

1968/64



THE MARLBOROUGH HARBOUR BOARD ORDER 1968

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 22nd day of April 1968

Present:

THE HON. J. R. HANAN PRESIDING IN COUNCIL

PURSUANT to the Marlborough Harbour Act 1958, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the recommendation of the Minister of Marine made at the joint request of the Marlborough Harbour Board and the Wairau Harbour Board, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Marlborough Harbour Board Order 1968.

(2) This order shall come into force on the date of the next triennial general election of members of Harbour Boards.

2. Wairau Harbour Board abolished—The Wairau Harbour Board is hereby abolished.

3. Vesting of assets in Marlborough Harbour Board—(1) On the commencement of this order, all the assets, liabilities, rights, powers, functions, duties, and authorities of the Wairau 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, section 99A of that Act (as inserted by section 11 of the Land Transfer Amendment Act 1966) shall apply accordingly.

4. Marlborough Harbour Act 1958 amended—The First Schedule of the Marlborough Harbour Act 1958 (as amended by clause 4 (1) of the Marlborough Harbour Board Order 1965*) is hereby further amended by adding the following words:

“WAIRAU, being all the sea and tidal waters inside a straight line from Robertson Point to White Bluff.”

5. Harbours Act 1950 amended—The First Schedule of the Harbours Act 1950 (as substituted by section 20 (1) of the Harbours Amendment Act 1959) is hereby amended by repealing so much thereof as relates to the Wairau Harbour Board.

6. Savings—(1) All bylaws and scales of rates and charges in respect of the Wairau Harbour in force immediately before the commencement of this order shall continue in force after the commencement of this order as if they had been 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 the Board in substitution therefor, and shall after the commencement of this Order be enforceable by the Board accordingly.

(2) All proceedings pending by or against the Wairau Harbour Board immediately before the commencement of this order may be carried on or prosecuted by or against the Marlborough Harbour Board.

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

EXPLANATORY NOTE

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

This order abolishes the Wairau Harbour Board, and vests its assets in the Marlborough Harbour Board. The Wairau Harbour is placed under the jurisdiction of the Marlborough Harbour Board.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 24 April 1968.
This order is administered in the Marine Department.