

SOIL CONSERVATION AND RIVERS CONTROL AMENDMENT BILL

EXPLANATORY NOTE

This Bill amends the Soil Conservation and Rivers Control Act 1941.

Clause 1 relates to the Short Title.

Clause 2 amends section 13 of the principal Act by authorising the upper limit of the sum (at present \$800) which may be paid annually to the Chairman of a Catchment Commission to be determined by the Minister of Finance. The actual sum to be paid to any Chairman is to be fixed by the Commission and approved by the Minister of Works as at present.

Clause 3 amends section 72 of the principal Act, which relates to committees of Catchment Boards, by permitting Boards to appoint non-members to committees of the Board.

Clause 4 amends section 114A of the principal Act by increasing, as from 1 April 1971, the remuneration of members of catchment boards and catchment commissions to \$5 per meeting with a limit of \$260 for any one year. At present the amounts payable are \$3 per meeting and \$156 per year.

Clause 5 amends subsection (3) of section 122 of the principal Act, which requires Catchment Boards to call public tenders for works where the contract sum will exceed \$1,000. The amendment increases the sum to \$5,000.

Clause 6 amends section 22 of the Finance Act (No. 2) 1947, which is printed in the principal Act after section 140. The clause extends the powers of catchment boards and catchment commissions to acquire land and erect dwellings for their employees by empowering them to advance money to such employees to enable them to erect a house or to acquire land and erect a house. The other provisions of this clause relate to the fixing of interest, repayment by instalments, and capitalising of arrears of interest, and follow similar provisions in the Municipal Corporations Act 1954 and the Counties Act 1956.

Clause 7 empowers Catchment Commissions to make bylaws under Part VIII of the principal Act. At present, only Catchment Boards may make such bylaws.

Hon. Mr Allen

SOIL CONSERVATION AND RIVERS CONTROL AMENDMENT

ANALYSIS

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A BILL INTITULED

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

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

1. **Short Title**—This Act may be cited as the Soil Conservation and Rivers Control Amendment Act 1972, 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).

*Reprinted 1969, Vol. 4, p. 3063
Amendments: 1970, No. 43; 1971, No. 129

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2. Catchment territory, catchment areas, and Catchment Commissions—(1) Section 13 of the principal Act (as substituted by section 5 of the Soil Conservation and Rivers Control Amendment Act 1959) is hereby amended by repealing subsection (9B) (as inserted by section 3 (1) of the Soil Conservation and Rivers Control Amendment Act 1965), and substituting the following subsection: 5

“(9B) The Chairman of a Catchment Commission may be paid out of the funds of the Commission such annual allowance (not exceeding in any case such amount as the Minister of Finance from time to time determines) as may from time to time be fixed by the Commission with the approval of the Minister of Works.” 10

(2) The following enactments are hereby consequentially repealed: 15

- (a) Subsection (1) of section 3 of the Soil Conservation and Rivers Control Amendment Act 1965;
- (b) Section 2 of the Soil Conservation and Rivers Control Amendment Act 1968.

3. Committees—Section 72 of the principal Act is hereby amended by adding the following subsection: 20

“(6) Any person may be appointed to be a member of a committee under this section notwithstanding that he is not a member of the Board.”

4. Remuneration of members—(1) Section 114A of the principal Act (as inserted by section 3 (2) of the Soil Conservation and Rivers Control Amendment Act 1965 and amended by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended— 25

(a) By omitting the expression “\$3”, and substituting the expression “\$5”: 30

(b) By omitting the expression “\$156”, and substituting the expression “\$260”.

(2) This section shall be deemed to have come into force on the 1st day of April 1971. 35

5. Boards may enter into contracts for purposes of Act—

(1) Section 122 of the principal Act is hereby amended by omitting from subsection (3) (as amended by section 9 of the Soil Conservation and Rivers Control Amendment Act 1962 and section 7 (1) of the Decimal Currency Act 1964) the expression “\$1,000”, and substituting the expression “\$5,000”. 40

(2) Section 9 of the Soil Conservation and Rivers Control Amendment Act 1962 is hereby consequentially repealed.

6. Boards and Catchment Commissions may provide dwellings for their employees—(1) Section 22 of the Finance Act (No. 2) 1947 is hereby amended by adding to subsection (1) the following paragraph:

5 “(d) May advance money to any person employed by the Board or Catchment Commission to enable him to erect a house on any land of which he is the owner, or to acquire land and erect a house thereon, or to acquire land with a suitable house already erected thereon, and may provide for the repayment of the advance with interest by instalments.”

(2) The said section 22 is hereby further amended by adding the following subsections:

15 “(5) If money is advanced to any person under this section, interest shall be paid at such rate as may be approved by the Minister of Finance.

20 “(6) If provision is made for the repayment by instalments of any money advanced to any person under this section those instalments may be made weekly, fortnightly, or monthly, as may be arranged, for a period not exceeding 30 years in the case of houses erected mainly of wood, and 36½ years in the case of other houses.

25 “(7) Every weekly or other instalment made as aforesaid shall consist partly of principal and partly of interest, and the amount of principal and interest respectively paid during each period of 6 months shall be calculated according to such scale or scales as may from time to time be fixed by the Minister of Finance.

30 “(8) Notwithstanding anything in the provisions of this section, the Catchment Board or Catchment Commission and any mortgagor, at any time after at least one-tenth of the principal money owing by the mortgagor has been repaid, may enter into a new agreement with respect to payment by instalments of the balance of the principal then outstanding, and for the purposes of that agreement any arrears of interest may be capitalised and be treated as outstanding principal:

35 “Provided that no such agreement shall be made for 40 instalments to extend over a longer period from the date of the agreement than the appropriate period mentioned in subsection (6) of this section.”

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7. **Catchment Commissions may make bylaws**—(1) The principal Act is hereby further amended by inserting in sections 149, 150, 151, and 152, after the word “Board” wherever it occurs, the words “or Catchment Commission”.

(2) The principal Act is hereby further amended by inserting in sections 149 and 152, after the word “district” wherever it occurs, the words “or catchment area”. 5