

Hon. Mr. Hislop.

ROAD BOARDS ACT 1882 AMENDMENT.

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A BILL INTITULED

AN ACT to amend "The Road Boards Act, 1882."

Title.

WHEREAS by the seventh section of "The Road Boards Act 1882 Amendment Act, 1884," it is enacted that every Road Board shall
5 have power to expend any portion of the Road Board Fund in the construction or maintenance of works for the purposes of irrigation or water-supply, and in acquiring land for such purposes: And whereas it is desirable to make the like provisions for the case of waterworks constructed by Road Boards as are enacted by "The Municipal
10 Corporations Act, 1886," for the care of waterworks constructed by Municipal Corporations: And whereas it is expedient to give Road Boards powers in certain cases to levy additional rates, and to alter the law relating to Receivers:

Preamble.

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

1. The Short Title of this Act is "The Road Boards Act 1882 Amendment Act, 1888."

Short Title.

2. This Act shall be read with and be considered as forming part
20 of "The Road Boards Act, 1882."

Act to be read with "The Road Boards Act, 1882."

PART I.

3. "The Road Boards Act, 1882," shall be read and interpreted
as if sections three hundred and twelve and three hundred and thir-
teen, sections three hundred and fifteen to three hundred and twenty-
25 four, both inclusive, sections three hundred and twenty-six to three hundred and thirty-six, both inclusive, and sections three hundred and thirty-eight, three hundred and thirty-nine, and three hundred and forty of "The Municipal Corporations Act, 1886," were set out at length therein, with the following alterations:—

Incorporation in "The Road Boards Act, 1882," of clauses relating to waterworks contained in "The Municipal Corporations Act, 1886."

(a.) Wherever the word "Council" occurs in the said sections the words "Road Board" shall be read;

(b.) Wherever the word "borough" occurs in the said sections the words "road district" shall be read.

Power to make
by-laws.

4. Every Road Board which has heretofore constructed, or shall hereafter construct, waterworks shall have the like powers to make, alter, and repeal by-laws in respect of waterworks as are conferred on Municipal Corporations in respect of waterworks by section four hundred and twenty-two of "The Municipal Corporations Act, 1886." Such by-laws shall be made in the manner prescribed by section one hundred and twenty-seven of "The Road Boards Act, 1882," and all the provisions of sections one hundred and twenty-eight to one hundred and thirty-one, both inclusive, of "The Road Boards Act, 1882," shall apply in respect of such by-laws.

Power to levy
water-rates.

5. Every Road Board which has heretofore constructed, or shall hereafter construct, waterworks may make and levy water-rates within its road district upon the principle and according to the scale prescribed by section three hundred and twenty-five of "The Municipal Corporations Act, 1886." The words "rateable value" in that section shall for the purposes of this Act mean "annual value," calculated as prescribed by the last paragraph of section fourteen of "The Rating Act, 1882."

Water-rate to be
additional to other
rates, and not to be
limited to $\frac{1}{4}$ d. in
the pound.

6. Any such water-rate shall be additional to any general, separate, or special rate levied by the Road Board, and may be made and levied notwithstanding that the other general and separate rates levied by the Road Board may amount to the limit prescribed by sections one hundred and fourteen and one hundred and seventeen of "The Rating Act, 1882," and any such water-rate shall be deemed to be revenue derivable from a public work within the first subsection of section eight of "The Loans to Local Bodies Act, 1886."

PART II.

Section 3 of "The
Road Boards Act
1882 Amendment
Act, 1884," to be
read with section 7
of this Act.

7. Section three of "The Road Boards Act 1882 Amendment Act, 1884," shall be read as if the words "chargeable with the debt aforesaid" had been inserted between the words "rates" and "including" in the fourth line of subclause one of clause three, and the words "as the case may require" had been inserted at the end of such line.

Power to levy
additional general
rate: how to be
applied.

8. In the event of any Receiver having been heretofore, or being hereafter, appointed under the powers conferred by "The Road Boards Act 1882 Amendment Act, 1884," for the purpose of receiving the general rates leviable by any Road Board, and if the Board shall be of opinion that sufficient funds are not available for carrying on the necessary general works and business of the Board, it shall be lawful for such Board to make and levy an additional general rate upon all rateable property within the district of such Board not exceeding for the purpose of carrying on such works or business, and the proceeds of such rate shall be applied only for such purposes, and shall not be used or applied for or to any other purpose, and shall not be subject to any judgment of any Court except for debts specially incurred under contracts or engagements in respect of any such general works or business as aforesaid entered into subse-

quently to the making of such rate, nor shall any such rate or the proceeds thereof vest in or be subject to any order for the appointment of a Receiver.

Any rate made under this section shall be additional to any general rate levied by such Board, and may be made and levied notwithstanding that the same may be in excess of the limit of rates of any kind prescribed by any law for the time being in force.

9. The Board may at any time apply that one of its own officers may be appointed Receiver under the said Act, and if it shall be made to appear to a Judge of the Supreme Court that the powers and duties of a Receiver are likely to be performed with greater economy to the Board if such appointment should be made, it shall be the duty of such Judge, upon the Board or its officer finding sufficient security that such powers and duties shall be exercised for the benefit of the creditors, to appoint such officer to act in lieu of any person who may have been formerly appointed. It shall be lawful for the Judge to vary any order upon the application of either party upon sufficient cause shown.

Receiver may be appointed.

10. No appointment of a Receiver shall hereafter be made, at the instance of either party, without notice to the other party (if he shall be in New Zealand), stating the full Christian and surname and address and occupation of the person for whose appointment it is intended to apply.

Appointment of a Receiver hereafter, how to be made.

11. Any Receiver, heretofore or hereafter appointed, shall furnish to the Board a full, true, and particular account of all moneys received and expended by him at such time or times, not being less than once a year, as a Judge of the Supreme Court may direct.

Receiver to furnish account of moneys received and expended.