

Mr. Veitch.

WANGANUI HARBOUR DISTRICT AND EMPOWERING (No. 2).

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to constitute the Wanganui Harbour District and to confer certain Powers on the Wanganui Harbour Board.

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 Wanganui Harbour District and Empowering Act, 1912 (No. 2).

2. This Act shall be deemed to be a special Act within the meaning of the Harbours Act, 1908, and the amendments thereof, which accordingly are incorporated herewith.

3. In this Act, if not inconsistent with the context,—

“The Board” means the Wanganui Harbour Board:

“The Chairman” means the Chairman of the Wanganui Harbour Board for the time being:

“The Wanganui combined district” means and includes the areas comprised in the Boroughs of Wanganui and Wanganui East and the Town Districts of Gonville and Castlecliff:

“The district” means the Wanganui Harbour District as constituted by section four of this Act:

“Harbour-works” means harbour-works as that expression is defined in the Harbours Amendment Act, 1910.

4. The Wanganui Harbour District is hereby constituted for the purpose of this Act, and such district shall comprise those lands within the area described in the Schedule hereto.

Power to construct works.

5. It shall be lawful for the Board, subject to the provisions of the Harbours Act, 1908, and its amendments, to construct such harbour-works as the Board may from time to time consider necessary or advisable for the requirements of or for improvements in the Harbour of Wanganui, and also to erect and construct all such cranes, sheds, and works for the improvement of the said harbour as are judged necessary by the Board for the safety, convenience, or reception of vessels resorting to the said harbour, and for the more convenient loading and unloading of such vessels, or for the safety and protection of any works constructed or proposed to be constructed by the Board, and for providing proper access to and from such works, and for the purposes thereof to purchase or lease and open up quarries and work the same, and provide all necessary means for the conveyance of the output of such quarries to any part of the Harbour of Wanganui or lands adjacent thereto under the control of the Board.

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Power to borrow.

6. The Board shall have power to borrow, subject to the provisions of the Harbours Act, 1908, and to the provisions of this Act, in addition to any sum it is by any other Act in force authorized to borrow, any sum not exceeding two hundred and fifty thousand pounds, to be applied in or about the construction and carrying-out of the works mentioned in section *four* of this Act, and also the costs and expenses of and incidental to this Act or incurred in connection with the borrowing of any money so borrowed, and the first year's interest on any amount so borrowed during the construction of the works for which the loan is raised.

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Interest.

7. No money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than five pounds per centum per annum.

Consent of ratepayers required.

8. (1.) The Board shall not borrow any money under the authority of this Act except with the consent of the ratepayers of the harbour district ascertained in the manner prescribed by the Local Bodies' Loans Act, 1908.

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(2.) All the provisions of Part I of the said Act shall, save as by this Act expressly or impliedly modified, extend and apply to the loan hereby authorized, and the district shall be deemed to be a district and the Board shall be deemed to be a local authority for the purposes of the said Act.

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Ratepayers rolls.

(3.) The district electors rolls in force in the several boroughs, town districts, and counties or parts thereof comprised within the harbour district shall, taken together, be the roll on which the poll shall be taken, and copies of such rolls shall, at the cost of the Board, be furnished to the Returning Officer by the Borough Councils, Town Boards, and County Councils exercising control within such boroughs, town districts, and counties respectively:

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Provided, however, that no person shall have more than one vote at such poll, and no wife shall vote in respect of a qualification possessed by her husband, or *vice versa*.

Result of poll.

(4.) If the total number of valid votes recorded in favour of the proposal is a majority of the total number of valid votes recorded at the poll, the proposal shall be deemed to be carried.

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Sinking fund.

9. (1.) For the purpose of providing a sinking-fund for the liquidation of the principal sum raised under the authority of this

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Act, the Board shall in every year set aside out of the revenue of the Board a sum equal to *ten* shillings per centum on the amount of all unredeemed bonds, debentures, and other securities given under this Act previous to the then current year, and shall pay the same to

5 Sinking Fund Commissioners to be appointed by the Board under the provisions of this Act.

(2.) Any moneys so paid to the said Commissioners may be either invested, together with the interest and profits accruing therefrom, in such securities as the Board may from time to time determine, or may be, as to the whole or any part thereof accumulated

10 at any time, utilized for the purchase and redemption of any debentures issued under the authority of this Act for the time being outstanding.

(3.) The Board may also at any time appropriate any part of the Harbour Fund not appropriated for any special purpose, and pay the same to the Commissioners hereinbefore mentioned, to be applied to the purposes mentioned in subsection two of this section.

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(4.) The Board shall appoint two or more Commissioners for the purposes in this section mentioned.

20 10. (1.) The Board shall in each year cause an estimate to be prepared, in such manner and according to such method as the Board approves, of the anticipated revenue of the year (exclusive of any rate to be levied under this Act) and of the anticipated expenditure of the year (including the annual charges and sinking-fund payments upon

25 the moneys borrowed under the authority of this Act, but exclusive of capital expenditure on Loan Account), and shall upon such estimate determine the deficiency of revenue required to meet such expenditure.

Estimate of revenue and expenditure, and amount of rate.

(2.) The Board shall make and levy in each year such rate as it deems sufficient to provide such deficiency, such rate to be levied on all rateable property within the district according to its rateable value based upon the capital value as appearing in the district valuation rolls prepared by the Valuer-General in accordance with the Valuation of Land Act, 1908, and for the time being in force in the several

30 boroughs, counties, and town districts included in the district.

Differential rate.

(3.) The rate to be levied under this Act on the rateable property in the Wanganui combined district shall be double the rate to be levied on the rateable property in the rest of the district.

40 11. No rate made under this Act shall be set aside or quashed by any proceeding in any Court or otherwise, and no defect in the same or the making thereof shall be set up as a defence to any action which may be brought to recover the same.

Rate not to be questioned.

45 12. Notwithstanding any provision contained in the Harbours Act, 1908, it shall be lawful for the Board to make and levy harbour dues to be charged and collected in respect of goods produced or manufactured upon lands outside the district, and in respect of goods shipped on behalf of persons residing outside the district, in excess of the dues to be made and levied in respect of the same goods if produced or manufactured within the district, or shipped on behalf of

50 persons resident within the district:

Differential dues may be levied.

Provided that such excess dues shall be chargeable equally in respect of the same description of goods wheresoever outside the district the same are produced or manufactured, and wheresoever

outside the district the persons on whose behalf the same are shipped may reside :

Provided also that such excess dues shall not be chargeable in respect of goods required by law to be graded before export.

Constitution of  
Wanganui Harbour  
Board.

13. (1.) The provision of the Harbours Amendment Act, 1910, 5 determining the constitution of the Wanganui Harbour Board shall, as from the date when the elective members of the Board as at present constituted cease to hold office, be repealed, and from and after such date the Board shall be constituted as follows :—

(a.) One member shall be appointed from time to time by the 10 Governor in Council :

(b.) Six members shall be elected by the electors of the Boroughs of Wanganui and Wanganui East and the Town Districts of Gonville and Castlecliff, one by the electors of the County of Waitotara, one by the elec- 15 tors of the County of Wanganui, one by the electors of such parts of the County of Waimarino and the Borough of Ohakune as are included in the district, two by the electors of such part of the County of Rangitikei as is included in the harbour district and the electors of the 20 Boroughs of Taihape and Marton and the Town Districts of Hunterville and Mangaweka.

(2.) On the election under this section of the elective members of the Board so constituted, the former elective members of the Board shall, unless re-elected, cease to hold office. 26

(3.) The first election of members of the Wanganui Harbour Board so constituted at the commencement of this Act shall be held on such day as the Governor by Order in Council appoints, and by the same or any subsequent Order in Council the Governor may make all such provisions as he deems necessary for the purpose 30 of that election, and may fix the time and place for the first meeting of the Board so constituted.

(4.) The entity of the Corporation of the Wanganui Harbour Board shall not be affected by any such alterations as aforesaid.

Schedule.

#### SCHEDULE.

ALL those lands comprised within the following boundaries—namely : Commencing at the mouth of the Waitotara River, by the coast-line to the south-west corner of Run 18, Koitiata Survey District ; thence by the southern boundaries of Blocks III and IV, Koitiata Survey District, and the southern boundaries of Blocks V, VI, and VII, Rangitoto Survey District, to the Rangitikei River ; thence by the Rangitikei River to the Kawhatau Stream ; thence by the Kawhatau Stream to the eastern and northern boundaries of the Rangitikei County to the north-eastern corner of Waimarino County at Trig. xxviii, Kaimanawa Survey District ; thence by the northern boundary of the Waimarino County to Ruapehu ; thence by a straight line to the northernmost point of the Rangitaua North Block ; thence by the north-western boundary of the Rangitaua North Block to the northern boundary of the Karioi Survey District ; thence by the northern boundaries of the Karioi and Makotuku Survey District to the north-western corner of the said Makotuku Survey District ; thence by the eastern boundary of the Whirinaki Survey District to the Kaitieke County boundary ; thence by the Kaitieke County boundary to the Wanganui River ; thence by the Wanganui River to the north-eastern corner of the Waitotara County ; thence by the north-western and western boundary of the Waitotara County to the starting-point at the mouth of the Waitotara River. 30