

Hon. Mr. Ward.

HARBOURS ACT AMENDMENT.

ANALYSIS.

Title.	4. Harbour Board may make by-laws for levying rates on merchandise.
1. Short Title.	5. Section 88 of principal Act amended.
2. Harbour Board may borrow money by overdraft.	6. Harbour Board not liable for acts of Harbour-master.
3. Harbour Board may create a special fund.	7. Governor may divide rating districts into wards.

A BILL INTITULED

AN ACT to authorise Harbour Boards to borrow Moneys from Title.
Banks by way of Overdraft.

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

1. The Short Title of this Act is “The Harbours Act Amend- Short Title.
ment Act, 1894.” It shall be read together with “The Harbours
Act, 1878 ” (herein referred to as “the principal Act”).

10 2. Any Harbour Board constituted under the principal Act, or Harbour Board may
any amendment thereof, may, in anticipation of the income of its borrow money by
General Account, from time to time borrow moneys from the bank overdraft.
by way of overdraft; but the amount of such overdraft shall never
15 at any time exceed the amount of the ordinary income of the General
Account received during the previous financial year, inclusive of
subsidies, but exclusive of any moneys received by way of special
grant from the Government and of money borrowed, and of separate
or special rates.

20 “Overdraft” shall, for the purposes of this Act, be deemed to be
money borrowed on any account, notwithstanding that money may
be standing to the credit of any other account in the bank.

New paragraph.

25 The limit specified in this section shall not be interpreted to
affect the right of any bank to be repaid out of the funds of the
Board the moneys advanced by the bank to such Board; and no
bank shall be concerned to inquire whether such limit is being or
has been exceeded.

New Clauses.

Harbour Board may create a special fund.

3. Any Harbour Board may appropriate in any year any part of the Harbour Fund, not appropriated for any special purpose, towards the creation of a special fund to provide for—

- (1.) Destruction of or injury to any of the property of the Board; 5
- (2.) Depreciation in the value of any of the property of the Board;
- (3.) Claims which may be made upon the Board by employes;
- (4.) Any other exceptional losses or expenditure.

And such Board may invest all moneys so appropriated, and the interest and profits accruing therefrom, in such securities as such Board may from time to time determine. 10

Such Board may, at any time and from time to time, repay into the Harbour Fund the whole or any part of the moneys so invested, and the accumulations thereof.

Harbour Board may make by-laws for levying rates on merchandise.

4. In addition to the powers and authorities granted to Harbour Boards under section two hundred and sixteen of the principal Act, and by any local Acts, every Board may from time to time make by-laws providing that harbour-improvement rates may be levied on all goods and merchandise discharged at or shipped from the port, and in and by such by-laws may provide for the manner of levying and collecting such rates, and by whom and to whom the same shall be paid, and in what manner the same shall be paid, and such rates may be charged by weight, measurement, package, or value, or by one or more of such ways, and the rates charged on different classes of goods may be varied from time to time so as to discriminate between one class and another, as the Board may from time to time determine. 15 20 25

Section 88 of principal Act amended.

5. Section eighty-eight of the principal Act is hereby amended by adding thereto the following proviso:—

Provided always that, if a vessel shall enter after twelve months from the issue of the exemption certificate, she shall not be deemed exempt unless the exemption certificate has been renewed from the expiry of the previous exemption certificate; but, on payment of an inward pilotage, an exemption certificate for twelve months from that date may then be applied for. 30

Harbour Board not liable for acts of Harbourmaster.

6. No Harbour Board shall be liable for any Act or omission of its Harbourmaster in case he shall be duly qualified by law as a pilot further than such Board would be liable for the act or omission of a duly-qualified pilot. 35

Governor may divide rating districts into wards.

7. Notwithstanding anything contained in the principal Act or any amendment thereof, the Governor may by Order in Council empower a Harbour Board the members of which are not wholly nominated to divide the rating area or district into any number of electoral wards not exceeding the number as fixed for the Board by the principal Act or any amendment thereof, each ward to return one member to the Board. The Board shall annually, or so often as may be required, make up an electoral roll for each ward, and such electoral roll shall be deemed to be the electoral roll for the rating area or district within the meaning of the principal Act or any amendment thereof: Provided that such subdivision shall only be made by special resolution. 40 45 50

Any such special resolution of the Board constituting electoral wards shall come into operation at the next general election of the

members of such Board after the passing of such resolution, and after such general election shall also apply to extraordinary vacancies.

5 This section applies only to members by election, and shall not affect any provision of the principal Act or any amendment thereof relating to members nominated or appointed by the Governor, or to members by succession.