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

Legislative Council,
 25th August, 1883.

Hon. Mr. Oliver.

OTAGO HARBOUR BOARD.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Incorporation of "The Harbours Act, 1878."</p> <p>3. Interpretation.</p> <p>4. Constitution of Board. Members of Board, how elected.</p> <p>5. Nominated members to hold office for two years.</p> <p>6. First election.</p> <p>7. Elective members to hold office till ensuing election.</p> <p>8. Termination of office of existing Board.</p> <p>9. Repeal.</p>	<p>10. Board may contribute towards building ^a sailors' home.</p> <p>11. Harbour improvement rates how chargeable.</p> <p>12. Goods, &c., may be charged by weight, &c.</p> <p>13. Goods may be exempted from payment of dues.</p> <p>14. Lands may be taken at upset price after offer by auction or tender.</p> <p>15. Subject to certain conditions, Board may lease for fifty years.</p> <p>16. Board may provide for renewal of leases.</p> <p>17. Board may assimilate covenants in leases.</p> <p>18. Board may contract for leases.</p> <p>19. Board may grant leases to sub-lessees.</p> <p>20. Leases to be granted by deed.</p>
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A BILL INTITULED

AN ACT to reconstitute the Otago Harbour Board.

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

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| 5 | <p>1. The Short Title of this Act is "The Otago Harbour Board Act, 1883."</p> | <p>Title.</p> <p>Short Title.</p> |
| 10 | <p>2. This Act shall be deemed to be a special Act within the meaning of "The Harbours Act, 1878," which Act and all Acts amending the same shall be incorporated with this Act.</p> <p>3. In this Act, if not inconsistent with the context,—</p> <p style="padding-left: 20px;">"Board" means the Otago Harbour Board constituted under "The Harbours Act, 1878:"</p> <p style="padding-left: 20px;">"The said Act" means "The Harbours Act, 1878," and all Acts amending the same:</p> <p style="padding-left: 20px;">"Chamber of Commerce" means the present association in the City of Dunedin known as the Dunedin Chamber of Commerce.</p> | <p>Incorporation of "The Harbours Act, 1878."</p> <p>Interpretation.</p> |
| 15 | <p>4. The Board shall, from and after the second Monday in the month of November, in the year one thousand eight hundred and eighty-three, consist of thirteen members, of whom five shall form a quorum, and such members shall be respectively appointed, succeed to office, and be elected as follows:—</p> | <p>Constitution of Board.</p> |
| 20 | <p>(1.) Four members to be appointed by the Governor;</p> <p>(2.) Two to be elected by the ratepayers of the City of Dunedin;</p> | <p>Members of Board, how elected.</p> |
| 25 | <p>(3.) Three by the ratepayers of the Borough of Port Chalmers;</p> <p>(4.) One by the ratepayers of the Boroughs of West Harbour and North-East Valley;</p> | |
| 30 | <p>(5.) One by the ratepayers of the Boroughs of Maori Hill, Roslyn, and Mornington;</p> <p>(6.) One by the ratepayers of the Boroughs of Caversham, St. Kilda, and South Dunedin;</p> <p>(7.) One by the Dunedin Chamber of Commerce.</p> | |

Nominated members to hold office for two years.

5. The members of the Board to be appointed by the Governor may be appointed at any time after the coming into operation of this Act, and they shall hold office for a period of two years.

First election.

6. The first election of the elective members shall be held on the second Monday in November, one thousand eight hundred and eighty-three, in manner provided by the said Act. 5

Elective members to hold office till ensuing election.

7. The elective members of the Board shall come into office on their election, and shall hold office from the time of their election until the biennial election of members of the Board, to be held in November, in the year one thousand eight hundred and eighty-five. 10

Termination of office of existing Board.

8. The elective members of the Board holding office on the second Monday in November, one thousand eight hundred and eighty-three, shall cease to hold office on the coming into office of the elected members of the Board under this Act.

Repeal.

9. So much of the Second Schedule of the said Act as relates to the constitution of the Board, succession to office, and election of the members of the Board, is hereby repealed. 15

Board may contribute towards building a sailors' home.

10. The Otago Harbour Board may, out of its Harbour Fund, contribute a sum or sums not exceeding those contributed by persons or bodies other than the Harbour Board towards defraying the cost of building a sailors' home or other institution of a like character, and may contribute towards its maintenance: Provided that no money shall be so paid to any institution of a sectarian character, or which is not open to seafaring men of all descriptions, subject always to reasonable regulations as to subscriptions, and for the preservation of order and decency. 20 25

Harbour improvement rates how chargeable.

11. The harbour improvement rates chargeable on goods, wares, or merchandise landed at the railway piers, or any part of the railway premises, at Port Chalmers shall be *one* shilling per ton less than the rates chargeable on goods, wares, or merchandise landed at any other pier, or at any dock, wharf, or other place in the Port of Dunedin. 30

Goods, &c., may be charged by weight, &c.

12. Goods, wares, or merchandise may be charged by weight, measurement, or package, and the rates charged on different classes of goods may be varied from time to time so as to discriminate between one class and another, as the Board may from time to time determine. 35

Goods may be exempted from export dues.

13. Notwithstanding anything in "The Harbour Act, 1878," or in "The Otago Harbour Board Empowering Act, 1875," contained, it shall be lawful for the Board to exempt any class of goods, wares, and merchandise from the payment of export dues or rates. 40

Lands may be taken at upset price after offer by auction or tender.

14. Any lease of lands which has been offered for sale by public auction or public tender under the one hundred and thirty-eighth section of the said Act, and which has not been sold, may be, within twelve months, sold by private contract at a price not being less than the upset price for which the same was offered at such auction or when calling for such tenders. 45

Subject to certain conditions, Board may lease for fifty years.

15. Notwithstanding anything in the said Act or in any Act whatsoever, whether generally or specially relating to any Harbour Board, to the contrary, the Board may, with the consent of the Governor in Council, but without obtaining any special Act, lease, for any period not exceeding *fifty* years, any piece of land vested 50

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in it being on the shore of the sea, or of any creek, bay, or arm of the sea or navigable river communicating with the sea, and so that such lease may extend as far as low-water mark: Provided always that no such lease shall be made or assented to by the Governor in Council, if the Marine Engineer for the time being shall report that the granting of the same will in any way impede or disturb navigation in the harbour: Provided, further, that no such lease shall be granted except in accordance with the provisions of the one hundred and thirty-seventh and one hundred and thirty-eighth sections of the said Act.

16. It shall be optional and lawful for the Board, in granting leases under the said Act, to provide for the renewal from time to time by way of new lease of all or any of such leases, on such terms and conditions as the Board may determine, or for payment by the incoming tenant or otherwise of the value of the buildings or other improvements upon land so leased, subject to the following limitations:—

Board may provide for renewal of leases.

(1.) That every such renewal or new lease shall be granted upon or after the expiration of the then existing lease, and not otherwise; and

(2.) That all the provisions contained in "The Harbours Act, 1878," or any amendment, save where altered or amended by this Act, shall apply to such renewals or new leases.

17. It shall be lawful for the Board, on such terms as it may determine, to assimilate the covenants and conditions of all or any leases held by tenants of the Board to the provisions contained in the *last preceding* section, with the consent of the lessees, their executors, administrators, and assigns respectively: Provided that the rent to be payable under any such lease shall be fixed by two arbitrators or their umpires in manner provided by "The Supreme Court Act, 1882," but shall in no case be less than that now payable.

Board may assimilate covenants in leases.

18. It shall be lawful for the Board to enter into contracts to lease any lands vested in it without at the same time executing any leases, and such contracts shall be binding on the said Board and the said lessees to grant and accept the said leases respectively.

Board may contract for leases.

19. The Board may, with the consent of the lessee, his executors, administrators, or assigns, and any person having any interest under any such lease, give a sub-lessee a lease direct from the Board: Provided that the rent payable to the Board is not lessened, or the term for which the existing lease was granted extended, thereby.

Board may grant leases to sub-lessees

20. Every lease granted by the Board shall be by deed, and every lessee shall execute a counterpart thereof, and every such lease shall contain a condition for re-entry on non-payment of the rent for a period of more than twenty-eight days after it becomes due.

Leases to be granted by deed.