

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]
House of Representatives, 30th October, 1947

Mr. T. L. Macdonald

RIVERTON BOROUGH EMPOWERING

[LOCAL BILL]

ANALYSIS

Title.	}	2. Interpretation.
Preamble.		3. Additional powers given to Council.
1. Short Title.		4. Amendments and repeal.

A BILL INTITULED

AN ACT to empower the Riverton Borough Council to apply for the Purpose of assisting in Urgent Works of the Corporation—namely, Water-supply, Drainage, and Fire Protection—Moneys arising from Real and Personal Property of the Mayor, Councillors, and Burgesses of the Borough of Riverton vested in that Body by the Riverton Corporation Empowering Act, 1889., and to repeal ~~Portion of that Act and the Riverton Harbour Loan and Empowering Act, 1911, and certain Portions of the Harbours Act, 1923.~~

Preamble.

WHEREAS by the provisions of the Riverton Corporation Empowering Act, 1889, the Riverton Harbour Board was dissolved and its real and personal property was vested in the Mayor, Councillors, and Burgesses of the Borough of Riverton upon the same trusts and for the same purposes for which the said Harbour Board held the same: And whereas the moneys and rents arising from the said property now amount to over three thousand pounds: And whereas the said moneys now held by the said Council ~~can no longer~~ *not* ~~at present~~ be used for the purposes on which the said property was so vested in the Corporation of the said Borough. *Struck out*

And whereas on the consolidation of the statutes in nineteen hundred and eight and in the enactment of the consolidating statute the Harbours Act, 1923, certain provisions were enacted on the assumption that the said Board had not been dissolved by the Riverton Corporation Empowering Act, 1889, and it is now necessary to repeal the Harbours Act, 1923, as hereinafter enacted, and also portion of the Riverton Corporation Empowering Act, 1889, and portion of the Riverton Harbour Loan and Empowering Act, 1911:

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

Short Title.

1. This Act may be cited as the Riverton Borough Empowering Act, 1947.

Interpretation.

2. " Corporation " means the Mayor, Councillors, and Burgesses of the Borough of Riverton:
" Council " means the Riverton Borough Council.

Struck out

Additional powers given to Council.

3. The Council is hereby empowered to use for the purposes of providing water-supply, drainage, and fire protection for its borough all moneys accrued or hereafter accruing from the real and personal property vested in the Corporation under the Riverton Corporation Empowering Act, 1889, and for meeting the annual charges of any special loans hereafter raised by the Council for any of the said purposes.

New

- 5 **3A.** (1) For the purposes of providing water-supply, drainage, and fire protection for its borough, and for meeting the annual charges of any special loans here-
after raised by the Council for any of the said pur-
poses, the Council is hereby empowered to divert and
use all moneys accrued at the *thirty-first* day of *March*,
nineteen hundred and *forty-eight*, from the real and
personal property vested in the Corporation under the
10 Riverton Corporation Empowering Act, 1889.
- 15 (2) The Council shall, before diverting and using
any of the said moneys, make provision for the repay-
ment thereof by establishing a sinking fund under the
Local Bodies' Loans Act, 1926, and shall in the month
of April in each year thereafter, until the accumulated
sinking fund is sufficient to repay the said moneys, pay
to the Commissioners of the sinking fund an amount
calculated at the rate of one pound per centum of the
amount of the said moneys. For the purposes of this
20 subsection the provisions of sections thirty-nine to
forty-four of the Local Bodies' Loans Act, 1926, shall,
so far as applicable and with the necessary modifica-
tions, apply in all respects as if the sinking fund under
this section were a sinking fund established for the
25 purposes of a special loan under that Act.
- 30 **3B.** (1) The Council may divert and use for all or
any of the purposes referred to in the *last preceding*
section all surplus moneys accruing from the said real
and personal property in each year after the year
ending the *thirty-first* day of *March*, nineteen hundred
and *forty-eight*, being moneys remaining after due pro-
vision has been made for payment of all costs, charges,
and expenses incurred or payable by the Council for
harbour purposes.
- 35 (2) The Council shall, before diverting and using
under this section the surplus moneys accrued in any
year, make provision for the repayment thereof by
establishing a sinking fund on the same terms and con-
ditions and subject to the same provisions as if it were
40 a sinking fund established under the *last preceding*
section.

Use by
Council of
accumulated
income from
harbour
property.

Use by
Council of
annual income
from
harbour
property.

Struck out

Amendments
and repeal.

4. (1) The words " and be henceforth held by " in section four of the Riverton Corporation Empowering Act, 1889, and all the words after the word " Corporation " in the same section are hereby repealed.

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(2) Section three of the Riverton Harbour Loan and Empowering Act, 1911, is hereby repealed.

(3) The Second Schedule to the Harbours Act, 1923, is hereby amended by repealing the words " Riverton Harbour Board ".

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