



Title.	ANALYSIS
1. Short Title.	13. Validating donation by Cromwell Athenaeum Trustee to Cromwell District War Memorial Fund.
<i>County Councils</i>	14. Authorizing Dunedin City Renewal Fund Commissioners to make payment to Dunedin City Council for abattoir purposes.
2. Vesting certain land in Ashburton County Council as site for community centre war memorial hall.	15. Validating borrowing of certain loan moneys by Dunedin City Council.
3. Authorizing Clutha County Council to sell certain lands.	16. Validating certain agreement made between Dunedin City Corporation and Downer and Company, Limited.
4. Authorizing Coromandel County Council to make <i>ex gratia</i> payment in respect of a contract.	17. Validating agreement entered into between Marton Borough Council and J. C. Williamson Picture Corporation, Limited.
5. Authorizing Kaikoura County Council to raise a special loan for housing purposes.	18. Provision with respect to refund to District Fund Account from loan moneys by Morrinsville Borough Council.
6. Provision with respect to certain water rates and charges of Manukau County Council.	19. Authorizing Motueka Borough Council to sell certain land.
7. Provision with regard to further extension of period of appointment of Commissioner for County of Matakaoa.	20. Validating certain expenditure incurred by Stratford Borough Council.
8. Authorizing diversion of certain loan moneys by Raglan County Council.	21. Changing purpose of certain lands vested in Corporation of Borough of Waitara.
<i>City and Borough Councils</i>	22. Authorizing raising of special loan by Wellington City Council.
9. Provision with respect to refund to General Account from loan moneys by Auckland City Council.	23. Provision with respect to payment of compensation by Dargaville Borough Council consequent on closing of municipal gasworks.
10. Authorizing Auckland City Council to remit certain rates.	
11. Authorizing raising of special loan by Auckland City Council.	
12. Authorizing diversion of certain loan moneys by Balclutha Borough Council.	

- | | |
|--|---|
| <p style="text-align: center;"><i>Town Boards</i></p> <p>24. Validating certain expenditure incurred by Johnsonville Town Board.</p> <p>25. Authorizing Kaponga Town Board to transfer certain moneys to its General Account.</p> <p style="text-align: center;"><i>Electric Power Boards</i></p> <p>26. Authorizing raising of special loan by Bay of Plenty Electric Power Board.</p> <p>27. Validating variation of terms of raising certain loan by Franklin Electric Power Board.</p> <p>28. Validating raising of certain loan moneys by Thames Valley Electric Power Board.</p> <p style="text-align: center;"><i>Hospital Boards</i></p> <p>29. Authorizing Otago Hospital Board to make certain compensation payments.</p> <p>30. Validating expenditure and authorizing diversion of loan moneys by Otago Hospital Board.</p> <p style="text-align: center;"><i>Catchment Boards</i></p> <p>31. Extending period during which classifications for rating purposes of certain lands in North Canterbury Catchment District shall continue in force.</p> <p>32. Provision with respect to levying of certain separate rate by South Canterbury Catchment Board.</p> <p style="text-align: center;"><i>Rabbit Boards</i></p> <p>33. Authorizing Bruce Rabbit Board to raise a special loan for housing purposes.</p> <p>34. Validating raising of certain loan moneys by Otekaike Rabbit Board.</p> | <p style="text-align: center;"><i>Affecting Two or More Classes of Public Bodies</i></p> <p>35. Validating purchase of waterworks by Auckland City Council from One Tree Hill Borough Council.</p> <p>36. Validating certain deed made between Auckland Electric Power Board and Auckland Transport Board.</p> <p>37. Authorizing transfer of certain moneys by Otautau Town Board to Otautau Domain Board.</p> <p>38. Authorizing sale of certain land vested in Clyde Athenaeum and Public Library and transferring assets to Vincent County Council.</p> <p>39. Authorizing Wanganui City Council to grant renewal of certain lease to Wanganui-Rangitikei Electric Power Board.</p> <p>40. Authorizing Wanganui High School Board of Governors to transfer certain land to Wanganui City Corporation.</p> <p>41. Provision with respect to certain leases granted by Wanganui City Corporation.</p> <p>42. Provision in connection with financing certain works relating to Hutt Pipe Bridge.</p> <p>43. Provision with respect to dissolution of Riverton Athenaeum Incorporated.</p> <p style="text-align: center;"><i>Miscellaneous</i></p> <p>44. Authorizing payment of retiring allowance by Ohai Railway Board.</p> <p>45. Provision with respect to dissolution of Wairangi Public Library.</p> |
|--|---|

1953, No. 106

Title.

AN ACT to confer certain powers on certain public bodies and to validate certain transactions.

[27 November 1953

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 Local Legislation Act 1953.

County Councils

2. Whereas the late John Holmes devised to certain trustees the area of land described in subsection three of this section to be held by them upon trust to be dedicated and vested in the Mount Hutt Road Board (in this section referred to as the Board) or in the local authority for the time being having control of the Township of Methven, and to be held as a reserve for the benefit of the inhabitants of the Mount Hutt Road District (in this section referred to as the Road District), and to be kept open for the use of the public in like manner as the squares in the City of Christchurch: And whereas the said trustees duly vested the said land in the Board: And whereas the Road District has been merged in the County of Ashburton and the said land is now vested in the Chairman, Councillors, and Inhabitants of the County of Ashburton (in this section referred to as the Corporation) as the local authority for the time being having control of the Township of Methven: And whereas the inhabitants of the Township of Methven desire to erect upon the said land a community centre war memorial hall: And whereas the surviving relatives of the said John Holmes and the Corporation are in agreement with that proposal, but the Corporation is unable to sanction any proposal for the use of the said land which is not in accordance with the terms of the trust on which the said land is held: And whereas it is desirable to modify the terms of the said trust: Be it therefore enacted as follows:

Vesting certain land in Ashburton County Council as site for community centre war memorial hall.

(1) Notwithstanding anything to the contrary in the terms of the trust upon which the said land is held, the said land is hereby vested in the Corporation in trust as a site for a community centre war memorial hall, but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.

(2) The District Land Registrar for the Land Registration District of Canterbury is hereby empowered and directed to make such entries in the register books and generally to do all such things as are necessary to give effect to the provisions of this section.

(3) The land to which this section relates is more particularly described as follows:

All that area in the Canterbury Land District containing two acres, more or less, situated in Block VII, Spaxton Survey District, being Lot 2 on Deposited Plan 2894, part of Rural Section 17230, and being the whole of the land comprised and described in certificate of title, Volume 257, folio 195, Canterbury Registry.

Authorizing
Clutha County
Council to sell
certain lands.

3. Whereas the lands described in subsection four of this section were vested in the Clinton Town Board in trust as endowments in aid of the funds of the Board: And whereas the Clinton Town District has been merged in the Clutha County and the said lands have become vested in the Chairman, Councillors, and Inhabitants of that county: And whereas it is expedient to empower the Clutha County Council (in this section referred to as the Council) to sell the said lands as hereinafter provided: Be it therefore enacted as follows:

(1) The Council may, without further authority than this section, sell the lands described in subsection four of this section or any part or parts of those lands, by private treaty or otherwise, on such terms and subject to such conditions as it thinks fit, and on the sale of any such land any trust or reservation theretofore affecting the same shall be deemed to be cancelled.

(2) The proceeds from all sales of the said lands and all rentals received under any lease granted of the said lands shall be paid by the Council into its General Account and shall form part of its ordinary revenue.

(3) The District Land Registrar for the Land Registration District of Otago is hereby authorized and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to this section.

(4) The lands to which this section relates are more particularly described as follows:

All those areas in the Otago Land District, Clutha County, being:

Firstly, Section 3, Block XV, Town of Clinton, containing by admeasurement one rood, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 111, Otago Registry.

Secondly, Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 33, Block XVI, Town of Clinton, containing by admeasurement two acres and three roods, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 112, Otago Registry.

Thirdly, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block XVIII, Town of Clinton, containing by admeasurement two acres and two roods, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 113, Otago Registry.

Fourthly, Sections 1, 2, 3, 4, 5, 6, and 7, Block XIX, Town of Clinton, containing by admeasurement one acre and three roods, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 114, Otago Registry.

Fifthly, Sections 3, 4, 5, 6, 11, 12, 13, and 14, Block XX, Town of Clinton, containing by admeasurement two acres, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 115, Otago Registry.

Sixthly, Sections 4, 5, 6, 10, 11, 12, 13, 14, and 15, Block XXI, Town of Clinton, containing by admeasurement two acres and one rood, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 116, Otago Registry.

Seventhly, Section 1, Block XXIV, Town of Clinton, containing by admeasurement two acres, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 117, Otago Registry.

Eighthly, Section 4, Block XXV, Town of Clinton, containing by admeasurement one rood, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 118, Otago Registry.

Ninthly, Section 1, Block XXVII, Town of Clinton, containing by admeasurement fourteen acres one rood and fourteen perches, more or less, and being the whole of the land comprised and described in certificate of title, Volume 84, folio 284, Otago Registry.

Tenthly, Part Section 1, Block XXVIII, Town of Clinton, and Lots 1, 2, 3, 4, 5, 6, and right of way on Deposited Plan 874, and Lots 7, 8, and 9 on Deposited Plan 936, being Part Section 1, Block XXVIII, Town of Clinton, containing by admeasurement thirty-three acres one rood fourteen perches and three-tenths of a perch, more or less, and being the whole of the land comprised and described in certificate of title, Volume 238, folio 136, Otago Registry.

Authorizing
Coromandel
County Council
to make
ex gratia
payment
in respect of
a contract.

4. Whereas by an agreement dated the tenth day of November, nineteen hundred and forty-nine, made between J. J. Pike, of Coromandel, contractor (in this section referred to as the contractor), of the one part, and the Chairman, Councillors, and Inhabitants of the County of Coromandel (in this section referred to as the Council), of the other part, the contractor agreed with the Council to construct a reinforced concrete bridge on the Whitianga-Kuaotunu Road over the Ake Ake River: And whereas, owing to circumstances beyond his control causing delay in the completion of the works, increased costs were incurred by the contractor, and the contractor suffered considerable loss: And whereas the Council, in the circumstances, is desirous of making a payment not exceeding the sum of four hundred and thirty-two pounds to the contractor: Be it therefore enacted as follows:

The Council is hereby empowered to pay an amount not exceeding the sum of four hundred and thirty-two pounds to the contractor by way of compensation in respect of the loss incurred by the contractor.

Authorizing
Kaikoura
County Council
to raise a
special loan
for housing
purposes.

5. Whereas the Kaikoura County Council (in this section referred to as the Council), prior to the sanction of the Local Government Loans Board being given to the raising of a loan for housing purposes, expended out of its County Fund Account moneys amounting in the aggregate to the sum of three thousand nine hundred and twenty-five pounds in the purchase of a dwelling-house for occupation by an employee of the Council: And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum to its County Fund Account: And whereas it is desirable that authority be given for that purpose: Be it therefore enacted as follows:

The Council is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of three thousand nine hundred and twenty-five pounds for the purpose of refunding to its County Fund Account all moneys applied by the Council as aforesaid in the purchase of the said dwellinghouse.

See Reprint
of Statutes,
Vol. V, p. 360

6. (1) Notwithstanding anything contained in section ten of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1924, or in the Municipal Corporations Act 1933, or in any other Act, any water rates and charges made and levied by the Manukau County Council pursuant to the provisions of the said section ten may be fixed by the said Council by special order.

Provision with
respect to
certain water
rates and
charges of
Manukau
County
Council.
1924, No. 55
1933, No. 30

(2) Any special order made pursuant to subsection one of this section may fix water rates and charges for the whole of the Manukau County, or for any separate defined area or areas of the said county, and may also fix minimum annual and half-yearly water charges.

(3) This section shall continue in force until the thirty-first day of March, nineteen hundred and fifty-six and shall on that date be deemed to be repealed.

7. (1) Subsection eleven of section ten of the Local Legislation Act 1932-33, as amended by section seven of the Local Legislation Act 1950 and section one hundred and two of the Local Elections and Polls Act 1953, is hereby further amended by omitting the words "thirty-first day of October, nineteen hundred and fifty-three", and substituting the words "third Saturday in November, nineteen hundred and fifty-six".

Provision with
regard to
further
extension of
period of
appointment of
Commissioner
for County
of Matakaoa.
1932-33,
No. 47

(2) Section seven of the Local Legislation Act 1950 is hereby amended by repealing subsections one and two thereof.

1950, No. 79
1953, No. 16

(3) This section shall be deemed to have come into force on the thirty-first day of October, nineteen hundred and fifty-three.

8. Whereas, pursuant to an Order in Council made on the twentieth day of December, nineteen hundred and fifty, the Raglan County Council (in this section referred to as the Council) raised a special loan of two thousand four hundred pounds (in this section referred to as the Housing Loan 1950) for the purpose

Authorizing
diversion of
certain loan
moneys by
Raglan County
Council.

of advancing money to the County Clerk to enable him to build a house for himself and family: And whereas the Council does not now require to expend the said loan moneys for the purpose for which they were raised: And whereas, by Order in Council made on the twenty-first day of October, nineteen hundred and fifty-three, consent was given to the raising by the Council of a loan of three thousand five hundred pounds (in this section referred to as the Housing Loan 1953) for the purpose of purchasing land and erecting a dwelling and garage thereon: And whereas the Council is now desirous of applying the moneys raised under the Housing Loan 1950 towards the purpose for which the Housing Loan 1953 is authorized to be raised: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Bodies' Loans Act 1926, or in any other Act, the Council is hereby authorized to divert and apply the whole of the said sum of two thousand four hundred pounds towards the purpose for which the Housing Loan 1953 is authorized to be raised.

City and Borough Councils

9. Whereas, prior to authority being obtained to the raising of a loan of the sum of three hundred thousand pounds, known as the Works Depot Loan 1953 of £300,000 (in this section referred to as the loan), the Auckland City Council (in this section referred to as the Council) expended out of its General Account, for certain purposes for which the loan was to be raised, moneys amounting in the aggregate to the sum of seventeen thousand one hundred and eighty pounds nine shillings and sixpence: And whereas authority has since been obtained to the raising of the loan, and the Council is desirous of recouping its General Account out of the proceeds of the loan and it is expedient to make provision accordingly: Be it therefore enacted as follows:

The Council is hereby authorized and empowered to refund to its General Account out of the proceeds of the loan a sum not exceeding seventeen thousand one hundred and eighty pounds nine shillings and sixpence.

See Reprint
of Statutes,
Vol. V, p. 360

Provision with
respect to
refund to
General
Account from
loan moneys
by Auckland
City Council.

10. Whereas, by section seven of the Local Legislation Act 1941, the Auckland City Council (in this section referred to as the Council) was authorized to remit certain rates payable in respect of the land described in the said section and to absolve the Beth Israel Trust Board and also the said land from payment of rates for such period or periods not extending beyond the date of the expiration of three years from the termination of the Second World War (in this section referred to as the specified date) as the Council might at any time or from time to time determine: And whereas, pursuant to the said authority, the Council from time to time determined to absolve the Beth Israel Trust Board and the said land from payment of rates up to and including the year ended on the thirty-first day of May, nineteen hundred and fifty-two: And whereas, during the rating year ending on the date last mentioned, the said land became vested in the Auckland Chevra Kadisha and Benevolent Society's Trust Board (in this section referred to as the Board) to be held by the Board upon like trusts as the Beth Israel Trust Board theretofore held the same: And whereas the Council is desirous of obtaining authority to remit arrears of rates and penalties amounting to one hundred and forty-one pounds nineteen shillings and threepence (in this section referred to as the said rates) for the year ended on the thirty-first day of May, nineteen hundred and fifty-three, the said rates being levied by the Council and being due and payable by the Board in respect of the said land: And whereas the Council is also desirous of obtaining authority to exempt the Board and the said land from payment of rates from time to time during the balance of the period still to expire before the specified date: And whereas the Council has no legal authority to make such remission and exemption: Be it therefore enacted as follows:

Authorizing
Auckland City
Council to
remit certain
rates.
1941, No. 23

The Council is hereby authorized to remit the said rates and to absolve the Board and the land described in section seven of the Local Legislation Act 1941 from payment of rates for such period or periods not extending beyond the specified date as the Council may at any time or from time to time determine.

Authorizing raising of special loan by Auckland City Council.

11. Whereas the Auckland City Council (in this section referred to as the Council) has made application to the Local Government Loans Board for authority to raise a loan of thirteen thousand three hundred pounds to be known as the Municipal Abattoir Extension Loan 1953 (in this section referred to as the proposed loan) for the purposes of extensions to the Auckland Municipal Abattoir (in this section referred to as the extensions): And whereas, prior to sanction being given to the raising of the proposed loan, the Council has expended out of its General Account moneys amounting in the aggregate to the sum of thirteen thousand three hundred pounds upon the extensions: And whereas the Local Government Loans Board has no authority to sanction the raising of that part of the proposed loan which relates to the purposes for which the said moneys have been expended: And whereas it is desirable to authorize the Council to raise a special loan not exceeding the sum of thirteen thousand three hundred pounds for the purpose of recouping its General Account in respect of the moneys expended therefrom as aforesaid: Be it therefore enacted as follows:

See Reprint of Statutes, Vol. V, p. 360

The Council is hereby authorized and empowered to borrow by way of special loan pursuant to the Local Bodies' Loans Act 1926 an amount not exceeding the sum of thirteen thousand three hundred pounds for the purpose of refunding to its General Account all moneys expended therefrom in respect of the extensions.

Authorizing diversion of certain loan moneys by Balclutha Borough Council.

See Reprint of Statutes, Vol. V, p. 360

12. Whereas the Balclutha Borough Council (in this section referred to as the Council) has raised a loan of six thousand pounds for the purpose of erecting a milk treatment station in the Borough of Balclutha: And whereas the Council is now desirous of utilizing the said sum of six thousand pounds for the purpose of subscribing for six thousand fully paid one pound shares in a company to be incorporated for the purpose of erecting and operating the said milk treatment station: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Bodies' Loans Act 1926, or in any other Act, or in any Order in Council relating to the said loan, the Council

is hereby authorized to divert and apply the whole of the said sum of six thousand pounds towards the acquisition at par of six thousand fully paid one pound ordinary shares in the said proposed company.

13. Whereas the Cromwell Borough Council as trustee for the Cromwell Athenaeum, has made a donation of the sum of two thousand two hundred and fifty pounds to the Cromwell District War Memorial Fund out of the funds held in trust for the benefit of the Athenaeum: And whereas there is no provision authorizing the said donation: Be it therefore enacted as follows:

Validating donation by Cromwell Athenaeum Trustee to Cromwell District War Memorial Fund.

The donation by the Council, as trustee for the Cromwell Athenaeum, of the sum of two thousand two hundred and fifty pounds out of the trust funds to the Cromwell District War Memorial Fund is hereby validated and declared to have been lawfully made.

14. Notwithstanding anything in the Dunedin City Council Empowering Act 1914, or in any other Act, the Renewal Fund Commissioners appointed by the Dunedin City Council pursuant to section five of the said Act are hereby authorized to appropriate out of the funds held by them in respect of the city abattoir a sum not exceeding twenty thousand pounds, and to pay the said sum to the Dunedin City Council for the purpose of providing for the purchase and installation of a chilling plant at the said abattoir.

Authorizing Dunedin City Renewal Fund Commissioners to make payment to Dunedin City Council for abattoir purposes.
1914 (Local), No. 5

15. Whereas on the twenty-fifth day of March, nineteen hundred and fifty-three, the Local Government Loans Board sanctioned the raising by the Dunedin City Council (in this section referred to as the Council) of a loan of three hundred thousand pounds, to be known as the Public Works Loan 1953 (in this section referred to as the loan), for the purpose of completing the street works resulting from the change over from electric tram to trolley bus transport, including the completion of the Stuart Street (Albert Street) extension, and the carrying out of new street works in various parts of the city: And whereas on the fifteenth day of June, nineteen hundred and fifty-three, the Council resolved by way of special order to raise the loan and to apply for the consent of the Governor-General in Council to the raising of the loan as aforesaid: And whereas,

Validating borrowing of certain loan moneys by Dunedin City Council.

See B reprint
of Statutes,
Vol. V, pp. 360,
415

contrary to the provisions of the Local Bodies' Loans Act 1926 and the Local Government Loans Board Act 1926, the Council, prior to the making of the said special order and without first obtaining the consent of the Governor-General in Council, borrowed the sum of thirty thousand pounds as part of the loan: And whereas it is desirable that the action of the Council in borrowing the said sum of thirty thousand pounds should be validated: Be it therefore enacted as follows:

The action of the Council in borrowing the said sum of thirty thousand pounds prior to the making of the said special order and without first obtaining the consent of the Governor-General in Council is hereby validated, and the said moneys shall be deemed to have been lawfully borrowed.

Validating
certain
agreement
made between
Dunedin City
Corporation
and Downer
and Company,
Limited.

16. Whereas by agreement dated the eighteenth day of November, nineteen hundred and forty-nine, made between the Mayor, Councillors, and Citizens of the City of Dunedin (in this section referred to as the Corporation) of the one part, and Downer and Company, Limited (in this section referred to as the contractor), of the other part, the contractor agreed with the Corporation to complete and finish, or cause to be completed and finished, to the satisfaction of the Consulting Engineer of the Corporation all the works referred to in the said agreement: And whereas, by reason of the unforeseen variation in the price of cement, it became expedient to vary the said agreement, and by agreement dated the fifth day of November, nineteen hundred and fifty-one, made between the Corporation of the one part, and the contractor of the other part (in this section referred to as the supplemental agreement), it was agreed that the contractor should be entitled to payment by the Corporation of any additional cost of cement used in the construction of the said works over and above the basic price of cement as determined in the supplemental agreement, and that the Corporation should be entitled to the benefit of any reduced cost to the contractor should the price of cement fall at any time during the performance of the contract below the said basic price: And whereas the Corporation has made certain payments to the contractor under the supplemental agreement: And whereas doubts have arisen as to the authority of

the Corporation to enter into the supplemental agreement and as to the validity thereof, and it is desirable to remove those doubts and to validate the supplemental agreement: Be it therefore enacted as follows:

Notwithstanding anything contained in the Municipal Corporations Act 1933 or in any other Act, the Corporation shall be deemed to have been at all times authorized and empowered to enter into and execute the supplemental agreement, which shall be binding on the parties thereto and shall for all purposes, without further authority than this section, be effective according to its tenor, and all payments heretofore made by the Corporation under the same are hereby validated. 1933, No. 30

17. Whereas by an agreement dated the twenty-fourth day of July, nineteen hundred and fifty-one, made between the Mayor, Councillors, and Burgesses of the Borough of Marton (in this section referred to as the Corporation), of the one part, and J. C. Williamson Picture Corporation, Limited, a duly incorporated company having its registered office in Auckland (in this section referred to as the company), of the other part, the Corporation agreed to lease to the company a building owned by the Corporation and known as the Civic Theatre and situated at the corner of Wellington Road and Lower High Street, Marton, together with shop premises attached to the said Civic Theatre: And whereas, to assist the Corporation to meet the cost of repairing and modernizing the said Civic Theatre, the company, prior to the execution of the said agreement, expended on the said repairs and modernization of the said Civic Theatre a sum in excess of three thousand five hundred and eighty-nine pounds two shillings and tenpence: And whereas by the terms of the said agreement it was agreed between the Corporation and the Company that of the said sum of three thousand five hundred and eighty-nine pounds two shillings and tenpence, one thousand eight hundred and thirty-nine pounds two shillings and tenpence thereof would be deemed to be an amount paid to the Corporation by the company as rent in advance, and one thousand seven hundred and fifty pounds, being the balance thereof, would be repaid to the company by the Corporation at the rate of two

Validating agreement entered into between Marton Borough Council and J. C. Williamson Picture Corporation, Limited.

hundred and fifty pounds per annum, together with interest thereon: And whereas doubts have arisen as to the validity of the said agreement and it is desirable that it should be validated: Be it therefore enacted as follows:

1933, No. 30

Notwithstanding anything contained in the Municipal Corporations Act 1933, or in any other Act, the Council shall be deemed to have been at all times authorized and empowered to enter into and execute the said agreement, which shall be binding on the parties thereto, and shall, for all purposes, without further authority than this section, be effective according to its tenor.

Provision with respect to refund to District Fund Account from loan moneys by Morrinsville Borough Council.

18. Whereas by an Order in Council made on the eighth day of July, nineteen hundred and fifty-three, consent was given to the raising by the Morrinsville Borough Council (in this section referred to as the Council) of a loan of ten thousand pounds, being part of a loan of twenty-seven thousand five hundred pounds, to be known as the Water Supply Improvement Loan 1953 (in this section referred to as the loan), to carry out improvements to the Morrinsville Borough water supply: And whereas it was necessary to perform certain work and to purchase certain plant and materials for the purpose of carrying out the works for which the loan was authorized to be raised prior to the authorization of the loan: And whereas payments on account of the cost of the said work and the purchase of the said plant and materials, amounting in all to the sum of three thousand two hundred and thirty-four pounds six shillings and fivepence, have been made from the Council's District Fund Account in anticipation of the authorization of the loan: And whereas it is expedient that the Council should be authorized to reimburse its District Fund Account out of the loan moneys: Be it therefore enacted as follows:

The Council is hereby authorized and empowered to refund to its District Fund Account, out of the proceeds of the loan, the said sum of three thousand two hundred and thirty-four pounds six shillings and fivepence.

Authorizing Motueka Borough Council to sell certain land. 1928 (Local), No. 17

19. Whereas, by the Motueka Borough Council Library Act 1928, the land described in subsection three of this section was vested in the Corporation of the Borough of Motueka, and the revenues therefrom were to be applied towards the purpose of a public library

to be erected in the borough: And whereas the said public library was erected in the year nineteen hundred and thirty, but is now inadequate for the needs of the community: And whereas the Motueka Borough Council is in the course of establishing a new public library and reading room as part of the Motueka Borough War Memorial and Community Centre: And whereas the cost of the maintenance and repair of the buildings upon the said land exceeds the revenues derived therefrom, and it is desirable to sell the said land: Be it therefore enacted as follows:

(1) Notwithstanding anything contained in the Motueka Borough Council Library Act 1928 or in any other Act, the Motueka Borough Council is hereby authorized and empowered to sell the land described in subsection three of this section and to apply the proceeds towards the purpose of the erection of a public library in the Borough of Motueka.

(2) The District Land Registrar for the Land Registration District of Nelson is hereby authorized and empowered to register such documents, make such entries in the register books, and do all such things as may be necessary to give effect to the provisions of this section.

(3) The land to which this section relates is more particularly described as follows:

All that piece of land situated in the Nelson Land District, Borough of Motueka, containing by admeasurement one rood, more or less, being part of Section 155, Motueka District, and being all the land comprised in certificate of title, Volume 62, folio 69, Nelson Registry, limited as to parcels and title.

20. The expenditure by the Stratford Borough Council during the financial year ending on the thirty-first day of March, nineteen hundred and fifty-four, of the sum of one hundred and fifty pounds in the purchase of a Mayoral chain and badge of office is hereby validated and declared to have been lawfully incurred.

Validating
certain
expenditure
incurred by
Stratford
Borough
Council.

21. Whereas the Corporation of the Mayor, Councilors, and Burgesses of the Borough of Waitara (in this section referred to as the Corporation) is registered as the proprietor of an estate in fee simple in the lands described in subsection three of this section: And

Changing
purpose of
certain lands
vested in
Corporation
of Borough
of Waitara.

1933, No. 30

whereas the said lands are vested in the Corporation for the purposes of pleasure grounds or sports grounds under the provisions of section three hundred and eight of the Municipal Corporations Act 1933: And whereas the said lands are no longer required by the Corporation for those purposes and the Corporation is desirous of leasing the said lands for housing purposes and of applying the revenues therefrom as part of the District Fund of the said Borough: Be it therefore enacted as follows:

(1) The said lands shall, on the commencement of this Act, cease to be held by the Corporation for the purposes of pleasure grounds or sports grounds under the provisions of section three hundred and eight of the Municipal Corporations Act 1933, but shall be held by the Corporation for the general purposes of the Borough of Waitara.

(2) The District Land Registrar for the Land Registration District of Taranaki is hereby authorized and directed to make such entries in the register books and outstanding duplicates of title and generally to do all such things as are necessary to give effect to the provisions of this section.

(3) The lands to which this section relates are more particularly described as follows:

Firstly, all those parcels of land situated in the Borough of Waitara, containing by admeasurement together two acres and two roods, more or less, being Sections 1, 3, 5, 6, 7, 8, 9, 10, 11, and 12 of Block XXXVII, Town of Waitara East, and being the whole of the land comprised and described in certificates of title, Volume 13, folio 202, Volume 13, folio 227, Volume 13, folio 240, Volume 13, folio 272, and Volume 167, folio 232 (Taranaki Registry).

Secondly, all those parcels of land situated in the Borough of Waitara containing by admeasurement together one acre and two roods, more or less, being Sections 1, 2, 3, 4, 5, and 6 of Block XLVI, Town of Waitara East, and being the whole of the land comprised and described in certificates of title, Volume 1, folio 104, Volume 7, folio 244, Volume 27, folio 279, and Volume 67, folio 50 (Taranaki Registry).

22. Whereas the Wellington City Council (in this section referred to as the Council), prior to the sanction of the Local Government Loans Board being given to the raising of a loan for transport purposes, expended out of its Tramway Account moneys amounting in the aggregate to the sum of ninety thousand pounds in connection with the proposed trolley bus service to Karori, in the City of Wellington: And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum to its Tramway Account: And whereas it is desirable that authority be granted for that purpose: Be it therefore enacted as follows:

Authorizing raising of special loan by Wellington City Council.

The Council is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of ninety thousand pounds for the purpose of refunding to its Tramway Account all moneys applied by the Council as aforesaid in connection with the proposed trolley bus service to Karori, in the City of Wellington.

See Reprint of Statutes, Vol. V, p. 360

23. Whereas the Dargaville Borough Council (in this section referred to as the Council) carries on the undertaking of manufacturing and supplying gas and has established and maintains a Depreciation Fund, of which the Public Trustee is the sole Commissioner, in respect of the said undertaking: And whereas from the thirty-first day of March, nineteen hundred and fifty-four, the Council proposes to terminate the manufacture and supply of gas, and the said Depreciation Fund will no longer be required for the purpose for which it is established and maintained: And whereas the Council is desirous of making to its gas consumers some reimbursement in respect of expenses which will be incurred by them on the termination of the supply of gas and is desirous of applying in whole or in part the moneys standing to the credit of the said Fund and the moneys derived from the realization of the said undertaking for this purpose: And whereas doubt has arisen as to the authority of the Council to make any such payments: Be it therefore enacted as follows:

Provision with respect to payment of compensation by Dargaville Borough Council consequent on closing of municipal gasworks.

(1) The Public Trustee is hereby directed and empowered, on the termination by the Council of the manufacture and supply of gas, to pay to the Council

the whole of the moneys in the said Depreciation Fund, and upon any such payment the Public Trustee shall not be responsible for the further application of the said moneys.

(2) The Council is hereby empowered to pay from any such moneys and from any moneys derived from the realization of the said undertaking to any person supplied by it with gas up to the time of the termination of the supply of gas by the Council such sums as the Council in its discretion may determine.

(3) Any moneys paid to the Council under subsection one of this section and not applied in the manner authorized by subsection two of this section, and any moneys derived from the realization of the said undertaking and not applied in a like manner, shall be applied by the Council, firstly, in repayment of so much of the Dargaville Borough Conversion Loan No. 1 1935 as relates to the said undertaking, and, secondly, in payment of any charges and maintenance costs incurred in connection with the said undertaking between the date of termination of the manufacture and supply of gas and the date when realization of the said undertaking is completed, and, finally, towards the cost of any capital works undertaken for the purpose of effecting permanent improvements in the Borough of Dargaville.

Town Boards

Validating
certain
expenditure
incurred by
Johnsonville
Town Board.

24. The expenditure by the Johnsonville Town Board of the sum of one hundred and twelve pounds nine shillings and tenpence in connection with functions on the occasion of the merger of the Johnsonville Town District in the City of Wellington is hereby validated and declared to have been lawfully incurred.

Authorizing
Kaponga Town
Board to
transfer certain
moneys to its
General
Account.

25. Whereas the Kaponga Town Board (in this section referred to as the Board) holds certain moneys amounting to the sum of one hundred and fifty pounds in trust for the purposes of a brass band: And whereas the said moneys cannot now be applied for the purposes for which they were received: And whereas it is desirable that the Board should be authorized to expend the said moneys for purposes other than those for which the said moneys are held in trust: Be it therefore enacted as follows:

The existing trust for which the said moneys are held by the Board is hereby discharged, and the Board is authorized to transfer the moneys to its General Account to be expended for the general purposes of the Board.

Electric Power Boards

26. Whereas the Bay of Plenty Electric Power Board (in this section referred to as the Board) is desirous of undertaking certain works for the purpose of extending the supply of electric power to the townships of Kawerau and Murupara: And whereas, prior to the sanction of the Local Government Loans Board being given to the raising of a loan for the purpose of carrying out the said works, it has been necessary for the Board to expend moneys out of its Power Fund Account in connection therewith: And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Board to refund to its Power Fund Account moneys expended thereout as aforesaid: And whereas it is desirable that authority be given for that purpose: Be it therefore enacted as follows:

Authorizing raising of special loan by Bay of Plenty Electric Power Board.

The Board is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 and, notwithstanding anything in section nine of that Act, by special order and without the prior consent of the ratepayers, the amount of any moneys expended from its Power Fund Account, whether before the passing of this Act or within four months thereafter, for the purpose of extending the supply of electric power to the townships of Kawerau or Murupara.

See Reprint of Statutes, Vol. V, p. 360

27. Whereas by Order in Council made on the eighth day of July, nineteen hundred and fifty-three, consent was given to the raising by the Franklin Electric Power Board (in this section referred to as the Board) of a loan of sixty-five thousand pounds, to be known as the Reticulation Loan 1953 (in this section referred to as the loan), subject to the determinations as to borrowing and repayment set forth in the said Order in Council: And whereas one of those determinations was that the loan or any part thereof, together with interest thereon, should be repaid by equal

Validating variation of terms of raising certain loan by Franklin Electric Power Board.

aggregate annual or half-yearly instalments extending over the term of the loan: And whereas the Board, pursuant to the said Order in Council, has raised as part of the loan the sum of thirty-six thousand five hundred pounds on terms making the said part repayable over the first nine years of the said term by eighteen half-yearly payments of principal of one thousand one hundred pounds, and over the next three years thereof by six half-yearly payments of principal of one thousand two hundred pounds, and over the next two and a half years thereof by five half-yearly payments of principal of one thousand three hundred pounds, and over the twenty-fifth year thereof by one half-yearly payment of principal of one thousand four hundred pounds and by one half-yearly payment of principal of one thousand six hundred pounds: And whereas it is desirable to validate the action of the Board in varying the authorized manner of repaying the said part of the loan: Be it therefore enacted as follows:

The action of the Board in raising the sum of thirty-six thousand five hundred pounds as part of the loan and providing for repayment thereof in a manner varying from the determinations as to borrowing and repayment set forth in the said Order in Council is hereby validated, and the said sum shall be deemed to have been lawfully borrowed.

Validating
raising of
certain loan
moneys by
Thames
Valley Electric
Power Board.

28. Whereas by Order in Council made on the first day of November, nineteen hundred and fifty, consent was given to the raising by the Thames Valley Electric Power Board (in this section referred to as the Board) of a loan of one hundred thousand pounds, to be known as the Extension Loan 1950 (in this section referred to as the loan), subject to the terms and conditions specified in the said Order in Council: And whereas one of the said terms and conditions was that no moneys should be borrowed after the expiration of two years from the date of the said Order in Council: And whereas at a date subsequent to the expiration of the said period of two years the Board raised the sum of forty-five thousand pounds as portion of the loan: And whereas it is expedient that the action of the Board in raising the said portion of the loan should be validated: Be it therefore enacted as follows:

The action of the Board in raising the said portion of the loan after the expiration of the period specified in the said Order in Council is hereby validated, the moneys received by the Board in respect thereof shall be deemed to have been lawfully borrowed, and the debentures issued in respect thereof shall be deemed to have been lawfully executed and issued by the Board and shall have full force and effect according to their tenor.

Hospital Boards

29. Whereas by Proclamation published in the *Gazette* of the second day of April, nineteen hundred and forty-seven, certain lands in the City of Dunedin including, firstly, all that parcel of land containing seven perches and twenty-eight hundredths of a perch, more or less, being Lot 2 on Deposited Plan Number 92, Block XXIII, Town of Dunedin, and, secondly, all that parcel of land containing seven perches and twenty-eight hundredths of a perch, more or less, being Lot 8 on the said deposited plan, were taken for a hospital and were vested in the Otago Hospital Board (in this section referred to as the Board): And whereas no claims for compensation for the taking of the said Lot 2 and the said Lot 8 have been made within the time prescribed by law: And whereas the Board, being satisfied that the sum of one thousand one hundred pounds would have been properly payable as compensation for the taking of the said Lot 2, and that the sum of six hundred pounds would have been properly payable as compensation for the taking of the said Lot 8, if claims therefor had been made within the prescribed time, is desirous of making payments of those sums: Be it therefore enacted as follows:

Authorizing
Otago Hospital
Board to
make certain
compensation
payments.

The Board is hereby authorized, notwithstanding that the claims are barred by lapse of time, to pay from the moneys appropriated by it for the purpose, to the persons respectively otherwise entitled thereto, the sum of one thousand one hundred pounds in full satisfaction and discharge of all claims for compensation for the taking of the said Lot 2, and the sum of six hundred pounds in full satisfaction and discharge of all claims for compensation for the taking of the said Lot 8.

Validating
expenditure
and authorizing
diversion of
loan moneys by
Otago Hospital
Board.

30. Whereas the Otago Hospital Board (in this section referred to as the Board) has for certain authorized purposes raised a loan of one hundred and eighty-three thousand pounds known as the Hospital No. 1 Loan 1943 (in this section referred to as the No. 1 Loan): And whereas, of the moneys so raised, the sum of one hundred and forty-six thousand six hundred and thirty-five pounds ten shillings and sixpence has been expended for the authorized purposes, and the sum of eight thousand five hundred and fifteen pounds nine shillings and twopence has been expended for a purpose not so authorized, namely, for architects' fees in respect of an operating theatre block, which project has since been abandoned, and the sum of twenty-seven thousand eight hundred and forty-nine pounds and fourpence remains unexpended: And whereas it is expedient that the action of the Board in expending the said sum of eight thousand five hundred and fifteen pounds nine shillings and twopence for the said unauthorized purpose should be validated: And whereas the said sum of twenty-seven thousand eight hundred and forty-nine pounds and fourpence is no longer required for the purpose for which the No. 1 Loan was authorized to be raised and the Board is desirous of diverting and utilizing that sum for other purposes: And whereas the Board has raised a loan of two hundred and fifty thousand pounds known as the Hospital No. 2 Loan 1945 (in this section referred to as the No. 2 Loan) for certain authorized purposes: And whereas, of the money so raised, the sum of two hundred and forty-three thousand four hundred and one pounds ten shillings and one penny has been expended for authorized purposes and the sum of six thousand five hundred and ninety-eight pounds nine shillings and elevenpence remains unexpended: And whereas the said sum of six thousand five hundred and ninety-eight pounds nine shillings and elevenpence is no longer required for the purposes for which the No. 2 Loan was authorized to be raised and the Board is desirous of diverting and utilizing that sum for other purposes: Be it therefore enacted as follows:

(1) The action of the Board in expending the sum of eight thousand five hundred and fifteen pounds nine shillings and twopence for the purpose of architects' fees in respect of an operating theatre block is hereby validated.

(2) Notwithstanding anything contained in any Act (with the exception of the provisions of subsection three of section seventy-five of the Hospitals Act 1926) or in any Order in Council relating to the said loans, the Board is hereby authorized to divert and utilize the unexpended portion of twenty-seven thousand eight hundred and forty-nine pounds and fourpence of the No. 1 Loan and the unexpended portion of six thousand five hundred and ninety-eight pounds nine shillings and elevenpence of the No. 2 Loan for the purpose of erecting and equipping the Wakari Hospital or any part or parts thereof.

(3) Nothing contained in this section shall be deemed to affect the right of the Board to raise any loan heretofore authorized or any loan which may hereafter be authorized for the purpose of meeting the cost of the works mentioned in subsection two of this section.

See Reprint
of Statutes,
Vol. III, p. 725

Catchment Boards

31. Whereas the Ellesmere Lands Drainage Board, the Waimakariri River Trust, and the Ashley River Trust (in this section referred to as the authorities) have been dissolved and their powers and functions transferred to the North Canterbury Catchment Board (in this section referred to as the Board): And whereas the Board has, since the dissolution of the authorities, continued to make and levy annual rates in the districts of the authorities in accordance with the specified classifications of the lands in those districts previously used for rating purposes: And whereas, by subsection three of section ten of the Soil Conservation and Rivers Control Amendment Act 1946, the Board cannot, after the expiration of six years from the dissolution of the authorities, continue to exercise the powers of the authorities to make and levy the said rates other than as provided for in subsection four of section thirteen of that Act: And whereas, in respect of the Waimakariri River Trust and the Ashley River Trust, the said period

Extending
period during
which
classifications
for rating
purposes of
certain lands
in North
Canterbury
Catchment
District shall
continue
in force.

1946, No. 29

of six years expired on the first day of April, nineteen hundred and fifty-three, and in respect of the Ellesmere Lands Drainage Board on the third day of October, nineteen hundred and fifty-three: And whereas, before the Board could continue after the expiration of the said period of six years to make and levy rates in the said districts, it would require to classify the lands in the said districts pursuant to the provisions of section one hundred and two of the Soil Conservation and Rivers Control Act 1941, but no such classifications have been carried out: And whereas the Board is desirous of continuing the classifications that were in force in the districts of the authorities as at the date of the expiry of the said period of six years pending completion of new classifications of the said districts: Be it therefore enacted as follows:

1941, No. 12

(1) The classifications of the lands for rating purposes in the districts of the authorities as in force on the thirty-first day of March, nineteen hundred and fifty-three, and the proportions fixed in relation thereto, shall be deemed to have continued in full force and effect as if they were classifications made and proportions fixed pursuant to the provisions of the Soil Conservation and Rivers Control Act 1941, for a further period of two years commencing on the first day of April, nineteen hundred and fifty-three.

(2) All rates made and levied by the Board in the said districts after the expiration of the said period of six years and before the passing of this Act, using the said classifications and proportions, shall be deemed to have been validly made and levied.

Provision with respect to levying of certain separate rate by South Canterbury Catchment Board.

32. Whereas the Geraldine County River Board (in this section referred to as the River Board) raised the Geraldine County River Board Conversion Loan 1934 No. 1, consisting of forty debentures of one hundred pounds each, due and payable on the first day of October, nineteen hundred and fifty-five, and as security for the payment of the interest, sinking fund, and other charges thereon made and levied a special rate of one and one-eighth pence in the pound on the rateable value of all rateable property in the Waihi River District: And whereas the River Board also raised the Geraldine

County River Board Conversion Loan 1934 No. 2, consisting of one debenture of six thousand one hundred and fifty pounds, due and payable on the first day of October, nineteen hundred and sixty-three, and as security for the payment of the interest, sinking fund, and other charges thereon made and levied a special rate of one-eighth of a penny in the pound on the rateable value of all rateable property in the South Orari River District: And whereas, upon the abolition of the Geraldine County River District and the dissolution of the River Board, all the property, debts, liabilities, and engagements of the River Board vested in and became the property, debts, liabilities, and engagements of the South Canterbury Catchment Board (in this section referred to as the Catchment Board), and all rates and other moneys payable to the River Board became payable to the Catchment Board: And whereas the works for the purposes of which the said loans were raised have become inadequate, and the Catchment Board proposes to incorporate them in a comprehensive scheme of flood control known as the Orari-Waihi-Temuka Flood Control Scheme: And whereas the Catchment Board proposes to strike certain rates to finance the said flood control scheme, and for that purpose to define a special rating district to be called the Orari-Waihi-Temuka Special Rating District: And whereas the Catchment Board is desirous of paying the interest, sinking fund, and other charges in respect of the said loans out of rates to be struck over lands in the proposed Orari-Waihi-Temuka Special Rating District instead of collecting the said special rates: Be it therefore enacted as follows:

(1) The Catchment Board may, instead of collecting the said special rates, decide by resolution to pay the interest, sinking fund, and other charges in respect of the said loans out of the proceeds of any separate rate which it may make and levy over the lands in the Orari-Waihi-Temuka Special Rating District, or any other special rating district defined by it incorporating the South Orari River District and the Waihi River District as previously constituted.

(2) To the extent to which the payments authorized by subsection one of this section are made as therein mentioned it shall not be necessary to collect the said special rates.

(3) This section shall not be deemed to invalidate or in any way affect the special rates made and levied as security for the said loans, or the rights of the debenture holders in respect thereof.

(4) All classifications which may hereafter be made, during the currency of the said loans, of lands previously included in the Waihi River District or the South Orari River District shall take into account the interest, sinking fund, and other charges to be paid out of a separate rate to be made and levied upon the said lands in accordance with the classification, and the special rates to which the said lands would otherwise be subject.

Rabbit Boards

Authorizing
Bruce Rabbit
Board to raise
a special loan
for housing
purposes.

33. Whereas the Bruce Rabbit Board (in this section referred to as the Board), prior to the sanction of the Local Government Loans Board being given to the raising of a loan for housing purposes, expended out of its General Account moneys amounting in the aggregate to the sum of two thousand five hundred pounds in the purchase of a dwellinghouse for occupation by an employee of the Board: And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Board to refund the said sum to its General Account: And whereas it is desirable that authority be given for that purpose: Be it therefore enacted as follows:

See Reprint
of Statutes,
Vol. V, p. 360

The Board is hereby authorized and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of two thousand five hundred pounds for the purpose of refunding to its General Account all moneys applied by the Board as aforesaid in the purchase of the said dwellinghouse.

Validating
raising of
certain loan
moneys by
Otekaieke
Rabbit Board.

34. Whereas by Order in Council made on the twenty-fourth day of February, nineteen hundred and fifty-three, consent was given to the borrowing by the Otekaieke Rabbit Board (in this section referred to as the Board) of the sum of two thousand pounds by a loan

to be known as the Housing Loan 1952, and also to the borrowing of the sum of one thousand eight hundred pounds by a loan to be known as the Maerewhenua Housing Loan 1952 (in this section referred to as the loans): And whereas the Board, prior to the making of the said Order in Council, executed the debentures securing the loans and received payment of the loan moneys in respect of the Housing Loan 1952: And whereas any such steps to raise loans are prohibited by section ten of the Local Government Loans Board Act 1926 until such time as the consent of the Governor-General in Council has been given thereto: And whereas it is expedient that the action of the Board in executing the debentures in respect of the loans should be validated: Be it therefore enacted as follows:

See Reprint
of Statutes,
Vol. V, p. 418

The action of the Board in executing the said debentures in respect of the loans without the prior consent of the Governor-General in Council is hereby validated; the moneys received by the Board in respect thereof shall be deemed to have been lawfully borrowed; and the debentures issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

Affecting Two or More Classes of Public Bodies

35. Whereas, prior to the year nineteen hundred and forty, the water supply system of the One Tree Hill Borough Council (in this section referred to as the Borough Council) included a high level reservoir and certain eight inch cast iron pipe water mains: And whereas the Borough Council subsequently extended its water supply system by installing a low level reservoir and certain nine inch steel pipe water mains: And whereas, for the purpose of financing the erection of the said low level reservoir and the installation of the said nine inch steel pipe water mains and other works, a loan of thirty thousand pounds known as the Water Supply Loan 1940 (in this section referred to as the loan) maturing on the twentieth day of March, nineteen hundred and sixty-six, was lawfully raised by the Borough Council and secured by a certain special rate on the annual value of all rateable property in its district: And whereas the loan with

Validating
purchase of
waterworks by
Auckland City
Council from
One Tree Hill
Borough
Council.

1950, No. 79

interest thereon at the rate of three and a half per cent per annum is repayable over a period of twenty-five years by fifty half-yearly instalments of principal and interest of nine hundred and five pounds four shillings and fourpence each: And whereas, pursuant to the provisions of section ten of the Local Legislation Act 1950, whereby the Borough Council was authorized to contract with the Auckland City Council (in this section referred to as the City Council) for such supply of water as the Borough Council might require for all purposes for the period therein mentioned, the City Council undertook the supply of water to the Borough Council: And whereas, in undertaking the supply of water to the Borough Council, it was necessary for the City Council to use the said high and low level reservoirs and the said eight inch and nine inch mains: And whereas, to facilitate the control, operation, and administration of the said water supply, the City Council and the Borough Council agreed that the City Council should purchase from the Borough Council the said reservoirs and mains upon the following terms:

- (a) That the City Council pay to the Borough Council in cash the sum of one thousand three hundred and forty pounds, being the whole of the price for the high level reservoir:
- (b) That the City Council pay to the Borough Council in cash the sum of seven hundred pounds, being the whole of the price for the said eight inch cast iron pipe water main:
- (c) That the City Council pay to the Borough Council in cash the sum of three thousand eight hundred and seventeen pounds seven shillings and ninepence on account of the price for the said low level reservoir, and reimburse the Borough Council annually, as from the seventh day of September, nineteen hundred and fifty, that portion of the loan charges on the loan applicable to the said reservoir, on which date the outstanding indebtedness for that portion of the loan was nine thousand six hundred and eighty-two pounds twelve shillings and threepence:

- (d) That the City Council pay to the Borough Council in cash the sum of six hundred and twenty-eight pounds seven shillings and one penny on account of the purchase price for the said nine inch steel pipe water main, and reimburse the Borough Council annually as from the thirtieth day of January, nineteen hundred and fifty-three, that portion of the loan charges on the loan applicable to the said water main, on which date the outstanding indebtedness for that portion of the loan was one thousand and fifty-one pounds twelve shillings and elevenpence:
- (e) That the aggregate half-yearly payment required to be made by the City Council under paragraphs (c) and (d) hereof amounts to the sum of four hundred and fifty-eight pounds and ninepence:

And whereas the City Council has already paid to the Borough Council the said cash sums referred to in paragraphs (a), (b), (c), and (d) hereof, and has also reimbursed the Borough Council certain payments of purchase price and interest in respect of the low level reservoir and the nine inch steel pipe water main: And whereas doubt has arisen as to the authority of the City Council to make the said arrangements: And whereas it is desirable that the aforesaid sale and arrangements should be validated: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act, the purchase by the City Council from the Borough Council of the said reservoirs and mains is hereby validated.

(2) The City Council is hereby and shall be deemed to have been duly authorized to make all such payments of purchase price and interest as have become or may hereafter become payable by the City Council to the Borough Council in terms of the said arrangement.

(3) Notwithstanding anything to the contrary in any Act, the Borough Council is hereby authorized to hold and apply the said sums of one thousand three hundred and forty pounds and seven hundred pounds for the purpose of ordinary maintenance within its Waterworks

Department, and the sums of three thousand eight hundred and seventeen pounds seven shillings and ninepence and six hundred and twenty-eight pounds seven shillings and one penny for the purpose of extending, enlarging, or improving its water reticulation system, and the Borough Council is hereby further authorized to apply the sums heretofore and hereafter received from the City Council by way of reimbursements as aforesaid in and towards repayment, *pro tanto*, of the instalments of principal and interest from time to time payable in respect of the loan.

Validating
certain deed
made between
Auckland
Electric Power
Board and
Auckland
Transport
Board.
1921 (Local),
No. 17

36. The deed dated the twenty-first day of September, nineteen hundred and fifty-three, a copy of which is deposited in the Department of Internal Affairs at Wellington under number I.A. 105/734, made between the Auckland Electric Power Board and the Auckland Transport Board by way of modification of the agreement referred to in subsection one of section fifty-three of the Auckland Electric Power Board Act 1921-22, is hereby declared to be and always to have been valid and binding in all respects according to its tenor.

Authorizing
transfer of
certain moneys
by Otautau
Town Board
to Otautau
Domain Board.

37. Whereas the Otautau Town Board (in this section referred to as the Town Board) holds certain moneys amounting to the sum of sixty pounds, being the proceeds arising from the sale by the Town Board of the land described in subsection two of this section, which said land was vested in the Town Board in trust for municipal purposes by Order in Council made on the thirteenth day of February, eighteen hundred and eighty-three: And whereas the said moneys are not required for the purposes for which they are held in trust: And whereas the Town Board acts as the Otautau Domain Board (in this section referred to as the Domain Board) and in that capacity controls the recreation reserve at Otautau known as Holt Park: And whereas the Town Board desires to transfer the said moneys to the Domain Board for expenditure on improvements to the said Holt Park: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act, it shall be lawful for the Town Board to transfer the said sum of sixty pounds to the Domain Board for the purpose of expenditure on improvements to the said Holt Park.

(2) The land to which this section relates is more particularly described as follows:

All that parcel of land being Section 20, Block III, Town of Otautau, containing one rood, more or less, and being the whole of the land comprised and described in certificate of title, Volume 170, folio 10, Southland Registry.

38. Whereas by section two of the Clyde (Vincent County) Athenaeum and Public Library Act 1878, the lands described in subsection six of this section were vested in the body corporate known as the Clyde Athenaeum and Public Library (in this section referred to as the Athenaeum): And whereas there is no record of any trustees of the Athenaeum ever having been appointed: And whereas the affairs of the Athenaeum have been managed by a committee known as the Committee of the Clyde Athenaeum and Public Library (in this section referred to as the Committee): And whereas the principal activity of the Committee has been the maintenance of a library and public hall in the Town of Clyde: And whereas it now appears that the library could be more advantageously conducted by the Vincent County Council in a hall to be erected as a war memorial in the Town of Clyde: And whereas the Committee has called for public tenders for the purchase of the said lands: And whereas the only tender received was that of the Masonic Lodge Dunstan Number 103 of five hundred pounds: And whereas the Committee desires to sell the said lands to the said Lodge and to transfer the personal property of the Athenaeum, including the purchase price of the said lands, to the Vincent County Council for the purposes of the war memorial to be erected in the Town of Clyde, but doubts have arisen as to its powers to do so: Be it therefore enacted as follows:

Authorizing
sale of certain
land vested
in Clyde
Athenaeum
and Public
Library and
transferring
assets to
Vincent County
Council.
1878 (Local),
No. 23

(1) The Committee is hereby authorized on behalf of the Athenaeum to sell the lands described in subsection six of this section.

(2) The Committee is hereby authorized to accept the tender of the Masonic Lodge Dunstan Number 103 of five hundred pounds for the purchase of the said lands.

1903 (Private),
No. 1

(3) On the presentation to him of a transfer of the said lands to Thomas Ross Robertson, retired orchardist, of Timaru, Ernest Edward Love, farmer, of Clyde, and Richard Alderdice Annan, orchardist, of Clyde, the Trustees of the Masonic Lodge Dunstan Number 103, subject to the provisions of the Grand Lodge of Freemasons of New Zealand Trustees Act 1903, executed on behalf of the Athenaeum by the Chairman and Secretary for the time being of the Committee, the District Land Registrar for the Land Registration District of Otago is hereby authorized and directed to accept and register the said transfer.

(4) All the personal property of whatsoever nature, including all furniture, furnishings, equipment, books, periodicals, and sums of money, including the purchase price of five hundred pounds for the said lands, whether in cash or deposited in trading banks or savings banks or held by any person or persons or body on behalf of the Athenaeum, and all rights and powers exercisable thereunder or pertaining thereto belonging to the Athenaeum, are hereby vested in the Vincent County Council for the purposes of a war memorial in the Town of Clyde.

(5) The Athenaeum is hereby dissolved.

(6) The lands to which this section relates are more particularly described as follows:

All that piece of land situated in the Town of Clyde containing thirty-nine perches and seven-tenths of a perch, more or less, being Sections 30 and 31 and part of Section 29, Block XXIII, on the map of the said Town and being the whole of the land comprised and described in certificate of title, Volume 52, folio 112, Otago Registry.

Authorizing
Wanganui City
Council to
grant renewal
of certain lease
to Wanganui-
Rangitikei
Electric Power
Board.
1924 (Local),
No. 4

39. Whereas, pursuant to the provisions of the Wanganui-Rangitikei Electric Power Board Enabling Act 1924, the Corporation of the Mayor, Councillors, and Citizens of the City of Wanganui (in this section referred to as the Corporation) and the Wanganui-Rangitikei Electric Power Board (in this section referred to as the Board) were authorized and empowered to enter into and execute the agreement referred to in the said Act, and the Corporation was authorized and empowered to lease to the Board certain land referred to in the said

agreement without taking any of the steps required by section one hundred and fifty-five of the Municipal Corporations Act 1920: And whereas the said agreement was duly executed on the first day of October, nineteen hundred and twenty-four: And whereas the lease to be given in terms of the said agreement was to be for a term of twenty-one years from the date of the execution of the said agreement, with perpetual rights of renewal for successive periods of twenty-one years: And whereas there is no record of the said lease having been prepared and executed by the Corporation and the Board pursuant to the provisions of the said agreement, but the said lease if executed would have expired on the thirtieth day of September, nineteen hundred and forty-five: And whereas the Board inadvertently omitted to give the necessary notice of its desire to obtain a renewal of the lease under the provisions in that behalf contained in the said agreement: And whereas the Board has now requested the Wanganui City Council (in this section referred to as the Council) to grant to it a renewed lease at a rental to be fixed in accordance with the provisions in that behalf contained in the said agreement, the term of the lease to be for a period of twenty-one years and providing for perpetual rights of renewal for successive periods of twenty-one years: And whereas the Council is desirous of granting to the Board a renewed lease for a term of twenty-one years from the first day of October, nineteen hundred and forty-five, in a form approved by the Council and providing for perpetual rights of renewal for successive periods of twenty-one years: Be it therefore enacted as follows:

(1) The Council is hereby authorized and empowered to grant to the Board a renewed lease of the land described in subsection three of this section at a rental to be fixed in accordance with the provisions in that behalf contained in the said agreement, for a term of twenty-one years from the first day of October, nineteen hundred and forty-five, in a form approved by the Council, and providing for perpetual rights of renewal for successive periods of twenty-one years.

(2) The Council is hereby authorized and empowered to execute all necessary deeds and documents and to do all such other things as may be necessary for the effectual granting of the said lease to the Board.

(3) The land to which this section relates is more particularly described as follows:

All that area in the Wellington Land District, City of Wanganui, containing two roods thirty-one perches and eighteen-hundredths of a perch, more or less, being Lot 5 on Deposited Plan Number 16786, part Lot 36 on Deeds Plan Number 133, part Reserve L, Town of Wanganui, and being part of the land comprised and described in certificate of title, Volume 343, folio 107, Wellington Registry.

Authorizing
Wanganui High
School Board
of Governors
to transfer
certain land to
Wanganui City
Corporation.

40. Whereas the Board of Governors of the High School of Wanganui (in this section referred to as the Board) is registered as the proprietor of an estate in fee simple in the land described in subsection three of this section: And whereas the Board, at the request of the Wanganui City Council, has agreed to transfer the said land to the Corporation of the Mayor, Councillors, and Citizens of the City of Wanganui (in this section referred to as the Corporation) for street widening purposes: And whereas the Board has no authority to transfer the said land to the Corporation for the purposes aforesaid: Be it therefore enacted as follows:

(1) The Board is hereby authorized and empowered to transfer to the Corporation without consideration the land described in subsection three of this section, the land to vest in the Corporation for street widening purposes.

(2) The Board is hereby authorized and empowered to execute all necessary deeds and documents and to do all other things as may be necessary for the effectual vesting of the said land in the Corporation for the purposes aforesaid.

(3) The land to which this section relates is more particularly described as follows:

All that parcel of land situate in the City of Wanganui containing by admeasurement one perch and twenty-two hundredths of a perch, more or less, being part of Lot 3 on Deposited Plan Number 837, being part of Section 63, Left Bank, Wanganui River, and being part of the land comprised and described in certificate of title, Volume 491, folio 295, Wellington Registry: as the said parcel of land is delineated on

the plan thereof deposited in the Department of Internal Affairs at Wellington under Number I.A. 105/709, and thereon coloured in outline red.

41. Whereas, by Memorandum of Lease Registered Number 25433 dated the twenty-first day of August, nineteen hundred and fifty-one, the Corporation of the Mayor, Councillors, and Citizens of the City of Wanganui (in this section referred to as the Corporation) leased to the Wanganui Hospital Board (in this section referred to as the Board) a certain area of land situated in the City of Wanganui for a term of eleven years and three months from and inclusive of the first day of June, nineteen hundred and fifty-one: And whereas, by Memorandum of Lease Registered Number 23138 dated the first day of November, nineteen hundred and forty-two, the Corporation leased to John Jacob Meuli and George Henry Hadley a certain area of land situated in the City of Wanganui for a term of twenty-one years from and inclusive of the first day of September, nineteen hundred and forty-one, but the lessees' interest in the said lease has been transferred to the Board: And whereas the lands comprised and described in the said Memoranda of Lease are adjoining and have now been subdivided into three allotments and the Corporation wishes to accept surrenders of the said leases and to grant to the Board three new leases of the said allotments, but doubts have arisen as to the authority of the Corporation to do so: Be it therefore enacted as follows:

Provision with respect to certain leases granted by Wanganui City Corporation.

(1) The Corporation is hereby authorized and empowered to accept surrenders of Memoranda of Lease Registered Numbers 25433 and 23138, and to grant to the Board three new leases, namely:

- (a) A lease of all that piece of land situated in the City of Wanganui containing by admeasurement one acre one rood eighteen perches and seventeen-hundredths of a perch, more or less, being part of Reserve L, Wanganui Town Belt, and being also Lot 7 on Deposited Plan Number 16786, and part of the land comprised and described in certificate of title, Volume 478, folio 7, Wellington Registry, at a rental of thirty-two pounds per annum:

- (b) A lease of all that piece of land situated in the City of Wanganui containing by admeasurement one rood four perches and one-tenth of a perch, more or less, being part of Reserve L, Wanganui Town Belt, and being also Lot 20 on Deposited Plan Number 16786, and part of the land comprised and described in certificate of title, Volume 478, folio 7, Wellington Registry, at a rental of twelve pounds per annum; and
- (c) A lease of all that piece of land situated in the City of Wanganui containing by admeasurement one rood eight perches and ninety-one hundredths of a perch, more or less, being part of Reserve L, Wanganui Town Belt, and being also Lot 21 on Deposited Plan Number 16786, and part of the land comprised and described in certificate of title, Volume 478, folio 7, Wellington Registry, at a rental of twelve pounds per annum.

(2) The first term of the said three new leases shall be for a period of years expiring on the thirtieth day of August, nineteen hundred and sixty-two, and the said leases shall be in a form approved by the Corporation and shall provide for perpetual rights of renewal for periods of twenty-one years at the end of the said first term and each successive period of twenty-one years at a rental to be fixed in accordance with the Municipal Corporations Act 1933.

1933, No. 30

(3) The Corporation is hereby authorized and empowered to execute all necessary deeds and documents and to do all such other things as may be necessary for the effectual granting of the said three new leases to the Board.

Provision in connection with financing certain works relating to Hutt Pipe Bridge.
See Reprint of Statutes, Vol. VII, p. 622

42. Whereas, by Warrant issued on the tenth day of September, nineteen hundred and fifty-two, pursuant to the provisions of section one hundred and thirty-five of the Public Works Act 1928, the Lower Hutt City Council was authorized to construct a bridge together with approaches thereto over the Hutt River (in this section referred to as the bridge) on the site more particularly delineated on the plan marked P.W.D. 136071, deposited in the office of the Minister of Works at

Wellington, and thereon coloured red: And whereas, by the said Warrant, the local authorities therein named were required to bear the cost of the bridge and the approaches thereto in the proportions set out in the said Warrant: And whereas additional provision has been made in the design of the bridge to enable water pipes to be installed for the purposes and at the cost of the Wellington City Council, to enable sewer mains to be installed for the purposes and at the cost of the Hutt Valley Drainage Board, and to enable gas mains to be installed for the purposes and at the cost of the Petone and Lower Hutt Gas Board: And whereas it is necessary to carry out other works as a result of the construction of the bridge comprising the moving of water pipes by the Wellington City Council, the moving of gas mains by the Petone and Lower Hutt Gas Board, the construction of a traffic roundabout at the eastern end of the bridge by the Lower Hutt City Council, and the construction of street works at the western end of the bridge by the Petone Borough Council: And whereas it is expedient to authorize the local authorities so affected to raise a loan or loans for the several purposes hereinbefore recited: Be it therefore enacted as follows:

(1) The Wellington City Council is hereby authorized to raise by special order a loan for the purpose of providing the contribution payable by it in connection with the additional provision made in the design of the bridge to enable water pipes to be installed on the bridge for the purposes and at the cost of that Council and for the purpose of the acquisition and installation of water pipes required by that Council on the bridge and adjacent thereto.

(2) The Petone Borough Council is hereby authorized to raise by special order a loan for the purpose of constructing street works at the western end of the bridge.

(3) The Hutt Valley Drainage Board is hereby authorized to raise by special order a loan for the purpose of providing the contribution payable by it in connection with the additional provision made in the design of the bridge to enable sewer mains to be installed on the bridge for the purposes and at the cost of that Board.

(4) The Lower Hutt City Council is hereby authorized to raise by special order a loan for the construction of a traffic roundabout at the eastern end of the bridge.

(5) The Petone and Lower Hutt Gas Board is hereby authorized to raise by special order a loan for the purpose of providing the contribution payable by it in connection with the additional provision made in the design of the bridge to enable gas mains to be installed on the bridge for the purposes and at the cost of that Board and for the purpose of the acquisition and installation of gas mains required by that Board on the bridge and adjacent thereto.

(6) The loans authorized to be raised under this section shall, for the purposes of the Local Government Loans Board Act 1926, be deemed to be moneys borrowed by the local authority for the purpose of meeting a liability to which section twelve of that Act applies.

See Reprint
of Statutes,
Vol. V, p. 415

Provision with
respect to
dissolution of
Riverton
Athenaeum
Incorporated.

43. Whereas at an extraordinary general meeting of the Riverton Athenaeum Incorporated (in this section referred to as the Athenaeum), it was resolved that the Athenaeum be dissolved and its assets transferred to the Corporation of the Borough of Riverton (in this section referred to as the Corporation) for library purposes: And whereas it is desirable to make provision accordingly: Be it therefore enacted as follows:

(1) The Athenaeum is hereby dissolved.

(2) The lands described in subsection six of this section are hereby vested in the Corporation in trust for library purposes.

(3) All personal property of whatsoever nature, including all choses in action and the benefit of all contracts and agreements and all rights and powers exercisable thereunder or pertaining thereto belonging to the Athenaeum, are hereby vested in the Corporation for library purposes, and all debts and other liabilities lawfully incurred by the Athenaeum and existing on the passing of this Act shall hereafter be debts and liabilities of the Corporation.

(4) The Corporation is hereby authorized and empowered to meet the said debts and liabilities out of a separate account, to be known as the Riverton District Library Account, which the Corporation shall establish, and to the credit of which shall be placed all moneys received by the Corporation pursuant to this section.

(5) The District Land Registrar for the Land Registration District of Otago is hereby authorized and empowered to register such documents, make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.

(6) The lands to which this section relates are more particularly described as follows:

Firstly, all that area of land in the Borough of Riverton, containing by admeasurement one rood thirty-nine perches, more or less, being Section 2 and part Section 21, Town of Riverton, and being all the land comprised and described in certificate of title, Volume 20, folio 299, Southland Registry, and part of the land contained in certificate of title, Volume 5, folio 75, Southland Registry.

Secondly, all that area of land in the County of Wallace, containing by admeasurement six hundred and thirteen acres and ten perches, more or less, being Sections 44, 45, 46, 55, 56, 64, 65, 66, 67, 68, and 69, Block VI, Jacobs River Hundred, and being all the land comprised and described in certificate of title, Volume 5, folio 71, Southland Registry.

Miscellaneous

44. The Ohai Railway Board is hereby authorized to pay to Charles Balneaves, of Wairio, former Traffic Manager of the Board, the sum of five hundred pounds in recognition of the services rendered by him while in the employment of the Board.

Authorizing payment of retiring allowance by Ohai Railway Board.

45. Whereas the Wairangi Public Library, a body incorporated under the Libraries and Mechanics' Institutes Act 1908 (in this section referred to as the Library), is the registered proprietor of the land described in subsection five of this section: And whereas it is impossible to control effectively the affairs of the Library owing to the trustees now being deceased and there being no legal representatives of those trustees: And whereas it is desired to make provision for vesting the said land in a society, to be known as the Waerenga Hall Society (Incorporated) (in this section referred to as the Society), which it is proposed to incorporate under the Incorporated Societies Act 1908: Be it therefore enacted as follows:

Provision with respect to dissolution of Wairangi Public Library.
See Reprint of Statutes, Vol. IV, p. 1108

Ibid., Vol. III, p. 922

(1) Upon the incorporation of the Society the Library shall be dissolved, and the Registrar of the Supreme Court at Auckland is hereby authorized and directed to note the said dissolution on the Court record of the incorporation of the Library.

(2) Upon the dissolution of the Library, the said land shall vest in the Society as a site for a social hall for the residents of the district, and the District Land Registrar for the Land Registration District of Auckland, on the written application of the Society and on payment of the appropriate fee, is hereby authorized and directed to make such entries in the register books and generally to do all such things as are necessary to give effect to the provisions of this section.

(3) Upon the dissolution of the Library, all moneys and other personal property of whatsoever nature formerly belonging to the Library and now held in trust by any persons shall be transferred to the Society.

(4) The said moneys shall be applied firstly in discharging any liabilities of the Library, and secondly towards the general purposes of the hall.

(5) The land to which this section relates is more particularly described as follows:

All that area in the Waikato County, South Auckland Land District, containing by admeasurement one rood, more or less, being part of Allotment 63, Whangamarino Parish, and being the whole of the land comprised and described in certificate of title, Volume 565, folio 48 (limited as to parcels), Auckland Registry.
