

LOCAL LEGISLATION BILL

EXPLANATORY NOTE

County Councils

Clause 2: Validating variation of terms of raising certain loan money by Raglan County Council. Consent was given to the raising of the Raglan County Council's Renewal Loan 1961 by Order in Council made on 18 October 1961. Two of the conditions laid down by the Local Authorities Loans Board in respect of the raising of the loan were that the loan should be for a three-year term, and that a sinking fund should be established. The Council, however, raised the loan by borrowing £1,500 for one year, £2,200 for two years, and £1,300 for three years, and although it established the sinking fund it has made no payment to it. The Council now wishes to have the raising of the amounts validated. It also wishes to have the sinking fund abolished and to have authority to repay the loan from its General Account. This clause provides accordingly.

Clause 3: Authorising Matamata County Council to appoint additional members to Tokoroa County Town Committee. Section 416 of the Counties Act 1956 authorises a county council to declare any part of a county which satisfies certain conditions to be a county town. Section 418 of the Act provides for the appointment of county town committees which shall consist of not fewer than three nor more than seven members. The Matamata County Council administers the Tokoroa County Town the population of which is some 8,000 people. Because of the size of this county town the County Council considers that it would be reasonable for the burden of committee work to be borne by a larger number of committee members. It therefore desires to appoint additional members to the County Town Committee to bring the total membership up to not more than twelve. Special legislation is required to enable the Council to do so and this clause provides the necessary legislative authority.

Clause 4: Authorising Tauranga County Council to refund to County Fund Account from Depot Development and Plant Loan. Last year the Tauranga County Council began construction of a new County depot, meeting the cost from a previous loan authority. The Council intended to raise a loan to pay for the remainder of the work but this could not be done before the money remaining from the previous loan authority was exhausted. The Council therefore continued with the work, paying the cost from its County Fund Account. The Council now wishes to refund £24,130 5s. 3d. to the County Fund Account from the proceeds of the loan, but has no authority to do so.

This clause gives the Council the necessary authority.

Clause 5: Authorising Tauranga County Council to refund to County Fund Account from Greerton Development Loan. Last year the Tauranga County Council was carrying out development work in Greerton with finance from a previous loan authority. The Council intended to raise a loan to pay for the remainder of the work, but before this could be done the Council exceeded the amount available from the previous loan authority and had to meet the costs from its County Fund Account.

The Council now wishes to refund £5,744 3s 4d. to the County Fund Account from the proceeds of the loan but has no authority to do so.

This clause gives the Council the necessary authority.

Clause 6: Validating variation of terms of raising certain loan money by Hawke's Bay County Council. The Hawke's Bay County Council's Rural Housing Loan 1955 of £10,000 was authorised on 2 November 1955.

One of the conditions determined by the Local Government Loans Board was that the interest rate should not exceed $3\frac{1}{2}$ per cent. The first instalment of £3,800 was raised from the State Advances Corporation at this rate, the current rate offered by the Corporation at that time. The second instalment of £2,460 was raised from the Corporation at a later date when the interest rate had been increased to 4 per cent. The balance of £3,740 has not been borrowed.

It is now necessary to validate the raising of part of the loan at an interest rate higher than that authorised. This clause provides accordingly.

Clause 7: Amending section 9 of the Local Legislation Act 1960. In 1960 the Manukau County Council sought authority to raise a loan for internal sewerage reticulation works in certain areas of the county which were included in the inner area of the Auckland Metropolitan Drainage District, and wished the loan charges to be met by those ratepayers who would be served by the sewerage works. As the areas in question do not form one continuous area the Council could not constitute them a special rating area for the purposes of the Local Authorities Loans Act 1956, or an urban drainage area under the Counties Act 1956. The Council was therefore given authority by section 9 of the Local Legislation Act 1960 to secure the loan over the whole county and to meet the charges on all loans raised within two years of the commencement of the section by a separate rate on all rateable property in those parts of the county forming part of the inner area of the Auckland Metropolitan Drainage Board as at 1 April 1961.

This clause amends section 9 of the Local Legislation Act 1960 by extending its operation to cover loans raised within four years of the commencement of that section over those parts of the county in the inner area of the Auckland Metropolitan Drainage District at 1 April 1963.

Clause 8: Authorising Hutt County Council to raise special loan and to transfer loan money to County Fund Account. The Hutt County Council raised and expended a loan of £60,000 known as the Wainuiomata Sewerage Reticulation (Extension to Boundaries) Loan 1958 for the purpose of carrying out sewerage reticulation in Wainuiomata. However, owing to unforeseen circumstances the cost of the reticulation works exceeded the estimates and the contract prices by a considerable amount and the Council was obliged to meet the additional cost from its County Fund Account. The additional amount so expended amounted to £37,073 13s. 9d. The Council holds in its Wainuiomata Water Supply Loan 1958 Account the sum of £8,000 which is not required at the present time for the purposes for which it was raised and it wishes to transfer this sum to its County Fund Account to replace part of the amount expended on sewerage reticulation. The Council also wishes

to raise a special loan of £29,000 for the purposes of recouping its County Fund Account in respect of the balance of the money so expended. As the Water Supply Loan is secured over a different rating area than that in respect of the Sewerage Reticulation (Extension to Boundaries) Loan the Council desires to make and levy an annually recurring rate over the latter rating area as security for the sum of £8,000 to be transferred from the Council's Water Supply Loan Account to its County Fund Account. Legislative authority is required and this clause provides accordingly.

City and Borough Councils

Clause 9: Provision with respect to expenditure by Lawrence Borough Council on centennial celebrations. In 1966 the Lawrence Borough Council will be holding celebrations to commemorate the centennial of the founding of the Borough. Last year the Council set aside £50 in a Centennial Fund Account for the purpose of meeting the cost of these celebrations and wishes to contribute a further £50 to the Fund each year until the Centennial year. The Council has no power to do this and the necessary authority can only be given by means of special legislation.

This clause provides accordingly.

Clause 10: Authorising Takapuna City Council to exercise powers in respect of wards. The Borough of Takapuna was divided into two wards, Ward A and Ward B, by Order in Council dated the twenty-third day of February, nineteen hundred and fifty-four, made under the Local Government Commission Act 1946. This Order in Council altered the boundaries of the Borough of Takapuna and the County of Waitemata, transferring an area from the County to the Borough. The Borough Council desired to divide the Borough into wards in order to levy a higher general rate in the newly added area since it required considerable development to bring its services up to the standard of the rest of the Borough. The Borough has since been declared a city and the circumstances requiring its division into wards have largely disappeared. The Takapuna City Council, therefore wishes to levy a uniform general rate over the whole of its area and to retain the ward system for the purposes of representation only. There is doubt, however, as to whether the City Council can exercise its normal powers in relation to wards when the wards were created by Order in Council.

This clause gives the City Council the right to exercise the usual powers.

Clause 11: Authorising Otahuhu Borough Council to expend money in connection with fiftieth anniversary celebrations. The Otahuhu Borough Council wishes to obtain authority to spend up to £800 on celebrations to mark the fiftieth anniversary of the founding of the Borough. It is also desired to validate any expenditure that has already been incurred. No authority exists for expenditure of this nature and this clause provides the necessary authority.

Clause 12: Making provision for the leasing by the Devonport Borough Council of the Cheltenham Kiosk. The Cheltenham Kiosk stands on land vested in the Devonport Borough Council as an endowment for the use of the public under the Borough of Devonport Empowering and Endowment Act 1890. At present the kiosk is leased on a year to year tenancy at an annual rental of £494. The Council wishes to grant a lease on such terms as to provide for the renovation and alteration of the kiosk and its use for private functions and entertainment. The only economic use for the building at present is as reception rooms.

Doubts have arisen as to the power of the Council to grant a lease of the Cheltenham Kiosk providing for the renovation and alteration of the kiosk and its use for private functions and it is desirable that these doubts be removed. This clause provides accordingly.

Clause 13: Validating variation of terms of raising War Memorial Loan by Masterton Borough Council. The raising of the Masterton Borough Council's War Memorial Loan 1957 of £10,000 was authorised in January 1958. One of the conditions laid down by the Local Authorities Loans Board was that the Council should establish a sinking fund for the repayment of the principal of the loan on maturity.

The loan was raised in conjunction with the Masterton Licensing Trust under an agreement that the Trust would effect an endowment policy with the Government Insurance Commissioner and would meet the premiums thereon. The proceeds from the policy, which matures at the end of the term of the loan, are to be used to repay the principal of the loan. The Council agreed to pay interest on the loan, but as it is not meeting the principal repayment it did not establish the sinking fund required by the Local Authorities Loans Board.

This clause validates the Council's actions.

Clause 14: Provision with respect to expenditure by Milton Borough Council on centennial celebrations. The Milton Borough Council will be holding celebrations in 1966 to mark the centennial of the founding of the Borough. In order to provide for expenditure on these celebrations the Council set up a Centennial Fund Account in 1959 and has since made two annual payments of £50 to it. No authority exists for this procedure, and the Council now wishes to have its actions validated, and to secure authority to make annual payments of up to £100 into the account until 31 March 1967.

This clause provides accordingly.

Clause 15: Vesting certain land in Corporation of the City of Christchurch. An area of residential land in the Redcliffs - Moncks Bay area of Christchurch City was originally subdivided when the land formed part of Heathcote County. The scheme of subdivision was such that there was theoretical but impracticable access to the main road to Sumner, but the only practical access was by certain rights of way known collectively as the Brae and Quarry Road.

For most of its length this access way is about 30 ft in width but it becomes narrower towards the end. The minimum width for streets, as laid down in the Municipal Corporations Act 1954, is 40 ft.

Since this access is the only practical one to the area concerned, the Christchurch City Council wishes to have it dedicated as public street. This dedication would have the effect of severing certain small pieces of land from the main parcels of land of which they at present form part. This clause dedicates the access way as public street and vests the severed pieces of land in the Corporation of the City of Christchurch for an estate in fee simple with power to dispose of the same.

Clause 16: Authorising Martinborough Borough Council to lease certain land. The major portion of Considine Park in the Borough of Martinborough was given to the former Martinborough Town Board at three different times, in 1914, 1920, and 1922, by the late Mr A. O. Considine. On each occasion the Town Board signed a declaration of trust setting out the purposes for which the land was to be held. These were primarily the use of the land as a public park and recreation ground, with specific projects mentioned in detail.

The remaining portion of the park, an area of 5½ acres, was purchased by the Borough Council in 1947 with money that had been left to it in the will of Mr Considine for use towards the upkeep, maintenance, or improvement of Considine Park. The land thus purchased is now considered to be subject to the same trusts as the original portion of the park. The Council wishes to lease part of this land to the Boy Scouts Association for use as a scout den. Since this does not come within any of the purposes of the trusts, it is necessary to obtain legislative sanction for the lease.

This clause provides accordingly.

Clause 17: Validating variation of terms of raising cemetery loan by Masterton Borough Council. The raising of the Masterton Borough Council's Cemetery Loan 1959 of £7,500 was authorised by Order in Council made on 25 November 1959. Two of the conditions laid down by the Local Authorities Loans Board were that the loan was to extend over a 25-year term and that it was to be repaid by equal aggregate annual or half-yearly instalments. The Council subsequently obtained the full amount of the loan from the Public Trustee repayable on the basis of a 25-year loan but with the final payment to be made in 12 years. Application for variation of the terms of the loan was made too late for it to be granted, and validating legislation is therefore sought.

This clause gives the necessary validation.

Clause 18: Provision with respect to gasworks depreciation fund of Eltham Borough Council. The Eltham Borough Council closed its gasworks in 1960. Certain liabilities, including the repayment of two Crown advances made for the extension and improvement of the gasworks, have still to be met. The Council wishes to use money at present held in the Gasworks Depreciation Fund, which is no longer required for the purposes for which the Fund was established, in meeting these liabilities. Legislation is needed to free the money held in the Fund and this clause provides accordingly.

Clause 19: Provision with respect to reserve funds held by Nelson City Council. The Nelson City Council at present holds money in two inoperative reserve fund accounts. The first of these is the Recreation Reserve Purchase Trust Account, which contains the proceeds from the sale of a portion of a reserve some time before 1935. The second is the Reserve Deposits Account of the former Tahunanui Town District, which, in the merger of the Town District with the city in 1951, became part of the assets of the city. The City Council wishes to have legislative authority to transfer the money held in these accounts to its Subdivisions Reserve Account (Reserve Fund) for use in the purchase, improvement, and development of public reserves.

This clause provides accordingly.

Clause 20: Authorising Wellington City Council to use certain land for cemetery purposes. The Wellington City Council administers the Karori Lawn Cemetery which is almost fully occupied by graves. The Council owns an adjoining strip of land and wishes to use this land as part of the lawn cemetery. Special legislation is required to grant the necessary authority to use the land for cemetery purposes and this clause provides accordingly.

Clause 21: Validating proceedings in connection with raising of loan by Wellington City Council. The raising of £100,000 of the Wellington City Council's Waterworks Reticulation and Treatment Loan 1959 of £178,000 was authorised on 22 July 1959.

Through inadvertence the sum of £1,000 was raised in excess of the amount authorised by Order in Council. Legislation is necessary to validate this irregularity.

This clause provides accordingly.

Clause 22: Authorising Whakatane Borough Council to make an *ex gratia* payment in respect of land taken under the Public Works Act 1928. The Whakatane Borough Council in 1948 acquired, under the Public Works Act 1928, some nine acres of partially tidal mudflat in the Borough for use as a rubbish dump. The then owner agreed to the taking of the land subject to compensation being paid. No agreement was, however, reached on the amount of the compensation, and the five-year period for the commencement of compensation proceedings under the Public Works Act 1928 expired without any agreement having been reached or proceedings commenced.

The former owner of the land has since died and the Council has now agreed to make an *ex gratia* payment of £250 to the Public Trustee as administrator of the estate of the former owner as compensation for the taking of the land. Legislative authority is necessary for such a payment and this clause provides that authority.

Clause 23: Authorising Mount Albert Borough Council to enclose and lease certain land. The Mount Albert Borough Council wishes to have power to expend money to erect a warehouse on land under the Gladstone Road overbridge, and to lease the land and warehouse.

The bridge comprises two spans, one of 60 ft over the railway line and railway reserve land, and the other of 50 ft over public street. Footpaths are provided on both sides of the bridge and approaches, and part of the street on its original level remains as access to two properties. The 50 ft span over the public street has abutments at each end, and, with the provision of curtain walls on the other two sides, would provide a very large enclosed space which could be leased as a warehouse or factory, bringing the Council substantial revenue.

At present, however, the Council has no power to spend money on developing the land, or to lease it. This clause gives the Council power to do so.

Clause 24: Authorising refund to District Fund Account from loan money by Alexandra Borough Council. Before obtaining authority to the raising of a loan for the purpose, the Alexandra Borough Council expended from its District Fund Account the sum of £3,000 in purchasing a staff house. Authority has since been obtained to the raising of the loan and the Council has refunded this sum to its District Fund Account. The Council had no authority to make such an advance from its District Fund Account or to refund to it from loan money. Legislation is therefore necessary to validate its actions, and this clause provides accordingly.

Clause 25: Authorising Invercargill City Council to refund to District Fund Account from loan money. Before authority was obtained to the raising of the Water Supply Loan 1962, the Invercargill City Council expended out of its District Fund Account, for certain purposes for which the loan was to be raised, the sum of £7,620 7s. 11d. Authority has since been granted for the raising of the loan. The Council now desires to refund the sum expended to its District Fund Account from the proceeds of the loan, but has no authority to do so.

This clause gives the Council the necessary authority.

Clause 26: Authorising Oamaru Borough Council to refund to District Fund Account from loan money. Last year the Oamaru Borough Council found it necessary to make urgent additions to the Oamaru Gasworks at a cost of £3,176. The Council had hoped to pay for this work from its Gasworks Loan 1962, but the work had to be done before the loan could be raised and the cost was met from the Council's District Fund Account. The Council now wishes to refund the amount of £3,176 to the District Fund Account from the proceeds of the loan, but has no authority to do so.

This clause gives the Council the necessary authority.

Clause 27: Validating election of certain members of Auckland City Council. Following the declaration of the results of the election for the 21 members of the Auckland City Council on 25 October last, it has been found that one candidate declared to have been elected appears to have been incapable of being elected a member of the Council because of an interest in a disqualifying contract under the Local Authorities (Members' Contracts) Act 1954. As a result doubts have been raised as to the validity of the election of the other 20 members. No petition for an inquiry into the conduct of the election pursuant to section 66 of the Local Elections and Polls Act 1953 was lodged, but in view of the doubts that have been expressed as to the validity of the election and the fact that the councillors will be in office for the next three years, it is considered to be desirable to validate the election of the 20 councillors who are clearly eligible for membership of the Council. This clause provides accordingly.

Clause 28: Amending section 27 of the Local Legislation Act 1961. Section 27 of the Local Legislation Act 1961 empowered the Te Awamutu Borough Council to lease and transfer certain land to the Te Awamutu College. There is an error in the description of that land. The clause corrects the error.

Harbour Boards

Clause 29: Validating certain expenditure incurred by the Otago Harbour Board in connection with Otago Museum appeal. In response to an appeal for funds by the Otago Museum, the Otago Harbour Board in 1960 agreed to make a donation of £750 to be paid over three years, from its unauthorised expenditure item. Two hundred and fifty pounds was paid in this way in 1960, but in 1961 there was insufficient money available in the unauthorised expenditure item to pay the sum and legislative authority had to be obtained to allow the payment to be made. This was given by section 34 of the Local Legislation Act 1961.

The Board is this year unable to pay the final instalment from its unauthorised expenditure item and legislative authority for the payment is again sought.

The clause provides accordingly.

Clause 30: Provision with respect to certain land vested in Whangarei Harbour Board. The land referred to in this clause was taken by proclamation under the Public Works Act 1928 by the Whangarei Harbour Board in 1943 for the purpose of constructing a canal through it. This work was completed during the war. Since that time the Board has dedicated a portion of the land as public street, and has registered leases over other portions. The Public Works Act 1928 gives power to let for a maximum term of 21 years, but not to lease, land held for harbour works. The leases and the dedication as they stand are therefore invalid. The Board wishes to have them legalised, and

this clause does this by changing retrospectively the purpose for which the land is held to endowment purposes, thus enabling the full leasing powers under the Public Bodies' Leases Act 1908 to be used.

Clause 31: Amending Gisborne Harbour Board Empowering Act 1961. The Schedule to the Gisborne Harbour Board Empowering Act 1961 specifies the purposes for which the Board may spend money, and the amount to be spent on each item. Among these is £250,000 for the purchase of a dredge, tow boat, and barges and £143,000 for dredging to give required depth for overseas ships.

This allocation was based on the understanding that the Board would follow the advice of its consulting engineer and buy a dipper dredge. The Board, however, has not finally decided in favour of buying a dipper dredge and intends to investigate all types of dredges, and also the possibility of dredging by contract. The Local Authorities Loans Board, as one of its conditions to the approval of the loan being raised by the Harbour Board, has stipulated that the Board thoroughly investigate alternatives to the purchase of a dipper dredge.

The wording of the Schedule to the Act obliges the Board to buy a dredge if dredging is to proceed. The Board wishes therefore to have the Schedule amended so that it may be free to investigate and negotiate for the best method of dredging, including dredging by contract.

This clause provides accordingly. The opportunity is also taken to reword the other items in the Schedule.

Clause 32: Validating variation of terms of raising certain loan money by the Southland Harbour Board. The Southland Harbour Board's Loan No. 20 1961, was sanctioned on 16 May 1961 for a term of 26 years, with provision for repayment by equal aggregate instalments of principal and interest over the final 25 years of the term. The Board, in accordance with its normal practice, raised the loan against a table of redemptions over the full term of the loan. In this case, however, the application for a variation of the sanction was overlooked and the conditions laid down by the Local Authorities Loans Board were therefore contravened.

Validating legislation is necessary and this clause provides accordingly.

Clause 33: Authorising Southland Harbour Board to sell certain land. The land referred to in this clause was purchased by the Southland Harbour Board in 1898, for use as a site for administration offices, but as new offices have now been built, it is no longer required for this purpose.

At present the land is leased to the Southland Savings Bank for a term of 21 years from 1 June 1962 with right of renewal. The Board now wishes to sell the land to the Savings Bank, but has no authority to do so.

This clause gives the Board the necessary authority.

Drainage Boards

Clause 34: Authorising expenditure by Auckland Metropolitan Drainage Board in connection with opening ceremony. The Auckland Metropolitan Drainage Board wishes to hold a function to celebrate the completion of the first stage of the Manukau Sewage Scheme.

In 1960 the Board sought authority to spend up to £2,500 on an inauguration ceremony. The Board, however, decided to postpone the opening ceremony until the initial difficulties attending the operation of the scheme had been overcome.

At this stage, when the Manukau Sewage Purification Works has been operating for two years, a formal opening would not be appropriate but the Board wishes to mark the virtual completion of the first stage of the scheme. Five hundred pounds would be adequate to pay for the ceremony now proposed. No authority exists, however, for expenditure of this nature.

This clause provides the necessary authority for the expenditure.

Clause 35: Validating expenditure incurred by Hutt Valley Drainage Board in connection with opening of Hutt Valley drainage scheme. The Hutt Valley Drainage Board's scheme for disposal of sewage from the Hutt Valley became operative this year and the Board has spent £777 9s. 6d. on a brochure and a ceremony to mark the opening. No authority exists, however, for such expenditure and validating legislation is necessary.

This clause provides accordingly.

Clause 36: Amending section 36 of the Local Legislation Act 1960. The North Shore Drainage Board was authorised by section 36 of the Local Legislation Act 1960, to permit the constituent local authorities to construct temporary sewage treatment plants within the Drainage District. This authority only continues in force until 31 March 1963. The Board now wishes the operation of the section to be extended for a further year to enable it to promote an amendment to the North Shore Drainage Act 1951, to put the construction of these treatment plants on a permanent basis. This clause extends the life of section 36 accordingly.

Affecting Two or More Classes of Public Bodies

Clause 37: Authorising payment by Auckland Harbour Board to Auckland City Council. In 1913 the Auckland Harbour Board leased to the Auckland City Council for a 74-year term a piece of land for development as salt-water swimming baths, later known as the Shelly Beach Baths. The land used for these baths was taken by the Auckland Harbour Bridge Authority for the purpose of constructing the bridge. The compensation for the Harbour Board's reversionary interest in the lease was £8,000. The Board now wishes to make this sum available to the City Council to assist the Council in erecting another swimming baths, but has no power to make such a payment. This clause gives the Harbour Board the authority to make the payment.

Clause 38: Exempting Meat Industry Research Institute from liability for payment of rates levied by Hamilton City Council and Waikato County Council. Section 3 of the Local Legislation Act 1959 and section 11 of the Local Legislation Act 1960 exempt the Meat Industry Research Institute, for a period of four years from 31 March 1959, from liability for payment of rates levied in respect of certain land occupied by the Institute in Hamilton City and Waikato County. The two local authorities concerned wish the exemption period to be extended for a further period of two years. This clause provides accordingly.

Clause 39: Validating agreement entered into between Howick Borough Council and Auckland Metropolitan Drainage Board. Under the provisions of the Auckland Metropolitan Drainage Act 1960, the Auckland Metropolitan Drainage Board is empowered to construct temporary treatment plants to serve the sewerage reticulation system for Howick Borough until such time as the Board's main sewerage system is extended to the boundaries of the Borough. The Act also provides for the Borough Council to pay contributions to the Board at a reduced rate until the Board notifies the Council that the Borough's sewerage system may be connected to the main system. However, the Council and the Board entered into an agreement on 26 September 1961, whereby the Board's main sewerage system would be completed at an earlier

date than originally envisaged and the Council would pay to the Board the full rate of contributions provided under the Act on and after 1 April 1961.

Neither the Board nor the Council had authority to enter into such an agreement and legislation is required to validate their actions. This clause provides accordingly.

Clause 40: Authorising payment by One Tree Hill Borough Council to Auckland Metropolitan Drainage Board. The main sewer constructed by the Auckland Metropolitan Drainage Board between Fairfax Avenue and Rockfield Road, in One Tree Hill Borough, collects sewage discharged into it by the Borough's reticulation system. The sewer was constructed as a result of an agreement between the Drainage Board and the Borough Council, under which the Council was to contribute £7,500 towards the cost of its construction. If this agreement had not been made the Drainage Board could have constructed the sewer by a shorter route at a cost of £11,000 but the Borough Council would have been obliged to construct a sewer between Fairfax Avenue and Rockfield Road at an estimated cost of £15,000. The cost to the community if the two bodies had proceeded separately would have been in the vicinity of £26,000, but by proceeding jointly the cost was reduced by £3,000.

The Borough Council intended to pay the £7,500 to the Drainage Board under the agreement from its Sanitary Sewer Reticulation Loan 1961 of £390,000. However, the agreement had been entered into and the sewer constructed before the raising of the loan was authorised, thus making it unlawful for the Council to make the payment to the Board from the proceeds of the loan.

This clause gives the Council authority to make the payment as agreed.

Miscellaneous Provisions

Clause 41: Further extending period during which classification for rating purposes of certain land in Wairarapa Catchment District shall continue in force. Section 28 of the Local Legislation Act 1955 extended until 31 March 1960 the period during which the Wairarapa Catchment Board should continue in force the classification for rating purposes of the land in the former Ahikouka, Kahutara, South Wairarapa, and Te Ore Ore River Districts. This period was further extended until 31 March 1963 in respect of the last three districts by section 44 of the Local Legislation Act 1959. Because of the comprehensive river protection schemes that have been planned and delays in finalising the Lower Valley Scheme the Board will not be able to complete the new classifications by 1 April 1963. The Board desires that the period for reclassification of land in the former Kahutara, South Wairarapa, and Te Ore Ore River Districts be extended for a further period of three years. This clause provides accordingly.

Clause 42: Provision with respect to acquisition, disposal, and erection of offices and dwellings by North Canterbury Electric Power Board. The North Canterbury Electric Power Board wishes to have authority to erect public offices on land outside its district, and to dispose of land and buildings at present owned by it.

The Board's present offices and showroom, situated on land just outside the boundary of Rangiora Borough, were erected in 1928 and are now inadequate. The Board owns two areas of land within the borough, and has erected on them various buildings, including staff houses. It now wishes to build the proposed new office building on part of this land. It is, however, stated in the Electric Power Boards Act 1925 that a board may provide

public offices "within the district". The land concerned is in Rangiora Borough and is therefore not within the Board's district but is within an "outer area" of the district. Legislative authority is therefore necessary to enable the offices to be erected on this land.

There is also doubt as to whether the Board had authority to erect the buildings already standing on the land within the borough, and the proposed clause would validate its action in this matter.

The Board also wishes to sell its present offices by private treaty, and it is unwilling to do this without clear legislative authority. This clause provides the necessary authority.

Clause 43: Authorising Wellington Acclimatisation Society to make payment to Shona McIntosh Kersey. The late Colonel A. O. Kersey died some months ago while holding office as Secretary of the Wellington Acclimatisation Society. He had been secretary for some 10 years. The Society wishes to make a payment of £500 (in lieu of the usual retiring payment that would have been paid to Colonel Kersey) to Mrs Kersey. No authority exists for payments such as this by Acclimatisation Societies. This clause gives the necessary authority for payment in this case.

Clause 44: Validating variation of terms of raising certain loan money by Cook Hospital Board. The raising of £100,000 of the Cook Hospital Board's Hospital Works Loan 1961 was authorised on 10 May 1961. Three of the conditions determined by the Local Authorities Loans Board were that the loan should extend over a twenty year term, that the interest rate should not exceed four and seven-eighths per cent per annum, and that the loan, together with interest thereon, should be repaid by equal aggregate annual or half yearly instalments.

The Board subsequently raised £57,480 comprising various amounts to be repaid in from one to 10 years. Of this sum, £12,600 was raised at an interest rate of five per cent, and £24,880 at five and one-eighth per cent.

Legislation is necessary to validate these irregularities, and this clause provides accordingly.

Clause 45: Validating rates made and levied by Otama Rabbit Board. In 1959 the Otama Rabbit Board, in taking steps to make and levy rates in its district, did not comply with the requirements for public notification of its intention thereby invalidating the rates for the succeeding three financial years.

After the commencement of legal action against the Board by certain ratepayers the Board came to an agreement with those ratepayers. This provided that the Board should make no further attempt to collect rates for the 1959-60 year, and that the ratepayers concerned should not raise against rates for the subsequent years objections based on the errors and omissions of the Board in 1959.

A number of ratepayers have not paid their rates for the 1960-61 and 1961-62 years and the Board now desires legislation to validate the making and levying of the rates for those years.

This clause does this and also makes it clear that the Board is entitled to retain the money received as rates for the 1959-60 year.

Hon. Mr Götz

LOCAL LEGISLATION

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A BILL INTITULED

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

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

1. Short Title—This Act may be cited as the Local Legislation Act 1962.

County Councils

2. **Validating variation of terms of raising certain loan money by Raglan County Council**—Whereas by Order in Council made on the eighteenth day of October, nineteen hundred and sixty-one, consent was given to the raising by the Raglan County Council (in this section referred to as the Council) of a loan of five thousand pounds to be known as the Renewal Loan 1961 (in this section referred to as the loan): And whereas two of the conditions determined by the Local Authorities Loans Board in respect of the loan were that the money borrowed should be borrowed for a term of three years and that the Council should make provision for the repayment of the loan by establishing a Sinking Fund before raising the said loan or any part thereof and should make annual payments to that Sinking Fund at a rate of not less than thirty-two pounds two shillings and threepence per centum per annum of the amount of the loan for the time being borrowed and not repaid: And whereas the Council raised the loan by borrowing a sum of one thousand five hundred pounds on terms that it should be repaid on the first day of December, nineteen hundred and sixty-two, a sum of two thousand two hundred pounds on terms that it should be repaid on the first day of December, nineteen hundred and sixty-three, and a sum of one thousand three hundred pounds on terms that it should be repaid on the first day of December, nineteen hundred and sixty-four: And whereas the Council has established the Sinking Fund and has appointed a Commissioner, but has made no payment to the Fund: And whereas it is desirable to validate the action of the Council in raising the loan otherwise than in accordance with the conditions determined by the Local Authorities Loans Board: And whereas it is also desirable to abolish the Sinking Fund, to revoke the appointment of the Commissioner, and to make provision for the repayment of the said sums on maturity from the General Account of the Council: Be it therefore enacted as follows:

(1) The action of the Council in raising the loan otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the sums comprising the loan 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.

(2) Notwithstanding anything in the Local Authorities Loans Act 1956 or any other Act, or in any notification, resolution, document, or rule of law, the Sinking Fund established for the repayment of the loan is hereby abolished and the appointment of the Commissioner is hereby revoked. 5

(3) The Council is hereby authorised and directed to expend five thousand pounds from its General Account in repayment of the loan.

3. Authorising Matamata County Council to appoint additional members to Tokoroa County Town Committee— 10

(1) Notwithstanding anything to the contrary in subsection (2) of section 418 of the Counties Act 1956, the Tokoroa County Town Committee (being a committee appointed by the Matamata County Council for the County Town of Tokoroa pursuant to the said section 418 of the Counties Act 1956) shall consist of such number of members, being not fewer than three nor more than twelve, as the Matamata County Council decides. 15

(2) If the Matamata County Council decides to increase the membership of the said Tokoroa County Town Committee within the limits laid down in subsection (1) of this section, it shall appoint the additional members within three months after the date of the commencement of this Act. 20

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

4. Authorising Tauranga County Council to refund to County Fund Account from Depot Development and Plant Loan— Whereas, before the Tauranga County Council (in this section referred to as the Council) obtained authority to the raising of a loan of forty thousand pounds to be known as the Depot Development and Plant Loan 1961 (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 twenty-four thousand one hundred and thirty pounds five shillings and three pence: And whereas it is desirable to authorise the Council to refund the said sum to its County Fund Account out of the proceeds of the loan when raised: Be it therefore enacted as follows: 30 35 40

The Council is hereby authorised to refund the sum of twenty-four thousand one hundred and thirty pounds five shillings and three pence to its County Fund Account out of the proceeds of the loan when raised.

5. Authorising Tauranga County Council to refund to County Fund Account from Greerton Development Loan—

Whereas, before the Tauranga County Council (in this section referred to as the Council) obtained authority to raise a
5 loan of forty-three thousand pounds to be known as the Greerton Development Loan 1962 (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
10 raised, money amounting in the aggregate to the sum of five thousand seven hundred and forty-four pounds three shillings and four pence: And whereas it is desirable to authorise the Council to refund the said sum to its County Fund Account out of the proceeds of the loan when raised: Be it therefore enacted as follows:

15 The Council is hereby authorised to refund the sum of five thousand seven hundred and forty-four pounds three shillings and four pence to its County Fund Account out of the proceeds of the loan when raised.

20 6. Validating variation of terms of raising certain loan money by Hawke's Bay County Council—

Whereas by Order in Council made on the second day of November, nineteen hundred and fifty-five, consent was given to the raising by the Hawke's Bay County Council (in this section referred to as the Council) of a loan of ten thousand pounds to be
25 known as the Rural Housing Loan 1955 (in this section referred to as the loan): 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 three and a half per cent per annum:
30 And whereas the Council raised the sum of two thousand four hundred and sixty pounds as part of the loan at a rate of interest of four per cent per annum: And whereas it is desirable that the action of the Council be validated: Be it therefore enacted as follows:

35 The action of the Council in raising the sum of two thousand four hundred and sixty pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Government Loans Board, is hereby validated
40 and the said sum of two thousand four hundred and sixty pounds shall be deemed to have been lawfully borrowed.

7. Amending section 9 of the Local Legislation Act 1960
 —(1) Section 9 of the Local Legislation Act 1960 is hereby amended as follows:

- (a) By omitting from subsection (1) the word “two”, and substituting the word “four”:
 - (b) By omitting from subsection (1) the words “nineteen hundred and sixty-one”, and substituting the words “nineteen hundred and sixty-three”.
- (2) This section shall come into force on the first day of April, nineteen hundred and sixty-three.

8. Authorising Hutt County Council to raise special loan and to transfer loan money to County Fund Account—
 Whereas the Hutt County Council (in this section referred to as the Council) raised a special loan of sixty thousand pounds known as the Wainuiomata Sewerage Reticulation (Extension to Boundaries) Loan 1958: And whereas after expending the amount of the loan, the Council expended out of its County Fund Account the sum of thirty-seven thousand and seventy-three pounds thirteen shillings and ninepence for the purposes for which the loan was raised: And whereas the Council also raised a special loan of one hundred and three thousand pounds known as the Wainuiomata Water Supply Loan 1958: And whereas the sum of eight thousand pounds, being money borrowed as part of that loan, is not required for the purposes for which it was borrowed: And whereas it is desirable to authorise the Council to transfer the said sum of eight thousand pounds to its County Fund Account for the purpose of reimbursing that Account in respect of part of the money expended thereout as aforesaid and to make and levy a rate over the appropriate rating area for the purposes of meeting the annual charges in respect of that sum: And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of twenty-nine thousand pounds for the purpose of recouping its County Fund Account in respect of the major part of the balance of the money expended thereout as aforesaid: Be it therefore enacted as follows:

(1) 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 twenty-nine thousand pounds for the purpose of refunding to its County Fund Account part of the money expended thereout as aforesaid.

(2) The Council is hereby authorised and empowered to transfer from the Wainuiomata Water Supply Loan 1958 Account to the County Fund Account a sum not exceeding eight thousand pounds for the purpose of reimbursing the County Fund Account in respect of a further part of the money expended thereout as aforesaid.

(3) For the purpose of meeting the annual charges in respect of the sum transferred to the County Fund Account pursuant to subsection (2) of this section the Council may, without further authority than this section, make and levy an annually recurring separate rate on all rateable property in that area of the County of Hutt known as the Wainuiomata Special Rating Area No. 56A, described in a resolution of the Council published in the *Gazette* of the fourth day of December, nineteen hundred and fifty-eight, at page 1773, and relating to the said loan of sixty thousand pounds, as extended by section 6 of the Local Legislation Act 1959.

(4) Nothing in this section shall prejudicially affect the security afforded by any special rate to the holders of any securities issued in respect of the Wainuiomata Water Supply Loan 1958.

City and Borough Councils

9. Provision with respect to expenditure by Lawrence Borough Council on centennial celebrations—(1) The actions of the Lawrence Borough Council (in this section referred to as the Council) in establishing a separate bank account known as the Centennial Fund Account (in this section referred to as the Fund) and in paying the sum of fifty pounds into the Fund before the passing of this Act are hereby validated and declared to have been lawful and the Council is hereby authorised to pay into the Fund in each financial year until the year ending on the thirty-first day of March, nineteen hundred and sixty-seven, a sum not exceeding fifty pounds.

(2) The money in the Fund shall be expended by the Council for the purpose of celebrating, in the year nineteen hundred and and sixty-six, the centennial of the founding of the Borough of Lawrence, 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.

10. Authorising Takapuna City Council to exercise powers in respect of wards—Whereas by Order in Council dated the twenty-third day of February, nineteen hundred and fifty-four, made pursuant to the Local Government Commission Act 1946, it was declared that as on and from the first day of April, nineteen hundred and fifty-four, the Borough of Takapuna be divided into two wards, named respectively Ward A and Ward B: And whereas by Proclamation dated the second day of October, nineteen hundred and sixty-one, the Borough of Takapuna was proclaimed a city (in this section referred to as the city): And whereas doubts have arisen as to the authority of the Takapuna City Council (in this section referred to as the Council) to exercise the powers contained in section 23 of the Municipal Corporations Act 1954 and it is desirable that these doubts be removed: Be it therefore enacted as follows:

Notwithstanding anything contained in the Local Government Commission Act 1961 or in any other Act, the division into wards of the city by the said Order in Council and the provisions of the Order incidental to the said division shall be deemed for the purposes of section 23 of the Municipal Corporations Act 1954 to have been effected by a special order made under that section.

11. Authorising Otahuhu Borough Council to expend money in connection with fiftieth anniversary celebrations—The Otahuhu Borough Council is hereby authorised and empowered to expend out of its General Account during the financial year ending on the thirty-first day of March, nineteen hundred and sixty-three, a sum not exceeding eight hundred pounds for the purpose of celebrating the fiftieth anniversary of the founding of the Borough of Otahuhu, 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.

12. Making provision for the leasing by the Devonport Borough Council of the Cheltenham Kiosk—Whereas the Devonport Borough Council (in this section referred to as the Council) is registered as proprietor pursuant to the Borough of Devonport Empowering and Endowment Act 1890 of an estate in fee simple in all that parcel of land containing fifty-eight acres, more or less, being that portion of land and foreshore called or known as Cheltenham Beach, Rangitoto

Channel, as the same is delineated on Deposited Plan No. 1009 and comprised in certificate of title, Volume 63, folio 74, Auckland Registry, subject to certain rights reserved as to water frontage: And whereas the Council holds the said
5 land as an endowment for the use of the public with power to deal with the same in the manner provided by the Municipal Corporations Act 1954: And whereas there is erected on part of the said land a building comprising reception rooms and kiosk (which building together with its
10 environs and appurtenances are in this section referred to as the kiosk): And whereas the Council wishes to lease the kiosk in accordance with the provisions of the Municipal Corporations Act 1954 but doubts have arisen as to whether subsection (2) of section 156 of that Act precludes a lease
15 being offered with provisions for the renovation or alteration of the kiosk and its use for private receptions: And whereas it is expedient that the kiosk be so leased: Be it therefore enacted as follows:

The provisions of subsection (2) of section 156 of the
20 Municipal Corporations Act 1954 shall not apply to any lease of the kiosk from time to time granted by the Council.

13. Validating variation of terms of raising War Memorial Loan by Masterton Borough Council—Whereas by Order in Council made on the sixth day of January, nineteen
25 hundred and fifty-eight, consent was given to the raising by the Masterton Borough Council (in this section referred to as the Council) of a loan of ten thousand pounds to be known as the War Memorial Loan 1957 (in this section referred to as the loan): And whereas before raising the loan the Council
30 made an agreement with the Masterton Licensing Trust whereby the Masterton Licensing Trust agreed to be responsible for the repayment of the loan at its maturity by means of an endowment policy effected with the Government Insurance Commissioner and the Council agreed to be
35 responsible for the payment of the interest on the loan: And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the raising of the loan was that the Council should, before raising the loan or any part thereof, make provision for the repayment of the loan
40 by establishing a sinking fund and should make annual payments to such sinking fund at a rate of not less than three pounds eight shillings and elevenpence per cent per annum on the amount of the loan for the time being borrowed and not

repaid: And whereas in consequence of the making of the said agreement the Council did not establish a sinking fund as aforesaid: And whereas it is desirable that the action of the Council in raising the loan otherwise than in accordance with the conditions determined by the Local Authorities Loans Board be validated: Be it therefore enacted as follows: 5

The action of the Council in raising the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of ten thousand pounds shall be deemed to have been lawfully borrowed and the debenture issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to its tenor. 10

14. Provision with respect to expenditure by Milton Borough Council on centennial celebrations—(1) The actions of the Milton Borough Council (in this section referred to as the Council) in establishing a separate bank account known as the Centennial Celebrations 1966 Account (in this section referred to as the Account) and in paying the sum of one hundred pounds in the Account before the passing of this Act are hereby validated and declared to have been lawful, and the Council is hereby authorised to pay into the Account in each year until the thirty-first day of March, nineteen hundred and sixty-seven, a sum not exceeding one hundred pounds. 15 20

(2) The money in the Account 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 Milton, and any sum remaining in the Account 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. 25 30

15. Vesting certain land in Corporation of the City of Christchurch—Whereas in or about the year 1925 and thereafter certain rights of way commonly known as the Brae and Quarry Road were laid off to serve certain residential sections in the Redcliffs - Moncks Bay area of the County of Heathcote: And whereas the total width of the said rights of way varies throughout their lengths but at no point exceeds forty-five links: And whereas the said rights of way provide the only practical access to the residential sections aforesaid: 35 40

And whereas the said rights of way are now situated within the City of Christchurch and it is desirable, notwithstanding their narrowness that the same be declared a public street:

5 And whereas the dedication of the said rights of way will sever certain small pieces of land from the main parcels of land of which they at present form part: And whereas it is desirable that these severed pieces of land be vested in the Mayor, Councillors, and Citizens of the City of Christchurch (in this section referred to as the Corporation): Be it therefore
10 enacted as follows:

(1) All those parcels of land containing together an area of three roods twenty perches and two-tenths of a perch, more or less, as the same are shown coloured sepia, orange, and blue on a plan lodged in the Office of the Chief Surveyor at
15 Christchurch under number 9811, are hereby vested in the Corporation as a public street, freed and discharged from all encumbrances, easements, and other restrictions whatsoever affecting the same at the date of the commencement of this Act.

20 (2) All those parcels of land containing together an area of twenty-three perches and six-tenths of a perch, more or less, as the same are shown coloured and edged sepia, orange, and blue on the aforesaid plan, are hereby vested in the Corporation for an estate in fee simple freed and discharged
25 from all encumbrances, easements, and other restrictions whatsoever affecting the same at the date of the commencement of this Act with power to dispose of the same in accordance with the provisions of subsection (1) of section 150 of the Municipal Corporations Act 1954.

30 (3) The District Land Registrar for the Canterbury Land Registration District 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 provisions of this section.

35 (4) This section and the provisions thereof shall take effect notwithstanding any law or enactment to the contrary.

16. Authorising Martinborough Borough Council to lease certain land—Whereas the land described in subsection (2) of this section was purchased by the Martinborough Borough
40 Council (in this section referred to as the Council) with money left to it by the late Andrew O’Laughlin Considine: And whereas the said money was held in trust by the Council

for use towards the upkeep, maintenance, or improvement of Considine Park: And whereas the said land now forms part of Considine Park: And whereas Considine Park comprises land vested in the Mayor, Councillors, and Citizens of the Borough of Martinborough (in this section referred to as the Corporation) upon trust for a public park and recreation ground and other purposes as set out in three Declarations of Trust dated respectively the fifteenth day of September, nineteen hundred and fourteen, the ninth day of February, nineteen hundred and twenty, and the twelfth day of June, nineteen hundred and twenty-two: And whereas it is considered that the land purchased by the Council as aforesaid is subject to the said trusts: And whereas the Corporation desires to lease portion of the said land to the Boy Scouts Association of New Zealand for the purpose of erecting a scout den for the use of the Boy Scouts in Martinborough: And whereas it is doubtful whether such a lease would be within the purposes of the said trusts: And whereas it is desirable that the Corporation be empowered to grant such a lease: Be it therefore enacted as follows:

(1) The Corporation is hereby empowered to grant a lease to the Boy Scouts Association of New Zealand of such part of the land described in subsection (2) of this section not exceeding one rood in area as the Corporation may think fit, at such rent, for such term with or without rights of renewal, and upon and subject to such covenants, conditions, and provisions as the Corporation in its discretion shall think fit.

(2) The land of which portion is to be leased as aforesaid is particularly described as follows:

All that area containing five acres one rood thirty-nine perches and four-tenths of a perch, more or less, being Lots 656, 657, 658, and part Lots 655 and 659, D.P. 249, and part Lot 1, D.P. 6872, and being part section 1, Wharekaka District, situated in Block IX, Huangarua Survey District, and being all the land comprised and described in certificate of title, Volume 528, folio 68, Wellington Registry.

17. Validating variation of terms of raising cemetery loan by Masterton Borough Council—Whereas by Order in Council made on the twenty-fifth day of November, nineteen hundred and fifty-nine, consent was given to the raising by the Masterton Borough Council (in this section referred to as the Council) of a loan of seven thousand five hundred

pounds to be known as the Cemetery Loan 1959 (in this section referred to as the loan): And whereas two of the conditions determined by the Local Authorities Loans Board in respect of the raising of the loan were that the loan should
5 extend over a term of twenty-five years and that the loan together with interest thereon should be repaid by equal aggregate annual or half-yearly instalments: And whereas the Council raised the loan on terms that it should be repaid together with interest thereon by a payment of two hundred
10 and sixty-one pounds seventeen shillings and fivepence on the twenty-fourth day of August, nineteen hundred and sixty, by twenty-two equal payments of two hundred and sixty-four pounds eight shillings and ninepence each on the twenty-fourth day of February and the twenty-fourth day of August
15 in each and every year thereafter until the twenty-fourth day of February, nineteen hundred and seventy-two, and by a final payment of five thousand two hundred and seventy-five pounds twelve shillings and elevenpence on the twenty-fourth day of February, nineteen hundred and seventy-two:
20 And whereas it is desirable that the action of the Council in raising the loan otherwise than in accordance with the conditions determined by the Local Authorities Loans Board be validated: Be it therefore enacted as follows:

The action of the Council in raising the loan, otherwise
25 than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated and the said sum of seven thousand five hundred pounds shall be deemed to have been lawfully borrowed and the debenture issued in respect thereof shall be deemed to have been law-
30 fully executed and issued by the Council and shall have full force and effect according to its tenor.

18. Provision with respect to gasworks depreciation fund of Eltham Borough Council—Whereas the Eltham Borough Council (in this section referred to as the Council) carried
35 on the undertaking of manufacturing and supplying gas until the twenty-seventh day of October, nineteen hundred and sixty: And whereas pursuant to section 130 of the Municipal Corporations Act 1954, the Council duly established and maintained a Depreciation Fund in respect of the said under-
40 taking: And whereas the Public Trustee is the sole Commissioner of that Depreciation Fund and now holds the money comprising the Fund: And whereas, as from the twenty-seventh day of October, nineteen hundred and sixty,

the Council permanently terminated the said undertaking and accordingly the said Fund is no longer required for the purpose for which it was established and maintained: And whereas the Council has incurred liabilities through its General Account in maintaining the said undertaking up to the date of its termination and in winding up the said undertaking: And whereas the Council desires to apply the money in the said Fund towards payment of the said liabilities: Be it therefore enacted as follows:

(1) The Public Trustee is hereby directed and empowered to pay to the Council the whole of the money in the said Depreciation Fund, and upon such payment the Public Trustee shall not be responsible for the further application thereof.

(2) The Council is hereby empowered to apply the money in payment of the liabilities incurred by the Council as aforesaid.

19. Provision with respect to reserve funds held by Nelson City Council—Whereas the Nelson City Council sold part of the land known as the Maitai Reserve before the year nineteen hundred and thirty-five for the sum of twenty pounds and the proceeds of the sale were credited to the Recreation Reserve Purchase Trust Account: And whereas the balance standing to the credit of this account as at the thirty-first day of March, nineteen hundred and sixty-two, including accumulated interest, is thirty-four pounds eighteen shillings and fourpence: And whereas in the year nineteen hundred and fifty-one the Town District of Tahunanui was merged with the City of Nelson and its accounts and assets transferred to the Nelson City Council: And whereas among those accounts was a Reserve Deposits Account representing the proceeds of the sale of part of the Tahunanui Town Hall site to the Trustees of the Church of England: And whereas the balance standing to the credit of this account as at the thirty-first day of March, nineteen hundred and sixty-two, including accumulated interest, is three hundred and eighty-two pounds eight shillings and tenpence: And whereas the money in both these accounts is no longer required for the purposes for which it is held and it is desirable to transfer the balances in these accounts to the Subdivisions Reserve Account (Reserve Fund): Be it therefore enacted as follows:

The Nelson City Council is hereby authorised to transfer the balances standing to the credit of the said Recreation Reserve Purchase Trust Account and the said Reserve Deposits Account to the Subdivisions Reserve Account
5 (Reserve Fund) and to dispose of those balances in accordance with the provisions of subsection (2) of section 351c of the Municipal Corporations Act 1954.

20. Authorising Wellington City Council to use certain land for cemetery purposes—(1) Notwithstanding the provisions of section 60 of the Cemeteries Act 1908, and without
10 complying with section 52 of that Act, the Wellington City Council is hereby authorised and empowered to use for cemetery purposes the land described in subsection (2) of this section.

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

All that piece of land situate in the Land District of Wellington, containing one acre thirty-two perches and nine-tenths of a perch, be the same a little more or less, being
20 part of Section 33, Karori District, and part of the land comprised in certificate of title, Volume 626, folio 83, the said piece of land being delineated on a plan lodged in the office of the Chief Surveyor at Wellington, Number 25436, and thereon coloured orange.

25 **21. Validating proceedings in connection with raising of loan by Wellington City Council**—Whereas by Order in Council made on the twenty-second day of July, nineteen hundred and fifty-nine, consent was given to the raising by
30 the Wellington City Council (in this section referred to as the Council) of one hundred thousand pounds as portion of a loan known as the Waterworks Reticulation and Treatment Loan 1959 of one hundred and seventy-eight thousand pounds (in this section referred to as the loan): And whereas
35 the sum of one thousand pounds was raised in excess of the said amount of one hundred thousand pounds: And whereas it is expedient to validate the proceedings in connection with the raising of the loan: Be it therefore enacted as follows:

The action of the Council in borrowing the sum of one thousand pounds in excess of the amount of one hundred
40 thousand pounds authorised by the Order in Council made on the twenty-second day of July, nineteen hundred and

fifty-nine, is hereby validated and the said sum shall be deemed to be part of the loan and to have been lawfully borrowed, and the 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

22. Authorising Whakatane Borough Council to make an *ex gratia* payment in respect of land taken under the Public Works Act 1928—Whereas by a Proclamation dated the tenth day of March, nineteen hundred and forty-eight, and published in the *Gazette* of the eleventh day of that month, certain land in the Borough of Whakatane being firstly, all that parcel of land containing five acres three roods ten perches and six-tenths of a perch, more or less, being part Allotment 272, Parish of Waimana, and secondly, all that parcel of land containing three acres two roods, more or less, being part Allotment 295, Parish of Waimana (in this section referred to as the land), was taken for a rubbish dump and vested in the Mayor, Councillors, and Citizens of the Borough of Whakatane as from the fifteenth day of March, nineteen hundred and forty-eight: And whereas no claim for compensation for the taking of the land was made within the time prescribed by law: And whereas the former owner of the land has since died and his estate is being administered by the Public Trustee: And whereas the Whakatane Borough Council, being satisfied that the sum of two hundred and fifty pounds would have been properly payable as compensation for the taking of the land if a claim had been made within the prescribed time, is desirous of making payment of that sum: Be it therefore enacted as follows: 10
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Notwithstanding the provisions of section 45 of the Public Works Act 1928, the Whakatane Borough Council is hereby authorised to pay to the Public Trustee as administrator of the estate of the former owner of the land from money appropriated by it for the purpose the sum of two hundred and fifty pounds as compensation for the taking of the land under the said Act. 35

23. Authorising Mount Albert Borough Council to enclose and lease certain land—Whereas a railway line crosses Gladstone Road in the Borough of Mount Albert and an overbridge (in this section referred to as the overbridge) for vehicular and pedestrian traffic has been erected over the said railway line: And whereas the said railway line runs under 40

the southern span of the overbridge: And whereas the land under the northern span of the overbridge can be fully enclosed by the erection of two side walls to such northern span: And whereas the Mount Albert Borough Council (in this section referred to as the Council) is desirous of erecting such side walls and leasing the area under the said northern span, but doubts have arisen as to its powers to do so: Be it therefore enacted as follows:

(1) The Council is hereby empowered to enclose the land under the northern span of the overbridge by the erection of two side walls and any necessary internal walls and fittings, and to pay the cost of such work out of its general funds.

(2) The Council is hereby empowered to grant a lease or leases of all or any part or parts of the said land and premises, by private contract or public tender, at such rental or rentals, for such term or terms, with or without rights of renewal, and upon and subject to such covenants and conditions as the Council shall in its discretion think fit, and with power to accept a surrender of any such lease.

(3) All money received by the said Council by way of rent or otherwise under such lease or leases shall be paid into the general funds of the Council.

(4) The said lease or leases may, in the discretion of the Council, provide for the use of the said land and premises for storage, warehouse, commercial, or light industrial purposes.

24. Authorising refund to District Fund Account from loan money by Alexandra Borough Council—Whereas before the Alexandra Borough Council (in this section referred to as the Council) obtained authority to the raising of a loan of three thousand pounds known as the Dwelling Loan 1961 (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 the sum of three thousand pounds: 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 an advance from its District Fund Account or 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 expending three thousand pounds from its District Fund Account for the purposes for which the loan was raised and in refunding the said sum of three thousand pounds to its District Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful. 5

25. Authorising Invercargill City Council to refund to District Fund Account from loan money—Whereas, before authority was obtained to the raising of a loan of twenty-nine thousand five hundred pounds to be known as the Water Supply Loan 1962 (in this section referred to as the loan), the Invercargill City Council (in this section referred to as the Council) expended out of its District Fund Account, for certain purposes for which the loan was to be raised, money amounting in the aggregate to seven thousand six hundred and twenty pounds seven shillings and eleven pence: And whereas authority has since been obtained to the raising of the loan: And whereas the Council is desirous of refunding to its District Fund Account out of the proceeds of the loan the sum of seven thousand six hundred and twenty pounds seven shillings and eleven pence, but has no authority to do so: Be it therefore enacted as follows: 10 15 20

The Council is hereby authorised to refund to its District Fund Account out of the proceeds of the loan the sum of seven thousand six hundred and twenty pounds seven shillings and eleven pence. 25

26. Authorising Oamaru Borough Council to refund to District Fund Account from loan money—Whereas, before authority was obtained to the raising of a loan of twenty-nine thousand pounds to be known as the Gasworks Loan 1962 (in this section referred to as the loan), the Oamaru Borough Council (in this section referred to as the Council) expended out of its District Fund Account the sum of three thousand one hundred and seventy-six pounds for the purchase of a high pressure gas compressing unit, being a purpose for which the loan was to be raised: And whereas authority has since been obtained to the raising of the loan: And whereas the Council is desirous of refunding to its District Fund Account out of the proceeds of the loan the sum of three thousand one hundred and seventy-six pounds, but has no authority to do so: Be it therefore enacted as follows: 30 35 40

The Council is hereby authorised and empowered to refund to its District Fund Account out of the proceeds of the loan the sum of three thousand one hundred and seventy-six pounds.

5 **27. Validating election of certain members of Auckland**
 City Council—Whereas by public notice dated the twenty-
 fifth day of October, nineteen hundred and sixty-two, given
 pursuant to paragraph (b) of subsection (6) of section 41
10 Officer for the City of Auckland declared the result of the poll
 taken on the thirteenth day of October, nineteen hundred and
 sixty-two, for the election of twenty-one members of the
 Auckland City Council, and named the twenty-one candidates
 declared to be elected: And whereas doubts have since arisen
15 as to the eligibility of one candidate so declared to be elected
 and, as a result, doubts have also arisen as to the validity of
 the election as a whole: And whereas it is desirable to remove
 any possible doubts as to the validity of the election of the
 other twenty candidates declared to be elected as aforesaid,
20 namely, Frederick Norman Ambler, Eric Cameron Armishaw,
 Arapeta Awatere, Albert Edward Bailey, Horace George
 Beechey, Thomas Bloodworth, John Hinds Dale, Winifred
 Delugar, Frederick Henry Thomson de Malmanche,
 Alexander James Robert Dreaver, George Frederick Harry
25 Forsyth, Alfred Onslow Glasse, Winifred Maud Horton,
 Keith Rodney Park, Charles Sylvester Passmore, Alfred Philip
 Harry Shore, Norman McLeod Speen, Walter Max Tongue,
 George Russell Tutt, and Harold Edward Watts (in this
 section referred to as the councillors): Be it therefore enacted
30 as follows:

 The councillors shall be deemed to have been duly elected
 members of the Auckland City Council at the triennial
 election held on the thirteenth day of October, nineteen
35 hundred and sixty-two, and to have come into office on the
 twenty-sixth day of October, nineteen hundred and sixty-two.

28. Amending section 27 of the Local Legislation Act
 1961—Section 27 of the Local Legislation Act 1961 is hereby
 amended by omitting from subsection (3) the words “Lot
 4 on Deposited Plan 6312”, and substituting the words “Lot
40 3 on Deposited Plan S6312”.

*Harbour Boards***29. 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-two, 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

30. Provision with respect to certain land vested in Whangarei Harbour Board— 10

Whereas the land described in subsections (4) and (5) of this section forms part of a larger area of land which was, by Proclamation dated the fourteenth day of September, nineteen hundred and forty-three, and published in the *Gazette* of the twenty-third day of that month, taken under the Public Works Act 1928 for harbour works and vested in the Whangarei Harbour Board (in this section referred to as the Board): And whereas the particular harbour works for which the said land was so taken (namely the construction of a canal thereon) were carried out: And whereas the land described in subsection (4) of this section was subdivided and leased by the Board: And whereas the land described in subsection (5) of this section was dedicated by the Board as public street: And whereas doubts have arisen as to the validity of the said leases and as to the validity of the said dedication: And whereas it is desirable that these doubts be resolved and that the land described in subsection (4) of this section be declared to have been vested in the Board as endowment land and that the dedication as public street of the land described in subsection (5) of this section be validated: Be it therefore enacted as follows: 15
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(1) Notwithstanding anything to the contrary in any Act or rule of law, the land described in subsection (4) of this section shall be deemed for all purposes to have been vested in the Board as endowment land as from the twenty-seventh day of September, nineteen hundred and forty-three. 35

(2) The dedication under Transfers numbered 512487 and 600575 by the Board of the land described in subsection (5) of this section as public street is hereby validated. 40

(3) The District Land Registrar for the Auckland Land Registration District is hereby empowered and directed to make such entries in the registers and to do all such other things as may be necessary to give effect to the provisions of this section. 45

(4) The land declared to be endowment land by subsection (1) of this section is particularly described as follows:

5 Firstly, all that area in the North Auckland Land District, being parts Section 17, Block IX, Whangarei Survey District, containing by admeasurement one acre and twenty perches, more or less, being part Lots 6 and 7, Deposited Plan 47845, and being part of the land comprised and described in certificate of title, Volume 1868, folio 75, Auckland Registry, and Lot 28 and part Lot 26, Deposited Plan 37927, being
10 part of the land comprised and described in certificate of title, Volume 1030, folio 136, Auckland Registry, and part Lots 1, 2, 3, and 9, and Lots 4, 5, 6, 7, 8, 10, and 11, Deposited Plan 39635, being part of the land comprised and described in certificate of title, Volume 1043, folio 5, Auckland Registry.
15 Secondly, all that area in the North Auckland Land District, being parts Section 17, Block IX, Whangarei Survey District, containing by admeasurement three perches, more or less, being part Lots 1 and 2, Deposited Plan 45288, and being part of the land comprised and described in certificate of
20 title, Volume 1508, folio 18, Auckland Registry.

(5) The land the dedication of which as public street is validated by subsection (2) of this section is particularly described as follows:

25 All that area in the North Auckland Land District, being part Section 17, Block IX, Whangarei Survey District, containing by admeasurement three perches and thirty-hundredths of a perch, more or less, being Lot 12, Deposited Plan 39635, and Lot 5, Deposited Plan 45288, the said land having been formerly comprised and described in certificate
30 of title, Volume 1022, folio 82, Auckland Registry.

31. Amending Gisborne Harbour Board Empowering Act 1961—The Schedule to the Gisborne Harbour Board Empowering Act 1961 is hereby amended by omitting all words and figures after the heading “Authorised Works”, and substituting the following words and figures:

“Dredging of swinging basin, wharf area, and approaches to provide for overseas vessels, including the purchase of dredge, tow boats, barges, and other equipment if required	£ 393,000
“Erection of wharves, including rail tracks, road access, and paving of area behind the wharf	230,000
“Erection of dolphins, lights, and sundry other necessary items together with preliminary expenses, fees, and contingencies	32,000
	£655,000”.

32. Validating variation of terms of raising certain loan money by Southland Harbour Board—Whereas by Order in Council made on the twenty-fourth day of May, nineteen hundred and sixty-one, consent was given to the borrowing by the Southland Harbour Board (in this section referred to as the Board) of a loan of three hundred and fifty thousand pounds to be known as Loan No. 20 1961 (in this section referred to as the loan): 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 extending over the final twenty-five years of the term of the loan, which was determined by the said conditions as twenty-six years; And whereas the Board has raised sums totalling in the aggregate one hundred and eighty-nine thousand one hundred pounds as part of the loan by borrowing a sum of seven thousand two hundred pounds for a term of two years, a sum of seven thousand six hundred pounds for a term of three years, a sum of seven thousand nine hundred pounds for a term of four years, a sum of eight thousand four hundred pounds for a term of five years, a sum of eight thousand eight hundred pounds for a term of six years, a sum of nine thousand three hundred pounds for a term of seven years, a sum of nine thousand seven hundred pounds for a term of eight years, a sum of five thousand pounds for a term of nine years, a sum of seventy-two thousand two hundred and seventy pounds for a term of ten years, a sum of three thousand six hundred and fifty pounds for a term of eleven years, a sum of one thousand and fifty pounds for a term of twelve years, a sum of two hundred pounds for a term of thirteen years, a sum of three hundred pounds for a term of fourteen years, a sum of two thousand pounds for a term of fifteen years, a sum of four hundred pounds for a term of sixteen years, a sum of two thousand pounds for a term of nineteen years, a sum of fourteen thousand four hundred and thirty pounds for a term of twenty years, a sum of one thousand pounds for a term of twenty-one years, a sum of three hundred pounds for a term of twenty-two years, a sum of ten thousand pounds for a term of twenty-four years, and a sum of seventeen thousand six hundred pounds for a term of twenty-five years: 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 and eighty-nine thousand one hundred pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby
5 validated and the sums comprising the said sum of one hundred and eighty-nine thousand one hundred pounds shall be deemed to have been lawfully borrowed and all debentures and stock issued in respect thereof shall be deemed to have
10 been lawfully executed and issued and shall have full force and effect according to their tenor.

33. Authorising Southland Harbour Board to sell certain land—Whereas the Southland Harbour Board (in this section referred to as the Board) is registered as proprietor of an estate in fee simple in all that piece of land containing twenty
15 perches, more or less, being the western part of Section 4, Block 1, Town of Campbelltown, and being all the land comprised in certificate of title, Volume 134, folio 131, Southland Registry, limited as to parcels, and subject to and together with rights of way created by Deed Number 18783
20 referred to on the said certificate of title: And whereas the said land is also subject to an unregistered lease in favour of the Southland Savings Bank (in this section referred to as the Bank): And whereas the said land was acquired by purchase by the Board as a site for administration offices but the
25 said land is no longer required by the Board for that purpose, and the Board is desirous of selling the same to the Bank but has no authority to do so: Be it therefore enacted as follows:

The Board is hereby authorised to sell its estate in the said land, subject to and together with the rights aforesaid, to the
30 Bank for such consideration and upon and subject to such terms and conditions as the Board shall determine, and the proceeds of the sale shall form part of the general funds of the Board.

Drainage Boards

34. Authorising expenditure by Auckland Metropolitan Drainage Board in connection with opening ceremony—The Auckland Metropolitan Drainage Board is hereby authorised and empowered to expend during the financial year ending on the thirty-first day of March, nineteen hundred and sixty-
40 three, a sum not exceeding five hundred pounds in connection with a ceremony to mark the completion of the first stage of the Manukau Sewage Scheme.

35. Validating expenditure incurred by Hutt Valley Drainage Board in connection with opening of Hutt Valley drainage scheme—The expenditure by the Hutt Valley Drainage Board during the financial year ending on the twenty-eighth day of February, nineteen hundred and sixty-three, of the sum of seven hundred and seventy-seven pounds nine shillings and sixpence in connection with the opening of the Board's new drainage scheme is hereby validated and declared to have been lawfully incurred. 5

36. Amending section 36 of the Local Legislation Act 1960 10
—Section 36 of the Local Legislation Act 1960 is hereby amended by omitting from subsection (4) the word “sixty-three”, and substituting the word “sixty-four”.

Affecting Two or More Classes of Public Bodies

37. Authorising payment by Auckland Harbour Board to Auckland City Council—Whereas by Memorandum of Lease bearing date the twenty-third day of January, nineteen hundred and thirteen, the Auckland Harbour Board (in this section referred to as the Board) leased the land therein described to the Auckland City Council (in this section referred to as the Council) for a term expiring on the thirteenth day of March, nineteen hundred and eighty-seven, for the purpose of salt water swimming baths known as the Shelly Beach Baths: And whereas those baths were acquired by the Auckland Harbour Bridge Authority for the purpose of constructing the Auckland Harbour Bridge: And whereas the amount of compensation paid for the Board's reversionary interest in the baths under the said lease at the time the same were acquired as aforesaid was the sum of eight thousand pounds: And whereas the Board is desirous of making the said sum available to the Council to assist the Council in erecting another swimming baths in substitution for the Shelly Beach Baths, but it has no power to do so: And whereas it is expedient that the Board should be empowered to make the said sum available to the Council for the purpose aforesaid: Be it therefore enacted as follows: 15 20 25 30 35

(1) Notwithstanding anything contained in any other Act, the Board is hereby empowered to pay the said sum of eight thousand pounds to the Council. 40

(2) The Council shall hold the money paid to it under subsection (1) of this section in trust to expend the same in and towards the cost of providing public baths and bathing facilities in substitution for the Shelly Beach Baths:

Provided that if the Council fails to provide the said new public baths and bathing facilities within a period of three years after the date of the commencement of this Act the Council shall refund the said sum to the Board and the Board shall apply the same for its own purposes.

38. Exempting Meat Industry Research Institute from liability for payments of rates levied by Hamilton City Council and Waikato County Council—(1) Section 3 of the Local Legislation Act 1959 (as amended by section 6 of the Local Legislation Act 1960) is hereby further amended by omitting the words “four years”, and substituting the words “six years”.

(2) Section 11 of the Local Legislation Act 1960 is hereby amended by omitting from subsection (1) the words “four years”, and substituting the words “six years”.

(3) Section 6 of the Local Legislation Act 1960 is hereby consequentially repealed.

39. Validating agreement entered into between Howick Borough Council and Auckland Metropolitan Drainage Board
—Whereas provision is made under section 64 and section 65 of the Auckland Metropolitan Drainage Act 1960 for the annual assessment of contributions to be paid by certain local authorities to the Auckland Metropolitan Drainage Board (in this section referred to as the Board): And whereas one of those local authorities is the Howick Borough Council (in this section referred to as the Council): And whereas it is provided by subparagraph (i) of paragraph (b) of subsection (4) of the said section 65 that until certain temporary treatment works are available for use the Council is to be liable to make an annual payment of five thousand pounds to the Board, but is not to be liable for an annual assessment under the said section 64: And whereas subparagraph (ii) of the said paragraph (b) provides that after the said temporary treatment works are made available for use the Council is to be liable to make an annual payment to the Board calculated in accordance with that subparagraph until the sewerage reticulation system of the Borough of Howick may be connected to the main sewerage system of the Board: And whereas the amount of the annual payment calculated in accordance with the said subparagraph (ii) is less than the amount of the annual payment which the Council would be

liable to make in the absence of that subparagraph: And whereas the said temporary treatment works were not constructed but by agreement dated the twenty-sixth day of September, nineteen hundred and sixty-one, a copy whereof has been deposited in the Department of Internal Affairs under No. I.A. 105/765, it was agreed between the Board and the Council that in consideration of the Board agreeing to construct the main sewer to the Borough boundary at an earlier date than originally envisaged the Council would pay to the Board the amount of the full assessment in each year calculated as from the first day of April, nineteen hundred and sixty-one: And whereas it is desirable to validate the said agreement and to authorise the Council to make payments to the Board in accordance with the agreement: Be it therefore enacted as follows:

(1) Notwithstanding the provisions of paragraph (b) of subsection (4) of section 65 of the Auckland Metropolitan Drainage Act 1960, the Board and the Council shall 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 Council is hereby authorised and empowered to make the higher payments provided for under the terms of the said agreement, and any such payments made by the Council before the date of the commencement of this Act are hereby validated and declared to have been lawfully made.

(3) Section 65 of the Auckland Metropolitan Drainage Act 1960 is hereby amended by repealing paragraph (b) of subsection (4).

40. Authorising payment by One Tree Hill Borough Council to Auckland Metropolitan Drainage Board—Whereas it was agreed between the Auckland Metropolitan Drainage Board (in this section referred to as the Board) and the One Tree Hill Borough Council (in this section referred to as the Council) that the Board should construct a sewer in the Borough of One Tree Hill between Rockfield Road and Fairfax Avenue, and that the Council should contribute the sum of seven thousand five hundred pounds towards the cost of its construction: And whereas if the agreement had not been reached the Board could have constructed the sewer necessary for its purposes at less expense by a more direct route and in such case the Council would have been obliged to construct a sewer of its own at a cost to the Council

estimated at fifteen thousand pounds: And whereas before the Council obtained authority to raise the first portion of a loan of three hundred and ninety thousand pounds to be known as the Sanitary Sewer Reticulation Loan 1961 (in this section referred to as the loan) the Board constructed the said sewer as agreed upon and the Council paid to the Board the first instalment of the said sum of seven thousand five hundred pounds: And whereas it is desirable that the construction of the said sewer as agreed upon should be included in the work for which the loan was authorised and that the said sum of seven thousand five hundred pounds should be paid from the proceeds of the loan: Be it therefore enacted as follows:

The construction of the said sewer as provided in the agreement between the Board and the Council shall be deemed to have been included in the work for which the loan was authorised to be raised, and the Council is hereby authorised to pay the sum of seven thousand five hundred pounds out of the proceeds of the loan in meeting the Council's share of the cost of the said sewer or in reimbursing any expenditure made by the Council before the date of the commencement of this Act from its District Fund Account pursuant to the said agreement.

Miscellaneous Provisions

41. Further extending period during which classification for rating purposes of certain land in Wairarapa Catchment District shall continue in force—(1) Section 28 of the Local Legislation Act 1955 (as amended by section 44 of the Local Legislation Act 1959) is hereby further amended by omitting from subsection (2) the words “seven years”, and substituting the words “ten years”.

(2) Section 44 of the Local Legislation Act 1959 is hereby amended by repealing paragraph (b).

42. Provision with respect to acquisition, disposal, and erection of offices and dwellings by North Canterbury Electric Power Board—Whereas the North Canterbury Electric Power Board (in this section referred to as the Board) is the registered proprietor of an estate in fee simple in the land described in subsection (6) of this section (in this section referred to as the said land): And whereas the said land was purchased by the Board for the general purposes of the Board: And whereas the said land is situated in the Borough of Rangiora outside the Board's district: And whereas the

Board has erected buildings and dwellings for the use of the Board and its employees on certain portions of the said land: And whereas it is desirable to validate the actions of the Board in purchasing the said land and in erecting the said buildings and dwellings: And whereas the Board desires to erect new public offices on part of the said land but has no authority to do so as the said land is not within the Board's district: And whereas the Board's existing offices and showroom are situated on the land described in subsection (7) of this section: And whereas the Board desires to obtain authority to sell this land by private treaty: Be it therefore enacted as follows:

(1) Notwithstanding the provisions of the Electric Power Boards Act 1925, the actions of the Board in purchasing the said land and in erecting dwellings and other buildings thereon and in making improvements thereto are hereby validated and declared to have been lawful.

(2) Notwithstanding the provisions of the Electric Power Boards Act 1925, the Board is hereby authorised to provide on the said land—

(a) Public offices and other buildings, together with fittings and furniture for the same, for holding its meetings and transacting its business, and for the use of its officers, and for any other purposes; and

(b) Dwellings for sale or lease to its employees,— and in relation to the said land and the said offices, buildings, fittings, and furniture and any dwellings erected on the said land, the Board shall have the same powers as it would have had if they were situated within the Board's district and had been provided pursuant to the provisions of the Electric Power Boards Act 1925.

(3) Notwithstanding anything contained in the Public Works Act 1928 or in any other Act, the Board is hereby authorised to sell by private treaty or otherwise and on such terms as it decides the land described in subsection (7) of this section.

(4) The Board is hereby authorised and directed—

(a) To apply the net proceeds of the sale of the land described in subsection (7) of this section towards the cost of providing and maintaining the offices, buildings, fittings, and furniture mentioned in subsection (2) of this section:

(b) To use and apply any money borrowed by the Board under its Electrical Development Loan 1959 for the purpose of erecting a new office building towards the cost of providing the said offices.

5 (5) The District Land Registrar for the Canterbury Land Registration District is hereby authorised and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to the provisions of this section.

10 (6) The land to which subsections (1) and (2) of this section relates is particularly described as follows:

Firstly, all that area of land containing one acre three roods eight perches and one-tenth of a perch, more or less, situated in the Borough of Rangiora, and being part Rural Section 15 386, part of the said land being more particularly described as Lot 1 on Deposited Plan No. 11585, and being all the land described in certificate of title, Volume 823, folio 59, Canterbury Registry.

Secondly, all that area of land containing one acre two 20 roods twenty-two perches, more or less, situated in the Borough of Rangiora, being part of Rural Section 386, and being all the land comprised in certificate of title, Volume 382, folio 200, Canterbury Registry, limited as to parcels.

(7) The land to which subsection (3) of this section relates 25 is particularly described as follows:

All that area of land containing twelve perches and six-tenths of a perch, more or less, situated in Block VII, Rangiora Survey District, being Lot 1 on plan No. 9177, deposited in the Land Registry Office at Christchurch, part 30 Rural Section 463, and being all the land comprised in certificate of title, Volume 415, folio 175, Canterbury Registry, subject to transfer 186968 creating easements appurtenant thereto over the parts coloured blue on the plan on the said title.

35 **43. Authorising Wellington Acclimatisation Society to make payment to Shona McIntosh Kersey**—Whereas the Wellington Acclimatisation Society (in this section referred to as the Society) maintains a Staff Benefit Fund for the purpose of providing retiring or superannuation allowances 40 for its staff: And whereas the Society desires to make a payment of five hundred pounds from the said Staff Benefit Fund to Shona McIntosh Kersey, widow of the late Colonel Arthur Oliver Kersey, who at the time of his death was

Secretary of the Society, but has no authority to do so: And whereas it is expedient that such a payment should be authorised: Be it therefore enacted as follows:

The Society is hereby authorised and empowered to pay to the said Shona McIntosh Kersey the sum of five hundred pounds from the said Fund. 5

44. Validating variation of terms of raising certain loan money by Cook Hospital Board—Whereas by Order in Council made on the tenth day of May, nineteen hundred and sixty-one, consent was given to the raising by the Cook Hospital Board (in this section referred to as the Board) of a sum of one hundred thousand pounds (in this section referred to as the loan) as portion of a loan of three hundred thousand pounds to be known as the Hospital Works Loan 1961: 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 years, that no part thereof should bear interest at a rate exceeding four and seven-eighths per cent 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 twenty thousand pounds as part of the loan with interest payable at the rate of four and seven-eighths per cent per annum by borrowing a sum of five thousand pounds for a term of one year, a sum of five thousand pounds for a term of two years, a sum of five thousand pounds for a term of three years, and a sum of five thousand pounds for a term of four years: And whereas the Board raised a further twelve thousand six hundred pounds as part of the loan with interest payable at the rate of five per cent per annum by borrowing a sum of five thousand pounds for a term of five years, a sum of one thousand pounds for a term of six years, a sum of three thousand one hundred pounds for a term of seven years, and a sum of three thousand five hundred pounds for a term of eight years: And whereas the Board raised a further twenty-four thousand eight hundred and eighty pounds as part of the loan with interest payable at the rate of five and one-eighth per cent per annum by borrowing that sum for a term of ten years: And whereas it is desirable that the action of the Board be validated: Be it therefore enacted as follows: 40

The action of the Board in raising the said sums totalling fifty-seven thousand four hundred and eighty pounds as parts of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby
5 validated, and the said sums 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.

10 **45. Validating rates made and levied by Otama Rabbit Board**—Whereas the rates made and levied by the Otama Rabbit Board (in this section referred to as the Board) for
15 the years ended on the thirty-first day of March, nineteen hundred and sixty, nineteen hundred and sixty-one, and nineteen hundred and sixty-two (in this section referred to as the said rates) cannot be legally recovered by reason of certain irregularities in connection therewith: And whereas demands
20 in writing for payment of the said rates were made and delivered and a large percentage of the said rates was paid by divers ratepayers, and thereafter expended by the Board: And whereas certain ratepayers commenced proceedings in the Supreme Court at Invercargill to restrain the Board from enforcing recovery of the unpaid portion of the said rates
25 made and levied for the year ended on the thirty-first day of March, nineteen hundred and sixty: And whereas these proceedings were not brought to hearing but were settled out of Court on terms that the Board should pay the costs of the proceedings and refrain from attempting to recover the unpaid portion of the said rates for the year ended on the thirty-
30 first day of March, nineteen hundred and sixty, and that the ratepayers should not raise the same irregularities against the collection of the said rates for the years ended on the thirty-first day of March, nineteen hundred and sixty-one, and nineteen hundred and sixty-two: And whereas the Board did pay
35 the costs and has refrained from attempting to collect the unpaid rates for the year ended on the thirty-first of March, nineteen hundred and sixty: And whereas a number of ratepayers have not paid the rates made and levied by the Board for the years ended on the thirty-first day of March, nineteen
40 hundred and sixty-one, and nineteen hundred and sixty-two, and other ratepayers have paid less than the full amount of the rates so made and levied for the two years last mentioned whilst others have paid the full amount: And whereas the Board wishes to retain so much of the said rates made and

levied for the year ended on the thirty-first day of March, nineteen hundred and sixty, as have been actually received by it, and to have the rates made and levied for the years ended on the thirty-first day of March, nineteen hundred and sixty-one, and nineteen hundred and sixty-two, validated and their recovery authorised: Be it therefore enacted as follows: 5

(1) The rates which the Board purported to make and levy for the year ended on the thirty-first day of March, nineteen hundred and sixty, as appearing in the rate book of the Board, shall be deemed to have been lawfully made and levied to the extent that they have been received by the Board at the date of the commencement of this Act. 10

(2) The rates which the Board purported to make and levy for the years ended on the thirty-first day of March, nineteen hundred and sixty-one, and nineteen hundred and sixty-two, as appearing in the rate book of the Board, shall be deemed to have been lawfully made and levied and the demands made for payment of those rates shall be deemed to be valid and to have been lawfully made. 15

(3) The date by which the rates payable for the years ended on the thirty-first day of March, nineteen hundred and sixty-one, and nineteen hundred and sixty-two, may be paid without the additional charge authorised by section 76 of the Rating Act 1925 is hereby extended to the twenty-eighth day of February, nineteen hundred and sixty-three: 20 25

Provided that no additional charge added to those rates shall be recoverable until the Board has publicly notified that the same will be added to all of those rates unpaid after that date.

(4) It is expressly declared that the money received by the Board for the rates purported to have been made and levied for the year ended on the thirty-first day of March, nineteen hundred and sixty, may not be taken into account by the Board or by any Court as being in payment or in part payment of any rates made and levied or purported to be made and levied for any subsequent year. 30 35