

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
4th August, 1903.

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE,
11TH AUGUST, 1903.]

Rt. Hon. R. J. Seddon.

COUNTIES ACT AMENDMENT.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Alteration of boundaries of road district or riding.</p> <p>3. Increased rating-power.</p> <p>3A. Separate rates. Repeal.</p> <p>4. Council may establish or assist fire brigade.</p> <p>4A. Section 143 of principal Act amended.</p>	<p>ANALYSIS.</p>	<p>5. Council may control public billiard-rooms.</p> <p>6. Where road districts abolished by Act.</p> <p>7. How special orders made.</p> <p>8. Council may light public places and buildings.</p> <p>9. In certain cases Governor may validate proceedings, or extend time for doing anything. Repeal.</p>
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A BILL INTITULED

AN ACT to amend "The Counties Act, 1886."

BE IT 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 is "The Counties Act Amendment Act, 1903," and it shall form part of and be read together with "The Counties Act, 1886" (hereinafter referred to as "the principal Act").

2. (1.) No alteration of the boundaries of any road district or riding of a county shall have effect until the expiration of the financial year in which the alteration is made, nor unless the special order making the alteration is gazetted on or before the first day of October next after the date of the order:

Provided that where the special order is gazetted after the first day of October in any financial year it shall not have effect until the expiration of the following financial year.

(2.) "Financial year" means the period of twelve months ending on the thirty-first day of March in every year.

3. (1.) Notwithstanding anything in the principal Act, the maximum general rate that may be made and levied in any year shall be:—

Struck Out.

<p>25</p>	<p>(a.) In outlying districts, a rate of threepence in the pound on the capital value of the rateable property therein, or its equivalent on the unimproved value; and</p> <p>(b.) In all other parts of the county a rate of three half-pence in the pound on such capital value, or its equivalent as aforesaid.</p>
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New Subclauses.

(aa.) In counties where there are no road or town districts, a rate of threepence in the pound on the capital value of the rateable property therein, or its equivalent on the unimproved value or annual value; and

- (bb.) In counties where there are road or town districts—
- (i.) In outlying districts, a rate of threepence in the pound on the capital value or its equivalent as aforesaid;
- (ii.) In all other parts of the county, a rate of three halfpence in the pound on the capital value or its equivalent as aforesaid. 5
- (2.) The principal Act is hereby consequentially amended—
- (c.) As to section one hundred and forty-eight thereof: By repealing all words after “purposes of this Act” to the end of the section; and 10
- (d.) As to section one hundred and forty-nine thereof: By repealing the words “which are wholly or partly divided into road districts, town districts, and outlying districts respectively,” and also by repealing the words “three farthings in the pound on the rateable value therein,” 15 and substituting in lieu thereof the words “the prescribed maximum rate.”

New Clause.

Separate rates.

3A. (1.) The Council may by special order from time to time, either in addition to or in lieu of any general rate, make and levy rates (to be called “separate rates”) upon all rateable property within any riding or portion of the county defined in the special order: 20

Provided that the total amount of separate rates and general rates together shall not in any one year exceed the amount of the maximum general rate prescribed by the *last preceding* section. 25

(2.) Every such separate rate shall be subject to the deduction of so much thereof as is, in the opinion of the Council, necessary to defray the cost of making and levying the rate and of the supervision and clerical work necessary in connection with the expenditure thereof. 30

(3.) The amount so deducted shall form part of the ordinary revenue of the county.

(4.) The remainder of the separate rate shall be applied to the special purpose (if any) for which it was levied, and shall be expended wholly within the riding or portion of the county within which it was levied. 35

Repeal.

(5.) This section is in substitution for section one hundred and fifty of the principal Act, which section is hereby accordingly repealed. 40

Council may establish or assist fire brigade.

4. The Council may from time to time, out of the County Fund, establish fire brigades in such localities as it thinks fit, and provide all necessary appliances and buildings required in connection therewith, or may agree with any fire brigade or other persons as to providing the necessary appliances and labour for the purpose of extinguishing fires, and may provide for the payment out of the County Fund of such remuneration by way of gratuity to such brigade or persons as the Council thinks fit. 45

New Clause.

Section 143 of principal Act amended.

4A. Section one hundred and forty-three of the principal Act (providing for the withdrawal of money from the County Fund 50

Account) is hereby amended by repealing all words after "counter-signed by," and substituting in lieu thereof the words "any two of such of the Councillors as the Council from time to time authorises to sign cheques."

5 5. Section three hundred and eleven of the principal Act is hereby amended by the addition of the following new subsection:—

Council may control public billiard-rooms.

10 " (15A.) To provide for defining, licensing, and controlling public billiard-rooms other than those connected with hotels or clubs, and for prohibiting unlicensed public billiard-rooms; and ~~no public billiard room shall be kept open after eleven o'clock at night.~~

15 6. Where any road district is abolished by any Act and a county constituted in substitution therefor, then, if no specific provision is made for dealing with the assets and liabilities of such road district, the provisions of section fifty-seven of the principal Act (providing for the vesting of the assets and liabilities of a merged district) shall apply as if the road district had been merged under the principal Act.

Where road district is abolished by Act.

20 7. Section one hundred and twenty-four of the principal Act (prescribing the mode in which special orders may be made) is hereby amended by repealing paragraphs one to three thereof, and substituting the following in lieu thereof:—

How special orders made.

25 " (1.) The resolution to do such thing shall be passed at a special meeting.

" (2.) Such resolution shall be confirmed at a subsequent meeting (either ordinary or special) held not sooner than the twenty-eighth day and not later than the fifty-sixth day after such special meeting.

30 " (3.) Public notice of the time and place fixed for such subsequent meeting, and of such resolution, shall be given once in each of the four weeks immediately preceding the day on which the subsequent meeting is to be held."

35 8. The Council may, in addition to the powers conferred by the principal Act, light any ~~streets,~~ roads, bridges, and other public places and public buildings within the county.

Council may light public places and buildings.

40 9. (1.) In any case where anything is omitted to be done or cannot be done at the time required by the principal Act or this Act, or is done after such time, or is otherwise irregularly done in matter of form, or sufficient provision is not made by the principal Act, the Governor may, by Order in Council gazetted, at any time before or after the time within which such thing is required to be done, extend such time, or validate anything so done after the time required or so irregularly done in matter of form, or make other provision for such case as he thinks fit.

In certain cases Governor may validate proceedings, or extend time for doing anything.

45 (2.) This section is in substitution for section three hundred and twenty-two of the principal Act, which section is hereby accordingly repealed.

Repeal.