

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 24 November 1961

Words inserted by the Local Bills Committee are shown with double rule before first line and after last line of new matter.

Hon. Mr Götz

LOCAL LEGISLATION

ANALYSIS

- | Title | |
|--|--|
| 1. Short Title | 13. Provision with respect to expenditure by Cromwell Borough Council on centennial celebrations |
| | 14. Provision with respect to agreements made by Hastings City Council as to sewerage |
| <i>County Councils</i> | 15. Authorising Dargaville Borough Council to raise special loan |
| 2. Validating certain expenditure by Oxford County Council | 16. Authorising Tuakau Borough Council to raise special loan |
| 3. Authorising Opotiki County Council to apply certain trust money towards a District Public Library in the Borough of Opotiki | 17. Validating deed of covenant between Marton Borough Council and Marton Returned Services Association Incorporated |
| 4. Validating refund to County Fund Account from loan money by Vincent County Council | 18. Provision with respect to special overdraft of Levin Borough Council |
| 5. Validating variation of terms of raising certain loan money by Raglan County Council | 19. Authorising Naseby Borough Council to expend money in connection with centennial celebrations |
| 6. Provision with respect to compensation money held in trust by Manukau County Council | 20. Validating variation of terms of raising certain loan money by Havelock North Borough Council |
| 7. Extending Tokoroa special rating area in County of Matapata | 21. Validating variation of terms of raising certain loan money by Hamilton City Council |
| 8. Validating variation of terms of raising certain loan money by Otorohanga County Council | 22. Authorising Russell Town Council to raise special loan |
| 9. Provision with respect to dissolution of Waituna Hall Company Limited | 23. Provision with respect to stopped street in City of Auckland |
| 10. Authorising Clutha County Council to make a uniform annual charge for fire protection purposes | 24. Authorising Putaruru Borough Council to operate a sweet bar in Plaza Cinema, Putaruru |
| <i>City, Borough, and Town Councils</i> | 25. Validating variation of terms of raising certain loan money by Birkenhead Borough Council |
| 11. Validating variation of terms of raising certain loan money by Glen Eden Borough Council | 26. Authorising Ohakune Borough Council to expend money in connection with Golden Jubilee celebrations |
| 12. Validating refund to District Fund Account from loan money by Henderson Borough Council | |

27. Provision with respect to lease and transfer of certain land by Te Awamutu Borough Council
28. Authorising resubdivision and improvement of part of reclamation area by Wellington City Council
29. Provision with respect to land held on trust by Hikurangi Town Council
30. Exempting certain persons from liability for payment of rates levied by Manurewa Borough Council
31. Validating proceedings in connection with raising of loan by East Coast Bays Borough Council
32. Authorising Rotorua Borough Council to guarantee repayment of money raised by Rotorua Branch, Plunket Society
33. Provision with respect to use of compensation money by Auckland City Council

Harbour Boards

34. Validating certain expenditure incurred by Otago Harbour Board in connection with Otago Museum Appeal
35. Authorising the Otago Harbour Board to make *ex gratia* payment in respect of contract
36. Authorising distribution by Auckland Harbour Board of proceeds collected from visit of Chilean Naval Training Ship *Esmeralda*
37. Validating certain expenditure incurred by the Southland Harbour Board in connection with official opening of its new wharves
38. Validating variation of terms of raising certain loan money by Whangarei Harbour Board
39. Provision with respect to lease of land by Otago Harbour Board to British Sailors' Society (Otago Branch) Incorporated, and provisions incidental thereto
40. Authorising Auckland Harbour Board to transfer land to British Sailors' Society Auckland (Incorporated)

Electric Power Boards

41. Validating variation of terms of raising certain loan money by Wairere Electric Power Board
42. Authorising the Waitemata Electric Power Board to sell certain land by private treaty

43. Validating borrowing of and variation of terms of raising certain loan money by Te Awamutu Electric Power Board

Hospital Boards

44. Validating borrowing of and variation of terms of raising certain loan money by North Canterbury Hospital Board
45. Validating variation of terms of raising certain loan money by Auckland Hospital Board
46. Authorising the Otago Hospital Board to make *ex gratia* payment in respect of a contract

Rabbit Boards

47. Validating borrowing of certain money by Millers Flat Rabbit Board
48. Dissolving the Edendale Rabbit Board, and provisions incidental thereto
49. Authorising Waimakariri Rabbit Board to raise special loan

Catchment Boards

50. Validating advance of certain money by Southland Catchment Board
51. Authorising the Wairarapa Catchment Board to reclaim certain land in the Wairarapa Catchment District

Affecting Two or More Classes of Public Bodies

52. Validating an agreement between New Plymouth City Council and certain other local authorities as to establishment of museum
53. Authorising refund of purchase price of stopped street transferred to Auckland Harbour Board by Auckland City Council
54. Authorising Wellington City Council to make a grant in respect of Day's Bay Wharf
55. Validating the terms of an agreement between Wellington Harbour Board and Eastbourne Borough Council

Miscellaneous

56. Provision with respect to Warkworth War Memorial project
57. Declaring certain deed to be arbitrator's award for purposes of section 65 (5) of Auckland Metropolitan Drainage Act 1960

A BILL INTITULED

An Act to confer certain powers on certain public bodies and to validate certain transactions

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

1. **Short Title**—This Act may be cited as the Local Legislation Act 1961.

County Councils

10 2. **Validating certain expenditure by Oxford County Council**—The expenditure by the Oxford County Council during the financial year ended on the thirty-first day of March, nineteen hundred and sixty, of the sum of one hundred and fifty pounds out of its General Account in payment
15 of a gratuitous donation to Annie Elizabeth Fox, of Oxford, in appreciation of her services as County Clerk over a period of years is hereby validated and declared to have been lawfully incurred.

20 3. **Authorising Opotiki County Council to apply certain trust money towards a District Public Library in the Borough of Opotiki**—Whereas the Opotiki County Council (in this section referred to as the Council) holds certain money amounting to seven hundred and seventy-eight pounds six shillings and ninepence in trust, being the balance of a fund
25 established in the year nineteen hundred and thirty-three for the relief of unemployment in the County of Opotiki: And whereas this fund has not been used since the year nineteen hundred and forty-two: And whereas the said money comprises also the balance of a sum of one thousand pounds
30 contributed to this fund by the Opotiki Borough Council pursuant to the provisions of section 15 of the Local Legislation Act 1933: And whereas the Council desires to apply the said money towards the cost of establishing and maintaining a District Public Library in the Borough of Opotiki: Be it there-
35 fore enacted as follows:

(1) The existing trust for which the said money is held by the Council is hereby discharged and the Council is hereby authorised to apply the said money towards the cost of estab-
40 lishing and maintaining a District Public Library in the Borough of Opotiki.

(2) Section 15 of the Local Legislation Act 1933 is hereby repealed.

4. Validating refund to County Fund Account from loan money by Vincent County Council—Whereas, before the Vincent County Council (in this section referred to as the Council) obtained authority to raise a loan of nine thousand pounds, known as the Staff Housing Loan 1960 (in this section referred to as the loan), the Council expended out of its County Fund Account, for certain purposes for which the loan was to be raised, money amounting in the aggregate to the sum of two thousand eight hundred and thirty-one pounds three shillings: And whereas, when that authority had been obtained and the loan raised, the Council refunded to its County Fund Account out of the proceeds of the loan the sum of two thousand eight hundred and thirty-one pounds three shillings: And whereas the Council had no authority to make such a refund and it is desirable to validate the same: Be it therefore enacted as follows:

The action of the Council in refunding the sum of two thousand eight hundred and thirty-one pounds three shillings to its County Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful.

5. Validating variation of terms of raising certain loan money by Raglan County Council—Whereas on the twenty-second day of March, nineteen hundred and fifty-six, the Local Government Loans Board sanctioned the raising by the Raglan County Council (in this section referred to as the Council) of a loan of one hundred thousand pounds to be known as the Main Highways Loan 1956 (in this section referred to as the highways loan) and of a loan of fifteen thousand pounds to be known as the Plant Loan 1956 (in this section referred to as the plant loan), subject in each case to certain conditions: And whereas in each case one of those conditions was that no money should be borrowed after the expiration of two years from the date of the Order in Council consenting to the raising of the loan: And whereas by Order in Council made on the eighteenth day of November, nineteen hundred and fifty-seven, consent was given to the raising of the sum of twenty thousand pounds as part of the highways loan: And whereas at dates subsequent to the expiration of the said period of two years the Council raised the sums of three hundred pounds and four hundred pounds as portions of that part of the highways loan: And whereas by Order

in Council made on the fifteenth day of August, nineteen hundred and fifty-six, consent was given to the raising of the plant loan: And whereas at dates subsequent to the expiration of the said period of two years the Council raised the
5 sum of four hundred and ninety pounds as portion of the plant loan: And whereas it is expedient that the action of the Council in raising the said portions of the loans should be validated: Be it therefore enacted as follows:

10 The action of the Council in raising the said portions of the highways loan and the plant loan after the expiration of the period specified in each case by the Local Government Loans Board is hereby validated, and the said sums shall be deemed to have been lawfully borrowed, and the stock issued
15 in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor.

6. Provision with respect to compensation money held in trust by Manukau County Council—Whereas the Corporation of the County of Manukau (in this section referred to
20 as the Corporation) holds the sum of five hundred and fifty pounds being the amount of compensation money paid to it on the taking by Proclamation, dated the twenty-second day of March, nineteen hundred and sixty, and registered in the Land Transfer Office at Auckland under No. 17455, of its
25 former estate in fee simple in all that piece of land containing one rood two perches and eight-tenths of a perch, more or less, being part Allotment 74, Parish of Manurewa, and being the whole of the land comprised and described in certificate of title, Volume 500, folio 254, Auckland Registry:
30 And whereas the said land was vested in the Corporation (as successor to the Corporation of the Mangere Road District) subject to certain trusts contained in a conveyance dated the twenty-second day of February, eighteen hundred and
35 ninety-seven, and registered under No. 137568 in the Land Registry Office at Auckland: And whereas to the extent to which the said trusts were operative at the date of the said Proclamation the said land was to be used as a site for a hall for the accommodation of all persons residing in the former Mangere Road District: And whereas the Corporation
40 is desirous of applying the said compensation money in and towards the erection of a public hall at Mangere Central on a site which is to be transferred to the Corporation under section 14 of the Reserves and Other Lands Disposal Act

1959 (in this section referred to as the hall site), and the general development and improvement of such site, but has no power to do so, and it is desirable that such power be conferred: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the said trusts or in any Act or rule of law, the Corporation is hereby empowered to expend and apply the whole of the said compensation money and any accretions or additions thereto in and towards the development and improvement of the hall site and the erection of a public hall thereon.

7. Extending Tokoroa special rating area in County of Matamata—(1) The special rating area within the County of Matamata created pursuant to the Local Bodies' Loans Act 1926 and the Local Authorities Loans Act 1956 and defined in a resolution of the Matamata County Council published in the *New Zealand Gazette* of the seventeenth day of April, nineteen hundred and fifty-seven, at page 730, and relating to a loan of one hundred and forty-two thousand pounds known as the Tokoroa Sewerage Loan 1956, is hereby extended by adding thereto certain contiguous areas of land, to the intent that the said special rating area shall henceforth consist of the land described in subsection (2) of this section.

(2) The said special rating area, as extended by subsection (1) of this section, is particularly described as follows:

All that area in the South Auckland Land District, Matamata County, bounded by a line commencing at the north-western corner of Lot 25, D.P. 35994, in Block VII, Patetere South Survey District, and proceeding north-easterly along the north-western boundaries of Lots 25, 24, 23, 22, 21, 20, and 19, a right line to and along the northern boundaries of Lots 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, and 6, a right line to and along the northern boundaries of Lots 5, 4, 3, 2, and 1, all the aforesaid Lots being of D.P. 35994, Lots 4, 3, 2, and 1, D.P.S. 2012, to and north-westerly, north-easterly and south-easterly along the south-western, north-western, and north-eastern boundaries of Lot 5, D.P.S. 5297, to the north-western corner of Whakauru Street; thence north-easterly along the end of that street and along the north-western boundary of Lot 1, D.P.S. 6421, to and south-easterly along the north-eastern boundaries of Lots 1, 2, 3, 4, 5, and part 6, D.P.S. 6421, to and easterly along the northern side of Baird Road and that roadside produced to the eastern

side of the Putaruru - Upper Atiamuri Railway; thence north-
erly along the side of that railway to and generally south-
easterly along the generally south-western side of the Whak-
auru Stream to the intersection of the western side of State
5 Highway No. 1; thence southerly along that side to and
westerly along the northern side of Maraetai Road to the
south-eastern corner of Lot 54, D.P.S. 4536 (Plantation Re-
serve); thence along a right line crossing Maraetai Road to
10 the north-eastern corner of Lot 1195, D.P.S. 3884, and south-
easterly along the north-eastern boundary of the said Lot
1195 to and westerly along the southern boundaries of the said
Lot 1195, Lots 1196 (Plantation Reserve), 1140, 1141, 1147,
and 1148, to and northerly along the western boundary of the
15 last-mentioned lot to and westerly along the southern bound-
aries of Lots 1202 (Road Reserve), 1151, 1152, 1153, 1154,
1155, 1156, 1157, and 1158, all the aforementioned Lots being
of D.P.S. 3884, to and southerly along the eastern boundaries
of Lots 1218, 1221, 1222, and 1228, to and westerly and south-
westerly along the southern and south-eastern boundaries of
20 the said Lot 1228, the end of Glenkill Road, Lots 1227 and
1230, all the said Lots being of D.P.S. 4737, and north-westerly
along the south-western boundary of the said Lot 1230 to
the easternmost corner of Lot 1233, D.P.S. 6500, in Block
XII, Patetere South Survey District; thence south-westerly
25 along the south-eastern boundaries of Lots 1233, 1234, 1235,
D.P.S. 6500, along a right line crossing part Lot 6, D.P.
32554, to and along the south-eastern boundaries of Lots
1236, 1237, 1238, 1239, and 1240, D.P.S. 5432, a right line
crossing part Lot 6 aforesaid, the south-eastern boundary of
30 Lot 1241, D.P.S. 5432, a right line crossing part Lot 6, D.P.
32554, the south-eastern boundary of Lot 1242, D.P.S. 5432,
a right line crossing part Lot 6, D.P. 32554, the south-eastern
boundaries of Lots 1243 and 1244 D.P.S. 5432, to and north-
westerly along the south-western boundary of the said
35 Lot 1244, the end of Kelso Street, Lot 1245, a right
line crossing part Lot 6, D.P. 32554, to and south-westerly
and north-westerly along the south-eastern and south-western
boundaries of Lots 1368 and 1367, D.P.S. 5432, a right line
crossing part Lot 6, D.P. 32554, the south-western boundaries
40 of Lots 1366 and 1365, D.P.S. 5432, a right line crossing part
Lot 6, D.P. 32554, the south-western boundaries of Lots
1364, 1363, 1362, 1361, and 1360, D.P.S. 5432, a right line
crossing part Lot 6, D.P. 32554, the south-western boundaries
of Lots 1359, 1358, 1357, 1356, 1355, 1352, and 1351, D.P.S.
45 5724, the south-western boundary of part Lot 6, D.P. 32554,
and that last boundary produced to the northern side of

Maraetai Road; thence easterly along that roadside to the easternmost corner of part Lot 2, D.P. 32554 (School Site, *Gazette*, 1956, page 1723); thence northerly and south-westerly along the eastern and north-western boundaries of the said part Lot 2 and Lot 1, D.P.S. 5674, to the southernmost corner of Lot 39, D.P.S. 4637; thence northerly along the western boundaries of the said Lot 39 the end of a public road, Lots 32 and 25, the end of Duke Street, Lots 14, 11 (Recreation Reserve) and 55, the end of May Street, Lot 45 (Recreation Reserve), all the aforesaid Lots being of D.P.S. 4637, Lot 53, D.P.S. 3162, Lot 89, D.P.S. 2191, Lots 35, 33, 32, and 29, D.P.S. 1668, Lots 12 and part 11, D.P.S. 5424, Lots 4 and 3, D.P.S. 6592, and easterly along the northern boundary of the said Lot 3 and its production to the eastern side of Billah Street; thence northerly along that side of the said street to and easterly along the northern boundaries of Lot 6, D.P.S. 6498, Lots 2 and 3, D.P.S. 5424, to and northerly along the western boundary of Lots 7 and 1, D.P.S. 6498, to a point in line with the western boundary of Section 52, Block VIII, Patetere South Survey District; thence northerly along a right line to and along the said western boundary to the southern side of Bairds Road; thence along a right line crossing that road at right angles to and westerly along the northern side of the said road to and north-westerly along the south-western boundary of Lot 25, D.P. 35994, to the point of commencement.

8. Validating variation of terms of raising certain loan money by Otorohanga County Council—Whereas by Order in Council made on the fifteenth day of June, nineteen hundred and sixty, consent was given to the raising by the Otorohanga County Council (in this section referred to as the Council) of a loan of fifteen thousand pounds (in this section referred to as the loan) as portion of a loan of fifty thousand pounds to be known as the Roading Loan 1959: And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the loan was that the loan together with interest thereon, should be repaid by equal aggregate annual or half-yearly instalments: And whereas the Council raised the sum of fourteen thousand pounds as part of the loan and established a sinking fund to provide for the repayment thereof: And whereas it is desirable to validate the action of the Council in raising the sum of fourteen thousand pounds otherwise than in accordance with the conditions determined by the Local Authorities Loans Board: Be it therefore enacted as follows:

The action of the Council in raising the sum of fourteen thousand pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum shall be
5 deemed to have been lawfully borrowed and all stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor, and in respect of that part of the loan the Council is hereby
10 authorised and directed to continue and maintain payments to the sinking fund during the currency of the said stock at a rate of not less than five pounds one shilling and nine pence per cent per annum.

9. Provision with respect to dissolution of Waituna Hall Company Limited—Whereas the Waituna Hall Company
15 Limited (in this section referred to as the Company) owns and operates a community hall and is desirous of winding up its affairs and transferring the said hall and all other assets of the Company to the Chairman, Councillors, and Inhabitants of the County of Kiwitea (in this section referred to
20 as the Corporation) without consideration other than the assumption by the Corporation of responsibility for paying all liabilities of the Company, including the costs of its liquidation: And whereas the Corporation has agreed to accept the transfer to it of the assets of the Company and to hold the
25 hall for the benefit of the community of Waituna and surrounding districts and to apply the other assets of the Company for the general purposes of the hall, and to pay all liabilities of the Company, including the costs of its liquidation: And whereas the Company has no authority to make
30 such a transfer and the Corporation has no authority to pay the liabilities of the Company: And whereas it is desirable to authorise the transfer of the said assets of the Company to the Corporation as aforesaid and the payment by the Corporation of the liabilities of the Company: Be it therefore
35 enacted as follows:

(1) The Company is hereby authorised to transfer to the Corporation without consideration other than the assumption by the Corporation of responsibility for paying the liabilities of the Company, including the costs of the liquidation of the
40 Company, the land described in subsection (5) of this section together with the buildings erected thereon, and all other assets of the Company of any kind whatsoever.

(2) The said land shall be held by the Corporation as a site for a public hall for the benefit of the community of Waituna and surrounding districts, and all other assets of the Company transferred to the Corporation pursuant to sub-section (1) of this section shall be held by the Corporation for the general purposes of the hall for the time being erected on the said land. 5

(3) The Corporation is hereby authorised to pay all liabilities of the Company including the costs of its liquidation, and shall indemnify and keep indemnified the Company and the directors thereof against all claims whatsoever against the Company that may arise at any time after the transfer of the assets of the Company to the Corporation pursuant to sub-section (1) of this section. 10

(4) The District Land Registrar for the Land Registration District of Wellington is hereby authorised and directed to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to this section. 15

(5) The land to which this section relates is particularly described as follows: 20

All that piece of land in the Wellington Land District containing twenty-one and one-tenth perches, more or less, being part Section 20, West Waitapu Village, and being all the land comprised and described in certificate of title, Volume 25 214, folio 54, Wellington Registry. 25

10. Authorising Clutha County Council to make a uniform annual charge for fire protection purposes—Whereas the Clutha County Council (in this section referred to as the Council) is the urban fire authority for the Owaka Secondary Urban Fire District (in this section referred to as the fire district) the boundaries of which are identical with those of the Owaka County Town: And whereas a majority of ratepayers in the area contiguous to and surrounding the fire district being the area protected by the Owaka Fire Brigade have petitioned the Council to constitute the said area a separate rating area and make a uniform annual charge on all dwellings for the purpose of contributing towards the expenditure of the Council in its capacity as the urban fire authority for the fire district: And whereas the Council has no power to make such a uniform annual charge: Be it therefore enacted as follows: 30 35 40

(1) The Council may by special order constitute as a separate rating area the area contiguous to and surrounding the fire district being the area protected by the Owaka Fire Brigade.

5 (2) The Council may by the same or by a further special order instead of levying in the said separate rating area any rate provided for by section 54 of the Fire Services Act 1949
10 or section 284 of the Counties Act 1956 decide to make and thereafter may make a uniform annual charge on each dwelling in the area of such amount, not exceeding one pound per annum per dwelling, as may from time to time be fixed by resolution publicly notified. Every such uniform annual charge shall for all purposes be deemed to be a separate rate.

15 (3) For the purposes of this section the term "dwelling" means any house, hutment, crib, bach, or other inhabitable structure, whether used as permanent living accommodation or for weekend or holiday purposes only, and whether occupied or vacant.

20 (4) The proceeds of such uniform annual charge shall be credited by the Council to the Owaka Secondary Urban Fire Account.

(5) This section shall continue in force until the thirty-first day of March, nineteen hundred and sixty-four, and shall
25 then expire.

City, Borough, and Town Councils

11. Validating variation of terms of raising certain loan money by Glen Eden Borough Council—Whereas by Order in Council made on the fifth day of May, nineteen hundred
30 and fifty-eight, consent was given to the borrowing by the Glen Eden Borough Council (in this section referred to as the Council) of a sum of forty thousand pounds (in this section referred to as the loan) as portion of a loan of one hundred thousand pounds known as the Roads, Footpaths, and Water-
35 works Loan 1956: And whereas one of the conditions determined by the Local Government Loans Board in respect of the loan was that no part of the loan should bear interest at a rate exceeding four and seven-eighths per cent per annum: And whereas the Council borrowed a sum of one
40 thousand pounds as part of the loan on terms providing for the payment of interest at a rate of five per cent per annum: And whereas it is desirable that the action of the Council be validated: Be it therefore enacted as follows:

The action of the Council in raising the said sum of one thousand pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Government Loans Board, is hereby validated and the said sum of one thousand pounds shall be deemed to have been lawfully borrowed and all debentures and stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor. 5

12. Validating refund to District Fund Account from loan money by Henderson Borough Council—Whereas, before the Henderson Borough Council (in this section referred to as the Council) obtained authority to raise a loan of five thousand pounds, known as the Fire Station Site Loan 1958 (in this section referred to as the loan), the Council expended out of its District Fund Account for the purposes for which the loan was to be raised a sum equal to the full amount of the loan: And whereas when that authority had been obtained and the loan raised the Council refunded to its District Fund Account the proceeds of the loan: And whereas the Council had no authority to make such a refund and it is desirable to validate the same: Be it therefore enacted as follows: 10 15 20

The action of the Council in refunding to its District Fund Account the proceeds of the loan is hereby validated and declared to have been lawful. 25

13. Provision with respect to expenditure by Cromwell Borough Council on centennial celebrations—(1) The Cromwell Borough Council (in this section referred to as the Council) is hereby authorised to establish a separate bank account to be known as the Centennial Fund Account (in this section referred to as the Fund) and to pay into the Fund in each year until the thirty-first day of March, nineteen hundred and sixty-seven, a sum not exceeding one hundred pounds. 30

(2) The money in the Fund shall be expended by the Council for the purpose of celebrating in the year nineteen hundred and sixty-six the centennial of the founding of the Borough of Cromwell, and any sum remaining in the Fund after all expenses lawfully incurred in connection with the said centennial have been met shall be transferred to the District Fund Account of the Council to the credit of the General Account. 35 40

14. Provision with respect to agreements made by Hastings City Council as to sewerage—Whereas the Hastings City Council has, with the consent of the Hawke's Bay County Council, under the authority of section 223 of the Municipal Corporations Act 1954, extended its drainage system into an area within the County of Hawke's Bay by laying a sewer extending from the City of Hastings to the sea, and has entered into agreements with the Hawke's Bay Farmers' Meat Company Limited and with Nelsons (N.Z.) Limited, two companies each carrying on the business of slaughterers and meat-freezers upon premises in the said area, to connect their premises (in this section referred to as the said works) with the drainage system as so extended, and to continue such connections for a term of twenty-five years upon the terms and conditions contained in the agreements: And whereas it is expedient that the Hastings City Council should not be at liberty to disconnect either of the said works during the said term except in accordance with the express provisions of the said agreements: Be it therefore enacted as follows:

Notwithstanding the provisions of subsection (2) of section 223 of the Municipal Corporations Act 1954, the Hastings City Council shall have no power to disconnect either of the said works from the drainage system as so extended except in accordance with the terms and conditions set out in the agreements hereinbefore referred to relating to those works.

15. Authorising Dargaville Borough Council to raise special loan—Whereas by Order in Council made on the twenty-fifth day of February, nineteen hundred and fifty-eight, consent was given to the raising by the Dargaville Borough Council (in this section referred to as the Council) of a loan of fifteen thousand pounds to be known as the Town Hall Loan 1957 for the purpose of constructing a Memorial Town Hall: And whereas, after expending the amount of the said loan, the Council expended out of its General Account the sum of one thousand five hundred pounds in completion of the Memorial Town Hall: And whereas the Local Authorities 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 one thousand five hundred pounds to its General Account: And whereas it is desirable to authorise the Council to raise a special loan of one thousand five hundred pounds for the purpose of recouping its General Account in respect of the sum expended from that account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding one thousand five hundred pounds for the purpose of refunding to its General Account the sum expended from that account for the purpose of completing the said Memorial Town Hall. 5

16. Authorising Tuakau Borough Council to raise special loan—Whereas by Order in Council made on the sixth day of October, nineteen hundred and fifty-eight, consent was given to the raising by the Tuakau Borough Council (in this section referred to as the Council) of a loan of fifty-seven thousand pounds to be known as the Drainage Loan 1958 for the purpose of constructing sewerage works in the Borough of Tuakau: And whereas, after expending the amount of the said loan, the Council expended out of its District Fund Account the sum of three thousand pounds towards the completion of the sewerage works: And whereas the Local Authorities 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 three thousand pounds to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan of three thousand pounds for the purpose of recouping its District Fund Account in respect of the sum expended from that account as aforesaid: Be it therefore enacted as follows: 10
15
20
25

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding three thousand pounds for the purpose of refunding to its District Fund Account the sum expended from that account towards the completion of the said sewerage works. 30

17. Validating deed of covenant between Marton Borough Council and Marton Returned Services Association Incorporated—Whereas a certain Deed of Covenant was on the twentieth day of March, nineteen hundred and sixty-one, entered into between the Mayor, Councillors, and Citizens of the Borough of Marton (in this section referred to as the Corporation), of the one part, and the Marton Returned Services Association Incorporated, a society duly incorporated under the Incorporated Societies Act 1908 and having its registered office at Marton (in this section referred to as the Society), of the other part, a copy of which deed is deposited in the Department of Internal Affairs under number 35
40

I.A. 174/393: And whereas the Corporation and the Society agreed subject to the terms and conditions set out in the said Deed of Covenant to combine their respective resources in the erection of a Memorial Hall in Marton to be known
5 as the Marton R.S.A. and Citizens Memorial Hall: And whereas doubts have arisen as to the validity of the said Deed of Covenant and the terms thereof and it is desirable that it should be validated: Be it therefore enacted as follows:

10 Notwithstanding anything contained in the Municipal Corporations Act 1954 or in any other Act, the Corporation shall be deemed to have been at all times authorised and empowered to enter into and execute the said Deed of Covenant which shall be binding on the parties thereto and shall
15 be valid and effective according to its tenor.

18. Provision with respect to special overdraft of Levin Borough Council—Whereas the Levin Borough Council (in this section referred to as the Council) has from time to time borrowed or owed money on its Gas Supply Account in
20 excess of the limits prescribed by section 20 of the Local Authorities Loans Act 1956: And whereas it has been necessary for the Council to obtain extended approvals in terms of section 22 of the said Act: And whereas the liability of the Council to its bankers on its Gas Supply Account as at the
25 thirty-first day of March, nineteen hundred and sixty-one, amounted to the sum of twenty-two thousand pounds approximately: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows:

30 (1) The Council is hereby authorised and empowered to borrow from its bankers, by way of special overdraft, the sum of twenty thousand pounds to be applied in reduction of that liability.

35 (2) The Council shall repay that sum by ten equal payments out of money credited to its General Account, one such payment to be made in each year during the period of ten years commencing on the first day of April, nineteen hundred and sixty-two:

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

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

(4) No part of that sum shall hereafter be taken into account in determining the amount that may be borrowed or that may be owed by the Council on its Gas Supply Account or on its District Fund Account pursuant to section 20 of the Local Authorities Loans Act 1956.

5

19. Authorising Naseby Borough Council to expend money in connection with centennial celebrations—The Naseby Borough Council is hereby authorised and empowered to expend out of its General Account a sum not exceeding two hundred pounds for the purpose of celebrating and commemorating the hundredth anniversary of the settlement of Naseby, and in connection with the establishment of a centennial memorial, and may expend part or all of that sum of two hundred pounds by way of grants to the body known as the Naseby Centennial Committee for any such purpose.

10

15

20. Validating variation of terms of raising certain loan money by Havelock North Borough Council—Whereas by Order in Council made on the eleventh day of June, nineteen hundred and fifty-eight, consent was given to the raising by the Havelock North Borough Council (in this section referred to as the Council) of a sum of twenty-five thousand pounds (in this section referred to as the loan) as portion of a loan of forty-five thousand pounds known as the Water Supply Loan 1958: And whereas the Council raised a sum of five thousand pounds as part of the loan on terms that the said sum together with the interest thereon should be repaid by equal aggregate payments every half year over the period of the loan: And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the raising of the said sum of five thousand pounds was that the Council should establish a sinking fund to provide for the repayment thereof: And whereas it is desirable that the action of the Council be validated: Be it therefore enacted as follows:

20

25

30

The action of the Council in raising the sum of five thousand pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of five thousand pounds shall be deemed to have been lawfully borrowed and all debentures issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

35

40

- 21. Validating variation of terms of raising certain loan money by Hamilton City Council**—Whereas by Order in Council made on the fifth day of August, nineteen hundred and fifty-nine, consent was given to the raising by the Hamilton City Council (in this section referred to as the Council) of the sum of forty-one thousand five hundred pounds (in this section referred to as the loan) as portion of a loan known as the Waterworks Loan 1956 of ninety-one thousand five hundred pounds: And whereas two of the conditions determined by the Local Authorities Loans Board in respect of the raising of the loan were that the money borrowed should be borrowed for terms of six, ten, or twenty years, and that the amount borrowed for a term of six years should not exceed thirteen thousand eight hundred pounds: And whereas the Council borrowed for a term of six years as part of the loan the sum of four thousand pounds in excess of the said sum of thirteen thousand eight hundred pounds: And whereas it is desirable that the action of the Council be validated: Be it therefore enacted as follows:
- 20 The action of the Council in raising the sum of four thousand pounds as part of the loan otherwise than in accordance with the conditions determined by the Local Authorities Loans Board is hereby validated, and the said sum of four thousand pounds shall be deemed to have been lawfully
- 25 borrowed and all debentures and stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

- 22. Authorising Russell Town Council to raise special loan**—Whereas the Russell Town Council (in this section referred to as the Council) has expended out of its General Account the sum of one thousand five hundred pounds on road reconstruction and tarsealing: And whereas the Local Authorities 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 one thousand five hundred pounds to its General Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of one thousand five hundred pounds for the purpose of recouping its General Account in respect of the money expended from that account as aforesaid: Be it therefore enacted as follows:
- 30
- 35
- 40

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956, a sum not exceeding one thousand five hundred pounds for the purpose of refunding to its General Account the money expended from that account on road reconstruction and tarsealing. 5

23. Provision with respect to stopped street in City of Auckland—Whereas the land described in subsection (4) of this section (in this section referred to as the said land) was formerly part of Smith Street in the City of Auckland and was duly stopped under the provisions of the Municipal Corporations Act 1954 and is vested for an estate in fee simple in the Mayor, Councillors, and Citizens of the City of Auckland (in this section referred to as the Corporation): And whereas the said land adjoins certain land vested in the Corporation as an endowment for the improvement and benefit of the City of Auckland pursuant to the provisions of the Auckland City Endowments and Reserves Act 1875 (in this section referred to as the said Act): And whereas the endowment land adjoining the said land has for many years been leased or let to lessees and tenants who have also occupied the said land in the erroneous belief, by them and by the Corporation that the said land formed part of the endowment land included in their respective leases and tenancies: And whereas it is expedient that the Corporation should henceforth hold the said land as and for an endowment for the improvement and benefit of the City of Auckland and that the Corporation should have with respect to the said land all such powers of leasing, letting, and disposition as it has with respect to the land heretofore vested in it pursuant to the said Act, and in addition should have the special powers set out in subsection (2) of this section: Be it therefore enacted as follows: 10
15
20
25
30

(1) Notwithstanding anything contained in the Municipal Corporations Act 1954 or in any other Act, the Corporation shall henceforth hold the said land as and for an endowment for the improvement and benefit of the City of Auckland and the Corporation shall have in respect of the said land all such powers of leasing, letting, and disposition as it has in respect of land heretofore vested in it pursuant to the said Act and in addition shall have the special powers set out in subsection (2) of this section. 35
40

(2) The Corporation is hereby empowered to lease the said land to the lessees of the adjoining endowment land either by way of new lease, without putting the same up for leasing by public auction or public tender, or by inclusion of
5 the said land in any renewal of any existing lease of such adjoining endowment land, and any such lease granted by way of renewal of any existing lease shall for all purposes be deemed to be a renewal of that existing lease.

(3) The District Land Registrar for the Land Registration
10 District of Auckland is hereby authorised to make such entries in the register books, to issue such titles, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.

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

Sections 60, 61, 62, and 63 of the City of Auckland, containing respectively twelve perches and twenty-six one-hundredths of a perch, four perches and forty-two one-hundredths of a perch, seven perches and one-tenth of a
20 perch, and eight perches and forty-six one-hundredths of a perch, more or less, being respectively parts of Lots 1, 2, 3, and 4 on Deposited Plan Number 48857, and being parts of the land comprised and described in certificate of title, Volume 1886, folio 47, Auckland Registry.

25 **24. Authorising Putaruru Borough Council to operate a sweet bar in Plaza Cinema, Putaruru**—Whereas the Mayor, Councillors, and Citizens of the Borough of Putaruru (in this section referred to as the Corporation) owns and operates the Plaza Cinema in the Borough of Putaruru, and for some time
30 past has operated a sweet bar in the foyer of that cinema: And whereas there are no other facilities for the purchase of sweets and confectionery in the vicinity of that cinema and it is desirable that such facilities be available for the convenience of patrons of that cinema: And whereas the Corporation has
35 no authority in law to operate that sweet bar: And whereas in the circumstances it is desirable to confer such authority on the Corporation: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954 or in any other Act, but subject
40 to subsection (3) of this section, the Corporation is hereby authorised and shall be deemed to have been at all times authorised and empowered to operate a sweet bar in the foyer of the Plaza Cinema during the times that cinema is open to the public.

(2) The Corporation shall at all times keep such records, books, and accounts of the operation of the sweet bar as may be required by the Controller and Auditor-General.

(3) This section shall continue in force for a period of five years from the date of the passing of this Act, and shall then expire. 5

25. Validating variation of terms of raising certain loan money by Birkenhead Borough Council—Whereas by Order in Council dated the twenty-first day of March, nineteen hundred and sixty, consent was given to the raising by the Birkenhead Borough Council (in this section referred to as the Council) of a loan of one hundred and fifty thousand pounds to be known as the Streets Improvement Loan 1960 (in this section referred to as the loan): And whereas one of the conditions determined by the Local Authorities Loans Board in respect of raising a sum of one thousand pounds as part of the loan was that that sum should be borrowed for a term of ten years: And whereas the Council raised such sum of one thousand pounds for a term of twelve years: And whereas it is desirable to validate the action of the Council in raising the said sum otherwise than in accordance with the conditions determined by the Local Authorities Loans Board: Be it therefore enacted as follows: 10 15 20

(1) The action of the Council in raising the sum of one thousand pounds as part of the loan, otherwise than in accordance with conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of one thousand pounds shall be deemed to have been lawfully borrowed and the debenture executed in respect thereof shall be deemed to have been lawfully executed and shall have full force and effect according to its tenor. 25 30

(2) The Council shall make provision for the repayment of the said sum of one thousand pounds by establishing a sinking fund therefor and making annual payments into such sinking fund at a rate of not less than two pounds nine shillings and eightpence per cent per annum. 35

26. Authorising Ohakune Borough Council to expend money in connection with Golden Jubilee celebrations—The Ohakune Borough Council is hereby authorised and empowered to expend out of its General Account a sum not exceeding two hundred pounds for the purpose of celebrating and com- 40

memorating the fiftieth anniversary of the Borough of Ohakune, and the expenditure by the Council for that purpose of any part of that sum before the passing of this Act is hereby validated and declared to have been lawfully incurred.

5 **27. Provision with respect to lease and transfer of certain**
land by Te Awamutu Borough Council—Whereas the Cor-
poration of the Borough of Te Awamutu is seised of an estate
in fee simple in the land described in subsection (3) of this
10 Awamutu College, a secondary school established under the
Education Act 1914 and controlled by a Board of Governors
(in this section referred to respectively as the College and
the Board), and is well situated as a site for a hostel for
pupils attending the College: And whereas there is a need
15 for such a hostel but the Board is at present financially unable
to erect a hostel on this or any other site: And whereas the
Te Awamutu Borough Council (in this section referred to as
the Council) is willing to lease the said land to the Board
as a site for a hostel and to give the said land to the Board
20 for that purpose if and when the Board is able to erect a
hostel, but has no authority to do so: Be it therefore enacted
as follows:

(1) Notwithstanding anything contained in the Municipal
Corporations Act 1954, the Council may lease to the Board by
25 private treaty the land described in subsection (3) of this sec-
tion for a term of twenty years at a rental of one shilling per
annum if demanded, free from liability for payment or rates,
and on such suitable conditions for the proper maintenance
of the said land as may be agreed upon between the Council
30 and the Board, and subject also to the following conditions,
namely—

(a) If at any time during the continuance of the lease the
Council is satisfied that the Board is financially able
35 to erect on that land a suitable hostel for pupils
attending the College it will without consideration
transfer to the Board the estate in fee simple in the
land:

(b) If at any time during the continuance of the lease
40 the Council is satisfied that the Board will not be
financially able to erect such a hostel the Council
may by notice in writing to the Board terminate
the lease and forthwith enter on and repossess the
land as in its former estate, freed and discharged
45 from the lease or any claims of the Board or of any
other person in respect thereof.

(2) Notwithstanding anything contained in the Municipal Corporations Act 1954, or in any other Act, the Council is hereby empowered to transfer to the Board, without consideration, the land described in subsection (3) of this section, as a site for a hostel for pupils attending the College.

(3) The land referred to in this section is more particularly described as follows:

All that piece of land containing one acre eleven perches and eight-tenths of a perch, being Lots 2, 3, and 4 on Deposited Plan S 4801 and Lot 4 on Deposited Plan 6312, all being parts of Section 118 Teasdale Settlement, situated in Block II, Puniu Survey District, and being part of the land comprised and described in certificate of title, Volume 1484, folio 86, Auckland Registry.

28. Authorising resubdivision and improvement of part of reclamation area by Wellington City Council—Whereas by a Proclamation dated the thirtieth day of January, nineteen hundred and forty-seven, and published in the *Gazette* of the sixth day of February, nineteen hundred and forty-seven, at page 160, an area in the City of Wellington as defined in the Schedule thereto was proclaimed a reclamation area under Part II of the Housing Improvement Act 1945: And whereas the district scheme under the Town and Country Planning Act 1953 for the City of Wellington is not yet operative: And whereas it is desirable to authorise and empower the Wellington City Council to carry out resubdivision and improvement of certain land within the said reclamation area: Be it therefore enacted as follows:

(1) Notwithstanding anything contained in the Housing Improvement Act 1945 or in any other Act or rule of law, the Wellington City Council is hereby authorised and empowered to carry out resubdivision and improvement for light industrial purposes in respect of that portion of the said reclamation area known as the King Street Area, being that area of land described in subsection (2) of this section.

(2) The King Street Area is particularly described as follows:

All that area in the Wellington Land District situated in the City of Wellington, bounded by a line commencing at the north-western corner of the Adelaide Road and Drummond Street intersection, being the southernmost corner of Lot 5 as shown on the plan numbered 7950 deposited in the Land

Registry Office at Wellington; thence westerly along the northern side of Drummond Street, across King Street, and again along the northern side of Drummond Street to the south-western corner of Lot 7 as shown on the plan numbered 5 848 deposited as aforesaid; thence northerly and easterly along the western and northern boundaries of that lot to the eastern boundary of part Section 739, Town of Wellington; thence northerly along that boundary to the south-eastern corner of Lot 1 as shown on the plan numbered 1266 deposited as aforesaid, and along the eastern boundary of that lot and its production through Lots 7, 2, 1, and 6 as shown on plan numbered 1776 deposited as aforesaid to the south-eastern corner of Lot 24 as shown on plan numbered 956 deposited as aforesaid, and along the eastern boundaries of 15 Lots 24, 23, and 22 as shown on plan numbered 956 aforesaid, to the south-western corner of Lot 1 as shown on plan numbered 8307 deposited as aforesaid; thence easterly generally along the southern and south-eastern boundaries of that lot to its south-eastern corner; thence easterly along a right line 20 across King Street to the south-western corner of Lot 9 as shown on plan numbered 8307 aforesaid; thence easterly along the southern boundary of that lot to its south-eastern corner, being the northern corner of the King Street and Adelaide Road junction; thence southerly across King Street 25 and along the western side of Adelaide Road to the north-western corner of the Adelaide Road and Drummond Street intersection, being the point of commencement.

29. Provision with respect to land held on trust by Hikurangi Town Council—Whereas the Hikurangi Town 30 Council (in this section referred to as the Council) is registered as proprietor of an estate in fee simple in that parcel of land containing two roods thirty-two perches and six-tenths of a perch, more or less, situated in the Hikurangi Town District, being Lot 2 on a plan deposited in the Land Registry Office 35 at Auckland under Number 14232, and being part Allotment 5 of the Parish of Hikurangi, and being the whole of the land in certificate of title, Volume 323, folio 199, Auckland Registry, together with a right of way over Lot 1 on the said deposited plan, reserved by and more particularly described 40 in Transfer Number 138158 (the said land and right of way together being referred to in this section as the said land): And whereas the Council holds the said land in trust for the purposes of a residence for a medical practitioner practising in the Hikurangi Town District and surrounding districts 45 pursuant to section 31 of the Local Legislation Act 1944:

And whereas it is desired to revoke the said trust and to amend the terms and conditions upon which the Council holds the said land: Be it therefore enacted as follows:

(1) The Council is hereby authorised and empowered to subdivide the said land into allotments for housing purposes as if it were land subdivided by the Council under the provisions of Part XXIV of the Municipal Corporations Act 1954. 5

(2) Upon the deposit under the Land Transfer Act 1952 of the plan of subdivision the trust affecting the said land shall be deemed to be cancelled. 10

(3) The Council shall transfer to Her Majesty the Queen for the purposes of a site for a residence and dispensary for the district public health nurses such one of the allotments in the subdivision as may be agreed upon between the Council and the Minister of Health. The consideration for the transfer shall be such sum not exceeding the capital value for the time being fixed in respect of that allotment by the Valuer-General under the Valuation of Land Act 1951 as may be agreed upon between the Council and the said Minister. 15 20

(4) The Council shall set aside one of the allotments in the subdivision as a site for a dwellinghouse for any medical practitioner from time to time practising in the Hikurangi Town District and surrounding districts, and shall hold that allotment in trust for that purpose. 25

(5) The Council may sell or dispose of the remainder of the said land in accordance with the provisions of Part XXIV of the Municipal Corporations Act 1954.

(6) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and 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 foregoing provisions of this section. 30

(7) The Council is hereby authorised to erect a dwellinghouse on the allotment set aside under subsection (4) of this section, and to let that dwellinghouse to any medical practitioner from time to time practising in the Hikurangi Town District and surrounding districts at such rent and upon such conditions as the Council may think fit. 35

(8) The Council may apply the proceeds from the disposal of any allotments under the provisions of this section in or towards the erection of the said dwellinghouse. Should those proceeds be insufficient for that purpose the Council may borrow by way of special loan under the Local Authorities Loans Act 1956 such sum as may be required to meet the balance of the cost of erecting that dwellinghouse. 40 45

(9) Section 31 of the Local Legislation Act 1944 and section 28 of the Local Legislation Act 1946 are hereby repealed.

30. Exempting certain persons from liability for payment of rates levied by Manurewa Borough Council—Whereas by agreement dated the sixth day of December, nineteen hundred and sixty, Annie Barrett of Manurewa, widow, agreed to transfer to the Mayor, Councillors, and Citizens of the Borough of Manurewa (in this section referred to as the Corporation) as and for a public reserve and recreation ground, Lot 2 on a plan lodged for deposit in the Land Registry Office at Auckland, under number 49948, being a subdivision of part Allotment 12, Parish of Papakura, and being part of the land comprised and described in certificate of title, Volume 923, folio 269, limited as to parcels: And whereas by the said agreement the said Annie Barrett agreed to transfer Lot 3 of the said subdivision containing three roods sixteen perches and nine-tenths of a perch, more or less, to the Corporation as and for a public reserve and recreation ground, reserving nevertheless to the said Annie Barrett an estate or interest in possession for the life of the said Annie Barrett and from and after her death an estate or interest in possession for the life of her daughter, Lora Barrett: And whereas by the said agreement the Corporation agreed to promote legislation to exempt the said Annie Barrett and Lora Barrett from payment of all rates now due and owing and hereafter to become due and owing in respect of the said Lot 3: And whereas the said Annie Barrett died on or about the fifteenth day of February, nineteen hundred and sixty-one, and the executor of her estate has called on the Corporation to promote the said legislation and has agreed to transfer the said Lots 2 and 3 to the Corporation pursuant to the said agreement: Be it therefore enacted as follows:

The executor of the estate of the said Annie Barrett and the said Lora Barrett are hereby exempted from liability for the payment of any rates now or hereafter made or levied by the Corporation in respect of the said Lot 3 or any part thereof.

31. Validating proceedings in connection with raising of loan by East Coast Bays Borough Council—Whereas by Orders in Council made on the twenty-third day of October, nineteen hundred and fifty-six (in this section referred to as the first Order in Council), and the nineteenth day of June,

nineteen hundred and fifty-seven (in this section referred to as the second Order in Council), consent was given to the raising by the East Coast Bays Borough Council (in this section referred to as the Council) of a loan of one hundred thousand pounds to be known as the *Roading Improvement Loan 1956* (in this section referred to as the loan): And whereas, before the issue of the second Order in Council, the sum of eight hundred and fifty pounds was raised in excess of the amount of forty thousand pounds authorised by the first Order in Council: And whereas two of the conditions first determined by the Local Government Loans Board (now the Local Authorities Loans Board and in this section referred to as the Board) in respect of the loan were that the loan should be repaid over a term of twenty-five years and that it should be repaid by equal aggregate annual or half-yearly instalments of principal and interest, but the Council raised the said sum of eight hundred and fifty pounds on terms that sums of five hundred pounds and two hundred pounds be repaid at the end of five years and a sum of one hundred and fifty pounds be repaid at the end of eight years, and that the said sum of eight hundred and fifty pounds be repaid on a sinking fund basis: And whereas, contrary to the provisions of the Local Authorities Loans Act 1956, the Council raised in connection with the loan a sum of four hundred pounds without the prior sanction of the Board: And whereas in the absence of any determination by the Board the sum of two hundred and twenty-five pounds was paid by the Council by way of underwriting fees in respect of thirty thousand pounds of the said amount of forty thousand pounds: And whereas the sum of three thousand pounds was raised for a term other than that determined by the Board in respect of the amount of sixty thousand pounds authorised by the second Order in Council: And whereas the sum of three thousand one hundred and fifty pounds was raised by the Council after the time limit imposed by the Board in respect of the amount of sixty thousand pounds authorised by the second Order in Council: And whereas it is expedient to validate the proceedings in connection with the raising of the loan: Be it therefore enacted as follows:

- (1) The actions of the Council in borrowing—
- (a) The sum of eight hundred and fifty pounds in excess of the amount of forty thousand pounds authorised by the first Order in Council and on terms otherwise than in accordance with those determined by the Board; and

(b) The sum of four hundred pounds without the prior sanction of the Board; and

(c) The sum of three thousand pounds for a term other than that determined by the Board; and

5 (d) The sum of three thousand one hundred and fifty pounds as part of the loan after the expiration of the time limit determined by the Board—

are hereby validated, and the said sums shall be deemed to have been lawfully borrowed and the debentures and stock
10 issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

(2) The payment by the Council of the sum of two hundred and twenty-five pounds by way of underwriting fees without
15 the authority of the Board is hereby validated and declared to have been lawful.

32. Authorising Rotorua Borough Council to guarantee repayment of money raised by Rotorua Branch, Plunket Society—

20 Whereas the Rotorua Borough Council (in this section referred to as the Council) desires to assist the Royal New Zealand Society for the Health of Women and Children, Rotorua Branch (Incorporated) (in this section referred to as the Plunket Society) in the raising of money for the erection
25 of a building incorporating Plunket rooms, women's rest rooms, shops, and offices on the land described in subsection (5) of this section: And whereas the Council has no legal authority to assist by guaranteeing repayment of money raised by the Plunket Society for the erection of such a building: Be it therefore enacted as follows:

30 (1) The Council may guarantee by deed or other instrument to any financial institution as defined in section 326 of the Municipal Corporations Act 1954, repayment of the whole or any portion of the money which any such financial institution may so advance to the Plunket Society upon the
35 security of a mortgage of the land described in subsection (5) of this section for the purpose of erecting a building on that land, where the money to be advanced by the financial institution does not exceed twenty-four thousand pounds or two-thirds of the total estimated value of the land and the proposed
40 building when erected, whichever is the less.

(2) Every such guarantee shall contain such terms and conditions as may be agreed upon between the Council and the financial institution from time to time.

(3) Any mortgage which is given by the Plunket Society in favour of a financial institution and which is guaranteed by the Council pursuant to subsection (1) of this section shall contain such terms and conditions as may be agreed upon between the Plunket Society, the financial institution, and the Council.

(4) For the purpose of providing money out of which the Council may pay any amount payable in respect of any guarantee executed pursuant to subsection (1) of this section, the Council may from time to time borrow by way of special loan under the Local Authorities Loans Act 1956 pursuant to a special order, and, notwithstanding anything in section 34 of that Act, without the prior consent of the ratepayers, a sum or sums not exceeding in the aggregate the sum of twenty-four thousand pounds.

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

All that parcel of land situate in the Borough of Rotorua containing twenty perches, more or less, being Section 20, Block XXXVI, Town of Rotorua.

33. Provision with respect to use of compensation money by Auckland City Council—Whereas various pieces of land situated in Princes, Alfred, O'Rorke, Wynyard, Symonds and d'Urville Streets, Wellesley Street East, and Grafton and Alton Roads in the City of Auckland are vested in the Corporation of the City of Auckland (in this section referred to as the Corporation) pursuant to the provisions of the Auckland Improvement (Albert Barrack Reserves) Act 1872, the Auckland Improvement Act 1873, and the Auckland Improvement Commissioners' Transfer of Powers Act 1879 (in this section collectively referred to as the said Acts): And whereas Her Majesty the Queen proposes to take certain parts of the said land (in this section referred to as the said land) for education purposes in connection with the University of Auckland: And whereas it is expedient that the Corporation should be empowered to deal with and apply the proceeds of the compensation payable in respect of the taking of the said land in manner hereinafter provided: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act or rule of law, the net proceeds of the money received by the Corporation by way of compensation for the taking of the said land shall be paid into the Corporation's Improvement Trust Account and shall be applied in or towards the cost of purchasing or otherwise acquiring land in the City of Auckland for the purposes expressed in the said Acts or for the development or improvement of land now or hereafter vested in the Corporation for those purposes or for investment in any investments for the time being authorised by law for the investment of trust funds (the said compensation money and investments arising under the provisions of this section being referred to as the compensation fund).

(2) The Corporation shall hold any land purchased or acquired pursuant to the powers vested in it by this section for the purposes expressed in the said Acts and the Corporation shall have in respect of that land all such powers of leasing and disposition as it has under the provisions of the said Acts and also as it has in respect of its general or ordinary endowments and in addition shall have the special powers set out in subsection (3) of this section.

(3) The Corporation is hereby empowered to expend the whole or part of the compensation fund or of the proceeds of the sale of any land purchased or acquired under subsection (1) of this section on the cost of demolition of any building or buildings now or hereafter being upon any land at any time vested in it for the purposes of the said Acts and on the cost of erecting a building or buildings on any such land.

(4) The Corporation shall expend the net income received from the compensation fund and from the leasing of any land purchased or acquired under subsection (1) of this section for maintenance and upkeep of any land purchased or acquired by it pursuant to the powers vested in it by this section and also for any of the purposes expressed in the said Acts.

(5) No stamp duty shall be payable on any transfer or other assurance to the Corporation of any land purchased or acquired by it pursuant to the powers vested in it by this section.

(6) The District Land Registrar for the land registration district of Auckland is hereby authorised and directed to make such entries in the register books, to issue such titles, to register such instruments, to deposit such plans, and to do all such other things as may be necessary to give effect to the provisions of this section.

*Harbour Boards***34. Validating certain expenditure incurred by Otago Harbour Board in connection with Otago Museum Appeal—**

The expenditure by the Otago Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and sixty-one, of the sum of two hundred and fifty pounds as a donation to the trustees of the Otago Museum is hereby validated and declared to have been lawfully incurred.

5

35. Authorising the Otago Harbour Board to make *ex gratia* payment in respect of contract—

Whereas by an agreement dated the twenty-eighth day of January, nineteen hundred and sixty, made between Harpur (Coffs Harbour) Proprietary Limited by and through its agent Rosenfeld Kidson and Company Limited of Auckland, Contractor (in this section referred to as the contractor), of the one part, and the Otago Harbour Board (in this section referred to as the Board), of the other part, the contractor agreed to supply certain piles for a sum calculated in accordance with the rates provided in the said agreement: And whereas by reason of an error in the said agreement by both the contractor and the Board the contractor suffered loss as the rate charged for the longer piles was stated at a rate lower than for the shorter piles: And whereas the Board, having regard to the circumstances, is desirous of making a payment of two hundred and five pounds and tenpence to the contractor: Be it therefore enacted as follows:

10

15

20

25

The Board is hereby authorised and empowered to pay the sum of two hundred and five pounds and tenpence to the contractor by way of compensation in respect of the loss suffered by the contractor as aforesaid.

30

36. Authorising distribution by Auckland Harbour Board of proceeds collected from visit of Chilean Naval Training Ship *Esmeralda*—

Whereas the Auckland Harbour Board (in this section referred to as the Board) collected certain money in public tolls during the visit of the Chilean Naval Training Ship *Esmeralda* to the Port of Auckland in the month of June, nineteen hundred and sixty-one: And whereas the said money, less certain costs incurred in the collection thereof, amounted to the sum of six hundred and four pounds five shillings and tenpence: And whereas the Board is desirous of donating the said sum equally to and between certain seamen's welfare organisations: Be it therefore enacted as follows:

35

40

The Board is hereby authorised to expend the said sum as five equal donations of one hundred and twenty pounds seventeen shillings and twopence to each of the following organisations and fund; The Auckland Sailors' Home, The British
5 Sailors' Society Auckland (Incorporated), The "Flying Angel" Missions to Seamen, The Apostleship of the Sea (Auckland) Incorporated, and the Royal New Zealand Navy Benevolent Fund.

37. Validating certain expenditure incurred by the South-
10 **land Harbour Board in connection with official opening of its new wharves**—The expenditure by the Southland Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and sixty-one, of the sum of two thousand four hundred and four pounds and eight shillings
15 in connection with the official opening of its new wharves and functions held in conjunction therewith is hereby validated and declared to have been lawfully incurred.

38. Validating variation of terms of raising certain loan money by Whangarei Harbour Board—Whereas by Order
20 in Council made on the fourteenth day of November, nineteen hundred and sixty, consent was given to the raising by the Whangarei Harbour Board (in this section referred to as the Board) of a loan of two hundred and thirty-five thousand five hundred pounds to be known as the Development Loan
25 1960 (in this section referred to as the loan): And whereas three of the conditions determined by the Local Authorities Loans Board in respect of the loan were that the loan should extend over a term of twenty-five years, that the interest payable in respect of such loan money should not exceed four and
30 seven-eighths per centum per annum, and that the loan together with interest thereon should be repaid by equal aggregate annual or half-yearly instalments: And whereas the Board raised the sum of eighty-four thousand four hundred and fifty pounds, as part of the loan by borrowing a sum of five
35 thousand two hundred pounds for a term of one year, a sum of four thousand three hundred pounds for a term of two years, a sum of four thousand two hundred pounds for a term of three years, a sum of three thousand five hundred pounds for a term of four years, a sum of four thousand five
40 hundred pounds for a term of five years, a sum of six thousand nine hundred pounds for a term of six years, a sum of six thousand eight hundred pounds for a term of seven years, a sum of three thousand four hundred pounds for a term of eight years, a sum of five hundred pounds for a term of nine

years, a sum of seventeen thousand five hundred pounds for a term of ten years, a sum of six hundred and fifty pounds for a term of eleven years, a sum of four thousand pounds for a term of eleven years with interest payable at the rate of five per centum per annum, a sum of one thousand pounds for a term of twelve years with interest payable at the rate of five per centum per annum, a sum of one thousand two hundred pounds for a term of fifteen years, a sum of five thousand pounds for a term of twenty years, a sum of four thousand six hundred pounds for a term of twenty-four years, and a sum of fifteen thousand seven hundred pounds for a term of twenty-five years, all such sums having been borrowed on terms that repayment be made by a lump sum paid on their respective dates of maturity: And whereas it is desirable that the action of the Board should be validated: Be it therefore enacted as follows: 5 10 15

The action of the Board in raising the sum of eighty-four thousand four hundred and fifty pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of eighty-four thousand four hundred and fifty pounds shall be deemed to have been lawfully borrowed and all stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor. 20 25

39. Provision with respect to lease of land by Otago Harbour Board to British Sailors' Society (Otago Branch) Incorporated, and provisions incidental thereto—Whereas the Otago Harbour Board (in this section referred to as the Board) is required by section 26 of the Local Legislation Act 1960 to pay to the British Sailors' Society (Otago Branch) Incorporated (in this section referred to as the Society) the sum of two hundred pounds, if and whenever the Society shall erect a sailors' home or sailors' rest in Dunedin, and, until such home or rest is built, is required to pay to the Society the sum of ten pounds a year: And whereas by the said section 26 the Board is empowered to lease part of certain land to the Society, and as from the commencement of the term of the said lease the Board is freed and discharged from its liability for the payment to the Society of the said annual sum of ten pounds: And whereas the Board is registered as the proprietor of an estate in fee simple in Lots 1 and 2, Deposited Plan 9757, being parts Block LXI, Town of Dunedin, and both being parts of the Otago Harbour Endowment comprised in certificates of title, Volume 106, folio 245, and 30 35 40 45

Volume 184, folio 224, Otago Registry: And whereas the Board and the Society have agreed that the land to be leased to the Society shall be the said Lot 2 on Deposited Plan Number 9757, together with a right of way over such part
5 of the said Lot 1 on Deposited Plan Number 9757 as may be agreed upon between the Board and the Society: Be it therefore enacted as follows:

(1) If and whenever the Society shall erect a sailors' home or sailors' rest in Dunedin the Board shall pay to the Society
10 the sum of two hundred pounds, and, subject to subsection (4) of this section, shall, until such home or rest is built, continue to pay to the Society the sum of ten pounds a year and so in proportion for any less period than a year.

(2) The Board is hereby authorised and empowered to
15 lease to the Society the said Lot 2, Deposited Plan 9757, for a term of twenty-one years at a peppercorn annual rental and upon and subject to such other terms, conditions, and provisions as may be agreed upon with the Society, including
20 provision for renewal of the lease for one or more recurring periods at the same rental or otherwise as may be agreed upon between the Board and the Society.

(3) Upon the Board's granting to the Society a lease as aforesaid, the Board shall grant to the Society a right of way over such part of the said Lot 1, Deposited Plan 9757, as may
25 be agreed upon with the Society for a term similar to that of the lease, and shall on any renewal of the lease grant a further right of way for a term similar to the term of that renewal.

(4) As from the commencement of the term of the said
30 lease the Board shall be freed and discharged from its liability, under subsection (1) of this section, for the payment to the Society of the annual sum of ten pounds.

(5) Section 26 of the Local Legislation Act 1960 is hereby repealed.

35 **40. Authorising Auckland Harbour Board to transfer land to British Sailors' Society Auckland (Incorporated)**—
Whereas the Auckland Harbour Board (in this section referred to as the Board) desires to transfer the land described in
40 subsection (5) of this section (in this section referred to as the said land) to the British Sailors' Society Auckland (Incorporated) being a body duly incorporated under the Incorporated Societies Act 1908 (in this section referred to as the Society) or so much of the said land as from time to

time shall be required for use as a site for a building or buildings to be erected by the Society, upon the trusts set forth in subsection (2) of this section: And whereas it is desirable that the Board be authorised and empowered to transfer the said land or such part or parts thereof to the Society upon those trusts: Be it therefore enacted as follows: 5

(1) The Board is hereby authorised and empowered from time to time to transfer the whole or any part or parts of the said land to the Society to be held upon the trusts set forth in subsection (2) of this section. 10

(2) The Society shall hold the said land or such part or parts thereof so transferred in trust to erect and maintain thereon a building or buildings to be known as the Auckland Citizens Seamen's Memorial Centre to be used for any one or more of the following purposes, namely, the provision of club rooms, residential accommodation or any other amenities for the furtherance of the religious, moral, mental, or physical welfare and well-being of seamen: 15

Provided that if any land so transferred to the Society or any building erected thereon shall at any time cease to be used for any of such purposes as aforesaid or be used for any purpose or purposes other than those purposes for a period of six successive months, then that land and the buildings thereon shall vest in the Board without transfer or any payment of compensation, and shall thenceforth be held by the Board upon trust for the provision of amenities for seamen or for such other purposes whether charitable or non-charitable as the Board may from time to time think fit. 20 25

(3) The District Land Registrar for the Land Registration District of Auckland is hereby authorised to issue such certificates of title, to accept such documents for registration, to require the deposit of such plans, and to do all such other things as may be necessary to give effect to the provisions of this section. 30

(4) If and whenever any land transferred by the Board to the Society becomes again vested in the Board pursuant to subsection (2) of this section the Board shall furnish to the said District Land Registrar notice in writing to that effect, and on receipt of such notice the said District Land Registrar shall note the relevant certificate or certificates of title accordingly. 35 40

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

All that area in the North Auckland Land District, City of Auckland, being part Bed of the Waitemata Harbour
5 reclaimed from the sea, situated in Block VIII, Rangitoto Survey District, containing one rood sixteen perches and six-tenths of a perch more or less: as the same is shown on S.O. Plan 43111, lodged in the Office of the Chief Surveyor at Auckland.

10 *Electric Power Boards*

41. Validating variation of terms of raising certain loan money by Wairere Electric Power Board—Whereas on the twenty-sixth day of March, nineteen hundred and fifty-seven, the Local Government Loans Board sanctioned the raising
15 by the Wairere Electric Power Board (in this section referred to as the Board) of a loan of forty-eight thousand pounds to be known as the Lines Extension and Improvement Loan 1957 (in this section referred to as the loan), subject to certain conditions: And whereas one of those conditions was that
20 no money should be borrowed after the expiration of two years from the date of the Order in Council consenting to the raising of the loan: And whereas that Order in Council was made on the nineteenth day of June, nineteen hundred and fifty-seven: And whereas after the expiration of the said
25 period of two years the Board raised the sum of eight thousand pounds as portion of the loan: And whereas it is expedient that the action of the Board in raising the said portion of the loan should be validated: Be it therefore enacted as follows:

30 The action of the Board in raising the sum of eight thousand pounds as portion of the loan after the expiration of the period specified by the Local Government Loans Board is hereby validated, and the said sum shall be deemed to have been lawfully borrowed, and the debenture issued in respect
35 thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to its tenor.

42. Authorising the Waitemata Electric Power Board to sell certain land by private treaty—Whereas by an agreement
40 dated the twenty-fourth day of April, nineteen hundred and sixty-one, made between the Waitemata Electric Power Board (in this section referred to as the Board), of the one part,

and Walpasi Flats Limited (in this section referred to as the Company), of the other part, a copy of which agreement is deposited in the Department of Internal Affairs at Wellington under Number I.A. 105/953, the Board by private treaty agreed to sell and the Company agreed to purchase the Board's property situate at 81 Albert Street in the City of Auckland being the land described in subsection (3) of this section upon the terms and conditions contained in the said agreement: And whereas doubts have arisen as to the authority of the Board to enter into the said agreement and as to the validity thereof and it is desirable to remove those doubts and to validate the said agreement: Be it therefore enacted as follows:

(1) Notwithstanding anything contained in the Public Works Act 1928, or in any other Act, the Board is hereby authorised and empowered to sell by private treaty the land described in subsection (3) of this section and the said agreement is hereby declared to be valid and binding in all respects according to its tenor.

(2) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to accept such documents for registration, 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.

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

All that area of land in the City of Auckland, being part Allotment 16 of Section 21, Town of Auckland, D.P. 20023, and being the land comprised and described in certificate of title, Volume 461, folio 289, Auckland Registry.

43. Validating borrowing of and variation of terms of raising certain loan money by Te Awamutu Electric Power Board—Whereas by Order in Council made on the twenty-third day of September, nineteen hundred and fifty-nine, consent was given to the raising by the Te Awamutu Electric Power Board (in this section referred to as the Board) of a sum of thirty thousand pounds known as the Building Loan 1959 (in this section referred to as the building loan): And whereas by Order in Council made on the third day of August, nineteen hundred and sixty, consent was given to the raising by the Board of a sum of sixty thousand pounds known as the Extension Loan 1960 (in this section referred to as the extension loan): And whereas the Board raised a sum of

ten thousand pounds as part of the building loan on terms that it should be repaid by various dates within a period of eleven years: And whereas the Board raised a further sum of ten thousand pounds as part of the building loan on terms
5 that it should be repaid by various dates within a period of twelve years: And whereas the Board raised a sum of eleven thousand and fifty pounds as part of the extension loan on terms that it should be repaid by various dates within a period of ten years: And whereas one of the conditions
10 determined by the Local Authorities Loans Board in respect of the raising of the said two sums of ten thousand pounds, and the said sum of eleven thousand and fifty pounds was that those sums should be repaid by equal aggregate annual or half-yearly instalments of principal and interest
15 over a term of twenty years: And whereas it is desirable that the action of the Board in raising the said sums otherwise than in accordance with the conditions determined by the Local Authorities Loans Board be validated: Be it therefore enacted as follows:

20 The action of the Board in raising the two sums of ten thousand pounds as part of the building loan and the sum of eleven thousand and fifty pounds as part of the extension loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby vali-
25 dated and the said two sums of ten thousand pounds and the said sum of eleven thousand and fifty pounds shall be deemed to have been lawfully borrowed and all stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor.

30

New

43A. **Including Kawau Island in Waitemata Electric Power District**—Whereas the Island of Kawau (in this section referred to as the Island), situated in the Hauraki Gulf, is not included in an electric power district constituted under the
35 Electric Power Boards Act 1925 (in this section referred to as the Act): And whereas the inhabitants of the Island are desirous of having a supply of electricity made available to them on the Island: And whereas the said inhabitants cannot petition the Governor-General in accordance with section
40 3 of the Act to have the Island included in an electric power district as the Island does not form part of a borough, county, town district, or road district: And whereas the Waitemata Electric Power District extends to and includes the adjacent

New

County of Rodney, the nearest point on the mainland: And whereas it is desirable that the Island should be included in that District: Be it therefore enacted as follows:

(1) Notwithstanding anything contained in the Act, the Island is hereby declared to be included in the Waitemata Electric Power District and it shall be deemed to be a constituent district of that Electric Power District. 5

(2) All persons who would be electors of that constituent district if the Island formed part of a county shall be the electors of that district for the purposes of the Act. 10

Hospital Boards

44. Validating borrowing of and variation of terms of raising certain loan money by North Canterbury Hospital Board—Whereas by Order in Council made on the twenty-third day of February, nineteen hundred and sixty, consent was given to the raising by the North Canterbury Hospital Board (in this section referred to as the Board) of a sum of one hundred and seventy-five thousand pounds (in this section referred to as the loan) as portion of a loan of one million and eighty-one thousand pounds known as Loan Number 14, 1959: And whereas the Board raised a sum of twenty-three thousand five hundred and seventy pounds as part of the loan on terms that it should be repaid at the expiration of a term of twenty years: And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the raising of the said sum of twenty-three thousand five hundred and seventy pounds was that that sum should be repaid over a term not exceeding ten years: And whereas it is desirable that the action of the Board in raising the said sum otherwise than in accordance with the conditions determined by the Local Authorities Loans Board be validated: Be it therefore enacted as follows: 15
20
25
30

The action of the Board in raising the sum of twenty-three thousand five hundred and seventy pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of twenty-three thousand five hundred and seventy pounds shall be deemed to have been lawfully borrowed and all stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor. 35
40

- 45. Validating variation of terms of raising certain loan money by Auckland Hospital Board**—Whereas by Order in Council made on the twenty-fourth day of May, nineteen hundred and sixty-one, consent was given to the raising by
- 5 the Auckland Hospital Board (in this section referred to as the Board) of a loan of two hundred thousand pounds (in this section referred to as the loan) as portion of a loan of eight hundred thousand pounds known as the Works Loan 1960: And whereas three of the conditions determined by the
- 10 Local Authorities Loans Board in respect of the loan were that the loan should extend over a term of twenty years, and that the loan together with interest thereon should be repaid by equal aggregate annual or half-yearly instalments extending over that term, and that the rate of interest should not
- 15 produce to the lender or lenders a rate or rates exceeding four and seven-eighths per cent per annum: And whereas the Board has raised the sum of one hundred and eleven thousand two hundred and fifty pounds by borrowing a sum of ten thousand pounds for a term of one year, a sum of eight thousand eight hundred pounds for a term of two years, a sum of five thousand four hundred pounds for a term of three years, a sum of eight thousand three hundred and fifty pounds for a term of four years, a sum of eight thousand five hundred pounds for a term of five years, a sum of five thousand pounds
- 25 for a term of six years, a sum of six thousand five hundred pounds for a term of seven years, a sum of one thousand five hundred pounds for a term of eight years, and a sum of fifty-seven thousand two hundred pounds for a term of ten years at a rate of interest of five per cent per annum, all such sums
- 30 having been raised on terms that repayment be made by a lump sum paid on their respective dates of maturity: And whereas it is desirable that the action of the Board be validated: Be it therefore enacted as follows:

- The action of the Board in raising the sum of one hundred
- 35 and eleven thousand two hundred and fifty pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of one hundred and eleven thousand two hundred and fifty pounds shall be deemed to have
- 40 been lawfully borrowed and all debentures and stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect accordingly to their tenor.

46. Authorising the Otago Hospital Board to make *ex gratia* payment in respect of a contract—Whereas by an agreement dated the fourth day of May, nineteen hundred and fifty-nine, made between Baker Perkins (N.Z.) Limited (in this section referred to as the contractor), of the one part, and the Otago Hospital Board (in this section referred to as the Board), of the other part, the contractor agreed to perform certain work in respect of laundry machinery at the Board's Parkside Hospital and at the Board's new Central Laundry at Dunedin: And whereas the contractor has performed part of the said work and the remainder of the said work is about to be completed: And whereas the contractor made certain errors and omissions in calculating the cost of the supply and installation of certain necessary parts of such machinery: And whereas as a result of such errors and omissions the contractor would suffer a loss amounting to one thousand and sixty-two pounds: And whereas the Board, having regard to this loss and to the hardship which the contractor would otherwise suffer, is desirous of making a payment of one thousand and sixty-two pounds to the contractor: Be it therefore enacted as follows:

The Board is hereby authorised and empowered to pay the sum of one thousand and sixty-two pounds to the contractor by way of compensation in respect of the loss incurred by the contractor, conditional on the satisfactory performance of the remainder of the said work.

Rabbit Boards

47. Validating borrowing of certain money by Millers Flat Rabbit Board—Whereas by Order in Council made on the fifteenth day of June, nineteen hundred and sixty, consent was given to the raising by the Millers Flat Rabbit Board (in this section referred to as the Board) of a loan of one thousand three hundred and seventy pounds to be known as the Staff Housing Loan 1960 (in this section referred to as the loan): And whereas, contrary to the provisions of the Local Authorities Loans Act 1956, the Board had raised the loan before it was sanctioned by the Local Authorities Loans Board and before it was authorised by the said Order in Council: And whereas it is desirable that the action of the Board should be validated: Be it therefore enacted as follows:

The action of the Board in raising the loan before it had been sanctioned by the Local Authorities Loans Board and without the precedent consent of the Governor-General in Council is hereby validated, and the money raised by the

Board in respect thereof shall be deemed to have been lawfully borrowed, and all securities issued in respect thereof shall be deemed to have been lawfully executed and issued by the Board and shall have full force and effect according to
5 their tenor.

48. Dissolving the Edendale Rabbit Board, and provisions incidental thereto—Whereas the Edendale Rabbit District was constituted by Order in Council dated the seventeenth day of December, nineteen hundred and forty-one: And
10 whereas the boundaries of the said Edendale Rabbit District were altered and redefined by Order in Council dated the tenth day of March, nineteen hundred and fifty-nine: And whereas by Order in Council dated the twenty-sixth day of October, nineteen hundred and sixty, the boundaries
15 of the Woodlands Rabbit District were altered and redefined to include a portion of the Edendale Rabbit District: And whereas by a further Order in Council dated the twenty-sixth day of October, nineteen hundred and sixty, the boundaries of the Glencoe Rabbit District were altered and
20 redefined to include the remaining portion of the Edendale Rabbit District: And whereas by a further Order in Council dated the twenty-sixth day of October, nineteen hundred and sixty, the East Road - Makarewa Rabbit District, the Waimatua Rabbit District, and the Woodlands Rabbit District
25 were declared to be united to form one district having the name of the Awarua Rabbit District: And whereas by an agreement dated the twenty-second day of May, nineteen hundred and sixty-one between the Awarua Rabbit Board and the Glencoe Rabbit Board, the Awarua Rabbit Board agreed
30 to take over the assets and assume the liabilities of the Edendale Rabbit Board and to pay to the Glencoe Rabbit Board the sum of two thousand two hundred and ninety pounds and to transfer to it assets valued at four hundred and ninety-six pounds: And whereas the Board had no authority to enter
35 into the said agreement: Be it therefore enacted as follows:

- (1) The agreement dated the twenty-second day of May, nineteen hundred and sixty-one, between the Awarua Rabbit Board and the Glencoe Rabbit Board is hereby validated.
- (2) The Edendale Rabbit Board is hereby dissolved.
- (3) The Awarua Rabbit Board shall be deemed to have
40 lawfully acquired the assets and assumed the liabilities and engagements of the Edendale Rabbit Board and all proceedings pending by or against the Edendale Rabbit Board may be carried on or prosecuted by or against the Awarua Rabbit
45 Board.

49. Authorising Waimakariri Rabbit Board to raise special loan—Whereas the Waimakariri Rabbit Board (in this section referred to as the Board) has expended out of its General Account the sum of three thousand five hundred pounds on the purchase of a house property and land: And whereas the Local Authorities Loans Board has no power to sanction the raising of a loan for the purpose of enabling the Board to refund the said sum of three thousand five hundred pounds to its General Account: And whereas it is desirable to authorise the Board to raise a special loan not exceeding the sum of three thousand five hundred pounds for the purpose of recouping its General Account in respect of the money expended from that account as aforesaid: Be it therefore enacted as follows:

The Board is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956, an amount not exceeding three thousand five hundred pounds for the purpose of refunding to its General Account the money expended from that account on the purchase of the said house property and land.

Catchment Boards

50. Validating advance of certain money by Southland Catchment Board—Whereas by Order in Council made on the twentieth day of June, nineteen hundred and fifty-six, consent was given to the raising by the Southland Catchment Board (in this section referred to as the Board) of the sum of seven thousand pounds to be known as the Dipton Channel Works Loan 1956 (in this section referred to as the loan) for the purpose of undertaking certain works for the benefit of part of the Southland Catchment District: And whereas because of flood damage during construction of the said works the amount of the loan was found to be insufficient to complete the said works: And whereas the Board advanced the sum of eight hundred and seventy-two pounds six shillings and threepence out of its General Account for purposes supplementary to the loan, the said sum to be recouped by an annually recurring separate rate on all rateable property in the Dipton Channel Rating District: And whereas the Board advanced the said sum from its General Account without first complying with the provisions of section 31 of the Local Authorities Loans Act 1956; And whereas it is desirable that the action of the Board in advancing the said sum be validated: Be it therefore enacted as follows:

(1) The action of the Board in advancing the sum of eight hundred and seventy-two pounds six shillings and threepence from its General Account for the purpose of completing the

said works, without first complying with the provisions of section 31 of the Local Authorities Loans Act 1956, is hereby validated and the said money shall be deemed to have been lawfully advanced.

- 5 (2) The annually recurring separate rate made and levied by the Board on all rateable property in the Dipton Channel Rating District for the purpose of recouping the sum so advanced is hereby declared to have been lawfully made and levied.

10 **51. Authorising the Wairarapa Catchment Board to reclaim certain land in the Wairarapa Catchment District—**

Whereas the Wairarapa Catchment Board proposes to reclaim certain land adjacent to and on the foreshore of Lake Wairarapa, Lake Onoke, and the Ruamahanga River and
15 from the beds of the said lakes and river in pursuance of the Lower Wairarapa Valley Development Scheme: And whereas there are some doubts as to the Catchment Board's powers to do this work: And whereas it is desirable that the necessary powers be granted to the Catchment Board: Be it therefore
20 enacted as follows:

(1) Notwithstanding the provisions of section 175 of the Harbours Act 1950 or of any other Act, but subject to the provisions of sections 178 to 182 of the Harbours Act 1950, the Wairarapa Catchment Board is hereby authorised to reclaim
25 land adjacent to and on the foreshore of Lake Wairarapa, Lake Onoke, and the Ruamahanga River and from the beds of the said lakes and river, being the land described in subsection (2) of this section.

(2) The land to be reclaimed is described as follows:
30 All that area in the Wellington Land District, County of Featherston, containing five thousand seven hundred acres approximately, as shown on the plan marked M.D.11069, deposited in the Head Office of the Marine Department, at Wellington, and thereon edged red.

35 *Affecting Two or More Classes of Public Bodies*

52. Validating an agreement between New Plymouth City Council and certain other local authorities as to establishment of museum—Whereas for the purpose of making provision for the establishment and control of a museum in the
40 Provincial District of Taranaki and for defraying the cost thereof, the local authorities mentioned in subsection (4) of

this section have entered into an agreement dated the tenth day of August, nineteen hundred and sixty, a certified copy of which agreement is recorded in the Department of Internal Affairs at Wellington as I.A. 105/784: And whereas doubts have arisen as to the powers of the local authorities concerned to enter into and be bound by the said agreement: And whereas it is desirable that the said agreement should be validated and that the powers contained in subsection (2) of this section should be conferred on the New Plymouth City Council: Be it therefore enacted as follows: 5 10

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954, the Counties Act 1956, or in any other Act, the said agreement is hereby validated and confirmed, and the local authorities mentioned in subsection (4) of this section shall be deemed to have been at all times authorised and empowered to enter into and execute the said agreement which shall be binding on the parties thereto and shall for all purposes without further authority than this section be effective according to its tenor. 15

(2) While the said agreement remains in full force and effect, the New Plymouth City Council may make bylaws from time to time for the purpose of regulating, controlling, or prohibiting any act, matter, or thing in connection with the control, management, maintenance, and use of the museum: 20 25

Provided that no such bylaw shall have any force or effect unless and until the same has been approved by a resolution of the Taranaki Museum Board to be constituted pursuant to the said agreement, which approval may be proved by the production of a copy of the resolution with a certificate thereon purporting to be signed by the Chairman and any two members of the said Board. 30

(3) The provisions of Part XXIX of the Municipal Corporations Act 1954 shall apply to any bylaws made under subsection (2) of this section. 35

(4) The local authorities to which this section relates are:

New Plymouth City Council
 Waitara Borough Council
 Inglewood Borough Council
 Stratford Borough Council
 Eltham Borough Council
 Hawera Borough Council
 Patea Borough Council
 Taranaki County Council 40

- 5 Inglewood County Council
- Clifton County Council
- Stratford County Council
- Eltham County Council
- Hawera County Council
- Egmont County Council
- Waimate West County Council
- Patea County Council.

10 **53. Authorising refund of purchase price of stopped street**
transferred to Auckland Harbour Board by Auckland City
Council—Whereas Jellicoe Street in the City of Auckland was
reclaimed, formed, and dedicated as a public street by the
Auckland Harbour Board (in this section referred to as the
Board): And whereas that part of Jellicoe Street described
15 in subsection (2) of this section (in this section referred to
as the said land) has now been stopped by the Auckland City
Council (in this section referred to as the Council) pursuant
to the provisions of the Municipal Corporations Act 1954:
And whereas the Council desired to transfer the said land
20 to the Board without consideration but had no power to do
so: And whereas the Council transferred the said land to the
Board pursuant to section 190 of the Municipal Corporations
Act 1954 in consideration of the payment of the sum of eight
thousand three hundred and seventy-five pounds: And
25 whereas it was agreed between the Council and the Board
that they would seek legislative authority for the Council to
refund the said sum to the Board: Be it therefore enacted
as follows:

(1) Notwithstanding the provisions of section 190 of the
30 Municipal Corporations Act 1954 or any other Act, the
Council is hereby empowered to refund to the Board the
sum of eight thousand three hundred and seventy-five pounds
paid by the Board to the Council as aforesaid.

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

All that parcel of land containing one rood four perches
and six-tenths of a perch, more or less, being section 4,
Block XVI, Waitemata Survey District, and being all the
land comprised and described in certificate of title, Volume
40 1853, folio 52, Auckland Registry.

54. Authorising Wellington City Council to make a grant in respect of Day's Bay Wharf—Whereas the Wellington Harbour Board (in this section referred to as the Board) owns and controls a wharf at Day's Bay in and over the Harbour of Wellington (in this section referred to as the wharf): And whereas the wharf was constructed for use by vessels engaged in the Wellington Harbour Ferry Passenger Service plying between the Wellington wharves and the Day's Bay and other wharves in the Wellington Harbour: And whereas the wharf has not been used for commercial purposes since the ferry service was discontinued some years ago: And whereas the upkeep of the wharf has become uneconomic and the Board has under consideration the demolition of the said wharf: And whereas the Wellington City Council (in this section referred to as the Council) has requested the Board to recondition the wharf as an amenity for use by pleasure craft and has offered to make a grant to the Board of the sum of two thousand five hundred pounds towards the cost of reconditioning the wharf for such purpose: And whereas the Board is prepared to agree to the Council's request: And whereas it is desirable to authorise the Council to make the said grant to the Board: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to make a grant to the Board of the sum of two thousand five hundred pounds for the purpose of reconditioning the wharf to provide an amenity for use by pleasure craft.

55. Validating the terms of an agreement between Wellington Harbour Board and Eastbourne Borough Council—Whereas the Wellington Harbour Board (in this section referred to as the Board) owns and controls a wharf in and over the Harbour of Wellington which together with the approach wharf thereto constructed on land is known as the Rona Bay Wharf (in this section referred to as the wharf): And whereas the wharf is no longer required or suitable for shipping or harbour purposes and the Eastbourne Borough Council (in this section referred to as the Council) desires to lease the wharf from the Board for use as a promenade and pleasure and recreational resort for the convenience of the public, and the Board is willing to grant such a lease to the Council: And whereas the Board desires to pay to the Council the sum of two thousand pounds to be used and expended by the Council towards the maintenance of the wharf during the continuance of such lease and thereafter towards the

demolition and removal of the wharf: And whereas the Board and the Council entered into an agreement dated the first day of August, nineteen hundred and sixty-one, for the purpose of giving effect to the proposals in respect of the
5 wharf, and a copy thereof has been deposited in the Department of Internal Affairs under Number I.A. 105/894: And whereas the Board and the Council had no authority to enter into the said agreement and the Board has no authority to make the proposed payment of two thousand pounds to the
10 Council: And whereas it is desirable to validate the said agreement and to authorise the Board to grant and pay the said sum to the Council: Be it therefore enacted as follows:

(1) Notwithstanding anything contained in the Harbours Act 1950 or in any other Act, the Board and the Council shall
15 be deemed to have been authorised and empowered to enter into the said agreement and the same is declared to have been lawfully made and shall have effect according to its tenor.

(2) The Board is hereby authorised and empowered to
20 pay the sum of two thousand pounds to the Council as a grant in accordance with the terms of the said agreement.

Miscellaneous

56. Provision with respect to Warkworth War Memorial project—Whereas certain sums of money were publicly sub-
25 scribed towards the cost of a War Memorial for the Town District of Warkworth: And whereas the War Memorial was a charitable purpose within the meaning of Part IV of the Charitable Trusts Act 1957: And whereas the form of the War Memorial was changed and all the money publicly sub-
30 scribed was spent on the War Memorial as so changed: And whereas the provisions of Part IV of the Charitable Trusts Act 1957 were not complied with although the money was spent in carrying out a charitable purpose other than that for which the money raised was held: And whereas it is desirable
35 to validate the spending of that money for that purpose: Be it therefore enacted as follows:

Notwithstanding the provisions of the Charitable Trusts Act 1957 or of any other Act, all money publicly subscribed towards the War Memorial for the Town District of Wark-
40 worth is hereby declared to have been lawfully spent on the War Memorial as built although the Memorial was different in form from that for which the money was subscribed.

57. Declaring certain deed to be arbitrator's award for purposes of section 65 (5) of Auckland Metropolitan Drainage Act 1960—Whereas by subsection (5) of section 65 of the Auckland Metropolitan Drainage Act 1960 it is provided that the Auckland Metropolitan Drainage Board shall take over the ownership, operation, maintenance, and control of the temporary treatment plant known as the Te Atatu North Treatment Plant when completed by the Waitemata County Council and of any sewers connected therewith which may be or become main sewers, the amount of compensation, if any, payable therefor by the Board to the Waitemata County Council and any question as to whether any sewer is or may become a main sewer, to be determined by arbitration pursuant to section 95 of the said Act: And whereas as the result of negotiations between the said Board and the said Council, agreement has been reached upon the issues involved, and such agreement has been evidenced by Deed dated the seventeenth day of October, nineteen hundred and sixty-one, executed by the said Board and the said Council, a copy of which deed is lodged with the Department of Internal Affairs, at Wellington, under number I.A. 105/765: Be it therefore enacted as follows:

It is hereby declared that such Deed shall be deemed to be the award of a single arbitrator made pursuant to section 95 of the said Act and shall be effective for all purposes accordingly.