



ANALYSIS

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 1989, No. 71

An Act to amend the Harbours Act 1950
[25 September 1989]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Harbours Amendment Act 1989, and shall be read together with and deemed part of the Harbours Act 1950 (hereinafter referred to as the principal Act).

2. Restriction on deposit of ballast or rubbish—Section 242 of the principal Act is hereby amended by inserting, after subsection (3), the following subsection:

“(3A) Notwithstanding section 14 of the Summary Proceedings Act 1957, any information in respect of any offence under this section may be laid at any time within 2 years after the time when the matter of the information arose.”

3. Cancellation of 1989 triennial general election of Marlborough Harbour Board—Notwithstanding anything in the principal Act, no election of the representatives on the Marlborough Harbour Board of any constituent district shall be held in the period commencing with the date of the passing of this Act and ending with the close of the 30th day of September 1990.

4. Nominations of candidates for Marlborough Harbour Board declared void—Notwithstanding anything in the principal Act or the Local Elections and Polls Act 1976, where, before the passing of this Act, any person has been nominated as a candidate for election (at the triennial general election of members of the Marlborough Harbour Board to be held on the 14th day of October 1989) as a representative on the Marlborough Harbour Board of any constituent district,—

- (a) The nomination of that person as such a candidate is hereby declared to be void; and
- (b) The deposit paid under section 14 of the Local Elections and Polls Act 1976 in respect of the nomination of that person as such a candidate shall, within 28 days after the date of the passing of this Act, be returned to the person who paid it or, as the case may require, to that person's personal representatives; and
- (c) Any declaration under section 18 of the Local Elections and Polls Act 1976 that any person nominated as such a candidate has been duly elected to the office of representative on the Marlborough Harbour Board of a constituent district (being an office to be filled at that triennial general election) is hereby declared to be void.

5. Continuation in office of existing members of Marlborough Harbour Board—Notwithstanding anything in the principal Act or the Local Elections and Polls Act 1976, but subject to section 32 of the principal Act,—

- (a) Every person who is holding office on the date of the passing of this Act as a representative on the Marlborough Harbour Board of any constituent district shall, unless he or she sooner vacates office under section 32 of the principal Act, continue to hold office until the close of the 30th day of September 1990; and
- (b) The term of office of any member continued in office by paragraph (a) of this subsection shall, subject to section 32 of the principal Act, be deemed to expire with the close of the 30th day of September 1990.

6. Appointment to fill casual vacancies—

(1) Notwithstanding anything in subsection (1) of section 33 of the principal Act, where a representative of any constituent district vacates his or her office on the Marlborough Harbour Board at any time in the period commencing on the 1st day of

April 1990 and ending with the close of the 30th day of September 1990, the vacancy shall not be filled if the Board so resolves.

(2) Section 33 of the principal Act shall apply, in relation to any vacancy in the office of a member continued in office by section 5 of this Act, as if, for subsection (1), there were substituted the following subsection:

“(1) When a representative of any constituent district vacates his or her office on the Board through the operation of section 32 of this Act, the Board shall forthwith appoint some qualified person in his or her place as a representative of that district and shall forthwith give public notice of that appointment.”

This Act is administered in the Ministry of Transport.
