Masterton.</p> <p>42. Provision with respect to Waitahuna War Memorial and Community Centre Hall. Repeal.</p> <p>43. Authorizing Wellington Harbour Board to transfer certain land to Wellington City Council.</p> <p style="text-align: center;"><i>Miscellaneous</i></p> <p>44. Provision with respect to certain contract of Omaruana Rabbit Board.</p> <p>45. Provision with respect to expenditure of moneys by Council of Auckland Institute and Museum in connection with centennial celebrations.</p> <p>46. Authorizing Otekaieke Rabbit Board to raise a special loan for housing purposes.</p> |
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## 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 5 of the same, as follows:—

Short Title. 1. This Act may be cited as the Local Legislation Act 1952.

*County Councils*

2. Whereas the Raglan County Council (in this section referred to as the Council) has, pursuant to section one hundred and sixty-eight of the Counties Act 1920, constituted the Ruawaro, Whangape, and Pukekapia Drainage Districts to be districts for the purpose of the construction and maintenance of drainage works therein: And whereas the Council desires to make and levy in the said districts rates for the construction and maintenance of necessary drainage works of a greater amount than the Council is authorized to make and levy: And whereas it is desirable to authorize the Council to make and levy rates in accordance with this section: Be it therefore enacted as follows:—
- 15 Notwithstanding anything to the contrary in any Act, the Council is hereby authorized to make and levy in the Ruawaro, Whangape, and Pukekapia Drainage Districts, for the years ending on the thirty-first day of March, nineteen hundred and fifty-three, the thirty-  
20 first day of March, nineteen hundred and fifty-four, and on the thirty-first day of March, nineteen hundred and fifty-five, separate rates, based on the unimproved value, on the lands classified in accordance with section one hundred and seventy-three of the Counties Act 1920, not exceeding the following amounts:—
- 25 (a) In the Ruawaro Drainage District: On the lands so classified as "A" lands, four shillings in the pound; on the lands so classified as "B" lands, two shillings and eightpence in the pound; and on the lands so  
30 classified as "C" lands, one shilling and fourpence in the pound:
- (b) In the Whangape Drainage District: On the  
35 lands so classified as "A" lands, one shilling and fourpence in the pound; on the lands so classified as "B" lands, eightpence in the pound; and on the lands so classified as "C" lands, fourpence in the pound:

Authorizing  
Raglan County  
Council to  
levy excess  
separate rates  
in certain  
drainage  
districts.

See Reprint  
of Statutes,  
Vol. V, p. 241

Ibid., p. 244



(c) In the Pukekapia Drainage District: On the lands so classified as "A" lands, three shillings and fourpence in the pound; on the lands so classified as "B" lands, one shilling and eightpence in the pound; and on the lands so classified as "C" lands, tenpence in the pound. 5

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

3. Whereas by an agreement dated the eighteenth day of December, nineteen hundred and fifty, made between T. H. Barnes and Company, Limited, of Blenheim, bridge builders (in this section referred to as the contractors), of the one part, and the Chairman, Councillors, and Inhabitants of the County of Awatere (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 a reinforced bridge on the Dashwood to Upeot Main Highway over the Altimarloch Stream: 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 a payment of one hundred and four pounds sixteen shillings and elevenpence to the contractors: Be it therefore enacted as follows:— 10 15 20 25

The Council is hereby empowered to pay the sum of one hundred and four pounds sixteen shillings and elevenpence to the contractors by way of compensation in respect of the loss incurred by the contractors. 25

Provision with  
respect to  
overdraft of  
Chatham  
Islands  
County Council.

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

4. Whereas the Chatham Islands 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 excess liabilities of the Council in terms of that Act as at the thirty-first day of March, nineteen hundred and fifty-two, amounted to approximately the sum of eight thousand pounds: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows:— 30 35 40

(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 Local Bodies' Finance Act 1921-22, 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-three:

Provided that the Council may in any year repay out of the said General Account an amount greater than a one-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 Local Bodies' Finance Act 1921-22.

5. Whereas the Tauranga County Council (in this section referred to as the Council), prior to the sanction of the Local Government Loans Board being given to the raising of a loan for housing purposes, expended out of its County Fund Account moneys amounting in the aggregate to the sum of five thousand eight hundred

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

pounds in the purchase of dwellinghouses for occupation by employees of the Council: 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 5 Account: And whereas it is desirable that authority be given for that purpose: Be it therefore enacted as follows:—

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

The Council is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' 10 Loans Act 1926 an amount not exceeding the sum of five thousand eight 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 dwellinghouses. 15

Authorizing  
Waipawa  
County Council  
to make  
*ex gratia*  
payment in  
respect of  
a contract  
to build bridge  
on Fernhill-  
Takapau road.

6. Whereas, by an agreement dated the eighth day of May, nineteen hundred and fifty, made between Hawke's Bay Asphalts, Limited, of Hastings, contractors (in this section referred to as the contractors), of the one part, and the Chairman, Councillors, and Inhabitants of the 20 County of Waipawa (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 a reinforced concrete bridge on a deviation of the Fernhill-Takapau via Maraekakaho Main Highway over the 25 Mangamauku Stream: And whereas, owing to circumstances beyond their control causing delay in the 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 30 desirous of making a payment not exceeding the sum of eight hundred and eighty-one pounds sixteen shillings and sixpence to the contractors: Be it therefore enacted as follows:—

The Council is hereby empowered to pay an amount 35 not exceeding the sum of eight hundred and eighty-one pounds sixteen shillings and sixpence to the contractors by way of compensation in respect of the loss incurred by the contractors.

7. Whereas, by an agreement dated the eleventh day of December, nineteen hundred and fifty, made between Hawke's Bay Asphalts, Limited, of Hastings, contractors (in this section referred to as the contractors), of the
- 5 one part, and the Chairman, Councillors, and Inhabitants of the County of Waipawa (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 a reinforced concrete bridge on the Waipukurau-
- 10 Matamau via Hatuna Main Highway: And whereas, owing to circumstances beyond their control causing delay in the completion of the works, increased costs were incurred by the contractors and the contractors suffered considerable loss: And whereas the Council,
- 15 in the circumstances, is desirous of making a payment not exceeding the sum of four hundred and twenty-four pounds five shillings and fourpence to the contractors: Be it therefore enacted as follows:—
- The Council is hereby empowered to pay an amount
- 20 not exceeding the sum of four hundred and twenty-four pounds five shillings and fourpence to the contractors by way of compensation in respect of the loss incurred by the contractors.
8. Whereas the land firstly and secondly described in
- 25 subsection *four* of this section (in this section referred to as the said land) is vested for an estate in fee simple in Godfrey Hall, Herbert Henry Thorne, Llewellyn Derrett, Terence Fielding Hight, and Roland William Oliver, all of Hororata, farmers: And whereas, by a
- 30 deed of conveyance bearing date the twenty-first day of January, eighteen hundred and ninety, Sir John Hall conveyed a certain parcel of land described in the said deed of conveyance, and containing one acre, more or less (in this section referred to as the land firstly
- 35 described), to certain trustees described in the said deed of conveyance: And whereas, by a deed of declaration of trust bearing date the twenty-first day of January, eighteen hundred and ninety, the said trustees declared that they stood possessed of the said land upon

Authorizing  
Waipawa  
County Council  
to make  
*ex gratia*  
payment in  
respect of  
a contract to  
build bridge on  
Waipukurau-  
Matamau road.

Vesting certain  
land held by  
Hororata Hall  
Trustees in  
Corporation  
of County  
of Selwyn.

trust for the erection thereof of a hall for the benefit of the residents of Hororata as defined in the said deed of declaration of trust and upon the further trusts therein contained: And whereas, by a deed of conveyance bearing date the twenty-seventh day of February, eighteen hundred and ninety-four, Sir John Hall conveyed a further parcel of land described in the said deed of conveyance, and containing eleven acres three roods and twenty-nine perches, more or less (in this section referred to as the land secondly described), to the said trustees upon the same trusts as those set out in the said deed of declaration of trust: And whereas a hall is erected on the land firstly described and it has been proposed by the residents of Hororata and surrounding districts that additions and improvements be effected to the said hall, and that the land firstly described with all buildings which may now or hereafter be erected thereon be established as a war memorial for Hororata and the surrounding districts: And whereas it is desirable that the land firstly described be vested in the Chairman, Councillors, and Inhabitants of the County of Selwyn (in this section referred to as the Corporation) in trust for a site for a war memorial under and subject to the provisions of the Public Reserves, Domains, and National Parks Act 1928: And whereas it is desirable that the land secondly described be vested in the Corporation as an endowment for the purposes of the said war memorial, but with power to lease, sell, or otherwise dispose of the whole or any part or parts thereof: And whereas in the said deed of declaration of trust the Hororata district is defined as an area lying within a radius of five miles of the said land, excepting therefrom all that portion of such area which is situated to the north of the Selwyn River, but the districts which have a community of interest with the Township of Hororata now extend beyond the radius of five miles prescribed in the said deed of declaration of trust and it is considered desirable that the benefits of the said proposed war memorial be made available to the

See Reprint  
of Statutes,  
Vol. VI, p. 1134

residents of all districts which have such a community of interest: And whereas the said Godfrey Hall, Terence Fielding Hight, and Roland William Oliver, as the surviving present trustees under the said deed of  
5 declaration of trust, have consented in writing to the cancellation of the trusts therein contained and to the vesting of the said land in the Corporation for the aforesaid purposes: And whereas the Corporation has  
10 consented under seal to the vesting of the said land in it for the aforesaid purposes: Be it therefore enacted as follows:—

(1) The vesting of the said land in Godfrey Hall, Herbert Henry Thorne, Llewellyn Derrett, Terence Fielding Hight, and Roland William Oliver, all of Horo-  
15 rata, farmers, for an estate in fee simple is hereby cancelled.

(2) All reservations, trusts, and restrictions heretofore affecting the said land are hereby cancelled, and the said land is hereby vested in the Corporation in  
20 accordance with the following provisions of this subsection:—

(a) As to the land firstly described, in trust as a reserve for a site for a war memorial under and subject to the provisions of the Public  
25 Reserves, Domains, and National Parks Act 1928:

(b) As to the land secondly described, as an endowment for the purposes of the said war memorial, but with power to lease, sell, or  
30 otherwise dispose of the whole or any part or parts thereof as the Corporation shall think fit, and to hold and administer the proceeds of any such leasing, sale, or other disposal for the purposes of the said war memorial.

(3) The District Land Registrar for the Land Registration District of Canterbury is hereby empowered and directed to make such entries in the register books and generally to do all such things as are necessary to  
35 give effect to the provisions of this section.

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

Firstly, all that area in the Canterbury Land District, Selwyn County, containing by admeasurement one acre, more or less, being part of Reserve 954, situated in Block XII of the Hororata Survey District, and being part of the land comprised and described in certificate of title, Volume 408, folio 230, Canterbury Registry (limited as to parcels), and bounded as follows: Commencing at the intersection of the western side of the Hororata-Coalgate Road with the northern side of Duncan's Road; thence in a westerly direction along the northern side of Duncan's Road for a distance of 252 links; thence northerly along a right line parallel to the Hororata-Coalgate Road for a distance of 400 links; thence easterly along a right line parallel to Duncan's Road for a distance of 252 links to the Hororata-Coalgate Road, and thence southerly along the western side of the last mentioned road to the point of commencement, be the aforesaid measurements a little more or less.

Secondly, all that area in the Canterbury Land District, Selwyn County, containing by admeasurement eleven acres three roods and twenty-nine perches, more or less, being part of Reserve 954, situated in Block XII of the Hororata Survey District, and being the whole of the land comprised and described in certificate of title, Volume 408, folio 230, Canterbury Registry (limited as to parcels), excepting therefrom the area firstly described.

Authorizing  
Piako County  
Council to  
purchase land  
for quarry  
purposes.

9. Whereas the Corporation of the Chairman, Councillors, and Inhabitants of the County of Piako is the registered proprietor of an estate in fee simple in certain land situated in the Tahuna Riding of the county containing five acres, more or less, used as a quarry: And whereas for the purpose of extensions to the said quarry it is expedient that the Council of the said

Corporation (in this section referred to as the Council) should be authorized to purchase the whole or part or parts of the land described in subsection *twelve* of this section adjoining the said quarry and at present used  
5 for farming purposes, and to retain such part or parts thereof as it thinks fit for quarry or any other purposes of the Council and to sell such part or parts thereof as are not required for those purposes: Be it therefore enacted as follows:—

10 (1) The Council may purchase at such price and upon such terms and conditions as it thinks fit the whole or any part or parts of the said land.

(2) The Council may sell any part or parts of the said land either together or in lots by public auction,  
15 public tender, or private contract, or partly by one and partly by another or others of those modes and subject to such conditions as to title, time, or mode of payment of purchase price, or otherwise, as the Council thinks fit, and with or without grants or reservations of rights  
20 of way, easements, and other rights and privileges of every description in relation to the land sold, or any land remaining unsold, on such terms and at such price as the Council thinks fit.

(3) Any such purchase or sale may include milking  
25 plant and hay and ensilage on or about the said land or any part or parts thereof, or, if the Council thinks fit, it may sell any such chattels separately, and the Council may sell any building or buildings on the said land separately for removal.

30 (4) For the purposes of this section, the Council may subdivide the said land, or any part or parts thereof, in such manner as it thinks fit, and may dedicate any part or parts of the said land as a public road or public roads, and construct a road or roads thereon.

35 (5) If any of the said land is not required for immediate use, the Council may let the same upon such terms as it may think fit for any period not exceeding twenty-one years.

(6) Pending any such sale or sales the Council may  
40 carry on farming operations on the said land or any part or parts thereof as if the same had been acquired as a model farm under the provisions of section two hundred of the Counties Act 1920.



(7) For the purpose of meeting the whole or any portion of the purchase price of all or any of the said land the Council may, if it so determines, expend any sum or sums of money from the County Fund Account.

(8) For the purpose of meeting the whole or any portion of the said purchase price or of refunding to the County Fund Account moneys expended thereout as aforesaid the Council may, if it so determines, borrow by way of overdraft in the manner prescribed by section three of the Local Bodies' Finance Act 1921-22 sums not exceeding in the aggregate fifteen thousand pounds.

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

(9) Moneys borrowed by way of overdraft under the authority of this section shall be repaid by seven equal annual instalments during a period of seven years commencing on the first day of April, nineteen hundred and fifty-three:

Provided that the Council may in any year repay an amount greater than a seventh part.

(10) Moneys borrowed from time to time under the authority of this section shall not be 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 the Local Bodies' Finance Act 1921-22.

(11) The Council may from time to time, if it thinks fit, apply surplus moneys available from quarrying operations in or towards repayment of any moneys borrowed by way of overdraft as aforesaid.

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

All that piece of land situated in Block IX, Waitoa Survey District, containing one hundred and twenty-five acres three roods and twenty-two perches, more or less, being—

- (a) Portions of Section 11, comprising the whole of the land described in certificate of title, Volume 851, folio 67, Auckland Registry:
- (b) Portion of Hoe-o-tainui A, No. 2, Block, comprising the whole of the land described in certificate of title, Volume 616, folio 97, Auckland Registry.

*City and Borough Councils*

10. Section five of the Auckland City Empowering Act 1939 is hereby amended by omitting from subsection one the words " Albert Park in the City of Auckland ", and substituting the words " the Auckland Domain ". Section 5 of Auckland City Empowering Act 1939 amended. 1939 (Local), No. 10

11. Whereas the Roman Catholic Archbishop of Wellington, a corporation sole (in this section referred to as the said Church), is the owner and occupier of the land described in subsection *two* of this section: And whereas the said Church acquired the said land by purchase from the Corporation of the Mayor, Councillors, and Citizens of the City of Napier for the purpose of using one acre thereof for the erection thereon of a church and two separate areas of four acres each for the erection thereon respectively of separate schools: And whereas upon the said buildings being completed the land will become non-rateable property under the Rating Act 1925: And whereas the Napier City Council (in this section referred to as the Council) is desirous of obtaining authority to remit rates levied and to be levied by the Council on the said land during the period commenced on the first day of April, nineteen hundred and fifty-two, and ending on the thirty-first day of March, nineteen hundred and fifty-three: And whereas the Council has no legal authority to make any such remissions: Be it therefore enacted as follows:—

(1) The Council is hereby authorized to remit any rates levied or to be levied by it in respect of the land to which this section relates for the period commenced on the first day of April, nineteen hundred and fifty-two, and ending on the thirty-first day of March, nineteen hundred and fifty-three, and to absolve the said Church and the land from liability in respect thereof.

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

All that parcel of land situate in the City of Napier containing by admeasurement nine acres, more or less, being Lot 1 on Deposited Plan Number 7623, which said parcel of land comprises part of the Ahuriri Lagoon, and being all the land comprised in certificate of title, Volume 122, folio 185, Hawke's Bay Registry.

Authorizing remission of rates by Napier City Council.

See Reprint of Statutes, Vol. VII, p. 977

Authorizing  
diversion of  
certain loan  
moneys by  
Mount  
Maunganui  
Borough  
Council.

12. Whereas the Mount Maunganui Borough Council (in this section referred to as the Council) was, by a poll of ratepayers taken on the twenty-ninth day of June, nineteen hundred and forty-nine, duly authorized to raise a loan of one thousand two hundred and fifty pounds for the purpose of acquiring a certain property within the Borough of Mount Maunganui upon which to erect municipal buildings: And whereas the Council has been unable to acquire the said property and is now desirous of applying moneys raised under the said loan towards the cost of erecting municipal buildings upon other land vested in the Council within the said borough: Be it therefore enacted as follows:—

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

(1) Notwithstanding anything to the contrary in the Local Bodies' Loans Act 1926, or in any other Act, or in any Order in Council relating to the said loan or in the voting paper used at the poll, the Council is hereby authorized, subject to the provisions of this section, to divert and apply the whole of the said sum of one thousand two hundred and fifty pounds towards the cost of erection by the Council of municipal buildings within the Borough of Mount Maunganui.

(2) No part of the said sum of one thousand two hundred and fifty pounds shall be expended or applied by the Council as hereinbefore provided unless and until authority in that behalf has been given by the Local Government Loans Board.

Ibid., p. 420

(3) The provisions of subsections two to seven of section forty-seven of the Finance Act 1929 shall apply to every application made by the Council for authority as aforesaid, and the Local Government Loans Board may, in its discretion, give any such authority, either as to the whole or any part of the proposal submitted to it, and either unconditionally or subject to such terms, conditions, and stipulations as it may think fit to impose.

Authorizing  
Dunedin City  
Renewal Fund  
Commissioners  
to make  
payments to  
Dunedin City  
Council for  
electricity  
purposes.  
1914 (Local),  
No. 5

13. (1) Notwithstanding anything in the Dunedin City Council Empowering Act 1914, or in any other Act, the Renewal Fund Commissioners appointed by the Dunedin City Council, pursuant to section five of the said Act, are hereby authorized to appropriate from time to time out of the funds held by them in respect of the municipal electrical undertaking, sums not

- exceeding in the aggregate two hundred and sixty-four thousand pounds, and to pay the said sums to the said Council as and when required for the purpose of financing the works set out in subsection *two* of this section.
- 5 (2) The works to which this section relates are particularly described as follows:—
- High tension lines, one hundred and ten thousand pounds.
- Rectifier substations, twenty-five thousand pounds.
- 10 Control gates, Mahinerangi Dam, nine thousand pounds.
- Water races, four thousand pounds.
- Switchgear, Neville Street, twenty-five thousand pounds.
- 15 Additional High tension lines, Waipori 3 and 4 stations to Berwick, thirty-two thousand pounds.
- Substation, Mosgiel, sixteen thousand five hundred pounds.
- 20 Transformers, Mosgiel, fifteen thousand pounds.
- Substation, Port Chalmers, twelve thousand five hundred pounds.
- Transformers, Port Chalmers, fifteen thousand pounds.
- 25 14. The West Harbour Borough 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 one hundred pounds for the purpose of celebrating and commemorating the seventy-fifth anniversary of the Borough of West Harbour, 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 West Harbour Borough Council in connection with jubilee celebrations.
- 30 15. Whereas the Waihi Borough Council (in this section referred to as the Council) on the fifth day of August, nineteen hundred and forty-nine, passed a resolution prescribing, amongst other things, the rent to be charged for gas meters used by consumers of gas supplied by the Council: And whereas section two hundred and seventy-six of the Municipal Corporations Act 1933 requires that any such rent shall be prescribed
- Provision with respect to charge for gas-meter rental by Waihi Borough Council.  
1933, No. 30
- 40

by by-laws made in that behalf: And whereas, since the making of the said resolution, the said rent has been charged for gas meters installed by the Council: And whereas it is desirable to validate the action of the Council in prescribing the said rent by resolution instead of by by-laws: Be it therefore enacted as follows:—

The action of the Council in prescribing the said rent by resolution is hereby validated, and the said rent shall be valid and effectual for all purposes as from the date on which the Council purported to prescribe the same.

Validating  
action of  
Corporation of  
Borough of  
Paeroa in  
entering into  
and executing a  
deed vesting an  
ambulance in  
the Corporation.

16. Whereas an unincorporated body known as the Paeroa and Districts Residents Ambulance Controlling Committee (in this section referred to as the Controlling Committee) has raised certain funds for the purchase of an ambulance: And whereas it is desirable that the ambulance, when purchased, should be vested in the Corporation of the Borough of Paeroa (in this section referred to as the Corporation): And whereas a deed, dated the eighteenth day of September, nineteen hundred and fifty-one, a copy of which is deposited in the Department of Internal Affairs, at Wellington, under Number I.A. 105/660, has been made between the Controlling Committee and the Corporation containing the terms and conditions upon which the Corporation is to hold the said ambulance: And whereas the Corporation has no legal authority to enter into the said deed and it is desirable that the said deed should be validated: Be it therefore enacted as follows:—

The said deed is hereby validated and the Controlling Committee and the Corporation shall be deemed to have been duly empowered to enter into and to execute the same.

Authorizing  
Dunedin City  
Council to  
make *ex gratia*  
payment in  
respect of a  
contract.

17. Whereas, by an agreement dated the third day of October, nineteen hundred and fifty, made between Thomas Pheloung, of Dunedin, contractor (in this section referred to as the contractor), of the one part, and the Mayor, Councillors, and Citizens of the City of Dunedin (in this section referred to as the Council), of the other part, the contractor agreed to cart pipes to, and construct the piping of portion of, the Silverstream water race for the Council: And whereas, in

consequence of an alteration mutually agreed upon in the date for the commencement of the said works, increased costs were incurred by the contractor and the contractor suffered considerable loss: And whereas the Council, in the circumstances, is desirous of making a payment of one thousand four hundred and fifty-eight pounds fourteen shillings and twopence to the contractor: Be it therefore enacted as follows:—

The Council is hereby empowered to pay the sum of one thousand four hundred and fifty-eight pounds fourteen shillings and twopence to the contractor by way of compensation in respect of the loss incurred by the contractor.

18. The expenditure by the Rotorua Borough Council of the sum of four hundred and twenty-seven pounds eighteen shillings and ninepence in connection with the reception and entertainment of delegates and other persons attending the annual meeting of the Municipal Association of New Zealand, Incorporated, held at Rotorua during the month of March, nineteen hundred and fifty-two, is hereby validated and declared to have been lawfully incurred.

Validating  
certain  
expenditure  
incurred by  
Rotorua  
Borough  
Council.

19. Whereas, by Order in Council made on the sixth day of September, nineteen hundred and fifty, consent was given to the raising by the Invercargill City Council (in this section referred to as the Council) of a loan of seventeen thousand five hundred pounds, to be known as the Housing Loan 1950 (in this section referred to as the loan), for the purpose of erecting houses for employees of the Council: And whereas the Council desires that the purposes to which the loan moneys may be applied should be extended so as to enable the Council to purchase houses or flats for the said employees, and to make advances to those employees to enable them to purchase or erect houses: Be it therefore enacted as follows:—

Extending  
purposes of  
Invercargill  
City Council  
Housing Loan  
1950 of  
£17,500.

The purposes for which moneys raised under the loan may be applied are hereby extended, as from the date of the said Order in Council, to include the purchase of houses or flats for employees of the Council, and the making of advances to any such employees towards the cost of the purchase or erection of their own houses.

Authorizing Wellington City Council to transfer moneys from Tramway and Power Supply Accident Fund Account to Tramway and Power Supply Renewal Fund Account.

**20.** The Wellington City Council is hereby authorized to transfer a sum not exceeding thirty-nine thousand pounds from its Tramway and Power Supply Accident Fund Account to its Tramway and Power Supply Renewal Fund Account.

5

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

**21.** Whereas the Eltham Borough Council (in this section referred to as the Council), prior to the sanction of the Local Government Loans Board being given to the raising of a loan for housing purposes, expended out of its District Fund Account the sum of two thousand three hundred pounds in the purchase and repair of two dwellinghouses for the use of certain employees of the Council: 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 of two thousand three hundred pounds to its District Fund Account: And whereas it is desirable that authority be given for that purpose: Be it therefore enacted as follows:—

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

The Council is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of two thousand three hundred pounds for the purpose of refunding to its District Fund Account all moneys applied by the Council as aforesaid in the purchase and repair of the said dwellinghouses.

25

Authorizing raising of special loan by Waihi Borough Council.

**22.** Whereas, as from the thirty-first day of July, nineteen hundred and fifty-two, the Waihi Borough Council (in this section referred to as the Council) terminated the manufacture and supply of gas: And whereas, as at the thirty-first day of August, nineteen hundred and fifty-two, there was a deficit in the Gas Supply Account of the Council amounting to the sum of eleven thousand four hundred and ninety-two pounds eight shillings and sixpence: And whereas the Council is desirous of making to certain of its former gas consumers some reimbursement in respect of expenses

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35

incurred by them by reason of the termination of the gas undertaking by the Council: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows:—

- 5 (1) The Council is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926, without obtaining the prior consent of the ratepayers of its district, the sum of ten thousand pounds for the purpose of partially refunding to its  
10 Gas Supply Account the excess expenditure incurred from that account.

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

- (2) The Council is hereby authorized to transfer the balances standing, as at the thirty-first day of March, nineteen hundred and fifty-three, at the credit of the  
15 General Account, the Library Account, the Street Lighting Account, and the Water Account to the Gas Supply Account to offset in part the deficit in the Gas Supply Account.

- (3) The Council is hereby empowered to pay from  
20 its Gas Supply Account to any person supplied by it with gas up to the time of the termination of the gas undertaking by the Council, and who is, in the opinion of the Council, in necessitous circumstances, such moneys as the Council in its discretion may determine, but not  
25 exceeding the sum of ten pounds in any individual case, nor exceeding in the aggregate the sum of five hundred pounds:

- Provided that any such payment by the Council may, at the discretion of the Council, be by way of *ex gratia*  
30 payment, or by way of loan on such conditions as to repayment as the Council may determine.

- (4) Any payment by the Council for the purposes referred to in subsection *three* of this section prior to the passing of this Act is hereby validated and declared  
35 to have been lawfully made.

- 23.** The expenditure by the Milton Borough Council during the financial year ending on the thirty-first day of March, nineteen hundred and fifty-three, of the sum of seventy-seven pounds seven shillings and sixpence in  
40 the purchase of a mayoral chain and badge of office is hereby validated and declared to have been lawfully incurred.

Validating  
certain  
expenditure  
incurred by  
Milton  
Borough  
Council.



Authorizing  
Greymouth  
Borough  
Council to  
subdivide  
certain land  
for housing  
purposes.  
1948, No. 60

**24.** (1) The Greymouth Borough Council (in this section referred to as the Council) is hereby authorized to exercise the powers contained in sections fourteen to sixteen of the Municipal Corporations Amendment Act 1948 in respect of the land described in subsection *two* 5 of this section, notwithstanding that the said land is held by the Council upon trust for a particular purpose other than housing.

(2) The land to which this section relates is more particularly described as follows:— 10

All that parcel of land, situated in the Borough of Greymouth, containing by admeasurement four acres, more or less, being Reserve 197, Town of Greymouth, and being the whole of the land comprised and described in certificate of title, Volume 22, folio 293, Westland 15 Registry.

Vesting  
certain  
land in  
Corporation  
of Borough  
of Ellerslie as  
public street.

**25.** Whereas the land described in subsection *three* of this section (in this section referred to as the said land) is situate in the Borough of Ellerslie and is vested in Robert Graham, deceased, for an estate in fee simple: 20 And whereas, on a plan deposited by the said Robert Graham in the Land Registry Office at Auckland under Number 294, the said land was shown thereon coloured burnt sienna similarly to the lands shown on the said plan later dedicated as roads: And whereas the said 25 land was not included in the roads proclaimed by Proclamation Number 1293b, and no subsequent instrument of dedication or Proclamation has been registered in respect of the said land and there is doubt as to whether the said land is either a road within the meaning of the 30 Public Works Act 1928 or a street within the meaning of the Municipal Corporations Act 1933: And whereas the said land has for many years been used by the public as a street: And whereas the records of public expenditure on the said land by the County Council having 35 jurisdiction thereover prior to the incorporation of the Ellerslie Town Board are not available: And whereas there is no record of public moneys having been expended on the said land by either the Ellerslie Town Board or the Ellerslie Borough Council (in this section referred to 40 as the Council) as successor to the said Town Board: And whereas the said land is either a private street or a street within the meaning of the Municipal Corporations Act 1933, or a road within the meaning of the Public Works Act 1928: And whereas the Council is 45

See Reprint  
of Statutes,  
Vol. VII, p. 622  
1933, No. 30

desirous that the said land be proclaimed as a street and be vested in the Corporation of the Borough of Ellerslie (in this section referred to as the Corporation), but does not wish to require any person to form and  
 5 construct the same: Be it therefore enacted as follows:

(1) The said land is hereby vested in the Corporation for an estate in fee simple as a street.

(2) Notwithstanding the lack of evidence of dedication of the said land, the District Land Registrar for  
 10 the Land Registration District of Auckland is hereby authorized and directed to make such entries in the Register Books and outstanding duplicates of title, to issue such certificates or documents, and generally to do all such things as are necessary to give effect to the  
 15 provisions of this section.

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

All that parcel of land, situated in the Borough of Ellerslie, containing by admeasurement sixteen perches  
 20 and ten hundredths of a perch, more or less, bounded towards the north-east by Tecoma Street, 30.3 links, towards the south-east by Lots 546 and 559 on Deposited Plan Number 294, 342.04 links, towards the south-west by Hurst Street, 35.2 links, and towards the north-west  
 25 by Lot 7 and part of Lot 8 on Deposited Plan Number 9647, 324.1 links, which said piece of land is part of the land coloured burnt sienna on the plan deposited as aforesaid under Number 294, and comprised and described in certificate of title, Volume 28, folio 183,  
 30 Auckland Registry.

**26.** Whereas the Rangiora Borough Council (in this section referred to as the Council), prior to the sanction of the Local Government Loans Board being given to the raising of a loan pursuant to section thirty-two of the  
 35 Finance Act 1927 (No. 2) as extended by section twenty-six of the Finance Act 1946 for the purpose of electric reticulation, expended out of its Electric Receipts and Payments Account moneys amounting in the aggregate to the sum of four thousand nine hundred and thirty pounds  
 40 three shillings and one penny in the purchase of electrical equipment: 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

Authorizing raising of special loan by Rangiora Borough Council.

See Reprint of Statutes, Vol. V, p. 161 1946, No. 16

for which the said sum has been expended: And whereas it is desirable to authorize the Council to raise a special loan not exceeding the sum of four thousand nine hundred and thirty pounds for the purpose of recouping its Electric Receipts and Payments Account in respect of portion of the moneys advanced thereout as aforesaid: Be it therefore enacted as follows:--

See Reprint  
of Statutes,  
Vol. V, p. 161  
1946, No. 16

The Council is hereby authorized and empowered to borrow by way of special loan pursuant to section thirty-two of the Finance Act 1927 (No. 2) as extended by section twenty-six of the Finance Act 1946, an amount not exceeding the sum of four thousand nine hundred and thirty pounds for the purpose of refunding to its Electric Receipts and Payments Account portion of the moneys advanced thereout in the purchase of the said electrical equipment.

Provision  
with respect  
to maximum  
general rate  
in Borough  
of Thames,  
1934 (Local),  
No. 10

**27.** Whereas by the Thames Borough Commissioner Amendment Act 1934 the Thames Borough Council (in this section referred to as the Council) is required to make and levy its rates on the values set forth in the special valuation roll prepared under that Act: And whereas the capital and unimproved values set forth in the said special valuation roll are the values appearing in the ordinary valuation roll on the thirty-first day of July, nineteen hundred and thirty-one: And whereas by section twenty of the Local Legislation Act 1947 the said special valuation roll prepared pursuant to the Thames Borough Commissioner Amendment Act 1934 was deemed to continue to be operative until the thirty-first day of March next following the date of the first revision of the ordinary valuation roll for the Borough of Thames (in this section referred to as the borough) made after the thirty-first day of March, nineteen hundred and forty-seven: And whereas, pending that revision, the Council is experiencing difficulty in financing the activities of the borough from the maximum general rate of twopence halfpenny in the pound upon the capital value of all rateable property within the borough authorized by section seventy-seven of the Municipal Corporations Act 1933: Be it therefore enacted as follows:--

1947, No. 56

1933, No. 30

Notwithstanding anything contained in the Municipal Corporations Act 1933 or in any other Act, the Council is hereby authorized, from time to time as it thinks fit,

to make and levy a general rate not exceeding in any one year fourpence in the pound upon the capital value of all rateable property within the borough until the thirty-first day of March next following the date of the first revision of the ordinary valuation roll for the borough made after the passing of this section.

**28.** Whereas by section eight of the Lower Hutt City Empowering (Community Centres) Act 1949 (in this section referred to as the said Act) the Lower Hutt City Council (in this section referred to as the Council), for the purpose of providing the estimated amount of any loan charges and of any construction, maintenance, equipment, and administration costs of any community centre established under the said Act, is empowered to levy a uniform annual fee to be paid by the occupier, as defined by the Municipal Corporations Act 1933, of each dwelling unit situated within the community centre district: And whereas it is expedient to authorize the Council instead of levying such a fee to levy a uniform annual charge for the same purpose: Be it therefore enacted as follows:--

(1) Notwithstanding anything in section eight of the said Act, in any case where a uniform annual fee may be levied pursuant to that section to be paid by the occupier, as defined by the Municipal Corporations Act 1933, of any dwelling unit erected on land which is rateable property, the Council may, instead of levying that uniform annual fee, levy a uniform annual charge upon any such rateable property and the uniform annual charge shall for all purposes be deemed to be a special rate.

Provided that nothing in this section shall authorize the Council to levy in any year a uniform annual charge which exceeds the uniform annual fee which is or may be levied in that year on any dwelling unit pursuant to the said section eight.

(2) A community centre district constituted under the said Act shall, for the purposes of the Local Bodies' Loans Act 1926, be deemed to be a defined part of the City of Lower Hutt.

(3) This section shall continue in force until the thirty-first day of March, nineteen hundred and fifty-four.

Authorizing  
Lower Hutt  
City Council  
to levy  
uniform  
annual charge  
instead of  
annual fee.  
1949 (Local),  
No. 13

1933, No. 30

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

Provision with respect to certain contract of Temuka Borough Council.  
1934, No. 17

29. Notwithstanding anything to the contrary in any Act or rule of law, nothing in the Local Authorities (Members' Contracts) Act 1934 shall be deemed to apply or to have applied to a contract made before the passing of this Act between the Temuka Borough Council and Reuben Young Thomson, of Temuka, Builder, for the supply of materials used in the renovation of the Temuka Drill Hall at a cost of two hundred and sixty-seven pounds five shillings and one penny. 5

#### Town Boards

Authorizing expenditure of certain moneys held in trust by Kohukohu Town Board.

30. Whereas the Kohukohu Town Board (in this section referred to as the Board) holds certain moneys amounting to fifty-eight pounds in trust for the purposes of a brass band: And whereas the said moneys cannot now be applied to the purposes for which they were received: And whereas it is desirable that the Board should be authorized to expend the said moneys for purposes other than those for which the said moneys are held in trust: Be it therefore enacted as follows:— 10 15

The existing trust for which the said moneys are held by the Board is hereby discharged and the Board is authorized to expend the said moneys for the purposes of the repair and maintenance of the Kohukohu town hall and of the piano and furniture contained in the said hall. 20 25

Authorizing Tawa Flat Town Board to raise a special loan for housing purposes.

31. Whereas the Tawa Flat Town Board (in this section referred to as the Board), prior to the sanction of the Local Government Loans Board being given to the raising of a loan for housing purposes, expended out of its General Account moneys amounting in the aggregate to the sum of three thousand three hundred and twenty pounds in the purchase of a dwellinghouse for occupation by an employee of the Board: And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Board to refund the said sum to its General Account: And whereas it is desirable that authority be given for that purpose: Be it therefore enacted as follows:— 30 35

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

The Board is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of three thousand three hundred and twenty pounds for the purpose of refunding to its General Account all moneys applied by the Board as aforesaid in the purchase of the said dwellinghouse. 40 45

**32.** Whereas by section twenty of the Local Legislation Act 1942 the execution by the Otorohanga Town Board (in this section referred to as the Board) of a deed of arrangement dated the fifth day of November, 5 nineteen hundred and forty with Levin Amusements, Limited (in this section referred to as the company), was duly validated: And whereas the said deed provided for the amalgamation of the motion picture exhibition 10 of Otorohanga with a similar business conducted in the said town district by the company: And whereas the said deed expired on the first day of October, nineteen hundred and fifty, and the Board entered into a further deed of arrangement with the company dated the 15 twenty-fifth day of March, nineteen hundred and fifty-two: And whereas doubts have arisen as to the competence of the Board under existing statutory or other powers to enter into, become party to, and be bound by that further deed: Be it therefore enacted as 20 follows:—

Validating agreement between Otorohanga Town Board and Levin Amusements, Ltd.  
1942, No. 17

All parties to the said deed of arrangement dated the twenty-fifth day of March, nineteen hundred and fifty-two, shall be deemed to have and to have had full power and authority to enter into, become party to, and 25 be bound by the said deed, and the said deed shall accordingly bind all parties thereto and take effect according to its tenor.

**33.** Whereas the Wyndham Town Board (in this section referred to as the Board), prior to the sanction 30 of the Local Government Loans Board being given to the raising of a loan for housing purposes, expended out of its General Account the sum of one thousand two hundred and twenty pounds in the purchase of a dwelling for occupation by the sanitary contractor of the Board: 35 And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Board to refund moneys so expended to its General Account: And whereas it is desirable that authority be given for that purpose: Be 40 it therefore enacted as follows:—

Authorizing Wyndham Town Board to raise a special loan for housing purposes.

The Board is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of six

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

hundred pounds for the purpose of refunding to its General Account part of the moneys applied by the Board as aforesaid in the purchase of the said dwelling.

Validating  
certain water  
rates levied  
by Kamo  
Town Board.

**34.** Whereas on the thirty-first day of May, nineteen hundred and forty-six, the Kamo Town Board (in this section referred to as the Board) purported to make and levy in respect of all properties within the Kamo Town District water rates by way of a charge based on the area of the said properties and on the use to which they were put: And whereas the Board has purported to make and levy the said rates by way of a proportionate charge in respect of the period which commenced on the first day of January, nineteen hundred and forty-seven, and ended on the thirty-first day of March, nineteen hundred and forty-seven, and has also purported to make and levy the said rates in respect of each of the six annual periods commencing on the first day of April, nineteen hundred and forty-seven, and ending on the thirty-first day of March, nineteen hundred and fifty-three, by way of half-yearly charges payable on the fifteenth day of May and on the fifteenth day of November in each year: And whereas the making and levying of the said rates was contrary to the provisions of section eighty-four of the Municipal Corporations Act 1933, and the Board had no authority to make and levy the said rates: And whereas it is desirable to make provision as hereinafter appearing: Be it therefore enacted as follows:—

1933, No. 30

(1) The said rates purported to be made and levied by the Board are hereby validated and declared to have been lawfully made and levied and shall be valid and effectual for all purposes in respect of the periods as aforesaid.

See Reprint  
of Statutes,  
Vol. VII, p. 977

(2) Notwithstanding anything contained in the Rating Act 1925 or in any other Act, the Board may sue for and recover such of the said rates as remain unpaid.

Provision with  
respect to  
certain streets  
in Town  
District of  
Johnsonville.  
1933, No. 30

**35.** Whereas doubt exists as to whether certain streets in the Town District of Johnsonville are streets within the meaning of section one hundred and seventy-four of the Municipal Corporations Act 1933: And whereas it is desirable that those streets be declared to be streets within the meaning of that section: Be it therefore enacted as follows:—

(1) The streets referred to in subsection *two* of this section are hereby declared to be and the same are streets as defined in section one hundred and seventy-four of the Municipal Corporations Act 1933.

- 5 (2) The streets referred to in this section, and more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Wellington, as Number 22757, and thereon coloured blue, are as follows:—
- 10 Woodland Road;  
Prospect Terrace;  
Brook Street;  
Dr. Taylor Terrace;  
Ballance Street;  
Trafalgar Street;
- 15 Wallace Street;  
Railway Terrace from Prospect Terrace to Main Road;  
Brandon Street from Dr. Taylor Terrace to Main Road;
- 20 Earp Street from Railway Terrace to Woodland Road;  
Haunia Street from Fraser Avenue westward to the eastern boundary of the Railway Reserve;  
and
- 25 Burgess Road from Main Road to a point 130 links east of the south-eastern corner of Lot 45 on Deposited Plan Number 920.

#### *Harbour Board*

- 30 36. (1) Section seven of the Waitara Harbour Act 1940 is hereby repealed and the lands thereby vested in the New Plymouth Harbour Board are hereby declared to be reverted to Her Majesty the Queen.
- (2) The District Land Registrar of the Land Registration District of Taranaki is hereby authorized and
- 35 directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.

Section 7 of  
Waitara  
Harbour Act  
1940 repealed.  
1940 (Local),  
No. 6

#### *Electric Power Board*

- 40 37. Whereas the Banks Peninsula Electric Power Board (in this section referred to as the Board), prior to the sanction of the Local Government Loans Board being given to the raising of a loan for housing purposes, expended out of its Power Fund Account the sum of

Authorizing  
raising of  
special loan  
by Banks  
Peninsula  
Electric  
Power Board.



three hundred and five pounds twelve shillings and ninepence in the purchase of the land described in subsection *two* of this section: 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 been expended: And whereas it is desirable to authorize the Board to raise a special loan not exceeding the sum of three hundred pounds for the purpose of recouping its Power Fund Account in respect of portion of the moneys advanced thereout as aforesaid: Be it therefore enacted as follows:—

See Reprint  
of Statutes  
Vol. V, p. 360

(1) The Board is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of three hundred pounds for the purpose of refunding to its Power Fund Account portion of the moneys advanced thereout in the purchase of the said land.

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

All that parcel of land in the Canterbury Land District, situated in Block XII, Pigeon Bay Survey District, containing by admeasurement two acres, more or less, being Section 2A, Block IV, Wairewa, being part of Maori Reserve Number 887, and being the whole of the land comprised and described in certificate of title, Volume 551, folio 82, Canterbury Registry.

#### *Drainage Board*

Provision with  
respect to  
levying of  
excess general  
rates by  
Mangapu  
Drainage  
Board.

1936, No. 54

1937, No. 25

1939, No. 25

1942, No. 17

1947, No. 56

See Reprint  
of Statutes,  
Vol. IV, p. 466

**38.** Whereas by section fifty of the Local Legislation Act 1936, as extended by section forty-two of the Local Legislation Act 1937, section forty-one of the Local Legislation Act 1939, section twenty-eight of the Local Legislation Act 1942, and section twenty-nine of the Local Legislation Act 1947, the Mangapu Drainage Board (in this section referred to as the Board) was authorized to make and levy for certain years as set out in those sections, a general rate, not exceeding threepence in the pound, on lands classified in accordance with section thirty-three of the Land Drainage Act 1908 as "A" lands; a general rate, not exceeding twopence in the pound, on lands so classified as "B" lands; and a general rate, not exceeding one penny in the pound,

on lands so classified as " C " lands: And whereas the Board continued to levy rates on that basis for the years ended on the thirty-first day of March, nineteen hundred and fifty-one, and the thirty-first day of March, 5 nineteen hundred and fifty-two, without authority: And whereas the Board desires to make and levy for the years ending on the thirty-first day of March, nineteen hundred and fifty-three, and the thirty-first day of March, nineteen hundred and fifty-four, a general rate, 10 not exceeding fourpence in the pound, on lands so classified as " A " lands; a general rate, not exceeding threepence in the pound, on lands so classified as " B " lands; and a general rate, not exceeding twopence in the pound, on lands so classified as " C " lands: And 15 whereas it is expedient that the unauthorized levying of the rates on the first-mentioned basis should be validated and that the Board should be empowered to levy general rates on the second-mentioned basis as aforesaid: Be it therefore enacted as follows:—

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

25 (2) The Board is hereby authorized and deemed to have been authorized to make and levy for the years ending on the thirty-first day of March, nineteen hundred and fifty-three, and the thirty-first day of March, nineteen hundred and fifty-four, a general rate, 30 not exceeding fourpence in the pound, on lands classified in accordance with section thirty-three of the Land Drainage Act 1908 as " A " lands; a general rate, not exceeding threepence in the pound, on lands so classified as " B " lands; and a general rate, not exceeding two- 35 pence in the pound, on lands so classified as " C " lands.

#### *Hospital Board*

39. Whereas, by Order in Council made on the thirteenth day of November, nineteen hundred and forty-six, consent was given to the raising by the 40 Whangarei Hospital Board of a loan of sixteen thousand pounds, to be known as the Nurses' Home No. 2 Additional Loan 1946 (in this section referred to as the loan), subject to the terms and conditions specified in

Validating  
issue of certain  
debentures by  
Northland  
Hospital Board.

the said Order in Council: And whereas certain of the said terms and conditions were that no moneys should be borrowed after the expiration of two years from the date of the said Order in Council, and that the term for which the loan or any part thereof might be raised 5 should be twenty-five years: And whereas, by Order in Council made on the third day of November, nineteen hundred and forty-eight, the time within which the loan was authorized to be raised was extended for a further period of two years: And whereas the Northland 10 Hospital Board (in this section referred to as the Board), as successor to the Whangarei Hospital Board, raised the loan on the thirteenth day of November, nineteen hundred and fifty: And whereas the debentures issued in respect of the loan provided for its repayment 15 over a term of twenty-five years commencing from the first day of January, nineteen hundred and fifty-one: Be it therefore enacted as follows:—

The debentures issued by the Board in respect of the loan shall be deemed to have been lawfully executed 20 and issued and shall have full force and effect according to their tenor.

*Affecting Two or More Classes of Public Bodies*

Provision with respect to fire protection over portion of Waitemata County by North Shore Fire Board.

40. Whereas, by Order in Council made on the twenty-seventh day of August, nineteen hundred and 25 fifty-two, the North Shore United Urban Fire District was abolished from the thirty-first day of August, nineteen hundred and fifty-two: And whereas, by the said Order in Council, a new North Shore United Urban Fire District was constituted on the first day of September, 30 nineteen hundred and fifty-two, which included the previous district, together with an area being portion of the Takapuna Riding of the County of Waitemata known as the East Coast Bays area (in this section referred to as the said area): And whereas the North Shore Fire 35 Board (in this section referred to as the former Board) incurred certain expenditure in providing fire protection over the said area during the period from the first day of April, nineteen hundred and fifty-two, until the thirty-first day of August, nineteen hundred and fifty-two (in 40 this section referred to as the said period): And whereas the former Board, in providing fire protection over the

said area for the said period, acted as if that area were part of the district of the former Board: And whereas the Waitemata County Council (in this section referred to as the Council) contributed to the former Board  
5 during the said period that proportion of the Board's expenditure which the Council would have been liable to contribute as a contributory local authority: And whereas section thirty-two of the Fire Services Act 1949 provides that the duties imposed on an urban fire  
10 authority by that section shall be imposed on a newly constituted authority as from the thirty-first day of March next following the date on which that authority comes into existence: And whereas it is desirable to validate the said expenditure incurred by the former  
15 Board and the Council, to validate the said action of the former Board, and to provide that the duties imposed on the present North Shore Fire Board in respect of the newly constituted fire district by section thirty-two of the Fire Services Act 1949 shall be deemed to have been  
20 imposed as from the thirty-first day of August, nineteen hundred and fifty-two: Be it therefore enacted as follows:—

(1) The expenditure incurred by the former Board in providing fire protection over the said area during  
25 the said period is hereby validated and declared to have been lawfully incurred.

(2) The action of the former Board in providing fire protection over the said area for the said period is hereby validated and declared to have been as lawfully  
30 done as if the said area for the said period had formed part of the district of the former Board.

(3) The expenditure incurred by the Council in contributing to the former Board during the said period that proportion of the Board's expenditure which the Council  
35 would have been liable to contribute as a contributory local authority is hereby validated and declared to have been lawfully incurred:

(4) The duties imposed on the present North Shore Fire Board in respect of the newly constituted fire  
40 district by section thirty-two of the Fire Services Act 1949 shall be deemed to have been imposed as from the thirty-first day of August, nineteen hundred and fifty-two.

Vesting certain  
land held by  
Masterton  
Trust Lands  
Trustees in  
Corporation  
of Borough of  
Masterton.  
1950 (Local),  
No. 5

**41.** Whereas, by sections fifteen and twenty-eight of the Masterton Trust Lands Act 1950, the land described in subsection *two* of this section was vested in the Masterton Trust Lands Trustees (in this section referred to as the Trust Board) to be held by the Trust Board upon and subject to the terms of and the trusts declared in a certain declaration of trust under the seal of the Trust Board and bearing date the twentieth day of December, nineteen hundred and twenty-six, but with the reservation that, notwithstanding anything to the contrary in the said declaration of trust, the Trust Board should have power from time to time to grant leases and tenancies of the said land, or of any part or parts thereof, in favour of any lessee or lessees, tenant or tenants, authorized by the said declaration of trust, but without the Trust Board being required to impose any condition or make any stipulation whatsoever as to the disposal or application by any such lessee or tenant of any revenue or moneys derived by the lessee or tenant from the use of any property included in the lease or tenancy granted to the lessee or tenant: And whereas it is desirable that the said land and all funds in the hands of the Trust Board by virtue of the trusts aforesaid should cease to vest in the Trust Board and should be vested in the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Masterton in trust, upon and subject to all the trusts, restrictions, and reservations heretofore affecting the same:

Be it therefore enacted as follows:—

(1) The land described in subsection *two* of this section and all funds in the hands of the Trust Board by virtue of the said trusts are hereby vested in the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Masterton upon and subject to the terms of and the trusts declared in the said declaration of trust with the reservation hereinbefore recited, and the vesting thereof in the Trust Board is hereby revoked.

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

All that area of land in the Borough of Masterton, containing by admeasurement fourteen acres two roods twenty-eight perches and five-tenths of a perch, more or less, being those parts of Sections 2 and 3 of the Masterton Small Farm Settlement which are coloured

green in outline on Deposited Plan No. 6253, and being all the land comprised and described in certificate of title, Volume 304, folio 128, Wellington Registry.

(3) The District Land Registrar for the Wellington Land Registration District is hereby authorized and directed to make such entries in the register books, to issue such certificates of title, and to do all such other things as may be necessary to give effect to the provisions of this section.

10 (4) Section twenty-eight of the Masterton Trust Lands Act 1950, and the Third Schedule to that Act, are hereby repealed. Repeal.

(5) Section fifteen of the Masterton Trust Lands Act 1950 is hereby amended by omitting the words " First, Second, and Third Schedules ", and substituting the words " First and Second Schedules ".

15 **42.** Whereas the trustees of the Waitahuna Athenaeum were incorporated by the Waitahuna Athenaeum Act 1876: And whereas the land described in subsection *eleven* of this section is held by the trustees in trust as an endowment for the said Athenaeum by virtue of the provisions of the said Act: And whereas the said Athenaeum, by reason of its bad state of repair and distance from Waitahuna, is no longer suitable for use as an Athenaeum: And whereas a war memorial and community centre hall (in this section referred to as the hall), the site of which is vested in the Corporation of the County of Tuapeka (in this section referred to as the Corporation), is in course of erection at Waitahuna: And whereas the Corporation has agreed to undertake the future control and management of the property of the said Athenaeum, firstly, for the purposes of a public library and reading room in the hall, and secondly, for the general purposes of the hall: And whereas the Havelock Commonage Trustees desire to make a donation of the sum of five hundred pounds towards the cost of erection of the hall: And whereas it is desirable and expedient to make provision accordingly: Be it therefore enacted as follows:—

Provision with respect to Waitahuna War Memorial and Community Centre Hall. 1876, No. 83

20  
25  
30  
35  
40 (1) The land described in subsection *eleven* of this section is hereby vested in the Corporation for an estate in fee simple as an endowment, subject to all existing leases and tenancies affecting the said land.

(2) The Corporation is hereby empowered to lease the said land for any term not exceeding twenty-one years at such rents and under and subject to such conditions as the Corporation may determine.

(3) The Corporation is hereby empowered to sell the said land, or any portion of it, in such manner and on such conditions as the Corporation thinks fit. 5

(4) The proceeds derived by the Corporation from the sale or letting of the said land shall be applied by the Corporation, firstly, towards the equipment and maintenance of a public library and reading room in the hall, and secondly, towards the general purposes of the hall: 10

Provided that if in the opinion of the Corporation any part of the said proceeds are not required for the aforesaid purposes, they may be applied towards such other purposes of direct public benefit as the Corporation may determine. 15

(5) All personal property of whatsoever nature, including all choses in action and the benefit of all contracts and agreements and all rights and powers exercisable thereunder or pertaining thereto belonging to the trustees, is hereby vested in the Corporation freed from all trusts and reservations heretofore affecting the same, and all debts and other liabilities lawfully incurred by the trustees and existing on the passing of this section shall hereafter be debts and liabilities of the Corporation, and the Corporation is hereby authorized and empowered to meet the said debts and liabilities out of the County Fund Account. 20 25 30

(6) The Corporation is hereby empowered to sell, in such manner and subject to such terms and conditions as it shall think fit, such part of the said personal property as shall not be of use in the hall, and to use the net proceeds of any such sale or sales, and any moneys vested in the Corporation by subsection *five* of this section, in part payment of the cost of erection of the hall and the furnishing and equipment of the public library and reading room therein. 35

(7) A receipt under the hand of the County Clerk of the County of Tuapeka for the personal property and moneys held by the trustees shall be sufficient discharge from all liability for the said personal property and moneys and shall indemnify the trustees from any action at law. 40 45

(8) The District Land Registrar for the Land Registration District of Otago is hereby authorized and empowered to register such documents, make such entries in the register books, and to do all such things as may be necessary to give effect to the provisions of this section.

(9) The Waitahuna Athenaeum Act 1876 is hereby repealed, and the said Athenaeum and body corporate are hereby dissolved. Repeal.

(10) The Havelock Commonage Trustees are hereby authorized and empowered to make a donation of the sum of five hundred pounds towards the cost of erection of the hall.

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

All those areas in the Otago Land District, and situated in the Tuapeka County, containing together by admeasurement five hundred acres, more or less, being Sections 4, 16, 17, and 18, Block VII, Waitahuna West Survey District, and being the whole of the land comprised and described in certificate of title, Volume 63, folio 161, Otago Registry.

43. Whereas, by an agreement dated the twentieth day of May, nineteen hundred and eight, made between the Wellington Harbour Board (in this section referred to as the Board), of the one part, and the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the Corporation), of the other part, provision is made for the Board to transfer to the Corporation the land described in subsection *three* of this section to form part of a public street in the City of Wellington: And whereas the said land adjoins on its seaward side the wharves, stores, buildings, and other premises of the Board, and the said agreement reserves and grants to the Board certain rights of access to and egress from the premises of the Board across the said land upon and after its transfer to the Corporation, and also provides that the Corporation will accept and carry out certain maintenance, lighting, and other duties and obligations in respect of the said land upon and after the transfer: And whereas doubts have arisen as to the authority of the Board to

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



transfer the said land to the Corporation, and of the Board and the Corporation to enter into the said agreement, and it is desirable to grant that authority: Be it therefore enacted as follows:—

(1) The Board is hereby authorized and empowered to transfer the said land to the Corporation to form part of a public street. 5

(2) The Board and the Corporation are hereby deemed to have had authority to enter into the said agreement, and the said land, when transferred to the Corporation, shall be and remain subject to the provisions of the said agreement. 10

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

All that parcel of land, situated in the City of Wellington, containing by admeasurement thirty-two perches and eight-tenths of a perch, more or less, and being the whole of the land comprised and described in certificate of title, Volume 151, folio 53, Wellington Registry. 15  
20

#### *Miscellaneous*

Provision with respect to certain contract of Omarama Rabbit Board. 1934, No. 17

**44.** Notwithstanding anything to the contrary in any Act or rule of law, nothing in the Local Authorities (Members' Contracts) Act 1934 shall be deemed to apply or to have applied to a contract made on the tenth day of September, nineteen hundred and fifty-two, between the Omarama Rabbit Board and Bernard Noel Thomas, of Omarama, runholder, for the purchase for the sum of five hundred and twenty-five pounds of a dwellinghouse for use by employees of the said Board. 25  
30

Provision with respect to expenditure of moneys by Council of Auckland Institute and Museum in connection with centennial celebrations.

**45.** The Council of the Auckland Institute and Museum is hereby authorized and empowered to expend out of its General Account a sum not exceeding one hundred pounds for the purpose of celebrating and commemorating the one hundredth anniversary of the establishment of the Auckland Museum, 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. 35

46. Whereas the Otekaike Rabbit Board (in this section referred to as the Board), prior to the sanction of the Local Government Loans Board being given to the raising of a loan for housing purposes, expended  
5 out of its General Account moneys amounting in the aggregate to the sum of two thousand two hundred pounds in the purchase of a dwellinghouse and effecting improvements thereto, and in erecting a further dwellinghouse, the said dwellinghouses being intended for use  
10 by employees of the Board: And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Board to refund the said sum to its General Account: And whereas it is desirable that authority be given for  
15 that purpose: Be it therefore enacted as follows:—

The Board is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of two thousand two hundred pounds for the purpose of  
20 refunding to its General Account all moneys applied by the Board in purchasing, improving, and erecting dwellinghouses as aforesaid.

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

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