

NEW ZEALAND.



No. XCIV.

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AN ACT to amend an Ordinance of the Superintendent and Provincial Council of Otago intituled "The Otago Harbour Board Ordinance 1874 Amendment Ordinance, 1875." [30th October, 1876.]

WHEREAS it is desirable and expedient that the members of the Otago Harbour Board should be responsible to some constituent body for their acts:

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

1. The Short Title of this Act shall be "The Otago Harbour Board Act, 1876."

2. The present members of the Otago Harbour Board constituted under the Ordinances of the Superintendent and Provincial Council of Otago intituled respectively "The Otago Harbour Board Ordinance, 1874," and "The Otago Harbour Board Ordinance 1874 Amendment Ordinance, 1875," shall hold office till the first day of January, one thousand eight hundred and seventy-seven, and no longer: Provided always that the said members shall be eligible for election in manner hereinafter provided.

3. The number of the members of the Board shall be ten.

4. No member of the Board shall receive any remuneration other than travelling expenses.

Otago Harbour Board.

Two members to be appointed by Governor.

5. In the month of December next, the Governor may appoint two persons resident in the Province of Otago to be members of the said Board.

City Council of Dunedin may appoint two.

6. The City Council of the City of Dunedin may, in the month of December next, appoint two persons resident in the Province of Otago, not being members of such Council, to be members of the said Board.

Port Chalmers Town Council may appoint one.

7. The Town Council of the Corporation of the Town of Port Chalmers may, in the month of December next, appoint one person resident in the Province of Otago, not being a member of such Council, to be a member of the said Board.

Municipal Councils may appoint person, not being a member of such Councils, to be a member of Board.

8. The Municipal Councils of South Dunedin and St. Kilda jointly may, in the month of December next, appoint one person resident in the Province of Otago, not being a member of either of such Councils, to be a member of the said Board.

Chamber of Commerce may appoint one.

9. The Dunedin Chamber of Commerce may, in the said month of December, appoint one person resident in the Province of Otago to be a member of the said Board.

Payers of harbour dues may elect one.

10. All persons who during the year one thousand eight hundred and seventy-six shall have paid the sum of ten pounds for harbour dues, or jetty dues, or other dues levied by the said Harbour Board, may, in the month of December, elect one person to be a member of the said Harbour Board.

Owners of vessels may elect one.

11. All persons being registered owners of vessels in the Port of Otago of a registered tonnage or aggregate registered tonnage of fifty tons may, in the month of December next, elect one person, a resident in Otago, as a member of the said Harbour Board.

Collector of Customs to be a member.

12. The Collector of Customs, or other the Chief Officer of Customs in Dunedin, shall, on and after the thirty-first day of December next, be an *ex officio* member of the said Harbour Board.

Governor to appoint members if election not made.

13. If from any cause whatever any or all of the constituent bodies shall fail to elect a member in the month of December next, or at any future time, as provided for in this Act, the Governor may appoint from time to time, as such failure may happen, such person, being a resident in Otago, as he shall think fit to be a member of the said Board.

List of payers of harbour dues to be prepared.

14. The Secretary of the said Harbour Board shall, in the month of November next, prepare a list of all those who shall have in the twelve preceding months paid the sum of ten pounds and above that sum for harbour or jetty dues, and the said Secretary shall thereafter, in the month of November in each year, prepare such a list, and such list, when prepared, shall be the voters' list for the year for those who have paid dues to the amount of ten pounds and over.

List of owners of vessels to be prepared.

15. The Collector of Customs shall, in the month of November in each year, furnish to the Secretary of the said Harbour Board a list of all persons being registered owners of vessels of a registered tonnage or aggregate registered tonnage of fifty tons.

Conduct of elections.

16. The election of persons to serve as members by the owners of vessels and by the payers of dues shall be conducted in conformity with the provisions of the Regulation of Local Elections Act, passed or to be passed during this session of Parliament.

Date of elections.

17. The elections and appointments provided for by this Act shall take place in the month of December next, and every two years thereafter; but all members shall be eligible for re-election.

Vacancies, how to be filled.

18. Should any member die resign or become incapable of acting, or be absent without leave for six months from the meetings of the said Board, the constituent body by whom such person was elected shall forthwith, on notice to that effect being given by the said Board, proceed to appoint or elect a fit person in the place of such member.

Otago Harbour Board.

19. Sections twelve, thirteen, and fourteen of "The Otago Harbour Board Ordinance, 1874," are hereby re-enacted.

Sections of Otago Harbour Board Ordinance re-enacted.

20. Section fifteen of "The Otago Harbour Board Ordinance, 1874," is hereby amended, and in place of the words "the Superintendent" in the said section there shall be inserted the words "the Chairman."

Section of Otago Harbour Board Ordinance amended.

21. The said Board shall on the first meeting in January in every year elect some person to be Chairman of the said Board, and such person shall be Chairman so long as he remains a member of the said Board, and whenever he ceases to be a member of the said Board then another member shall be elected Chairman in his stead.

Appointment of Chairman.

22. This Act shall be read along with and form part of "The Otago Harbour Board Ordinance, 1874," and of the amending Ordinance and Act.

Act to be read with Otago Harbour Board Ordinance.

23. Sections four, five, six, seven, nine of "The Otago Harbour Board Ordinance 1874 Amendment Ordinance, 1875," are hereby repealed.

Sections of Otago Harbour Board Ordinance repealed.

WELLINGTON, NEW ZEALAND:

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