

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,
22nd October, 1913.

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE.]
Legislative Council, 18th November, 1913.

Hon. Mr. Herdman.

WATER-SUPPLY AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Section 34 of principal Act amended. Rates to be on graduated scale.</p>	<p>Rates</p>	<p>3. Section 35 of principal Act amended.</p> <p>4. Section 38 of principal Act amended.</p> <p>5. Managing-ratepayers may be appointed. Repeal.</p>	<p>Repeal.</p>
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A BILL INTITULED

AN ACT to amend the Water-supply Act, 1908.

Title.

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

1. This Act may be cited as the Water-supply Amendment Act, 1913, and shall form part of and be read together with the Water-supply Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. Subsection two of section thirty-four of the principal Act is hereby repealed, and the following subsection is substituted in lieu thereof:—

Section 34 of principal Act amended.

“(2.) Every such special rate shall be levied on a graduated scale according to a classification made by the Council of the rateable property within the district or subdivision :

Rates to be on graduated scale.

“ Provided that if the Minister of Internal Affairs, on the request of the Council, and after due inquiry, is satisfied that all the lands liable to be rated will derive practically equal benefit from the works in respect of which the special rate is proposed to be made and levied, he may authorize the Council to make and levy such rate on a uniform scale :

“ Provided also that nothing herein shall affect any special rate made before the commencement of this Act, notwithstanding that the levy thereof may be after the commencement of this Act.”

3. Subsection one of section thirty-five of the principal Act is hereby amended by adding the following proviso :—

Section 35 of principal Act amended.

“ Provided that the Council shall, before the appointment of such proportions, cause public notice to be given of the respective proportions it proposes to appoint; and shall, at a meeting of the Council to be held after the expiration of a period of ~~fourteen~~ twenty-eight days from the first publication of such public notice, consider all objections in writing (if any) which have been received by the Council to such proposed proportions.”

Section 38 of principal Act amended.

4. Section thirty-eight of the principal Act is hereby amended by adding the following subsection:—

“(3.) All such rates and charges shall be recoverable in the same manner as ordinary rates.”

Managing-ratepayers may be appointed.

5. (1.) On receipt by a Council of a requisition signed by a majority of ratepayers supplied by any water-race vested in the Corporation requesting that the management of the water-race be given to managing-ratepayers as hereinafter mentioned, the Council may, by special order, appoint not less than five nor more than seven ratepayers, who shall, on behalf of the Council, have the management of the water-race, and for that purpose shall have and may exercise all or such of the powers of management possessed by the Council as are specified in the special order. 10

(2.) Any such special order may from time to time be varied or rescinded by resolution of the Council. 15

(3.) A notification in the *Gazette* under the hand of the Chairman of the Council shall be sufficient evidence of the appointment of such managing-ratepayers, and of the powers conferred on them.

Repeal.

(4.) This section is in substitution for section forty-nine of the principal Act, and shall be deemed to have been in operation as from the passing of the Water-supply Act Amendment Act, 1898. 20
The said section forty-nine is hereby accordingly repealed.

New.

Companies formed for irrigation may acquire land.

6. Where a company is formed, having among its objects the irrigation of land, and the subdivision and sale of such land for settlement after or during the process of irrigation,— 25

(a.) The Governor in Council may enter into contracts for the sale to such company of any Crown lands or settlement lands requiring irrigation, anything in any Act relating to land or mining to the contrary notwithstanding, subject to the following conditions:— 30

(i.) The price to be paid by the company shall be a sum per acre to be approved by the Land Board of the district constituted under the Land Act, 1908.

(ii.) No Crown grant or certificate of title shall be issued in respect of such land or any part thereof to the company or any trustee for or agent of the company. 35

(iii.) The company shall covenant to irrigate such lands, or a specified part or parts thereof, according to plans and methods to be approved by the Governor in Council. 40

(iv.) The company shall be required, within a time to be fixed by the contract, or within such enlargement of such time as the Governor in Council from time to time may grant, to cause such lands to be surveyed and subdivided and offered for sale or lease (with a purchasing clause) by auction, or tender, or contract, upon conditions to be approved by the Governor in Council. 45

(v.) The subdivisions shall be such as that none shall exceed the total area limited by and computed as provided by section ninety-seven of the Land Act, 1908, and no purchaser or lessee shall be entitled to acquire by purchase or lease or otherwise more than one such subdivision. 50

New.

(vi.) The company shall not itself occupy or use the land for any purpose other than the irrigation and improvement thereof :

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Provided that the Land Board may grant to the company from time to time, pending subdivision and sale, a license for occupation and grazing of the whole or any part of such lands, pursuant to section one hundred and thirty of the Land Act, 1908.

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(vii.) Crown grants or certificates of title shall be issued to the purchasers from the company at the request of the company.

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(b.) The Governor in Council may exempt the company from any of the provisions of any Act relating to land or mining which would or might prevent or limit or make illegal or void the acquisition by the company of Crown or private lands if it is proved to the satisfaction of the Land Board that the lands to be so acquired by the company will be benefited by or are necessary for the irrigation-works to be carried out by the company or are adjacent to and capable of being held and occupied with the irrigated lands :

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Provided that all lands so acquired shall be offered for sale or lease (with a purchasing clause) by auction, tender, or contract, by the company within such time as the Governor in Council requires, and upon terms and conditions to be approved by the Governor in Council.

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(c.) The purposes of the company shall be deemed to be " mining purposes " within the definition of the Mining Act, 1908, to the extent of authorizing and empowering grants by the Warden to the company of any mining privileges in respect of water and water-rights defined by that Act, and subject to the provisions of that Act.

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