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Mr. Wakefield.

Milford Harbour Board.

ANALYSIS.

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A BILL INTITULED

AN ACT to constitute a Harbour Board for the Port of Title.
Milford.

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

1. The Short Title of this Act shall be “The Milford Harbour Short Title.
5 Board Act, 1878;” and it shall come into operation on the first day of January, one thousand eight hundred and seventy-nine.

2. In the construction of this Act the following words and Interpretation.
expressions shall have the meanings hereby assigned to them, unless there shall be something in the context repugnant thereto:—

10 “Port” means the Port of Milford as defined at the time of the coming into operation of this Act, or as it may hereafter be defined under “The Marine Act, 1867,” or any Act amending the same:

15 “Board” means the Harbour Board constituted under the provisions of this Act.

3. A Board is hereby constituted for the management of the Milford Harbour Board constituted.
affairs of the Port of Milford, and such Board shall be a body corporate of the name of “The Milford Harbour Board,” and by that name shall
20 enjoy all the rights, powers, and privileges which bodies corporate as such have and enjoy.

Nine members.

4. It shall be lawful for the Governor, within one month after the passing of this Act, to appoint nine persons to be members of the Board, and such appointment shall be notified in the *Gazette*, and such nine persons as aforesaid, or a majority of them, shall, on the fourteenth day after the date of such appointment, hold their first meeting at Temuka, in the County of Geraldine. 5

Provision as to Chairman.

5. The members may, at their first meeting, elect a Chairman of their meetings, who shall be the Chairman of the Board, but if no Chairman is elected, or if at any meeting the Chairman is not present at the time appointed for holding the same, the members present shall choose one of their number to be Chairman of such meeting. 10

Acts done valid notwithstanding vacancy, &c.

6. All acts done at a meeting of the Board or by any person acting as a member shall, notwithstanding there was a vacancy in the number of members, or notwithstanding that it was afterwards discovered that there was some defect in the election of any member or person acting as such, or that the members or any of them were disqualified, be as valid as if any such person had been duly elected or was not disqualified to be a member. 15

Contractors disqualified.

7. No member of the Board shall be directly or indirectly, either alone or with others, in any way interested or concerned in any contract, agreement, or undertaking entered into by the Board, but this provision shall not apply to shareholders as such only in incorporated companies. 20

Other disqualifications.

8. No person who shall have been convicted of any crime shall be capable of being appointed to or of being a member of the Board, and any member of the Board who shall become a bankrupt, or insane, or otherwise legally incapacitated, or shall absent himself from three successive meetings of the Board, without the leave of the Board, shall thereupon cease to become a member of the Board, and his seat in the Board shall thereupon become vacant. 25 30

Vacancies, how to be filled up.

9. Upon any vacancy occurring in the Board by the death, resignation, or disqualification of any member of the Board, the Board shall, at their next meeting after such vacancy occurring, recommend to the Governor some suitable person to fill such vacancy, and it shall be lawful for the Governor to appoint such person to be a member of the Board by notification in the *Gazette*; and if the Board fail to make such recommendation as aforesaid, it shall be lawful for the Governor to appoint such person as he may deem fit to fill the vacancy as aforesaid. 35 40

Rules.

10. The Board shall have power from time to time to frame such rules for the regulation of their business as they may deem fit, and such rules shall be binding upon every member of the Board.

Board to appoint a Treasurer.

11. The Board shall appoint a Treasurer, who shall give such security for the due performance of his office as the Board shall from time to time fix; the Treasurer to hold office during the pleasure of the Board. 45

Duties of Treasurer.

12. The duties of Treasurer shall be—

- (1.) To have the custody and control of the funds of the Board :
- (2.) To pay into a banking account, to be opened in the name of the Board, all sums to the amount of ten pounds forthwith on the receipt thereof : 50
- (3.) To keep full, true, and particular accounts, in such form as the Board shall direct, of all money paid and received by him on account of the Board : 55
- (4.) To make an abstract of the accounts, made up to the first of January in every year, and showing all receipts and payments, and all assets and liabilities, a copy whereof shall, in the month of January, be transmitted to the Colonial Secretary. 60

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13. No money shall be drawn out of the banking account except by the authority of the Board, and by cheque, signed by the Treasurer and countersigned by the Chairman of the Board.

How money to be drawn from banking account.

14. It shall be lawful for the Governor in Council to grant to the Board that piece or parcel of land, being the sand-spit or shingle-bank situate between the estuary of the River Opihi (known as the Milford Lagoon) and the sea, in the said county, the seaward boundary of the said land being low watermark; and the said Board shall have power to lease by public tender or auction the said land, or any portions thereof, for such term and on such conditions as to the said Board may seem fit: Provided that no lease of such land made hereunder shall exceed the term of forty years; and all rents and profits accruing under this section shall be and become moneys of the Board for the purposes of this Act.

Governor may grant land.

15. Any land that may have been or may be reserved for the purposes of the Milford Harbour, under the provisions of "The Public Reserves Act, 1877," or any other Act dealing with public reserves at any time in force, shall be and become an endowment for the Board; and all moneys arising from the sale of such lands shall be and become the moneys of the Board for the purposes of this Act.

Endowments.

16. The said lands so reserved shall at all times be open for sale and disposal in parcels at the same price and upon the same terms and conditions in all respects as those upon which the waste lands of the Crown in the Provincial District of Canterbury are now or may hereafter be open for sale; and every application to purchase such lands, or any part thereof, shall be made to the Waste Lands Board of Canterbury, and shall be determined in the same manner and form as applications to purchase waste lands of the Crown in the said provincial district are now or hereafter may be made; and upon payment of the purchase-money for the land comprised in every such application, the Board may declare the applicant to be the purchaser thereof, and may give to such purchaser a license to occupy the same.

Reserves open for sale.

17. Every person being the holder of a depasturing license over any portion of the said lands so reserved shall continue to hold the same upon the same terms and conditions in all respects as such lands were held by him immediately antecedent to the reserving thereof, and as if this Act had not been passed; and the said lands shall also hereafter further be let for depasturing purposes to such persons, and at such rent and upon such terms and conditions, as may by law be fixed as the terms and conditions upon which depasturing licenses over waste lands of the Crown in the said land district are held for the time being.

Depasturing licenses on reserves.

18. The Board shall have power to construct all such works as may be necessary for the purposes of this Act, and to enter into all such contracts, agreements, and undertakings as they may deem expedient for the carrying out of the same.

Power of Board to construct works.

19. The Board shall have power to borrow, upon the security of all the lands vested by this Act in the Board or set aside as an endowment, or of any works constructed or being constructed under this Act, all such sum or sums of money as the Board may deem necessary for the due prosecution of their powers under this Act: Provided that the power of borrowing herein contained shall not entitle the Board to borrow at any rate of interest exceeding seven per centum per annum, or to have outstanding on the said securities at any one time a greater sum than twenty thousand pounds.

Board to have power to borrow.

20. No member of the Board shall receive any remuneration other than travelling expenses.

Members not to receive salary.