

Hon. Mr. Ballance.

WANGANUI HARBOUR.

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A BILL INTITULED

AN ACT to enable the Wanganui Harbour Board to levy a Rate. Title.

WHEREAS the Wanganui Harbour and River Conservators Board was empowered by "The Wanganui Harbour Endowment and Borrowing Act, 1877," to borrow any sums of money not exceeding one hundred thousand pounds for harbour improvements, and the powers given by the last-mentioned Act were continued and confirmed by "The Harbours Act, 1878:" Preamble.

And whereas under the aforesaid powers a sum of sixty thousand pounds has been borrowed, and it is desired to raise a further sum of forty thousand pounds, being the balance of the said loan authorized to be raised as aforesaid, and it is expedient to levy a rate as security for the payment of the interest and sinking fund on such loan, and otherwise to secure the persons advancing the same: And whereas it is expedient to constitute a harbour district over which the aforesaid rate may be levied: And whereas it is also expedient to alter the constitution of the Wanganui Harbour and River Conservators Board:

BE IT THEREFORE 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 is "The Wanganui Harbour Act, 1885," and it shall be deemed to be a Special Act within the meaning Short Title.

of "The Harbours Act; 1878," which Act is hereby incorporated with this Act.

Interpretation.

2. In this Act the following expressions shall have the meanings hereby assigned to them, that is to say,—

"Board" means the Wanganui Harbour Board as constituted under this Act: 5

"District" means the Wanganui Harbour District as constituted and defined by section three of this Act:

"County" includes any part of a county lying within the district: 10

"Chairman" means the Chairman of the Board for the time being:

"Valuation-roll" means the valuation-roll referred to in section six of this Act.

Harbour district constituted.

3. A district to be called the Wanganui Harbour District is hereby constituted, and shall consist of all that area in the Provincial District of Wellington bounded towards the West by the centre of the Waitotara River from its mouth to its most westerly source; thence by a right line to the eastern corner of the Mangaotuku Block; thence towards the North-west by the north-western boundaries of the Waitotara and Wanganui counties to the northern boundary of the Wanganui County; thence towards the North and East by the northern and eastern boundaries of the Wanganui County to the northern boundary of the Rangitikei County; thence towards the North and East by the northern and eastern boundaries of the Rangitikei County to a point opposite the south-east corner of the Township of Bulls; thence towards the South and West by the northern boundary-line of the said township to the main road from Wanganui to Palmerston North; thence by the said main road to where it intersects the north-western boundary of the Clifton Riding of the County of Rangitikei; thence towards the South and East by the north-western boundaries of the Clifton and Rangitoto Ridings of the County of Rangitikei to Cook Strait; and thence by Cook Strait to the commencing-point at the mouth of the Waitotara River. 15
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Power to levy rate.

4. For the purpose of providing security whereon to raise the balance of the loan authorized to be raised for harbour improvements under the Acts hereinbefore recited, the Board may at its discretion (provided that the poll of the ratepayers hereinafter mentioned shall first have been taken with a result in favour of the rate) make and levy a rate upon all rateable property within the district. Such rate shall not exceed in any one year the amount of three-eighths of a penny in the pound on the rateable value of all the rateable property within the Borough of Wanganui, and shall not exceed in any one year one farthing in the pound on the rateable value of all rateable property in the rest of the district; and the Board may in any year levy the whole or any part or parts of such rate, and may make the same payable in one or more instalments: Provided that the rate levied under this Act on the rateable property in the Borough of Wanganui shall always be fifty per centum more than the rate levied on the rateable property in the rest of the district. 35
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Valuation under Property Assessment Acts to be rateable value.

5. The rateable value appearing in the assessment-rolls under "The Property Assessment Act, 1879," and its amendments in force

for the time being, shall for the purposes of this Act be the rateable value of all rateable property in the district.

6. The Property-Tax Commissioner shall, in manner provided by "The Rating Act, 1882," and the amendments thereof, prepare a valuation-roll of all the rateable property in the district, and such valuation-roll shall be divided into as many parts as there are boroughs and counties in the district, and each part shall contain the rateable value of all rateable property in the borough or county to which such part relates. Copies of the valuation-roll, or of the respective parts thereof, signed by the Chairman of the Board, shall be the rolls to be used at every poll taken and every election held under this Act.

Property-Tax Commissioner to prepare valuation-roll for district.

7. For the purpose of making, levying, and recovering the rate hereby authorized to be made and levied, the Board shall have and may exercise all the powers of making, levying, and recovering rates in each borough and county within the district which any local body having rating power within such borough or county shall or may have under the law for the time being in force regulating the making, levying, and recovery of the rates therein respectively.

Board to have powers of local body for levying rates.

8. Before proceeding to make or levy any rate authorized by this Act, the aforesaid Chairman shall convene meetings of the ratepayers of the district to consider the proposed rate. Such meetings shall be held in each borough and county within the district upon a day not more than seven days after the last publication of a notice to be published on three consecutive days in at least two newspapers circulating in the district, and every such notice shall specify the time and place in each borough and county in the district at which such meetings are to be held, and the purpose to which the rate is to be applied.

Consent of ratepayers to be obtained before levying rate.

The Board shall appoint the Mayor of each borough and the Chairman of each county within the district, if willing and able to act, and if not, then such person as it thinks fit, to preside at each meeting within such borough or county. The Mayor, Chairman, or person so appointed shall be called the Presiding Officer, and he shall preside at the meeting to be held in the borough or county for which he has been appointed, and shall also preside at the taking of any poll in such borough or county, as hereinafter provided.

At the time and place of the said meeting the Presiding Officer shall give notice that a poll will be taken on a day to be named by the Board.

9. The poll shall be taken as follows:—

(a.) The Board—

Manner of taking poll of ratepayers.

Shall publish a notice in three consecutive issues of at least two newspapers circulating in the district, appointing a day not less than one nor more than three weeks from the date of the said meetings on which the poll shall be taken;

Shall appoint a Chief Returning Officer, who shall act in the manner hereinafter provided;

Shall give notice to the Presiding Officer requiring him to take the poll within the borough or county for which he has been appointed on the day appointed.

- (b.) The Presiding Officer shall upon the day so appointed proceed to take the poll in the borough or county for which he has been appointed in the manner provided by "The Regulation of Local Elections Act, 1876," for taking a poll at any election, and shall in the case of a borough provide a convenient polling-place within such borough, and in the case of a county not less than two convenient polling-places within such county, and shall appoint Deputy Returning Officers where required, and shall also provide copies of the part of the valuation-roll relating to such borough or county, as the case may be, and voting-papers and all things necessary for taking the poll.
- (c.) The voting-papers shall be printed in the form of the Schedule hereto attached with the words "I vote for the above proposal" and "I vote against the above proposal" legibly printed at the foot of each voting-paper.
- (d.) The voter shall erase one or other of the said lines, and his vote shall be deemed to have been given according to the one of the said lines which he leaves unerased.
- (e.) All the regulations of "The Local Elections Act, 1876," as regards taking a poll shall, so far as they are applicable, and except as by this Act otherwise provided, apply to the taking of a poll on the proposal to impose the rate aforesaid.

As to number of votes of each ratepayer.

10. Every ratepayer within the district shall be entitled to vote in any and every borough and county within the district in respect of which he is rated on the valuation-roll, and may exercise within each such borough and county as many votes as he is entitled to according to the following scale, that is to say:—

- (a.) If his rateable property in any borough or county in the district is valued at not more than one thousand pounds, he shall have one vote in such borough or county.
- (b.) If such property is so valued at more than one thousand pounds, but not more than two thousand pounds, he shall have two votes.
- (c.) If such property is so valued at more than two thousand pounds, but not more than three thousand pounds, he shall have three votes.
- (d.) If such property is so valued at more than three thousand pounds, but not more than seven thousand five hundred pounds, he shall have four votes.
- (e.) If such property is so valued at more than seven thousand five hundred pounds, he shall have five votes.

Result of poll to be declared.

11. As soon as conveniently may be after the close of the poll, every Presiding Officer shall forward to the Chief Returning Officer a return of the number of votes recorded for and against the proposal respectively, as above provided, in the borough or county for which he has been appointed, and the Chief Returning Officer shall proceed to ascertain the aggregate of such votes; and if of the number of votes polled within the whole of the district a majority is given for the proposal, then the proposal shall be deemed to be carried, but if there is no such majority in favour of the proposal it shall be deemed to be

rejected. When the result of the poll has been ascertained, the Chief Returning Officer shall declare the proposal to be carried or rejected, as the case may be.

5 **12.** If the proposal shall be declared to be carried, the Board may at once proceed to make and levy the rate as aforesaid, and such rate shall be an annually-recurring rate, and may be levied in whole or in part from year to year; but if the proposal shall be declared to be rejected, then the Board shall not so proceed.

When resolution deemed to be carried.

10 **13.** If the proposal shall be declared to be rejected, then at any time after the expiration of twelve months from the date of taking the poll of the ratepayers as aforesaid the question may again be submitted to the ratepayers in manner as aforesaid, and the provisions of the preceding sections shall apply to the second poll in the same manner as they apply to the first poll.

Proposal may be renewed.

15 **14.** All expenses of whatsoever kind incurred in connection with the taking of the said poll or polls, or otherwise in carrying out the provisions of this Act, shall be paid by the Board.

Board to pay expenses of poll.

20 **15.** So much of the Second Schedule of the said Act as relates to the constitution of the Wanganui Harbour and River Conservators Board is hereby repealed.

Existing constitution of Board abolished.

16. From and after the second Monday in the month of February, one thousand eight hundred and eighty-six, the Board, under the name of the Wanganui Harbour Board, shall consist of eleven members, and such members shall respectively succeed to office and be elected as follows:—

New Board constituted.

(1.) The Mayor for the time being of each of the boroughs of Wanganui and Marton.

(2.) The Chairman for the time being of each of the counties of Wanganui, Waitotara, and Rangitikei.

30 (3.) Three members, being ratepayers of the district, to be elected by the ratepayers of the Borough of Wanganui.

(4.) One member, being a ratepayer of the district, to be elected by the ratepayers of the County of Wanganui.

35 (5.) One member, being a ratepayer of the district, to be elected by the ratepayers of the County of Waitotara and that part of the district which lies to the west of the County of Waitotara.

40 (6.) One member, being a ratepayer of the district, to be elected by the ratepayers of that part of the County of Rangitikei which is in the district.

17. "The Regulation of Local Elections Act, 1876," and any amendments thereof for the time being in force shall apply to every election held under this Act, and the Board shall appoint from time to time some person to be Returning Officer for the conduct of elections throughout the district. Such Returning Officer shall have power to appoint such Deputy Returning Officers as may be required at every such election, and 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 for by this Act, every such election shall in the respective boroughs in the district be conducted in the same manner as nearly as may be as the election of Councillors is held in such borough, and in the respective counties in

Elections of Board.

the district in the same manner as nearly as may be as the election of members of the County Councils is held in such county.

First elections.

18. The first election of the elective members shall be held on the second Monday in February, one thousand eight hundred and eighty-six. They shall come into office on their election, and shall hold office from the time of their election until the biennial election of members of the Board to be held in the year one thousand eight hundred and eighty-eight. 5

Existing Board to remain in office till new Board elected.

19. The Wanganui Harbour and River Conservators Board, as constituted under that part of the Second Schedule of the said Act hereby repealed, shall continue to hold office until the coming into office of the members elected under this Act; and, if any vacancy or vacancies shall occur in the Wanganui Harbour and River Conservators Board before the members elected under this Act shall come into office, such vacancy or vacancies shall, when and so often as the same shall occur, be filled up in the same manner as if the said part of the Second Schedule of the said Act had not been hereby repealed: And the Wanganui Harbour and River Conservators Board shall have power to appoint the Returning Officer mentioned in section seventeen of this Act for the purpose of holding the first election of members under this Act. 10 15 20

Board deemed to be same corporation as heretofore.

20. The Wanganui Harbour Board constituted under this Act shall, in respect of all real and personal property, rights, claims, obligations, liabilities, contracts, and engagements, and for all purposes whatsoever in law or in equity, be deemed to be the same Board as the Wanganui Harbour and River Conservators Board, constituted under "The Wanganui Harbour and River Conservators Board Act, 1876," and under the said Act. 25

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SCHEDULE.

FORM OF VOTING-PAPER FOR HARBOUR RATE.

PROPOSAL to levy a harbour rate, upon which a poll will be taken on the day of , 188 .

The rate is not to exceed in any one year three-eighths of a penny in the pound on the rateable value of all rateable property in the Borough of Wanganui, or one farthing in the pound on all rateable property in the rest of the district.

[Insert the purpose to which the rate is to be applied.]

N.B.—If the voter wishes to vote in favour of the rate, he must erase line number 2.

If he wishes to vote against the rate, he must erase line number 1.

1. I vote FOR the above proposal.
2. I vote AGAINST the above proposal.