

Mr Whitehead

NELSON HARBOUR BOARD EMPOWERING

[LOCAL]

ANALYSIS

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A BILL INTITULED

An Act to authorise the Nelson Harbour Board to borrow the further sum of three hundred and seventy thousand pounds for the purpose of carrying out certain works in the
5 **Nelson Harbour**

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

10 **1. Short Title**—This Act may be cited as the Nelson Harbour Board Empowering Act 1959.

2. Interpretation—In this Act, unless the context otherwise requires, the term “Board” means the Nelson Harbour Board.

3. Special Act—This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1950 and the Local Authorities Loans Act 1956.

4. Authority to borrow—It shall be lawful for the Board, from time to time as it may require, to borrow, subject to the provisions of the Harbours Act 1950 and the Local Authorities Loans Act 1956, a sum or sums not exceeding in the whole the sum of three hundred and seventy thousand pounds (in addition to any money heretofore authorised to be borrowed by the Board under or by virtue of any other Act) for the purposes of carrying out in the Nelson Harbour the works specified in the Schedule hereto:

Provided that where the amount of money specified in the said Schedule against any particular work is more than sufficient for that particular work and leaves a surplus remaining after the completion of that particular work, the surplus may be applied in the completion of any other of the said works specified in the said Schedule if the amount appropriated to any such work is not sufficient for its completion.

5. Special rate—In addition to the charge on the Harbour Fund created by the Harbours Act 1950, the Board may make, as further security for the money authorised by this Act to be borrowed, a special rate not exceeding one farthing in the pound on the capital value of all rateable property in the Nelson Harbour Board district.

6. Estimate of revenue and expenditure—(1) The Board shall in each year cause an estimate to be prepared, in such manner and according to such principle and method as the Board approves, of the anticipated revenue of the year (exclusive of any rate to be levied under this Act or any previous Act) and the anticipated expenditure of the year (including the annual payment or payments to be made, including interest, with respect to all money borrowed by the Board under the authority of this Act or any previous Act, but exclusive of capital expenditure on any loan account), and shall upon such estimate determine the deficiency of the revenue to meet the expenditure.

(2) Any credit or debit balance of the Board's General Account at the close of each year shall be carried forward to the account of the succeeding year for the purpose of the estimate of such succeeding year and the determination of the deficiency of the revenue of such succeeding year to meet the expenditure thereof.

(3) The Board may in each year, in accordance with the Harbours Act 1950, levy or direct the levy of such part of the said special rate as is sufficient to provide for the deficiency:

5 Provided that if the deficiency exceeds the amount of the annual charges for that year in respect of the money borrowed under this Act, the Board may levy or direct the levy of such part only of the said special rate as is sufficient to provide for those annual charges.

10 (4) The Board may for the purposes of the levy, or of such direction and levy, adopt some convenient fraction of a penny, notwithstanding that the sum produced thereby may exceed the said deficiency.

15 **7. Investment by trustees**—It shall be lawful for a trustee, unless expressly forbidden by the instrument (if any) expressly creating the trust, to invest any trust funds in his hands in any debentures or other securities that may be issued or created by the Board in respect of the borrowing by the Board of any of the money authorised by this Act to be borrowed.

20 **8. Refund of money expended**—The Board is hereby authorised to refund to any person from the money borrowed under the authority of this Act the amount of any money expended, whether before or after the passing of this Act, in the purchase of cargo-handling plant specified in the Schedule hereto, and any amount so refunded shall be deemed
25 to have been applied or expended for that purpose.

SCHEDULE

Section (4)

HARBOUR WORKS

	£
Completion of 1,100 ft of berthage on western side of reclamation known as McGlashen Quay	160,000
Further dredging, and widening of the harbour entrance	150,000
Purchase of heavy cargo handling plant	25,000
Providing part of cost of erection of administration building	35,000
	£370,000