

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]

House of Representatives, 20 September 1967.

Words struck out by the Committee are shown with black rule at beginning and after last line; words inserted are shown with double rule before first line and after last line.

Hon. Mr Allen

SOIL CONSERVATION AND RIVERS CONTROL AMENDMENT

ANALYSIS

Title	4. Appeals
1. Short Title	5. Amendment of classification list
2. Riding or group of ridings may be declared separate constituent district	6. Separate classification lists for particular rates
3. Making of special orders	7. Unauthorised expenditure
	8. Power to breach stopbanks

A BILL INTITULED

An Act to amend the Soil Conservation and Rivers Control Act 1941

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

10 1. **Short Title**—This Act may be cited as the Soil Conservation and Rivers Control Amendment Act 1967, and shall be read together with and deemed part of the Soil Conservation and Rivers Control Act 1941* (hereinafter referred to as the principal Act).

New

15 1A. **Constitution of Boards**—Section 41 of the principal Act is hereby amended by omitting from subsection (4) the word “fifteen”, and substituting the word “sixteen”.

*1957 Reprint, Vol. 14, p. 637

Amendments: 1958, No. 93; 1959, No. 48; 1960, No. 89; 1961, No. 101; 1962, No. 125; 1963, No. 44; 1964, No. 59; 1965, No. 111

2. Riding or group of ridings may be declared separate constituent district—(1) The principal Act is hereby amended by inserting, after section 42, the following section:

“42A. If having regard to community of interest, contiguity, or other relevant considerations, it appears expedient to the Governor-General to do so, the Governor-General may from time to time, by Order in Council, declare that any riding or any group of ridings in a county, being a riding or ridings situated within a catchment district, shall be a separate constituent district for the purposes of this Act, and, on the publication of any such Order in Council in the *Gazette*, it shall have effect according to its tenor. 5 10

“(2) Where part only of a riding is situated within a particular catchment district, the provisions of this section shall apply to that part in all respects as if that part were a complete riding.” 15

(2) Subsection (1) of section 2 of the principal Act is hereby amended by adding to the definition of the term “constituent district” the following paragraph:

“(d) Any constituent district for the time being constituted by Order in Council under section 42A of this Act (as inserted by section 2 of the Soil Conservation and Rivers Control Amendment Act 1967):” 20

3. Making of special orders—Section 76 of the principal Act is hereby amended by omitting from paragraph (b) the word “forty-second”, and substituting the word “seventieth”. 25

Struck Out

4. Appeals—Section 103 of the principal Act (as substituted by section 18 of the Soil Conservation and Rivers Control Amendment Act 1959) is hereby amended by omitting from subsection (8) the words “Registrar of the Court”, and substituting the words “Court which, or the Magistrate who, is to hear the appeal”. 30

New

4. Appeals—Section 103 of the principal Act (as substituted by section 18 of the Soil Conservation and Rivers Control Amendment Act 1959) is hereby amended by repealing subsection (8), and substituting the following subsection: 35

“(8) Every appeal shall be heard at such time and place as the Court which, or the Magistrate who, is to hear the appeal shall determine, and may be adjourned from time to time 40

New

and from place to place. The Registrar shall give notice of the time and place of every hearing or adjourned hearing to the Valuer-General and the Board and to any other parties to the proceedings of whom he is aware.”

5. Amendment of classification list—Section 105 of the principal Act (as amended by section 19 of the Soil Conservation and Rivers Control Amendment Act 1959) is hereby further amended by inserting in subsection (4), after the word “included”, the words “or where the classification list and the classification plan are found to be inconsistent in respect of particular land”.

6. Separate classification lists for particular rates—Subsection (3) of section 106 of the principal Act is hereby amended by adding the following proviso:

“Provided that, where special circumstances make it inequitable to adopt the same classification for the special rate and any such maintenance rate, the Board may, with the consent of the Council, make and levy any such maintenance rate on a graduated scale according to a classification specially made for that purpose.”

7. Unauthorised expenditure—(1) Section 116 of the principal Act (as inserted by section 21 of the Soil Conservation and Rivers Control Amendment Act 1959 and amended by section 6 of the Soil Conservation and Rivers Control Amendment Act 1964 and by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended by omitting the words “four hundred dollars”, and substituting the words “six hundred dollars”.

(2) Section 6 of the Soil Conservation and Rivers Control Amendment Act 1964 is hereby consequentially repealed.

8. Power to breach stopbanks—Section 126 of the principal Act is hereby amended by inserting in subsection (2), after the words “deeds”, the words “including the breaching of any stopbank”.