

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE.]

House of Representatives, 11th October, 1911.

Hon. Mr. Millar.

DUNEDIN CITY AND SUBURBAN TRAMWAYS AND WATER-POWER AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

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| Title. | |
| 1. Short Title. | 4. Repeal. Weirs, works, &c., under control of Council. |
| 2. Act to be deemed part of Act of 1903. | 5. Power to borrow. |
| 3. Repeal. Corporation may use dams, weirs, &c. | |

A BILL INTITULED

AN ACT to amend the Dunedin City and Suburban Tramways and Water-power Act, 1903. Title.

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 Dunedin City and Suburban Tramways and Water-power Amendment Act, 1911. Short Title.

2. This Act shall be deemed to amend and extend the Dunedin City and Suburban Tramways and Water-power Act, 1903 (herein called the principal Act); and the principal Act and all Acts incorporated therewith, together with this Act, shall be read as one Act where not inconsistent with the context. Act to be deemed part of Act of 1903.

Struck out.

3. Section six of the principal Act is hereby repealed, and the following substituted in lieu thereof :— Repeal.

“6. The dams or weirs and the water-races and other mining privileges and the water thereby acquired, stored, and utilized may be used by the said Corporation for waterworks purposes within the meaning of the Municipal Corporations Act, 1908, and for extending or enlarging their existing waterworks so that the said dams, weirs, water-races, mining privileges, and water may be connected with and form part of the said existing waterworks: and the rights conferred by the said mining privileges shall not be liable to loss of priority, cancellation, forfeiture, or surrender under or by virtue of the mining laws of New Zealand; and shall not be liable to forfeiture or be deemed to be abandoned on the ground that such dams, weirs, or water-races have not been, prior to the coming into operation of this Act, or may not hereafter be, commenced or constructed within the time limited in that behalf by law.”

New.

Corporation may
use dams, weirs, &c.

3. Notwithstanding anything in section six of the principal Act, such of the mining privileges referred to in that section as relate to the Lee Stream and the water thereof may be used by the said Corporation for waterworks purposes within the meaning of the Municipal Corporations Act, 1908, and for extending or enlarging their existing waterworks, so that the said mining privileges and water may be connected with and form part of the said existing waterworks; and the dams, weirs, and water-races, and all other works and property pertaining to the said mining privileges shall be deemed to be waterworks belonging to and under the control of the City Council of Dunedin within the meaning of the Municipal Corporations Act, 1908:

Provided that nothing herein shall apply to any mining privilege extending below the junction of the Lee Stream and the Taieri River.

Struck out.

Repeal.

4. Section ten of the principal Act is hereby repealed, and the following substituted in lieu thereof:—

Weirs, works, &c.,
under control of
Council.

“10. The said dams, weirs, and water-races, and all works and property pertaining thereto, shall be deemed to be waterworks belonging to and under the control of the City Council of Dunedin within the meaning of the Municipal Corporations Act, 1908.”

Power to borrow.

5. All sum or sums of money required for the purposes of this Act, and for the waterworks and other works to be constructed or extended hereunder, may be borrowed by the Corporation by means of debentures issued pursuant to the Local Bodies' Loans Act, 1908, and this Act shall be for all purposes sufficient authority for the issue and sale of the said debentures, and no person shall be entitled to call for any further evidence of the power of the Corporation to borrow the said sum or sums and issue the said debentures than the production of a copy of this Act:

Provided that no debenture issued under this Act shall be sold at a price that will produce to the purchaser a greater *rate of* interest than five per centum per annum.