

Mr. Armstrong

NAPIER CITY SPECIAL RATES CONSOLIDATION

[LOCAL BILL]

ANALYSIS

Title.
Preamble.
1. Short Title.

2. Napier City Council may consolidate special rates and levy same over whole city.
3. Repeal.

A BILL INTITULED

AN ACT to Empower the Napier City Council to Consolidate Special Rates and Levy the Same Over the Whole City. Title.

5 WHEREAS the Napier City Council (hereinafter referred to as the Council) is desirous of obtaining statutory authority to consolidate special rates: And whereas by sections five and six of the Napier Borough (Marewa Area) Empowering Act, 1946 (hereinafter
10 referred to as the said Act), provision was made that certain loan charges should be apportioned on the basis therein set out: And whereas by Proclamation issued pursuant to the provisions of section one hundred and thirty-four of the Municipal Corporations Act, 1933, published in the *New Zealand Gazette* on the ninth day of
15 March, nineteen hundred and fifty, at page 244, the Governor-General did proclaim the Borough of Napier to be a city as on and from the eighteenth day of March, nineteen hundred and fifty: Preamble.

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

1. This Act may be cited as the Napier City Special Rates Consolidation Act, 1950. Short Title.

Napier City Council may consolidate special rates and levy same over whole city.

2. (1) Notwithstanding anything to the contrary in the Municipal Corporations Act, 1933, or the said Act, or any other Act, the Napier City Council may from time to time, in lieu of any special rates made and levied, whether before or after the passing of this Act, over the whole of the City of Napier or over any defined portion or portions thereof, by special order, make and levy an annually recurring rate on a uniform basis for the whole city (hereinafter referred to as a consolidated loans rate) on all rateable property within the city of an amount calculated to produce a sum greater than the annual charges payable in respect of the loans secured by such special rates by an amount equal to ten per centum of those annual charges: 5 10

Provided that nothing in this section or in any special order made thereunder shall affect the liability of the Crown for the payment of any special rates in accordance with the provisions in that behalf of section one hundred and twenty-three of the Local Bodies' Loans Act, 1926. 15 20

(2) The powers conferred by the *last preceding* subsection shall extend so as to apply in respect of special rates made and levied, whether before or after the passing of this Act, by any local authority other than the Napier City Council over any area which now is or may hereafter become part of the City of Napier. 25

(3) Every special order made under this section shall specify the several special rates in lieu of which the consolidated loans rate is made, and shall be published in the *Gazette*. 30

(4) Nothing in this section shall prejudicially affect the security afforded by any special rate to the holders of any securities.

(5) The proceeds of a consolidated loans rate made and levied under this section shall be applied for the purposes of the several rates in lieu of which the consolidated loans rate was made. 35

Repeal.

3. Sections five and six of the said Act are hereby repealed as at and from the thirty-first day of March, nineteen hundred and fifty-one. 40