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This Public Bill originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
3rd August, 1882.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. Sutter.

TIMARU HARBOUR BOARD.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Constitution of Board for Port of Timaru. Repeal of provision as to present constitution of Board.</p> <p>4. Election of members by burgesses of Borough of Timaru.</p> <p>5. Election of members by ratepayers of road districts.</p> <p>6. Qualification of members of Board.</p> <p>7. "Regulation of Elections Act, 1878," to apply to elections under this Act. Special duties of Returning Officer.</p>	<p>8. Rolls in force to be used at elections. No person to have more than one vote.</p> <p>9. Election of member by ratepayers of County District of Waimate.</p> <p>10. Board to hold office for two years.</p> <p>11. Board in office to hold office till successors elected.</p> <p>12. Act to be deemed a special Act within meaning of "The Harbours Act, 1878."</p> <p>13. Boundaries of Timaru Harbour District for purposes of "The Timaru Harbour Board Loan Act, 1881," defined.</p> <p>Schedule.</p>
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A BILL INTITULED

AN ACT to alter the constitution of the Timaru Harbour Board for the Port of Timaru. Title.

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

1. The Short Title of this Act shall be "The Timaru Harbour Board Act, 1882." Short Title.

2. In this Act, unless inconsistent with the context,—

10 "Port" means the Port of Timaru as defined at the time of the passing of this Act, or as it may hereafter be defined under any act or lawful authority for the time being in force; Interpretation.

"Board" means the Timaru Harbour Board constituted under the provisions of this Act "The Harbours Act, 1878."

15 3. There shall be a Harbour Board from and after the second Monday in the month of February, in the year one thousand eight hundred and eighty-three, the Board for the Port of Timaru, which shall consist of eleven members, to be elected as hereinafter provided:— Constitution of Board for Port of Timaru.

20 Three persons by the burgesses of the Borough of Timaru;
One person by the ratepayers of Geraldine Road District;
One person by the ratepayers of Mount Peel Road District;
One person by the ratepayers of Temuka Road District;
Two persons by the ratepayers of Levels Road District;
One person by the ratepayers of Mount Cook Road District;
25 One person by the ratepayers of the Pareora and Otaio Ridings of the County of Waimate; which ridings are hereby constituted a district for the purposes of this Act, and hereinafter referred to as the Pareora District.

One person by the ratepayers of the Makikihi and Deep Creek Ridings, and of such other part of the County of Waimate ~~Waihao Riding~~ as is included in the Timaru Harbour Rating District, as defined in the Schedule to this Act, all in the County of Waimate, which ridings and part of a riding are hereby constituted a district for the purposes of this Act, and hereinafter referred to as the Makikihi District. 5

Repeal of provisions as to present constitution of Board.

~~Any~~ The provision contained in the first, second, third, and fourth columns of the Second Schedule of ~~in~~ "The Harbours Act, 1878," relating to the constitution of the Harbour Board, for the Port of Timaru which is inconsistent with this Act, is hereby repealed. 10

Struck out.

Election of members by burgesses of Borough of Timaru.

4. On the last Wednesday in the month of November, one thousand eight hundred and eighty-two, and upon the last Wednesday in the said month in every second year thereafter, the burgesses of the Borough of Timaru shall elect three persons, qualified as hereinafter provided, to be members of the Board. 15

If the election for Mayor of the Borough of Timaru is held upon some other day than the last Wednesday in the month of November, then the election provided for in this section shall be held upon such other day. 20

Election of members by ratepayers of road districts.

5. On the first Tuesday in the month of January, one thousand eight hundred and eighty-three, and upon the first Tuesday of the said month in every second year thereafter, the ratepayers of the several road districts mentioned in the third section of this Act shall each elect persons, qualified as hereinafter provided, to be members of the Board. 25

If the annual election for any of the Road Boards for the said road districts shall be held upon some other day than the first Tuesday in the month of January, then the election provided for in this section shall be held upon the day upon which the election for such Road Board is held. 30

Qualification of members of Board.

6. 4. Any person qualified to be, and not incapable of being, a Councillor of the said borough, shall be eligible for election by the burgesses of the said borough as a member of the Board. 35

And any person qualified to be, and not incapable of being, a member of the Road Board of any of the said road districts shall be eligible for election as a member of the Board for the district in which he is so qualified.

Any person qualified to be, and not incapable of being, a member of the Council of the County of Waimate shall be eligible for election as a member of the Board for either of the districts within the County of Waimate constituted under this Act in which he is so qualified. 40

7. 5. "The Regulation of Elections Act, 1876," and any amendments thereof, shall apply to every election held under this Act. 45

Regulation of Elections Act, 1876," to apply to elections under this Act. Special duties of Returning Officer.

The Returning Officer at every such election shall make such arrangements as he may deem necessary (not being inconsistent with this Act) for the due conduct of every such election, and, except as may be provided by this Act, every such election shall, in the borough, be conducted and held in the same manner as the election of Mayor is held, and, in the road districts, in the same manner as the 50

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election of members of the Road Boards are held in such districts, and in the districts within the County of Waimate constituted under this Act in the same manner as the election of members of the County Council are held in such county.

5 8. 6. The burgess roll in force for the time being, and upon which the election of Mayor is held, shall be the roll to be used in the borough at elections under this Act.

Rolls in force to be used at elections.

10 7. ~~And~~ The ratepayers' roll in force for the time being in any road district mentioned in the *third* section of this Act, and upon which the annual election of members of the Road Board for such district is held, shall be the roll to be used in such district for elections held under this Act.

Struck out.

15 Provided that no person shall have more than one vote at any such election.

No person to have more than one vote.

20 9. On such day as the County Council of the County of Waimate may appoint between the last Wednesday in the month of November in any year when an election is held under the *fourth* section of this Act, and the first Tuesday in January in any year when an election is held under the *fifth* section of this Act, an election shall be held by the ratepayers of the Pareora and Otaio Ridings of the County of Waimate of one person qualified as hereinafter provided to be a member of the Board, and by the ratepayers of the Makikihi and Deep Creek Ridings, and of such other part of the said county as is included in the Timaru Harbour Board Rating District of one person similarly qualified to be a member of the Board.

Election of member by ratepayers of County District of Waimate.

25 Any person qualified to be elected a member of the County Council of Waimate may be elected to be a member of the Board.

30 10. The first members of the Board shall hold office for the period of two years from the first Tuesday in the month of January, one thousand eight hundred and eighty-three; and every subsequent Board shall hold office for the like period of two years from the said first Tuesday in January, in the year in which an election of members of the Board has been held under this Act.

Board to hold office for two years.

35 11. The Harbour Board for the said port, in office at the date of the passing of this Act, and every subsequent Board elected under this Act, shall hold office until the full number of members required by this Act has been elected.

Board in office to hold office till successors elected.

New clauses.

40 8. For the purpose of holding elections in the County of Waimate under the provisions of this Act the Chairman of the Council of the said county shall from time to time, at least *fourteen* days before the date appointed for the holding of an election as aforesaid, require the Clerk of the Council, in the month of *January* next preceding such election, to make up from the ratepayers' rolls then in force for the said several ridings mentioned in the *third* section of this Act, separate rolls to be used at elections under this Act in the said Pareora and Makikihi Districts respectively. Such rolls shall contain the names of all persons then upon the ratepayers' rolls of the said several ridings in respect of property within the said several districts, and not otherwise; and such rolls may be either written or printed, or partly written and partly

printed; and it shall be the duty of the said Chairman to see that, for each of the said districts, the roll authorized to be made for the purposes of this Act is properly made; and the same respectively, when signed by the Chairman and Clerk, shall, without any further authority or proceeding, be deemed to be the rolls to be used at election of members of the Board under this Act for the said districts. 5

9. The Returning Officer at any such election shall be appointed in like manner, and may act at any such election, and shall do all things and have all such powers, duties, and authorities in respect of an election, under this Act as he might have or could do or exercise in respect of an election under "The Counties Act, 1876." 10

10. No person entitled to vote at an election of members of the Timaru Harbour Board shall have more than one vote at any such election for each member to be elected for the district for which he votes.

11. The members of the Board holding office on the *second* Monday in February, one thousand eight hundred and eighty-three, shall cease to hold office on the coming into office of the members elected under this Act. 15

12. The first election of members under this Act shall be held on the *second* Monday in February, one thousand eight hundred and eighty-three, in manner provided by "The Harbours Act, 1878," and subsequent elections shall be held in manner provided by the said Act and this Act. 20

Act to be deemed a special Act within meaning of "The Harbours Act, 1878."

~~12.~~ 13. This Act shall be deemed to be a special Act within the meaning of "The Harbours Act, 1878," and all the provisions of that Act shall extend and apply to this Act, except so far as such provisions may be repugnant to or inconsistent with this Act. 25

Boundaries of Timaru Harbour District, for purposes of "The Timaru Harbour Board Loan Act, 1881," defined.

~~13.~~ 14. The boundaries defined in the Schedule to this Act shall be the boundaries of the Timaru Harbour District for the purposes of "The Timaru Harbour Board Loan Act, 1881," in lieu of any boundaries that may have heretofore been defined in accordance with the provisions of section four of the said *that* Act. 30

Schedule.

SCHEDULE.

ALL that area in the Provincial District of Canterbury, bounded towards the North-east, from the summit of the Southern Alps, by the summit of the Two Thumbs Range; thence by a right line to the source of Forest Creek; thence by the centre of that creek to the Rangitata River; thence by the centre of that river to the sea; towards the East by the sea to the Waihao River; towards the South by that river to a road which runs through Section 20185, by that road forming the northern boundary of Sections 18960, 20508, 14585, 16797, 18204, 19174, 20511, 18959, 20542, crossing the Elephant Hill Creek to the northern boundary-line of Section 22519; thence by the road forming the northern boundary of said section, passing Trigs. M and N, and running through Sections 31577, 26134, and 32808 to Trig. J; towards the West by a right line to Trig. H; thence by a right line to Trig. E; thence by a right line to Trig. X; thence by a right line to Trig. Z; thence by a right line to Trig. O; thence by a right line to Trig. G; thence by a right line to Mount Nimrod; thence generally towards the South-west, South, and South-east by the Waimate County to the Waitangi River; thence generally again towards the South-west by the said river, by Ohau River, by Ohau Lake; thence by the River Hopkins to its source; thence by a right line to the nearest point on the summit of the Southern Alps; and towards the North-west by a line along the said summit to the starting point near Mount Tyndall; excluding from the above-described area the Borough of Waimate, as proclaimed in the *New Zealand Gazette* No. 95, of 1879, page 1244; as the same is delineated on the plans deposited in the Survey Office, Christchurch.