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Hon. Mr. Russell.

## RIVER BOARDS AMENDMENT.

### ANALYSIS.

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### A BILL INTITULED

AN ACT to amend the River Boards Act, 1908.

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

5 follows:—

1. This Act may be cited as the River Boards Amendment Act, 1917, and shall be read together with and deemed to form part of the River Boards Act, 1908 (hereinafter referred to as the principal Act).

Title.

Short Title.

Governor-General may appoint Commission to report as to failure by River Board to provide river-protection works.

10 2. (1.) If the Governor-General is satisfied that any River Board has failed to provide or maintain any works authorized by the principal Act and necessary, in his opinion, to prevent or lessen any damage that may be occasioned by the overflow or the breaking of the banks of any river, stream, or watercourse within the jurisdiction of the Board, or that any works constructed or proposed to be constructed by any such Board for such purpose are not sufficient for that purpose, he may by Warrant under his hand appoint a Commission to inquire into and report to him upon the matter.

20 (2.) Every such Commission shall consist of a Stipendiary Magistrate, who shall be the Chairman, and of four other persons, of whom two shall be engineers, to be nominated for the purposes of this section by the Minister of Public Works.

25 (3.) Every Commission appointed as aforesaid shall for the purposes for which it is appointed have all the powers of a Commission under the Commissions of Inquiry Act, 1908, and all the provisions of that Act shall apply accordingly.

3. (1.) If a Commission appointed under this Act is of opinion, with respect to any Board, that it has failed to provide or maintain any works as aforesaid, or that any such works provided by the

Commission to make recommendations as to necessary works.

Board are not sufficient for the purpose for which they have been provided, or that any such works proposed to be constructed by the Board will not be sufficient for the purposes for which they are intended, it shall report to the Governor-General accordingly, and shall in its report make such recommendations as it thinks proper with respect to the construction or maintenance of such works. 5

Works may be carried out by Minister of Public Works.

4. Upon receipt of any such report and recommendations, the Governor-General may authorize the Minister of Public Works to undertake the construction of any works deemed by the Governor-General to be necessary or advisable for the purpose aforesaid, and the Minister may accordingly proceed with such works as if they were Government works within the meaning of the Public Works Act, 1908; and may thereafter, in the event of further default by the Board, maintain such works. 10

Recovery from Board of cost of works.

5. (1.) All expenses incurred in the construction or maintenance by the Minister of Public Works of any works under this Act may be paid out of the Public Works Fund without further appropriation than this Act, and shall, with interest thereon at the rate of *five* per centum per annum, constitute a debt due to the Crown by the Board, and may be recovered accordingly. 15 20

Money may be borrowed from State Advances Office.

(2.) Any moneys payable by the Board under this section may be raised by the Board by way of special loan as if those moneys were required by the Board for the construction, providing, or establishing of a public work, and any such special loan may be advanced to the Board by the Superintendent of the State Advances Office under and subject to the provisions of Part III of the Local Bodies' Loans Act, 1913, as if required for a public work of a class specified in section sixty of that Act. 25

Minister may empower Valuer-General to raise by means of rates amount due to Crown under this Act.

(3.) The Board may raise any such loan as aforesaid by special order and without taking the steps described in sections eight to twelve of the Local Bodies' Loans Act, 1913. 30

6. (1.) Without restricting the provisions of the *last preceding* section, if any moneys payable by the Board to the Crown in respect of the construction or maintenance of any works under this Act remain unpaid for three months after the date on which a notice under the hand of the Minister of Public Works that such moneys are due and payable has been served upon the Board, that Minister may, by Warrant under his hand, empower the Valuer-General to raise by means of rates on the rateable value of all rateable property within the district of the Board the amount so due to the Crown, with interest thereon at the rate of *five* per centum per annum, together with the amount of the estimated cost of making and collecting the rate. 35 40

(2.) For the purpose of making and collecting any such rate the valuation roll under the Valuation of Land Act, 1908, shall be deemed to be the valuation roll of the rateable property within the district, and the Valuer-General shall be deemed to be a local authority within the meaning of the Rating Act, 1908, all the provisions whereof shall, with the necessary modifications, apply to the making, levying, collection, and recovery of any such rate. 45 50

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(3.) The provisions of section nine of the River Boards Amendment Act, 1913 (providing for the levying of rates under the principal Act on a graduated scale) shall, so far as applicable, apply to any rate that may be made and levied by the Valuer-General under this section, save that the classification upon which the graduated scale is based shall not be made by the Board, but shall be made by the Commission appointed under section *two* hereof or by a similar Commission that may be specially appointed for the purpose by the Governor-General, and no appeal shall lie from the classification so made.

(4.) All moneys received by way of rate under this Act shall be paid into the Public Account to the credit of the Public Works Fund, less the amount of the expenses of making and collecting the rate, which shall be paid into the Public Account and form part of the Consolidated Fund.

(5.) Any rate made and levied under this section may, with the approval of the Minister of Public Works, be paid by equal yearly or half-yearly instalments extending over such period as the said Minister may approve.