

**Version
as at 17 February 2024**

Thames Water Supply Transfer Act 1880

Local Act 1880 No 7
Date of assent 19 August 1880

Thames Water Supply Transfer Act 1880: repealed, on 17 February 2024, by section 11 of the Water Services Acts Repeal Act 2024 (2024 No 2).

Contents

	Page
Title	1
1 Short Title	2
2 Repeal	2
3 Plant transferred to borough	2
4 Plant to be deemed waterworks under Municipal Corporations Act	2
5 Money raised to be deemed a special loan	2
6 Other debentures to be issued in exchange for outstanding debentures	2
7 Provisions of the Municipal Corporations Act to apply	2
8 Agreement in Schedule to be binding	2
9 Thames Water-race vested in county	3
10 County must maintain it in repair	3
Schedule	3

An Act to transfer the Thames water supply to the Mayor, Councillors, and Burgesses of the Borough of the Thames.

Note

Changes authorised by subpart 2 of Part 3 of the Legislation Act 2019 have been made in this consolidation. See the notes at the end of this consolidation for further details.

1 Short Title

The Short Title of this Act is the Thames Water Supply Transfer Act 1880.

2 Repeal

The Thames Water Supply Act 1876, and the Thames Water Supply Act 1876 Amendment Act 1877, hereinafter designated the **said Acts**, are hereby repealed.

3 Plant transferred to borough

The plant referred to in the Thames Water Supply Act 1876 [*Repealed*], and the management thereof, are hereby transferred and vested in the Mayor, Councillors, and Burgesses of the Borough of the Thames, hereinafter designated the **said Borough**.

4 Plant to be deemed waterworks under Municipal Corporations Act

The said plant shall be deemed to be waterworks acquired under the Municipal Corporations Act 1876.

5 Money raised to be deemed a special loan

The sum of \$13,000, raised under the said Acts, shall be deemed to have been a special loan raised under the Municipal Corporations Act 1876, for the purchase of waterworks as therein defined.

The expression “thirteen thousand dollars” was substituted, as from 10 July 1967, for the expression “six thousand five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

6 Other debentures to be issued in exchange for outstanding debentures

In exchange for the debentures which have been issued under the said Acts, the said Borough shall issue to the owners thereof other debentures, bearing interest after the rate of \$8 per centum per annum, for a like amount and for a like currency as the debentures to be taken in exchange.

The expression “eight dollars” was substituted, as from 10 July 1967, for the expression “eight pounds” pursuant to section 7(2) Decimal Currency Act 1964 (1964 No 27).

7 Provisions of the Municipal Corporations Act to apply

Except as to the amount of interest, the several provisions of the Municipal Corporations Act 1876, shall apply to the said loan, and to the debentures to be issued in exchange as hereinbefore provided.

8 Agreement in Schedule to be binding

The agreement set forth in the Schedule shall be deemed to be valid and binding on the said Corporation, and on the Chairman, Councillors, and Inhabitants of the County of Thames, hereinafter designated the **said County**.

It shall be lawful for the said Corporation and for the said County, by mutual consent, from time to time to amend, alter, and annul the said agreement or any part thereof, and the agreement, when so amended or altered, shall be valid and binding, notwithstanding the same may not be within the powers conferred by the Municipal Corporations Act 1876, and the Counties Act 1876, respectively.

9 Thames Water-race vested in county

The Thames Water-race, as constructed by the Government, and, except the stream called Waikiekie, all land, streams, buildings, and works belonging thereto or connected therewith, and all rights and privileges appurtenant or belonging thereto, are hereby declared to be and are absolutely vested in the said County for the same estate and interest, and upon the same terms and conditions, and subject to the same liabilities, as the same are or were formerly held or occupied by or on the part of Her Majesty.

All sums of money now due and owing for the use of water from the said race may be sued for and recovered by the said County in and by its corporate name.

10 County must maintain it in repair

The said water-race so vested in the said County shall be kept in good repair by and at the expense of the Council of said county; and, if not so kept in good repair, to the satisfaction of the Minister of Public Works, the Governor may from time to time cause the same to be repaired out of any moneys payable to the said County by or through the Government of New Zealand, from whatsoever source such moneys may accrue.

Schedule

Articles of agreement made the 28th day of June, 1880, between the Mayor, Councilors, and Burgesses of the Borough of Thames, hereinafter designated the **said Borough**, of the one part, and the Chairman, Councillors, and Inhabitants of the County of Thames, hereinafter called the **said County**, of the other part, witnesseth as follows:

- 1 In order to supplement the water supply derived from the Waikiekie Stream, and now brought therefrom into the Borough of Thames, the said County agree to supply the said Borough with water from the County Water-race equal in quantity to thirty gallons for each head of the population of the Thames Borough per diem.
- 2 Such supply to be measured by a proper meter, placed in such position as the said County shall fix and determine.
- 3 The population of the Thames Borough to be from time to time reckoned as that specified in the last census taken by the Government.

- 4 It shall be lawful for the said Borough to use the water so to be supplied as aforesaid for any purpose or purposes they may think fit.
- 5 If at any time the said Borough shall construct a reservoir anywhere between Warmoll's land at Parawai and the Waiokaraka for the purpose of storing the water so to be supplied as aforesaid, such reservoir may be connected with the County Water-race at such point as the said Borough may select, such connection to be made at the expense of the said Borough, and the meter to be fixed in such position as the County may direct.

In witness whereof the common seal of the said Borough and the common seal of the said County have been hereunto respectively affixed.

The common seal of the said Borough was hereunto affixed in pursuance of a resolution duly passed by the Council of the Borough of Thames on the 28th day of June, 1880.

(Seal)

James McGowan,)
John Osborne,) Councillors.

The common seal of the said County was hereunto affixed in pursuance of a resolution duly passed by the Council of the County of Thames on the 28th day of June, 1880.

(Seal)

William Carpenter,)
William Deeble,) Councillors.

Consolidation notes

1 *General*

This is a consolidation of the Thames Water Supply Transfer Act 1880 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this consolidation*

This consolidation is not an official version of the legislation under section 78 of the Legislation Act 2019.

3 *Amendments incorporated in this consolidation*

Water Services Acts Repeal Act 2024 (2024 No 2): section 11