

Mr. Shrimski.

Oamaru Harbour Board Act 1876 Amendment.

ANALYSIS.

<p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Existing Board to remain in office till 1st January, 1878.</p> <p>3. Constitution of Board.</p> <p>4. Five members to be Mayor and Chairmen of certain bodies.</p>	<p>5. Three members, Collector of Customs, and two appointed by Governor in Council.</p> <p>6. Two members to be elected.</p> <p>7. Election of Chairman.</p> <p>8. Extraordinary vacancies.</p> <p>9. Extraordinary vacancies how filled.</p> <p>10. Provision in default of election.</p> <p>11. Newly constituted Board identical with existing Board, and saving of rights.</p>
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A BILL INTITULED

AN ACT to amend “The Oamaru Harbour Board Act, 1876.” Title.

WHEREAS it is expedient to amend the constitution of the Oamaru Harbour Board: 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 Oamaru Harbour Board Act 1876 Amendment Act, 1877.” Short Title.

2. Section seven of “The Oamaru Harbour Board Act, 1876,” is hereby repealed: Provided that the several persons who on the passing of this Act constitute the Oamaru Harbour Board shall hold office until the first day of January, one thousand eight hundred and seventy-eight, on which day the new Board as herein constituted shall take office. Existing Board to remain in office till 1st January, 1878.

In the event of any vacancy arising in the meantime in the seat of any such members now holding office, the Governor in Council shall appoint some person to fill the vacant seat.

3. From and after the first day of January, one thousand eight hundred and seventy-eight, the Oamaru Harbour Board (hereinafter called “the Board”) shall consist of ten members, as hereinafter constituted. Constitution of Board.

4. Five members of the Board shall respectively be the Mayor for the time being of the Borough of Oamaru, and the Chairmen for the time being of the County Council of Waitaki, and of the Road Boards of Waiareka, Papakaio, and Kakanui. Five members to be Mayor and Chairmen of certain bodies.

Three members,
Collector of Customs,
and two appointed by
Governor in Council.

5. Three members of the Board shall be the Collector of Customs for the time being of the Port of Oamaru, and two persons appointed by the Governor in Council, in the month of December, one thousand eight hundred and seventy-seven, and in every third year thereafter, and notified in the *New Zealand Gazette*, who shall hold office for the period of three years from the date of such appointment. 5

Two members to be
elected.

6. Two members of the Board shall be elected by and out of the ratepayers entitled to elect members of the Borough Council of Oamaru, under the provisions of "The Regulation of Local Elections Act, 1876," or any Act amending the same, on such day during the month of December, one thousand eight hundred and seventy-seven, and in every subsequent year, as the Board shall fix. And for this purpose the Board shall be deemed to be a local body within the meaning of that Act: And the members so elected shall hold office till the next annual election. 10 15

Election of Chairman.

7. As soon as conveniently may be after the constitution thereof as herein provided, the Board shall hold its first meeting, at which a Chairman shall be elected from its members.

Extraordinary
vacancies.

8. If any member shall die, resign, become of unsound mind, accept any office of profit under or become interested in any contract with the Board, otherwise than as a member of any incorporated or registered company or body corporate, or be adjudicated a bankrupt or insolvent, or take the benefit or be brought under the operation of any Act relating to bankrupt or insolvent debtors, or be absent without leave of the Board from four consecutive meetings thereof, or be convicted of treason, felony, perjury, or any infamous crime, he shall immediately cease to be a member of the Board. 20 25

Extraordinary
vacancies how filled.

9. The vacancy so created as in the last preceding section shall, in the case of an appointed member, or of a member declared such under this Act by virtue of his office, be filled by the appointment of a new member by the Governor in manner hereinbefore provided; and in the case of an elected member shall be filled by a person qualified and to be elected in manner set forth in section *six*. 30

Such new member shall retain office so long as the vacating member would have retained the same had no vacancy occurred. 35

Provision in default
of election.

10. In the event of refusal or neglect to elect the full number of members required by this Act to be elected, or to supply any vacancies therein, it shall be lawful for the Governor in Council to appoint as many members as may be necessary to complete such number or to supply such vacancies, as the case may be. 40

Any person so appointed shall hold office till the next ordinary vacancy shall occur, unless such person shall cease to be a member of the Board in accordance with the provisions of this Act.

Newly constituted
Board identical with
existing Board, and
saving of rights.

11. Every Board constituted under this Act shall, in respect of by-laws, and all real and personal property, rights, powers, claims, dues or rates, obligations, liabilities, contracts, and engagements, and in respect of moneys borrowed or the interest to accrue due thereon, and of all remedies for enforcing the payment of such moneys or interest, and for all purposes whatsoever in law or in equity, be deemed the same Board as that now existing at the Port of Oamaru, in respect of which the same was constituted before the passing of this Act. 45 50