

1967/222



THE MARLBOROUGH HARBOUR BOARD ORDER 1967

BERNARD FERGUSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 27th day of September 1967

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Local Government Commission Act 1961 and the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Marlborough Harbour Board Order 1967.

(2) This order shall come into force on the 1st day of October 1967.

2. Croisilles-French Pass Harbour Board abolished—The Croisilles-French Pass Harbour Board is hereby abolished, and the Marlborough County Council shall cease to exercise the powers and functions of a Harbour Board within the limits of the harbour of French Pass.

3. Harbour of French Pass to be under control of Marlborough Harbour Board—On the commencement of this order, the harbour of French Pass, the limits of which are defined by Order in Council made on the 30th day of June 1954*, shall be under the control of the Marlborough Harbour Board.

4. Vesting of assets, etc., in Marlborough Harbour Board—(1) On the commencement of this order, all the assets, liabilities, rights, powers, functions, duties, and authorities of the Croisilles-French Pass Harbour Board are hereby vested in the Marlborough Harbour Board, without the necessity of any instrument of transfer, assignment, or other assurance.

(2) Where any of the assets vested in the Marlborough Harbour Board pursuant to subclause (1) of this clause consists of an estate or interest in land under the Land Transfer Act 1952, the provisions of section 99A of that Act (as inserted by section 11 of the Land Transfer Amendment Act 1966) shall apply accordingly.

*Gazette, 1 July 1954, p. 1069

5. Existing bylaws and scales of rates and charges to continue in force—All bylaws and scales of rates and charges in force in respect of the harbour of French Pass immediately before the commencement of this order shall continue in force after the commencement of this order, as if they were made by the Marlborough Harbour Board or, as the case may be, were fixed by bylaws made by that Board, until bylaws are made by that Board in substitution therefor, and shall, after the commencement of this order, be enforceable by the Marlborough Harbour Board accordingly.

6. Existing proceedings—All proceedings pending by or against the Croisilles-French Pass Harbour Board immediately before the commencement of this order may be carried on or prosecuted by or against the Marlborough Harbour Board.

7. Consequential amendments—(1) The Harbours Act 1950 is hereby amended by omitting from the Second Schedule (as substituted by section 12 (1) of the Harbours Amendment Act 1965) the words “Croisilles-French Pass Harbour Board”.

(2) The Order in Council made on the 30th day of June 1954 authorising the Croisilles-French Pass Road Board to exercise the powers of a Harbour Board and defining the limits of the harbour of French Pass* is hereby amended by revoking clauses 2 and 3.

P. J. BROOKS,
Clerk of the Executive Council.

**Gazette*, 1 July 1954, p. 1069

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order abolishes the Croisilles-French Pass Harbour Board and vests its assets in the Marlborough Harbour Board. The harbour of French Pass is placed under the control of the Marlborough Harbour Board.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 September 1967.

These regulations are administered in the Department of Internal Affairs.