

Hon. Mr. T. Mackenzie.

OPUNAKE HARBOUR AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

Title.	
1. Short Title.	7. Poll of ratepayers need not be taken.
2. Section 6 of principal Act amended.	8. Repayment of outstanding debentures Board.
3. Power to Public Trustee to make certain payments in respect to Native lands.	9. Issue of debentures.
4. Payment to be charged to the owners' accounts.	10. Security for debentures.
5. First Schedule of the Harbours Act, 1910, amended.	11. Repayment of debentures.
6. Power to Board to enter into agreement with the Opunake Wharf Company (Limited).	12. Certain Acts amended.
	13. Endowments. Schedule.

A BILL INTITULED

AN ACT to amend the Opunake Harbour Act, 1908, and the Opunake Harbour Amendment Act, 1909. Title.

5 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, 1912, and shall be read with and form part of the Opunake Harbour Act, 1908 (hereinafter referred to as the principal Act), and the Opunake Harbour Amendment Act, 1909 (hereinafter referred to as the said Amendment Act). Short Title.

2. Section six of the principal act is hereby amended by deleting all the words after the word " appoints " in the said section, and substituting the following, namely :— Section 6 of principal Act amended.

15 " Provided that if such election shall take place within eighteen months prior to the time for holding the general triennial election, such last-mentioned election shall not be held, and the members then in office shall continue to hold office until the next-succeeding general election."

20 3. Notwithstanding anything contained in the West Coast Settlement Reserves Act, 1892, or any amendment thereof, it shall be lawful for the Public Trustee, as statutory owner in fee-simple of all or any lands held by him as Trustee under the last-mentioned Act, to pay, and he shall, with and out of the revenues derived from such of the said lands as he shall from time to time think fit, pay Power to Public Trustee to make certain payments in respect to Native lands.

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annually to the Board one-third of the total amount of interest, sinking fund (if any), and other charges from time to time required by the Board in connection with any loan or loans raised by the Board under section nine of the principal Act. And such amount shall be paid by the said Trustee by equal half-yearly payments, and each such payment shall be made within fourteen days after demand thereof in writing delivered to or at the office of the said Trustee, at Wellington, or sent by registered post addressed to the said Trustee :

Provided that this section shall not come into operation until the first day of January, nineteen hundred and *fifteen*.

Payment to be charged to the owner's accounts.

4. The Public Trustee shall, upon payment by him from time to time of any moneys under section *three* hereof, charge the same proportionately against such of the respective accounts of the Native beneficiaries of the said lands as he shall from time to time think fit.

First Schedule of the Harbours Act, 1910, amended.

5. The First Schedule of the Harbours Act, 1910, is, in so far as it relates to the Opunake Harbour Board, amended as follows, namely :—

(a.) By deleting the word "one" in the second column, and substituting the word "two" therefor; and adding thereafter the words "one of whom shall represent the Public Trustee" :

(b.) By deleting the word "six" in the third column, and substituting the word "five" therefor.

Power to Board to enter into agreement with the Opunake Wharf Company (Limited).

6. Notwithstanding anything contained in sections eight or nine of the principal Act, it shall be lawful for the Board to enter into any agreement with the Opunake Wharf Company (Limited) for the purposes following or any of them, namely :—

(a.) To obtain the use of the wharf, buoys, chains, derricks, sheds, trams, rails, ropes, and other material mentioned in the said section eight for such period, and upon such terms and conditions, as the said company and the Board shall mutually agree upon :

(b.) To pay the said company by means of debentures issued by the Board.

Poll of ratepayers need not be taken.

7. Notwithstanding anything contained in the principal Act, the New Zealand State-guaranteed Advances Act, 1909, or the Harbours Act, 1910, or any amendments thereof respectively, it shall not be necessary for the Board to take a poll of ratepayers prior to raising a loan for the purpose of acquiring the property of the said company, as mentioned in section eight of the principal Act.

Repayment of outstanding debentures of Board.

8. The Board may, in placing a proposal before the electors to raise a loan, include in such proposal and in the amount of such proposed loan such sum as shall or may be required by the Board to pay off all the then outstanding debentures of the Board.

Issue of debentures.

9. Notwithstanding anything contained in the principal Act, it shall be lawful for the Board to issue debentures for the purpose of carrying out any undertaking by the Board under the principal Act, the said Amendment Act, or this Act.

Security for debentures.

10. Any debentures issued by the Board shall be issued upon the security of the wharf, sheds, and other property of the Board, and also the harbour dues, wharfages, and other revenues of the Board, or such of them or such part or parts thereof, and upon such

terms, covenants, and conditions, as may be mutually agreed upon between the Board and person, persons, company, or firm to become the debenture-holders; and such debentures shall have a currency not exceeding ten years, and shall bear interest at a rate not exceeding five pounds per centum per annum.

11. For the purpose of paying the said debentures or any of them it shall be lawful for the Board to hold drawings at such time or times and in such manner as the Board shall think fit. Repayment of debentures.

12. Paragraph (c) of section nine of the said Amendment Act and section eleven and the last proviso of section twelve of the principal Act are hereby repealed. Certain Acts amended.

13. The Board is hereby endowed with all those the lands mentioned and described in the Schedule hereto. Endowments.

SCHEDULE.

Schedule.

ENDOWMENTS.

Numbers of Sections.	Block.	Area.			Numbers of Sections.	Block.	Area.		
		A.	R.	P.			A.	R.	P.
1 to 11 ...	III	2	3	13	1 to 4 ...	XXVIII	1	0	0
1, 2, and 4 ...	IX	0	3	0	1 to 5 ...	XLVII	2	2	0
5 to 12 ...	IX	2	0	0	...	XLVIII	0	0	39
1 to 12 ...	X	3	0	0					
1 to 7 ...	XV	1	2	7	Suburban—				
2 to 10 ...	XXII	2	0	34	31 ...	IX	6	0	0
2 and 4 ...	XXVII	0	2	0	1 ...	IX	27	0	0
5 to 8, 10 to 12	XXVII	1	3	0	46, 47, 48...	IX	22	3	0

Also all that portion of the foreshore in the Land District of Taranaki from the northern bank of the Otahi Stream to the southern bank of the Waiaua Stream.