

New Zealand

Title.

ANALYSIS

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| <p>1. Short Title.</p> <p>2. Christchurch City Council empowered to acquire, construct, and maintain access-ways.</p> | <p>3. Christchurch City Council empowered to consolidate and levy special rates over whole city.</p> |
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1941, No. 2—*Local and Personal*

Title.

AN ACT to empower the Christchurch City Council to acquire, construct, and maintain Access-ways in the City of Christchurch and to empower the Council to consolidate Special Rates and levy the same over the whole City. [30th August, 1941]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Christchurch City Empowering and Special Rates Consolidation Act, 1941.

Christchurch City Council empowered to acquire, construct, and maintain access-ways.

2. (1) Notwithstanding anything contained in the Municipal Corporations Act, 1933, the Christchurch City Council may for the purpose of providing more direct access for foot-passengers from street to street or from one part to another part of the same street purchase, or take under the provisions of the Public Works Act, 1928, or otherwise acquire strips of land of such width and length as the Council may think desirable.

(2) Such access-ways shall be used only for foot-passengers, and the entrances thereto shall be so fenced or barricaded that horses, cattle, or vehicles cannot enter upon the said ways.

(3) The Council shall not authorize any person to erect a building on any site adjoining any such access-way unless the site has a frontage to some street, private street, or duly authorized private way as defined by the Municipal Corporations Act, 1933.

(4) No person shall acquire any right to erect a building by reason of the existence or construction of any access-way authorized by this Act.

(5) The Council may construct and maintain such access-ways so that the same shall be suitable for foot-passengers only.

(6) No person shall be entitled to require from the Council any contribution under the provisions of the Fencing Act, 1908, by reason of the ownership of any access-ways by the Corporation of the City of Christchurch.

3. (1) Notwithstanding anything to the contrary in the Municipal Corporations Act, 1933, the Christchurch City Council may from time to time, in lieu of any special rates made and levied, whether before or after the passing of this Act, over the whole of the City of Christchurch or over any defined portion or portions thereof, by special order make and levy an annually recurring rate on a uniform basis for the whole city (hereinafter referred to as a consolidated rate) on all rateable property within the city of an amount calculated to produce a sum greater than the annual charges payable in respect of the loans secured by such special rates by an amount equal to ten per centum of those annual charges:

Provided that nothing in this section or in any special order made thereunder shall affect the liability of the Crown for the payment of any special rates in accordance with the provisions in that behalf of section one hundred and twenty-three of the Local Bodies' Loans Act, 1926.

Christchurch
City Council
empowered to
consolidate
and levy
special rates
over whole
city.

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(2) The powers conferred by the last preceding subsection shall extend so as to apply in respect of special rates made and levied, whether before or after the passing of this Act, by any local authority other than the Christchurch City Council over any area which now is or may hereafter become part of the City of Christchurch.

(3) Every special order made under this section shall specify the several special rates in lieu of which the consolidated rate is made, and shall be published in the *Gazette*.

(4) Nothing in this section shall prejudicially affect the security afforded by any special rate to the holders of any securities.

(5) The proceeds of a consolidated rate made and levied under this section shall be applied for the purposes of the several rates in lieu of which the consolidated rate was made.
