

New Zealand.

ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Act deemed to be a special Act. 3. Vesting lands in Board. 4. Power to make and levy rates. 5. Rates not to exceed one penny halfpenny in the pound. 6. Sinking fund. 7. Board to have power of Rating Act. 8. Rate not to be quashed. | <ol style="list-style-type: none"> 9. May raise loan without poll for certain purposes. 10. Powers of Board not to be limited. 11. Whangarei Harbour Act, 1907, amended. 12. Whangarei Harbour Act, 1907, and Whangarei Harbour Board Empowering Act, 1914, amended. 13. Whangarei Harbour Board Empowering Act, 1914, further amended. |
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1919, No. 18.—*Local and Personal.*

AN ACT to vest certain of the Foreshore and Mud-flats within the Harbour of Whangarei south and east of Grahamtown in the Whangarei Harbour Board, and also to enable the said Board to levy Rates within the County of Whangarei.

[5th November, 1919.]

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

1. This Act may be cited as the Whangarei Harbour Board Vesting and Empowering Act, 1919. Short Title.
2. This Act shall be deemed to be a special Act within the meaning of the Harbours Act, 1908, and the amendments thereof, which are accordingly incorporated herewith, and shall be read and construed along with the Whangarei Harbour Act, 1907. Act deemed to be a special Act.
3. On the passing of this Act the lands described in the Schedule hereto, excepting any Native land as defined by the Native Land Act, 1909, and any land that might be taken from time to time for railway purposes within five years from the date of this Act, and any Native fishing-ground and fisheries, shall vest in and be the property of the Whangarei Harbour Board (hereinafter called the Board) as endowment lands: Vesting lands in Board.

Provided that nothing herein shall affect any rights or powers of the Crown, or shall interfere with the riparian rights of His Majesty or of any other person.

Power to make and
levy rates.

4. If at any time the Board decides to borrow any moneys under the provisions of the Whangarei Harbour Act, 1907, or the Whangarei Harbour Board Empowering Act, 1914, as amended by this Act, a special rate upon all rateable property in the harbour district for the purpose of providing the annual charges upon moneys to be borrowed under the authority of the said Acts may be made and levied by the Board in manner provided by law and in accordance with the provisions of the Rating Act, 1908, and its amendments.

Rates not to exceed
one penny
halfpenny in the
pound.

5. The special rate to be levied under the authority of the said Acts shall not exceed one penny halfpenny in the pound upon the unimproved value of all rateable property in the said harbour district.

Sinking fund.

6. For the purpose of providing a sinking fund for the liquidation of any loan authorized by the said Acts the Board shall pay to the Commissioners appointed under section one hundred and ninety-seven of the Harbours Act, 1908, in every year a sum equal to one-half per centum on the moneys borrowed, or so much thereof as is for the time being outstanding.

Board to have
power of Rating
Act.

7. For the purpose of making, levying, and recovering the said rates the Board shall have and may exercise all the powers of making, levying, and recovering rates in the harbour district as are conferred on local authorities by the Rating Act, 1908, and for such purpose the Rating Act, 1908, and its amendments are incorporated herewith.

Rate not to be
quashed.

8. No rate or levy made under this Act or the said Acts shall be set aside or quashed by any proceeding in any Court or otherwise, and no defect in the same or the making thereof or in any direction for levy shall be set up as a defence to any action which may be brought to recover the same.

May raise loan
without poll for
certain purposes.

9. The Board may at any time raise a loan or loans without taking a poll for the purpose of paying off or consolidating any existing loans or any existing and future loans, and such repayment or consolidation may be effected in such manner and on such terms and conditions as the Board thinks fit.

Powers of Board
not to be limited.

10. Nothing in this Act shall be deemed to limit the powers of the Board under any Act now in force.

Whangarei Harbour
Act, 1907, amended.

11. Section twelve of the Whangarei Harbour Act, 1907, is hereby amended by omitting all words after the words "the said district."

Whangarei Harbour
Act, 1907, and
Whangarei Harbour
Board Empowering
Act, 1914, amended.

12. The proviso to section eleven of the Whangarei Harbour Act, 1907, and section five of the Whangarei Harbour Board Empowering Act, 1914, shall be read respectively as if the words "five and a half pounds per centum per annum" had been inserted therein in place of the words "five pounds per centum per annum."

Whangarei Harbour
Board Empowering
Act, 1914, further
amended.

13. Section four of the Whangarei Harbour Board Empowering Act, 1914, is hereby amended by striking out the words "one hundred thousand" wherever they occur in the said section, and substituting the words "one hundred and fifty thousand" in lieu thereof.

SCHEDULE.

Schedule.

ALL those portions of land in the Whangarei Harbour, in Blocks XIII and XIV, Whangarei Survey District; Blocks IV and IX, Tangihua Survey District; and Blocks I, II, and V, Ruakaka Survey District, lying between high and low water at ordinary spring tide, extending to the south and east of Grahamtown; the land to be vested being hereinafter more particularly described, namely:—

1. All that area comprising 174 acres, more or less, as shown marked A upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

2. All that area comprising 80 acres, more or less, as shown marked H upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

3. All that area comprising 40 acres, more or less, as shown marked I upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

4. All that area comprising 50 acres, more or less, as shown marked J upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

5. All that area comprising 46 acres, more or less, as shown marked K upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

6. All that area comprising 345 acres, more or less, as shown marked L upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

7. All that area comprising 64 acres, more or less, as shown marked M upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

8. All that area comprising 93 acres, more or less, as shown marked N upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

9. All that area comprising 32 acres, more or less, as shown marked O upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

10. All that area comprising 13 acres, more or less, as shown marked P upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

11. All that area comprising 127 acres, more or less, as shown marked Q upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

12. All that area comprising 84 acres, more or less, as shown marked R upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

13. All that area comprising 30 acres, more or less, as shown marked S upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

14. All that area comprising 1,200 acres, more or less, as shown marked T upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

15. All that area comprising 660 acres, more or less, as shown marked U upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.

16. All that area comprising 173 acres, more or less, as shown marked V upon plan deposited in the office of the Marine Department, at Wellington, as M.D. 5051, and thereon shaded light blue.