

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL, for its concurrence.

House of Representatives,
11th December, 1909.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. Dive.

OPUNAKE HARBOUR AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

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1. Short Title.	6. Rate so levied not invalidated or to be set aside.
2. Section 12 of the Local Bodies' Loans Act, 1908, not to apply.	8. Payment of costs of raising loan.
3. When proposal for loan deemed carried.	9. District to be divided into five wards.
4. Public Trustee deemed to be occupier of certain lands.	10. Section 9 of the principal Act amended.
5. Amount so paid to be charged to beneficiaries of land.	11. Section 12 of said Act amended.

A BILL INTITULED

AN ACT to amend the Opunake Harbour Act, 1908.

Title.

BE IT 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 Opunake Harbour Amendment Act, 1909, and shall be read with and form part of the Opunake Harbour Act, 1908 (hereinafter referred to as the said Act).

Short Title.

Struck out.

10 2. Section twelve of the Local Bodies' Loans Act, 1908, shall not apply to the said Act.

Section 12 of the Local Bodies' Loans Act, 1908, not to apply.

3. If a majority of the valid votes recorded at the poll on any proposal by the Board to raise a loan is in favour of such proposal, the proposal shall be deemed to be carried.

When proposal for loan deemed carried.

15 4. The Public Trustee shall be deemed to be the occupier within the meaning of the Rating Act, 1908, of any lands in the district vested in him as statutory owner in fee-simple under the West Coast Settlement Reserves Act, 1892, and not leased by him to any person.

Public Trustee deemed to be occupier of certain lands.

20 5. Upon payment by the Public Trustee of any rates as mentioned in section four hereof payable by reason of the last preceding section he shall have power to charge the amount thereof to or against the account of the beneficiaries of the land in respect of which the rates were paid.

Amount so paid to be charged to beneficiaries of land.

25 6. (1.) The Board may, if a poll in favour of the proposal to raise a loan is carried, make and levy a special rate not exceeding threepence in the pound on the capital value of all rateable property

Special rate.

in that part of the district being the Opunake Town District, and one penny in the pound on the capital value of all rateable property in the other part of the district. And all rates made or levied by the Board shall in each of the said parts of the district be in the like proportion as in this section mentioned. 5

(2.) Section ten of the said Act is hereby repealed.

Rate so levied not invalidated or to be set aside.

7. No rate made or levied by the Board *under the provisions of this Act* shall be set aside or quashed in or by any proceedings in any Court or otherwise; and no defect in the same or the making thereof, or in any direction for levy, shall be set up as a defence to 10 any action which may be brought to recover the same.

Payment of costs of raising loan.

8. The Board may, out of any loan-moneys or out of its Harbour Fund Account, pay to the promoters of the said Act and this Act the costs, charges, and expenses of promoting the same, and also the first year's interest on any loan. 15

District to be divided into five wards.

9. For the purposes of the first election for members of the Board the Governor in Council shall have power to divide the district into five wards, such wards to be, as ~~near~~ *nearly* as possible ~~and convenient~~ of equal valuation.

Section 9 of the principal Act amended.

10. Section nine of the said Act is hereby amended by omitting 20 the word "forty," and substituting the word "fifty."

Section 12 of said Act amended.

11. Section twelve of the said Act is hereby amended as follows:—

- (a.) By omitting the words "upon lands outside the harbour district," and substituting the words "outside and brought 25 into the harbour district for persons residing outside the harbour district":
- (b.) By inserting, after the words "manufactured within," the words "or brought into":
- (c.) By inserting, at the end of the section, the words "until a 30 grading depot shall be established at Opunake."