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(*Mr. Macandrew.*)

Otago Board of Works.

ANALYSIS.

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A BILL INTITLED

AN ACT to provide for the establishment of a Board of Works for the Provincial District of Otago. Title.

WHEREAS it is expedient for the better local self-government of the people in the Province of Otago that a Board of Works should be constituted for the said province: Preamble.

BE IT THEREFORE 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 Otago Board of Works Act, 1875." Short Title.

2. There shall be and there is hereby constituted for the Province of Otago a Board of Works, and such Board shall be a corporate body, and by the name of "The Otago Board of Works" shall have perpetual succession and a common seal, and be capable of doing and suffering all such acts and deeds as corporate bodies can do and suffer. Board of Works constituted.

3. The Otago Board of Works (hereinafter designated "the said Board") shall consist, until the Provincial District shall be divided into shires or counties under the provisions of any Ordinance of the Superintendent and Provincial Council of Otago, or of any Act of the General Assembly, of the members of the House of Representatives from the Provincial District of Otago, and when shires or counties have been established as aforesaid, of a member elected by each shire or county, in the manner and at the times provided by the said Board: Provided always, that no member shall remain a member of the said Board for any period longer than five years unless he shall have been re-elected. Members of Board.

Power to elect
President, and his
duties.

4. The said Board shall have power to elect a President, who shall hold office for a period of two years, but who shall be eligible for re-election, and the President shall preside at all meetings of the said Board and shall have a deliberative as well as a casting vote, and shall have power to call meetings of the said Board at such times as he may determine or the by-laws of the said Board may fix. 5

Power to make
by-laws.

5. The said Board shall have power to make by-laws regulating its own proceedings, and such other by-laws as the said Board may consider proper for carrying into effect the provisions of this Act.

First meeting
of Board.

6. The first meeting of the said Board shall be held on the first 10
Wednesday after the day of the date of the abolition of the Province of Otago, in the Provincial Government Buildings, Dunedin.

Mode in which
Board may enter
into contracts, and
effect thereof.

7. The said Board may enter into contracts with any persons for the execution of any works directed or authorized by this Act to be done by the said Board, or for furnishing materials, or for any other things necessary for the purposes of this Act; and every such contract for the execution of any work shall specify the work to be done and the materials to be furnished and the price to be paid for the same, and the time or times within which the work is to be completed, and the penalties to be suffered in case of non-performance thereof; and the power hereby granted to the said Board to enter into contracts may lawfully be exercised as follows, that is to say,— 15
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Any contract which if made between private persons would be by law required to be in writing and under seal the said Board may make in writing and under the common seal, of 25
the body corporate, and in the same manner may vary or discharge the same.

Any contract which if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith, the said Board may make in writing 30
signed by the members thereof, or any two of their number acting by the direction and on behalf of the said Board, and in the same manner may vary or discharge the same.

Any contract which if made between private persons would be by law valid although made by parol only, and not reduced 35
into writing, the members of the said Board, or any two of them acting by direction and on behalf of the said Board, may make by parol only without writing, and in the same manner may vary or discharge the same.

And all contracts made according to the provisions herein contained, 40
being duly executed by the persons contracting to perform the works therein comprised respectively, shall be effectual in law, and shall be binding on the body corporate and all other parties thereto, their successors heirs executors or administrators, as the case may be, and in case of default in the execution of any such contract, either by the 45
said Board or by any other party thereto, such actions or suits may be maintained thereon and damages and costs recovered by or against the body corporate or the other parties failing in the execution thereof as might have been maintained and recovered had the same contracts 50
been made between private persons only.

Appointment, re-
moval &c., and
salaries of officers.

8. The said Board may from time to time appoint and employ a treasurer clerk surveyors valuers collectors engineers and all such other officers to assist in the execution of this Act as they shall think proper and necessary, and from time to time remove any of such officers, and appoint others in the room of such as shall be so removed, 55
or as may die resign or discontinue their offices, and may out of the funds of the said Board pay such salaries and allowances to the said officers respectively as the said Board shall think reasonable.

Duties of Board.

9. The said Board shall do and perform all such public works in the Province of Otago as the said Board shall consider for the public 60
advantage and convenience of the people of the Provincial District of

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Otago, and shall dispose of the surplus land revenue granted or paid to them by virtue of the provisions of "The Abolition of Provinces Act, 1875," and of all other sums that may be paid to them in and about the constructing and maintaining of public works in the said Provincial District of Otago, and in carrying into effect the provisions of this Act.

10. All moneys of the said Board, amounting to twenty pounds and upwards, shall within fourteen days, or such shorter period as the said Board may by any resolution or by-law direct, after they shall have come to the hands of the proper officer of the said Board, be paid into such bank as the said Board shall from time to time have appointed for that purpose; and no such money shall be drawn out of such bank save by cheques signed by the President of the said Board, and countersigned by the Treasurer of the said Board, or by such other person as the said Board shall appoint.

Moneys to be banked &c.

11. This Act shall come into operation on the date that the Province of Otago is abolished.

Date of coming into operation.