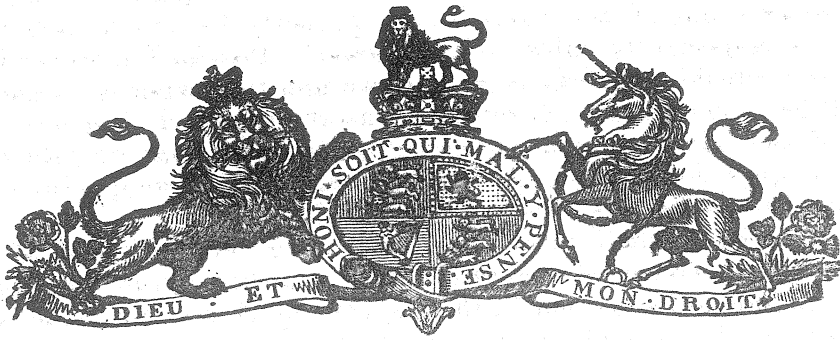


PROVINCE OF WELLINGTON, NEW ZEALAND.



EDUCATION ACT AMENDMENT ACT, 1873.

SESSION XXIV., No. 8.

ANALYSIS.

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| <p>Title. Preamble. 1. Short Title. 2. Interpretation. 3. Board may appoint assessors. 4. Notice of assessment. 5. Thirtieth and thirty-first clause of said Act to apply. 6. Board may add to rate book.</p> | <p>7. Board may amend rate book. 8. Board may alter valuation. 9. Eighteenth clause of said Act amended. 10. Thirty-third clause of said Act repealed. 11. Notice of rate to be given. 12. Notice may be advertised or posted. 13. Trustees may convey trusts. 14. To be read as part of said Act. Schedule</p> |
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An ACT to amend "The Wellington Education Act 1871." Title.

[19th May, 1873.]

WHEREAS Assessors appointed under "The Wellington Education Act 1871" have in many cases omitted to assess the value of certain lands under the said Act and it is desirable that lands so omitted to be assessed should be brought under the provisions of the said Act And whereas it is also desirable to amend the said Act in manner herein appearing Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Wellington with the advice and consent of the Provincial Council thereof as follows :

1. The Short Title of this Act shall be "The Wellington Education Act 1871 Amendment Act 1873." Short Title.

2. The term "the said Act" when used herein shall mean "The Wellington Education Act 1871." Interpretation.

3. Whenever it shall appear to the Board that any rateable property within the Province has not from any cause whatsoever been assessed under the provisions of the said Act it shall be lawful for the Board to appoint some competent person or persons to assess the value of such rateable property and such person or persons so appointed shall assess such rateable property accordingly and Board may appoint assessors.

make a return in writing to the Chairman of the Board within one calendar month after his or their appointment of the names of the persons liable to pay rates under the said Act in respect of such rateable property and of the value of the property for which each such person is respectively liable to be assessed. Provided however that when any rateable property is unoccupied and the owner is unknown it shall be sufficient in such return to insert the word "owner" instead of the name of such owner. Provided also that no valuation shall be questioned on the ground that any person so appointed by the Board to assess was not duly appointed.

Notice of assessment.

4. The Board shall within one week after the Chairman of the Board shall have received such return as is in the last section mentioned give a similar notice to that in the twenty-eighth section of the said Act mentioned of the place where such return may be inspected and upon such notice being given such return shall be dealt with in all respects as the Book made up in accordance with the provisions of the twenty-seventh section of the said Act is directed by the said Act to be dealt with and such return shall be open to the inspection of all persons liable to be rated in respect of such return and of all persons claiming to be affected thereby and of any person authorized by them or any of them in writing for such terms as are in the twenty-eighth section of the said Act prescribed. And any person who thinks himself aggrieved by such return on the ground of unfairness or incorrectness shall within one month after such notice is first published give such notice as is in the twenty-ninth section of the said Act mentioned and in default of such notice as last aforesaid shall not be entitled to object to such return.

Thirtieth and thirty-first clause of said Act to apply.

5. The provisions of the thirtieth and thirty-first sections of the said Act shall apply to such return in every respect as if the words "or return" had been inserted after the words "such book" in the thirtieth section of the said Act.

Board may add to rate book.

6. When any return shall not have been objected to by the owner or occupier of any rateable property affected thereby within the time hereby prescribed and when any valuation objected to shall have been decided on by the Board the Board shall whether such return shall have been amended or not amend the Education rate Book by inserting therein the name of the owner or occupier of any rateable property included in such return and the value of the property for which each such person is respectively liable to be rated. And the Board shall proceed to make a rate on such rateable property as last aforesaid as if it had been originally included in the Education Rate Book and such rate shall be retrospective for one year only and shall become payable forthwith.

Board may amend rate book.

7. Whenever it shall appear to the satisfaction of the Board that the name of any person has been erroneously inserted in the rate book as liable to pay any rate in respect of property for which some other person ought to be rated it shall be lawful for the Board after giving thirty days notice to the parties interested to amend the rate book by striking out the name of the person erroneously rated and inserting in lieu thereof the name of the person who ought to have been rated in respect of such property. After the rate book has been so amended the person whose name shall then appear as the person rated shall be liable to pay all rates then due in respect of the property for which he shall be so rated as if he had been originally rated.

Board may alter valuation.

8. Notwithstanding anything in the said Act or in this Act

contained the Board may in the month of July in every year if they shall think fit so to do increase reduce alter or amend the valuation of any property which shall have been in their opinion unfairly or incorrectly valued. Provided however that the Board shall in no case increase the valuation of any such property without first delivering to the owner or occupier of such property or sending to him or her through the Post addressed to him or her at his or her last known place of abode in the Province of Wellington a notice in writing stating the increased amount beyond the then valuation at which it is proposed to value such property and also stating a place day and hour at which the Board will sit for the purpose of hearing any objection that such owner or occupier may have to make against any increase of the said valuation. The Board shall sit at the day place and hour in such notice mentioned. In case of the Board deciding that the valuation shall be increased the Board shall as soon as conveniently can be amend the rate book in accordance with the decision of the Board in respect of such valuation.

9. The words "books stationery and materials" shall be struck out of the eighteenth clause of the said Act. Eighteenth clause of said Act amended.

10. The thirty-third section of the said Act is hereby repealed. Thirty-third clause of said Act repealed.

11. When any rate shall become due the Board shall cause a notice in the form in the Schedule to this Act to be served or sent through the post by a Collector duly authorized to receive the same to every person liable to pay the same and such notice shall appoint a time and a place not distant more than ten miles from the residence of the person to whom such notice shall be sent where the Collector will personally attend to receive payment of such rate and the Collector shall attend at the times and places in such notice mentioned and if such rate be not paid to the Collector at the time and place in such notice mentioned or be not paid within thirty days after the posting of such notice it may be forthwith recovered as by the said Act provided but no such service or sending through the post nor the attendance of the Collector of the Board in accordance therewith shall be a condition precedent to the recovery of the rate. Provided that the Board may accept payment of any such rate by instalments at such intervals as the Board shall think fit. Notice of rate to be given.

12. In lieu of serving or sending through the post such notice as is in the last section mentioned the Board may by advertisement to be inserted in some newspaper (if any) circulated in the Education District where the persons to be affected by such rate shall reside and if there be no newspaper published in such district then in the nearest Education District and also by a notice to be posted in some conspicuous place within the district where the persons to be affected by such rate shall reside give notice of the times and places where a Collector will personally attend for the receipt of rates and a Collector of the Board shall attend at the times and places in such advertisement or notice mentioned. Provided that neither such advertisement or notice nor the attendance of a Collector shall be a condition precedent to the recovery of the rate. Notice may be advertised or posted.

13. Any Trustees in whom any freehold leasehold or personal estate or property in the Province of Wellington is now vested on any trusts which are solely for educational purposes or of an educational nature may convey and assign the same to the Board to be held by the Board on the same trusts as such estate or property was held by the Trustees before such conveyance or assignment and the Board shall occupy let and dispose of such estate or property as aforesaid in Trustees may convey trusts.

such manner as shall not be inconsistent with the original trusts affecting such estate or property but no person purchasing leasing or dealing with the Board in respect of any such property shall be concerned to enquire into the nature of the trusts nor be affected by notice of the trusts.

To be read as part
of said Act.

14. This Act shall be read with and as part of the said Act.

Schedule.

SCHEDULE.

To Mr.

Take notice that the sum of _____ is due from you to the Education Board of the Province of Wellington on account of the rate on property at _____ (owned) (occupied) by you and that the Collector of the Board will attend at _____ on the _____ day of _____ 187 _____ between the hours of _____ to receive payment of the rate due by you and that unless the same be paid to the Collector at the time and place aforesaid or within thirty days from service or posting of this notice the Board may proceed to recover the said sum (add if necessary) the said sum may be paid by equal instalments at the following dates viz.