

## LOCAL LEGISLATION BILL

### EXPLANATORY NOTES

#### *County Councils*

*Clause 2:* Provision with respect to constitution of new ridings by Akaroa County Council—By Order in Council dated 20 February 1957 the Borough of Akaroa was abolished and the area of the former borough was included in the Wainui Riding of the Akaroa County.

The Akaroa County Council proposes, by special order, to divide the present Wainui Riding into two ridings to be known as the Akaroa Riding and the Wainui Riding. It is desired to make provision for an additional member on the Council to represent the proposed Akaroa Riding, and to provide for the three members who represent the present Wainui Riding to continue in office as representing the proposed Wainui Riding.

Legislative authority is required and this clause provides accordingly.

*Clause 3:* Authorising Eketahuna County Council to make *ex gratia* payment in respect of contract—The Eketahuna County Council entered into an agreement with James H. Milne Ltd., contractors, of Wellington, for the construction of a bridge over the Makakahi River. While still under construction the bridge was damaged on two occasions by floods and the contractors suffered a loss on the contract. The Council considers that the contractors could not reasonably have contemplated such a loss and is desirous of making a payment of £2,000 to them by way of an *ex gratia* payment.

Legislative authority is required and this clause provides accordingly.

*Clause 4:* Authorising Mount Herbert County Council to make *ex gratia* payment in respect of contract—On 22 June 1954 the Mount Herbert County Council entered into an agreement with R. H. Blatchford, of Teddington, contractor, whereby the contractor agreed to supply and spread road metal in the Port Levy area. In accordance with the terms of the contract the metal was supplied and spread by R. H. Blatchford Ltd., a private company, but because of delays caused by circumstances beyond the control of the company and the contractor the company suffered a loss.

The County Council is desirous of making an *ex gratia* payment of £1,031 9s. 4d. to R. H. Blatchford Ltd. but has no authority to do so.

This clause provides the necessary authority.

*Clause 5:* Provision with respect to letting of doctor's residence by Cheviot County Council—The Cheviot County Council was authorised by section 2 of the Local Legislation Act 1943 to allow any medical practitioner practising in the Town of Cheviot to use and occupy free of rent the land and dwelling-house owned by the Council and situated in the Town of Mackenzie, until four years from the termination of the then current war. The authority so granted expired on 28 April 1956 but the Council has continued to allow the local medical practitioner free use and occupation of the land and dwelling-house. It is desired to validate the Council's action and also to authorise the Council to continue to allow any medical practitioner practising in the Town of Mackenzie to use and occupy the land and dwellinghouse rent free.

This clause makes provision accordingly.

*Clause 6:* Provision with respect to purchase of certain land by Southland County Council—Industrial areas in Invercargill City are either fully occupied or only suitable for certain types of business, and do not fully meet the total

business requirements. After consideration of the position by the Joint Town Planning Committee of the Invercargill City Council and the Southland County Council, and as a result of representations received, the County Council decided that in the interests of industry and town planning it was desirable that either the landowners or the Council should open up for industrial purposes a particular area of land. The owners of the land were unable to deal with the matter either individually or collectively and the Council then resolved, as a matter of urgency, to purchase the land, and to subdivide it into blocks to meet the requirements of industry and to offer it for sale to those industries who were desirous of establishing themselves on the outskirts of the city. A portion of the land fronting the street is reserved for residential purposes and the balance will be made available for industry, principally of the manufacturing type and industry allied to primary produce.

As the law stands at present, County Councils have no general power to acquire and develop land for commercial and industrial purposes.

The purpose of this clause is to validate the purchase of the land by the County Council and authorise its subdivision and sale for industrial purposes.

*Clause 7: Authorising Rodney County Council to raise special loan*—The Rodney County Council, before obtaining the sanction of the Local Authorities Loans Board to the raising of a loan for the purpose of purchasing and erecting houses for its employees, expended from its County Fund Account the sum of £4,486 for that purpose. The Council now wishes to raise a loan for the purpose of refunding to its County Fund Account the money expended in the purchase and erection of houses for its employees, but has no authority to do so.

This clause provides the necessary authority.

*Clause 8: Provision with respect to overdraft of Coromandel County Council*—At 31 March 1957 the Coromandel County Council had incurred liabilities in excess of the limits prescribed by the Local Bodies Finance Act 1921-22 amounting to the sum of approximately £17,500.

The Council had no authority to incur these excess liabilities and is not in a position to meet them from its General Account during the current financial year. It now desires that legislation be enacted validating the incurring of the excess liabilities and authorising the Council to borrow the sum of £17,500 from its bankers by way of overdraft for the purpose of partially repaying the excess liabilities. It is proposed that the Council should repay the sum of £17,500 by ten equal annual payments out of its General Account and that a separate account at the bank should be maintained for the sum of £17,500 so borrowed. This clause provides accordingly.

*Clause 9: Authorising Waitemata County Council to raise special loan*—The Auckland City Council and the Waitemata County Council have agreed that the City Council will transfer to the County Council the public water supply system at present owned by the City Council in those areas of the County of Waitemata now being supplied and capable of being supplied with water by the City Council. The waterworks are to be transferred to the County Council progressively area by area and the County Council has accepted the transfer of this supply for the first area as from 1 April 1957.

Negotiations between the City Council and the County Council on some aspects of the agreement, including the purchase price to be paid by the County Council for the waterworks, are not yet concluded. In the meantime it has been necessary for the County Council to expend money from its General Account for the acquisition of land, buildings, materials, and plant incidental to the operation of the waterworks, and also to undertake certain urgent extensions and improvements to those works. The cost of these urgent extensions and improvements has also to be met from the County Council's General Account in the meantime as engineering surveys, etc., are not yet advanced to the stage where the County Council can apply to the Local Authorities Loans Board for sanction to the raising of a loan. The County

Council is unable to carry this expenditure in its General Account and desires to recoup that account from loan money once it is able to make the necessary application to the Loans Board. Legislative authority is necessary for this purpose, and this clause provides accordingly. It also authorises the County Council to borrow for the purpose of extending and improving the waterworks notwithstanding that their purchase by the County Council may not have been completed.

*City, Borough, and Town Councils*

*Clause 10:* Authorising Ngaruawahia Borough Council to grant lease of certain land to Plunket Society at a peppercorn rental—The Ngaruawahia Borough Council desires to lease to the Plunket Society a certain area of land for a term of twenty-one years at a peppercorn rental with a right of renewal for a further term, if required.

The land in question is held by the Council for the purposes of a Plunket Room, ladies' rest room, and fire brigade station. A fire brigade station and a ladies' rest room have been erected on other sites in the borough and it is now desired to authorise the Council to lease the land.

This clause makes provision accordingly.

*Clause 11:* Validating certain expenditure incurred by Picton Borough Council—The Picton Borough Council incurred expenditure of £100 2s. 6d. in the purchase of a mayoral chain and badge of office. Borough Councils are not specifically empowered to purchase any such items and the Council was unable to meet this expenditure from its unauthorised expenditure account.

It is desirable that this expenditure by the Council be validated and this clause provides accordingly.

*Clause 12:* Validating certain expenditure by Temuka Borough Council and Geraldine Borough Council—The Councils of the Temuka Borough, Geraldine Borough, and Geraldine County cooperated in staging a series of events celebrating the hundredth anniversary of the settlement of the Temuka and Geraldine districts. The cost of the celebrations were, in the case of the Temuka Borough Council, £262 19s. 11d. and, in the case of the Geraldine Borough Council, £273 13s. 9d., which amounts are in excess of their respective unauthorised expenditure limits.

Validating legislation is required and this clause provides accordingly.

*Clause 13:* Provision with respect to refund to District Fund Account from housing loan by Taradale Borough Council—Before obtaining authority to the raising of its Pensioners' Housing Loan 1957, £9,000, the Taradale Borough Council expended £826 1s. 10d. from its District Fund Account in the purchase of an area of land on which it was proposed to erect the pensioners' flats. The Council now desires to reimburse its District Fund Account out of the proceeds of the loan but has no power to do so.

This clause provides the necessary authority.

*Clause 14:* Validating certain charges made by Whangarei Borough Council in respect of water and sewerage—In 1946 the Whangarei Borough Council made bylaws whereby ratepayers seeking the installation of water and sewerage to properties not already serviced were charged fees as a capital contribution to the cost of extending main sewers and water mains. These charges were in addition to the interest and principal repayments on sewerage and water loans which are charged over the whole of the borough.

After investigations made in 1954, it was found that the Council had no authority to charge the fees, and thereafter no further fees were collected.

It is now desired to validate the charges made by the Council during the years in question and this clause provides accordingly.

*Clause 15:* Validating certain expenditure by the Papatoetoe Borough Council—The Papatoetoe Borough Council incurred expenditure of £97 10s. in the purchase of a mayoral chain. Borough Councils are not specifically empowered to purchase any such items and the Council was unable to meet this expenditure from its unauthorised expenditure account.

It is desirable that this expenditure by the Council be validated and this clause provides accordingly.

*Clause 16:* Provision with respect to overdraft of Bluff Borough Council—The Bluff Borough Council at 31 March 1957 had incurred liabilities in excess of the limits prescribed by the Local Bodies' Finance Act 1921–22 amounting to the sum of £16,268 12s. 4d.

The Council had no authority to incur these excess liabilities and is not in a position to meet them from its General Account during the current financial year. It now desires that legislation be enacted validating the incurring of these excess liabilities and authorising the Council to borrow the sum of £15,000 from its bankers by way of overdraft for the purpose of partially repaying the excess liabilities. It is proposed that the Council should repay the sum of £15,000 by ten equal annual payments, and that a separate rate should be levied to provide the sum required in each year. A separate account at the bank is to be maintained in respect of the sum of £15,000 so borrowed.

This clause provides accordingly.

*Clause 17:* Authorising New Plymouth City Council to make certain grants to the New Plymouth Public Relations Office Incorporated—The New Plymouth City Council desires to make a grant not exceeding £1,250 to the New Plymouth Public Relations Office during each of the years ending 31 March 1958 and 31 March 1959 for the purpose of assisting the office in its work. The council has no authority to make these grants and the clause confers the necessary authority.

*Clause 18:* Authorising Dunedin City Council to make certain grants to the Otago Development Council Incorporated—The Dunedin City Council desires to make a grant not exceeding £1,500 to the Otago Development Council Incorporated during each of the years ending 31 March 1958 and 31 March 1959 for the purpose of assisting that organisation in its work. The Council has no authority to make these grants and the clause confers the necessary authority.

*Clause 19:* Validating refund to District Fund Account from loan money by Ashburton Borough Council—Before obtaining authority to the raising of its Extra Sewerage Loan 1956, £15,000, the Ashburton Borough Council expended £7,808 3s. 3d. from its District Fund Account for certain works for which the loan was to be raised.

Authority has since been obtained to the raising of the loan and the Borough Council reimbursed its District Fund Account from the proceeds of the loan.

Legislation is required to validate this action and this clause provides accordingly.

*Clause 20:* Authorising Shannon Borough Council to raise a special loan—Before obtaining the sanction of the Local Authorities Loans Board to the raising of a loan the Shannon Borough Council expended from its District Fund Account the sum of £2,500 towards the erection of a grandstand. The Council has now applied to the Local Authorities Loans Board for authority to raise a special loan for the purpose of recouping its District Fund Account. Legislation is required to authorise the raising of the loan and this clause provides accordingly.

*Clause 21:* Authorising expenditure of certain money by Cromwell Borough Council for development work on certain endowment land—The Cromwell Borough Council has accumulated from the sale of land a credit balance of £2,229 12s. 10d. in its Land Sales Account. Section 150 of the Municipal Corporations Act 1954 requires the money to be used for the purchase of other land to be held for the same purposes as the land sold. However, the Council holds adequate lands for the purposes of the borough and it desires to transfer the sum of £1,500 to a new account to be known as the Endowment Development Account and to use the money for developing endowment land held by the Council or reimbursing its District Fund Account for any such expenditure from that account. Legislation is necessary to enable this to be done and this clause provides accordingly.

*Clause 22: Authorising raising of special loan by Tauranga Borough Council*—Before obtaining the consent of the Local Authorities Loans Board to the raising of a loan the Tauranga Borough Council expended out of its Abattoir Account the sum of £6,630 10s., and will be required to spend an additional sum of £669 10s., in the extension of abattoir buildings and in the provision of additional plant and equipment.

The Council now wishes to raise a special loan of £7,300 for the purpose of reimbursing its Abattoir Account in respect of the money advanced and to be advanced from it but has no authority to raise such a loan.

This clause provides the necessary authority.

*Clause 23: Validating agreement between Otorohanga Borough Council and Levin Amusements Limited*—The Otorohanga Borough Council operated a theatre at Otorohanga for a number of years without competition, until an additional theatre was licensed, and this licence transferred to Levin Amusements Limited. The competition caused by this firm resulted in a loss being incurred by the Council in regard to its theatre. In 1940 the parties entered into a deed of arrangement providing for pooling of funds and joint management of both theatres and this deed was validated by section 20 of the Local Legislation Act 1942 and a renewal of the deed by section 32 of the Local Legislation Act 1952.

The pooling arrangement has proved of great financial advantage to the Council, and appears to be in the best interests of both theatres and the public.

The most recent deed of arrangement expired in October 1956 and the Council now desires the validation of a further agreement expiring in October 1963.

This clause provides accordingly.

*Clause 24: Validating variation of terms of raising certain loan money by Cambridge Borough Council*—Consent was given to the raising by the Cambridge Borough Council of loans for water supply and plant subject to certain conditions determined by the Local Government Loans Board. One of the conditions was that the loans and interest should be repaid by equal aggregate annual or half yearly instalments extending over the respective terms of the loans. However, the Council raised the loans on conditions providing for repayment in one sum at the end of the respective terms.

Legislation is required to validate the Council's action in varying the authorised manner of repaying the loans and this clause provides accordingly.

*Clause 25: Validating borrowing of certain loan money by Waipukurau Borough Council*—On 17 August 1955 the Local Government Loans Board sanctioned the raising of the War Memorial Loan 1955 by the Waipukurau Borough Council. Before obtaining the consent of the Governor-General in Council the Council raised the loan. Validating legislation is required and this clause provides accordingly.

*Clause 26: Provision with respect to refund to District Fund Account from loan money by Gore Borough Council*—Before authority had been obtained to the raising of a loan of £31,500, known as the Water Scheme Completion Loan 1954, the Gore Borough Council expended out of its District Fund Account for certain purposes for which the loan was to be raised the sum of £26,820 19s. 2d. Authority has since been obtained to the raising of the loan and the Council is desirous of reimbursing its District Fund Account out of the proceeds of the loan.

Legislative authority is necessary for this purpose and this clause provides accordingly.

*Clause 27: Validating certain expenditure incurred by Patea Borough Council in connection with anniversary celebrations*—The Patea Borough Council incurred expenditure of £214 10s. 2d. in connection with the seventy-fifth Jubilee celebrations of the Borough. Borough Councils have no authority to incur expenditure of this nature and this clause validates the expenditure.

*Clause 28:* Validating variation of terms of raising certain loan money by Palmerston North City Council—One of the conditions of the raising by the Palmerston North City Council of the Opera House Supplementary Loan 1955 of £5,200 was that the loan together with interest should be repaid by equal aggregate annual or half yearly instalments extending over a term of twenty-five years. The Council raised the loan on terms that it should be repaid over a period of ten years by annual payments of £100 over the first five years and by annual payments of £200 over the next four years and a final payment of £3,900 the next year.

This clause validates the Council's action.

*Clause 29:* Provision with respect to certain loan raised by East Coast Bays Borough Council—On 2 August 1956 the Local Government Loans Board sanctioned the raising by the East Coast Bays Borough Council of the Roading Improvement Loan 1956 of £100,000. This loan was subsequently authorised by a poll of ratepayers of the Borough of East Coast Bays. However, the proceedings taken by the Council before the poll were irregular in that neither the notice required to be published by the Council in compliance with section 10 of the Local Bodies Loans Act 1926 nor the voting paper set forth the sum proposed to be borrowed for each particular purpose for which the loan was required. In addition the notice stated an additional purpose for which the loan was required was formation of footpaths, but this purpose had not been sanctioned by the Local Government Loans Board, and was not included as an additional purpose in the voting paper. No part of the proceeds of the loan has been expended by the Council for purposes other than those set out in the voting paper, and it has now been found that the loan will be insufficient to enable the Council to carry out all these purposes. Legislation is necessary to validate the irregularities which have occurred in connection with the raising of the loan and to authorise the Council to expend the balance of the loan money still remaining for such of the purposes set out in the voting paper as may be determined by the Council. This clause provides accordingly.

*Clause 30:* Authorising Mosgiel Borough Council to make *ex gratia* payment in respect of a contract—The Mosgiel Borough Council entered into a contract for certain excavation and other works to be carried out for the Council at its underground pumping station at Mosgiel. After acceptance of the tender it became necessary to shift the location of the site of the pumping station. It was thought that the terrain would be the same as that in the position originally proposed. This was not the case and as a result of the unexpected difficulties encountered by the contractor in carrying out the excavations he has been unable to complete the contract for the sum agreed upon.

The Council is satisfied that the difficulties encountered were not and could not have been foreseen by the contractor and desires to pay him the sum of £350 by way of compensation for the loss he has incurred. Legislative authority is required for such a payment and this clause provides accordingly.

*Clause 31:* Authorising Lower Hutt City Council to raise a special loan—The Hutt County Council was authorised to raise a loan of £218,000 to enable water and sewerage facilities to be provided for Stokes Valley. The County Council had already raised £69,800 when Stokes Valley was excluded from Hutt County and included in the City of Lower Hutt.

The Lower Hutt City Council is carrying on with the work and desires to raise the sum of £148,200, being the balance of the loan. The City Council may also have to expend money out of its District Fund Account on this work pending the raising of the balance of the loan.

Doubts have arisen as to whether the City Council has authority to raise the balance of the loan and to reimburse its District Fund Account in respect of any money expended and this clause provides the necessary authority.

*Clause 32:* Validating proceedings in connection with raising of certain loans by Kaitaia Borough Council—By Orders in Council consent was given to the raising by the Kaitaia Borough Council of two loans for sewerage purposes. However, the Council omitted to make the special orders required

by section 24 of the Health Act 1920. Doubts have arisen as to the validity of the proceedings in connection with the raising of the loans and validating legislation is required. This clause provides accordingly.

*Clause 33: Authorising expenditure of certain money held in trust by Kohukohu Town Council*—The Kohukohu Town Council holds in trust for library purposes a sum of approximately £600. The Council desires to use this money in the purchase and improvement of the old post office for use as a library, rest room, and town council offices. Legislation is required to authorise the Council to use the trust money for that purpose and this clause provides accordingly.

*Clause 34: Validating deed entered into between Lower Hutt City Corporation and Hutt Valley Old Folks and Pensioners Association Incorporated*—The Lower Hutt City Corporation has entered into a deed with the Hutt Valley Old Folks and Pensioners Association Incorporated whereby, subject to certain conditions, the Corporation has agreed to erect a building, part of which would be for the use and occupation of the Association. The Corporation had no authority to enter into such a deed and this clause validates its action.

*Clause 35: Authorising Stratford Borough Council to sell certain land*—The Stratford Borough Council desires to acquire an area of land, which forms part of the projected civic centre site, from a local firm and to dispose of an area of endowment land, the subject of this clause, to that firm by way of exchange as part of the purchase price. Authorising legislation is required and this clause provides accordingly.

*Clause 36: Validating consolidated rate and sanitation charge made by Henderson Borough Council*—On 5 August 1957 the Henderson Borough Council made and levied for the year ending 31 March 1958 a consolidated rate of 1s. in the pound on the unimproved value of all rateable property in the Borough of Henderson together with a uniform annual sanitation charge of £6 5s. per service. The making of the consolidated rate and the sanitation charge were within the statutory powers of the Council, but section 92 of the Municipal Corporations Act 1954 requires a borough council before making any general rate to prepare an estimate of the proposed expenditure of the Council during the period for which the rate is to be made, and when that estimate has been approved by the Council it must be publicly notified in the district not less than fourteen days before making the rate. Although the Henderson Borough Council prepared the estimate and gave public notice of its intention to make and levy the consolidated rate and the sanitation charge, it omitted to approve the estimate and to give public notification of that estimate as required by section 92 of the Municipal Corporations Act. The Council has issued its rate demands and approximately two-thirds of the total rates have already been paid. However, in view of the omissions of the Council it is doubtful whether the consolidated rate and the sanitation charge have been validly made and levied. The purpose of this clause is to remove that doubt.

#### *Harbour Board*

*Clause 37: Authorising Auckland Harbour Board to make donation to Auckland Young Men's Christian Association New Building Campaign Committee*—The Auckland Harbour Board wishes to make a donation of £1,000 to the Auckland Young Men's Christian Association New Building Committee. The Board has no authority to do so and this clause provides accordingly.

#### *Electric Power Board*

*Clause 38: Authorising Opunake Electric Power Board to collect certain subscriptions on behalf of Opunake Sub-centre of the St. John Ambulance Association*—The Opunake Sub-centre of the St. John Ambulance Association provides an ambulance service for residents in the Opunake district requiring an ambulance to New Plymouth Hospital. The residents of the district are willing to support the maintenance and running expenses of the ambulance and as

a means of collecting their contributions certain residents have agreed to authorise the Opunake Electric Power Board to debit their power accounts with the amount of their annual subscriptions to the Association in June of each year. The Board will collect this money and remit it to the Association from time to time.

At the present time the Board has not the necessary authority to carry the scheme into force and the purpose of the legislation is to authorise the Board to collect subscriptions on behalf of the Association.

#### *Catchment Board*

*Clause 39:* Further extending period during which classification for rating purposes of certain lands in Manawatu Catchment District shall continue in force—On the abolition of the Palmerston North River District the Manawatu Catchment Board took over the watercourses previously managed by the Palmerston North River Board and, pursuant to section 13 of the Soil Conservation and Rivers Control Amendment Act 1946, adopted and continued in force the existing classification of lands for rating purposes for a period of six years. This period expired on 31 March 1952 but was extended for three years by the Manawatu Catchment Board Empowering Act 1952, and for a further two years by section 27 of the Local Legislation Act 1955.

It had been hoped that the Main Manawatu Scheme Classification would be in force at the end of the 1956-57 financial year. This has not been possible, and the Board wishes to extend the existing classification for a further term of two years to enable it to levy rates for the maintenance of river protection work in the area.

This clause provides accordingly.

#### *Affecting Two or More Classes of Public Bodies*

*Clause 40:* Validating certain agreement between New Plymouth City Council and other local authorities, as to establishment of crematorium—The New Plymouth City Council together with ten other local authorities entered into an agreement for the establishment, erection, and control of a crematorium in the Provincial District of Taranaki. The local authorities concerned had no powers to enter into or be bound by the agreement. It is desired that the agreement be validated and also that certain powers concerning the management of the crematorium be conferred on the New Plymouth City Council.

This clause makes provision accordingly.

*Clause 41:* Exempting certain land occupied by Auckland Transport Board from liability for rates—The Auckland Transport Board has many miles of tramway tracks which are no longer used, as trams ceased running in Auckland in December 1956. These tracks will all eventually be lifted but, in the meantime, the Board remains liable for rates upon the land occupied by them.

The purpose of this clause is to exempt the Board from liability for the payment of rates on land used as a public road or street and occupied by any tramway tracks.

#### *Miscellaneous*

*Clause 42:* Authorising sale of certain land by Trustees of Loyal Motueka Lodge Number 4467 of the Independent Order of Oddfellows—The trustees of the Loyal Motueka Lodge Number 4467 of the Independent Order of Oddfellows own an area of land situated in High Street, Motueka. The old Oddfellows hall which stands on this site has become dilapidated and has been superseded by new hall premises purchased by the trustees. It is now desired to sell the old property and use the proceeds towards the improvement of the new hall. The land is subject to a trust, which is still operative, and the trustees have no power to sell the land. Legislation is required to authorise the sale and this clause provides accordingly.



Hon. Mr Smith

## LOCAL LEGISLATION

### ANALYSIS

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## A BILL INTITULED

**An Act to confer certain powers on certain public bodies and to validate certain transactions**

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

**1. Short Title**—This Act may be cited as the Local Legislation Act 1957.

County Councils

2. **Provision with respect to constitution of new ridings by Akaroa County Council**—Whereas by Order in Council made on the twentieth day of February, nineteen hundred and fifty-seven, the Borough of Akaroa was abolished and the area of the former borough was included in the County of Akaroa and declared to form part of the Wainui Riding of that county: And whereas the Akaroa County Council (in this section referred to as the Council) proposes to make a special order dividing the present Wainui Riding into two ridings, a rural riding comprising the rural area of the present Wainui Riding, to be known as the Wainui Riding (in this section referred to as the rural riding), and an urban riding comprising the urban area of Akaroa, to be known as the Akaroa Riding (in this section referred to as the urban riding): And whereas it is desirable to make provision as hereinafter appearing: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Counties Act 1956, on the coming into force of the special order made by the Council as aforesaid, the following provisions shall apply:

- (a) The number of members of the Council shall be increased by one member who shall be elected by the electors of the urban riding:
- (b) A vacancy shall be deemed to exist in the Council for the additional councillor to be elected by the electors of the urban riding and that vacancy shall be filled in the same manner as an extraordinary vacancy in the office of councillor:
- (c) The three members of the Council who represent the electors of the present Wainui Riding shall continue in office as the representatives on the Council of the electors of the rural riding and no election shall be necessary in the rural riding by reason of the constitution of that riding as a new riding of the County of Akaroa.

3. **Authorising Eketahuna County Council to make ex gratia payment in respect of contract**—Whereas by an agreement dated the fourth day of February, nineteen hundred and fifty-five, made between James H. Milne Limited, of Wellington, contractors (in this section referred to as the contractors),

of the one part, and the Chairman, Councillors, and Inhabitants of the County of Eketahuna, of the other part, the contractors agreed to erect a concrete bridge known as Dagg's Bridge over the Makakahi River for a sum calculated in accordance with the schedule rates provided in the said agreement: And whereas no provision was made in the said agreement to cover the incidence of loss by flood damage: And whereas between the twenty-first day of April, nineteen hundred and fifty-six, and the twenty-third day of July, nineteen hundred and fifty-six, the said bridge, still then in the course of construction, was damaged by two separate floods: And whereas the Eketahuna County Council, being satisfied that the loss so incurred by the contractors was not and could not reasonably have been contemplated by them at the time the said agreement was entered into, is desirous of making a payment of two thousand pounds to the contractors: Be it therefore enacted as follows:

The Eketahuna County Council is hereby authorised and empowered to pay the sum of two thousand pounds to the contractors by way of compensation in respect of the loss incurred by them.

**4. Authorising Mount Herbert County Council to make *ex gratia* payment in respect of contract**—Whereas by an agreement dated the twenty-second day of June, nineteen hundred and fifty-four, made between R. H. Blatchford, of Teddington, contractor (in this section referred to as the contractor) of the one part and the Chairman, Councillors, and Inhabitants of the County of Mount Herbert of the other part, the contractor agreed to supply and spread road metal for the maintenance of roads in the area of Port Levy: And whereas the road metal was supplied and spread in accordance with the terms of the contract by R. H. Blatchford Limited, a duly incorporated private company having its registered office in Christchurch (in this section referred to as the company): And whereas by reason of delays caused by circumstances beyond the control of the contractor and the company, the company suffered loss: And whereas in the circumstances the Mount Herbert County Council is desirous of making a payment of one thousand and thirty-one pounds nine shillings and fourpence to the company, being half the aforesaid loss: Be it therefore enacted as follows:

The Mount Herbert County Council is hereby authorised and empowered to pay the sum of one thousand and thirty-one pounds nine shillings and fourpence to the company by way of compensation in respect of the loss incurred by the company.

**5. Provision with respect to letting of doctor's residence by Cheviot County Council**—Whereas the Cheviot County Council (in this section referred to as the Council) is registered as the proprietor of an estate in fee simple in all that parcel of land situated in the Town of Mackenzie, containing by admeasurement two roods, more or less, being sections 14 and 15, Block 28, of the said Town of Mackenzie, and being the whole of the land comprised and described in certificate of title, Volume 365, folio 276, Canterbury Registry: And whereas a dwellinghouse has been erected on the said land by the Council for a medical practitioner's residence: And whereas the Council was empowered by section two of the Local Legislation Act 1943 to allow any medical practitioner for the time being practising in the Town of Cheviot to use and occupy the said land and dwellinghouse free of rent and other outgoings until the expiration of four years from the termination of the then current war or during such shorter period as the Council should think advisable: And whereas the authority so granted expired on the twenty-eighth day of April, nineteen hundred and fifty-six, and the Council has continued to allow the local medical practitioner the free use and occupation of the said land and dwellinghouse: Be it therefore enacted as follows:

The action of the Council in granting the use and occupation of the said land and dwellinghouse free of rent and other outgoings as from the twenty-eighth day of April, nineteen hundred and fifty-six, is hereby validated and the Council is hereby empowered to continue to allow any medical practitioner for the time being practising in the Town of Cheviot to use and occupy the said land and dwellinghouse free of rent and other outgoings for a further period of ten years from the commencement of this section or during such shorter period as the Council may think advisable.

**6. Provision with respect to purchase of certain land by Southland County Council**—Whereas the Southland County Council (in this section referred to as the Council) is the registered proprietor of an estate in fee simple in the lands described in subsection five of this section: And whereas

doubts have arisen as to the power of the Council to purchase the said lands and it is expedient that the said purchase be validated: And whereas the Council is desirous of subdividing and selling the said lands partly for housing purposes and partly for industrial purposes: And whereas the Council has no power to subdivide and sell the said lands for industrial purposes, and it is desirable that the Council have that power. Be it therefore enacted as follows: 5

(1) Notwithstanding anything contained in any Act or rule of law, the purchase by the Council of the lands described in subsection five of this section is hereby validated. 10

(2) In addition to the powers conferred on the Council in respect of housing under the Counties Act 1956, the Council may subdivide and develop any of the said lands for industrial purposes, and may sell any allotment upon such terms as in its absolute discretion it thinks proper to any person desirous of using the same for industrial purposes, or may lease to any person for industrial purposes any allotment on which no buildings are erected. 15

(3) For the purposes of subsection two of this section the provisions of sections three hundred and forty-seven, three hundred and fifty, and three hundred and fifty-two to three hundred and fifty-four of the Counties Act 1956 shall extend and apply as if references in those sections to residential purposes included references to industrial purposes and references to houses included references to buildings to be used for industrial purposes. 20 25

(4) The District Land Registrar for the Land Registration District of Southland is hereby authorised and directed to accept such documents for registration and to do all such things as may be necessary to give effect to this section. 30

(5) The lands to which this section relates are more particularly described as follows:

Firstly, all that piece of land situated in the Invercargill Hundred containing by admeasurement thirty-two acres three roods five perches and two-tenths of a perch, more or less, being Lot 3 on Deposited Plan Number 3346, Lot 3 on Deposited Plan Number 5125, Lot 3 on Deposited Plan Number 5132, and being part of section 12, Block IV, Invercargill Hundred, and being the whole of the land comprised and described in certificate of title, Volume 192, folio 66, Southland Registry. 35 40

Secondly, all that piece of land situated in the Invercargill Hundred containing three acres three roods and twenty-nine perches and six-tenths of a perch, more or less, being Lot 2 on Deposited Plan Number 5201, being part of section 12, 5 Block IV, Invercargill Hundred, and being the whole of the land comprised and described in certificate of title, Volume 6, folio 239, and part of the land comprised and described in certificate of title, Volume 3, folio 150, Southland Registry.

10 Thirdly, all that piece of land situated in the Invercargill Hundred containing fourteen acres three roods thirty-three perches, more or less, being Lots 7, 8, and 9 on the plan deposited in the Deeds Register Office at Invercargill as Number 5, Township of Prestonville, being part of section 12, Block IV, Invercargill Hundred, and being the whole of the 15 land comprised and described in certificate of title, Volume 126, folio 268, Southland Registry, limited as to parcels.

**7. Authorising Rodney County Council to raise special loan**—Whereas the Rodney County Council (in this section referred to as the Council), before obtaining the sanction 20 of the Local Authorities Loans Board to the raising of a loan for the purchase and erection of houses for employees of the Council, expended out of its County Fund Account the sum of four thousand four hundred and eighty-six pounds in the purchase and erection of the said houses: And whereas 25 the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum to its County Fund Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of four thousand four 30 hundred and eighty-six pounds for the purpose of recouping its County Fund Account in respect of the money advanced thereout as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities 35 Loans Act 1956, an amount not exceeding the sum of four thousand four hundred and eighty-six pounds for the purpose of refunding to its County Fund Account the money advanced thereout in the purchase and erection of the said houses.

**8. Provision with respect to overdraft of Coromandel County Council**—Whereas the Coromandel County Council 40 (in this section referred to as the Council) has from time to time borrowed and owed money and incurred liabilities in excess of the limits prescribed by the Local Bodies Finance Act 1921–22: And whereas the liabilities of the Council in

excess of the limits prescribed by the said Act as at the thirty-first day of March, nineteen hundred and fifty-seven, amounted to approximately the sum of seventeen thousand five hundred pounds: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows: 5

(1) Notwithstanding anything to the contrary in the Local Bodies Finance Act 1921-22 or in any other Act, all money heretofore borrowed and owed by the Council and all other liabilities heretofore incurred by the Council in excess of the limits prescribed by the said Act, shall for all purposes be deemed to have been at all times lawfully borrowed and owed and incurred by the Council. 10

(2) For the purpose of partially repaying the said excess liabilities the Council is hereby authorised and empowered to borrow from its bankers, by way of special overdraft, the sum of seventeen thousand five hundred pounds. 15

(3) The Council shall repay the said sum of seventeen thousand five hundred pounds by ten equal payments out of money credited to its General Account, one such payment to be made in each year during the period of ten years commencing on the first day of April, nineteen hundred and fifty-eight: 20

Provided that the Council may in any year repay out of its General Account an amount greater than a tenth part. 25

(4) The said sum of seventeen thousand five hundred pounds shall be carried to a separate account at the bank and all payments made in reduction of the said sum shall be credited to that account.

(5) The said sum of seventeen thousand five hundred pounds shall not at any time heretofore be deemed to have been taken into account nor shall any amount at any time lawfully owing under this section hereafter be taken into account in determining the amount that may be borrowed or that may be owed by the Council pursuant to section twenty of the Local Authorities Loans Act 1956. 30 35

**9. Authorising Waitemata County Council to raise special loan**—Whereas the Auckland City Council (in this section referred to as the City Council) and the Waitemata County Council (in this section referred to as the County Council) have agreed that the City Council will transfer to the County Council certain waterworks in those areas of the County of 40



Waitemata now being supplied and capable of being supplied with water by the City Council: And whereas it has been agreed that the waterworks shall be transferred from the City Council to the County Council progressively area by  
5 area: And whereas the County Council has accepted the transfer of the waterworks in respect of the first of such areas as from the first day of April, nineteen hundred and fifty-seven: And whereas negotiations between the City  
10 Council and the County Council on some aspects of the said agreement, including the amount to be paid by the County Council to the City Council for the said waterworks, are not yet concluded: And whereas certain extensions and improvements to the said waterworks are needed urgently: And whereas the County Council has  
15 already been obliged to spend money from its General Account for the acquisition and provision of land, buildings, materials, and plant in connection with the operation of the said waterworks and will be obliged to spend further money for urgent extensions and improvements thereto: And whereas  
20 it is expedient to authorise the County Council to raise a loan to recoup its General Account in respect of money advanced or to be advanced thereout for the purposes aforesaid: Be it therefore enacted as follows:

The County Council is hereby authorised and empowered  
25 to borrow by way of special loan under the Local Authorities Loans Act 1956 for all or any of the following purposes:

- (a) Refunding to its General Account all money advanced  
30 thereout whether before or within three months after the commencement of this section in respect of the purchase of the said waterworks, carrying out urgent extensions and improvements thereto, and the acquisition of land, buildings, materials, and plant necessary therefor;
- (b) Extending and improving the said waterworks notwithstanding that their purchase by the County Council  
35 may not have been completed.

*City, Borough, and Town Councils*

**10. Authorising Ngaruawahia Borough Council to grant  
40 lease of certain land to Plunket Society at a peppercorn rental.**—Notwithstanding anything to the contrary in any Act, the Ngaruawahia Borough Council (in this section referred to as the Council), is hereby authorised to lease to

the Royal New Zealand Society for the Health of Women and Children Incorporated, commonly known as the Plunket Society, or to the Royal New Zealand Society for the Health of Women and Children (Ngaruawahia Branch) Incorporated, such portion as the Council deems fit of the land 5  
vested in the Council for the purposes of a Plunket room, ladies' rest room, and fire brigade station and described in certificate of title, Volume 510, folio 195, Auckland Registry, being part of allotment 54, Town of Newcastle, for a term 10  
of twenty-one years, with a right of renewal for a further term of twenty-one years, upon such terms as the Council may agree with the lessee, and, if the Council thinks fit, at a nominal or peppercorn rental.

**11. Validating certain expenditure incurred by Picton Borough Council**—The expenditure by the Picton Borough 15  
Council during the financial year ended on the thirty-first day of March, nineteen hundred and fifty-seven, of the sum of one hundred pounds two shillings and sixpence, out of its General Account, in the purchase of a mayoral chain and badge of office, is hereby validated and declared to have 20  
been lawfully incurred.

**12. Validating certain expenditure by Temuka Borough Council and Geraldine Borough Council**—The expenditure by the Temuka Borough Council of the sum of two hundred and sixty-two pounds nineteen shillings and elevenpence, and 25  
the expenditure by the Geraldine Borough Council of the sum of two hundred and seventy-three pounds thirteen shillings and ninepence, during the financial year ended on the thirty-first day of March, nineteen hundred and fifty-seven, in celebration of the hundredth anniversary of the settlement 30  
of the Temuka and Geraldine districts, is hereby validated and declared to have been lawfully incurred.

**13. Provision with respect to refund to District Fund Account from housing loan by Taradale Borough Council**— 35  
Whereas, before authority had been obtained to the raising of a loan of the sum of nine thousand pounds, known as the Pensioners' Housing Loan 1957, £9,000 (in this section referred to as the loan), the Taradale Borough Council (in this section referred to as the Council) expended out of its District Fund Account for certain purposes for which the loan was to 40  
be raised, money amounting in the aggregate to the sum of

eight hundred and twenty-six pounds one shilling and ten pence: And whereas authority has since been obtained to the raising of the loan, and the Council is desirous of reimbursing its District Fund Account out of the proceeds of the loan and it is expedient to make provision accordingly: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to refund to its District Fund Account out of the proceeds of the loan a sum not exceeding eight hundred and twenty-six pounds one shilling and tenpence.

**14. Validating certain charges made by Whangarei Borough Council in respect of water and sewerage**—Whereas, pursuant to bylaws made in that behalf, the Whangarei Borough Council (in this section referred to as the Council) imposed charges on the owners of land fronting certain streets in the Borough of Whangarei as a contribution towards the cost of water mains and sewers installed in those streets after the eighteenth day of July, nineteen hundred and forty-five, but before the first day of December, nineteen hundred and fifty-four: And whereas the Council had no authority to impose the said charges: And whereas it is desirable to validate the action of the Council: Be it therefore enacted as follows:

The action of the Council in imposing the said charges is hereby validated and the said charges are hereby declared to be valid and effectual for all purposes as from the date on which they were imposed.

**15. Validating certain expenditure incurred by Papatoetoe Borough Council**—The expenditure by the Papatoetoe Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and fifty-six, of the sum of ninety-seven pounds ten shillings, out of its General Account, in the purchase of a mayoral chain, is hereby validated and declared to have been lawfully incurred.

**16. Provision with respect to overdraft of Bluff Borough Council**—Whereas the Bluff Borough Council (in this section referred to as the Council) has from time to time borrowed and owed money and incurred liabilities in excess of the limits prescribed by the Local Bodies' Finance Act 1921-22: And

whereas the overdraft of the Council at the thirty-first day of March, nineteen hundred and fifty-seven, was sixteen thousand eight hundred and twenty-six pounds three shillings and eleven pence: And whereas, after allowing for outstanding revenue and for the payment of accounts due and payable, the excess liabilities of the Council as at the thirty-first day of March, nineteen hundred and fifty-seven, amounted to the sum of sixteen thousand two hundred and sixty-eight pounds twelve shillings and fourpence: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in the Local Bodies' Finance Act 1921-22 or in any other Act, all money heretofore borrowed and owed by the Council, and all other liabilities heretofore incurred by the Council in excess of the limits prescribed by the said Act shall for all purposes be deemed to have been at all times lawfully borrowed and owed and incurred by the Council.

(2) For the purpose of partially repaying the said excess liabilities, the Council is hereby authorised and empowered to borrow from its bankers by way of special overdraft the sum of fifteen thousand pounds.

(3) The Council shall repay the said sum of fifteen thousand pounds by ten equal payments, one such payment to be made in each year during the period of ten years commencing on the first day of April, nineteen hundred and fifty-eight, and for the purpose of providing the sum necessary to meet each annual payment the Council shall, in each of those years, without further authority than this section, make and levy a separate rate on all rateable property in the borough of Bluff of such amount as may be necessary to produce the sum required:

Provided that the Council may in any year repay out of its General Account a further amount that will increase the repayment in that year by an amount greater than one-tenth part.

(4) Any separate rate made under this section shall not be taken into account in determining the total amount of separate rates that may be made and levied in the borough pursuant to section ninety-three of the Municipal Corporations Act 1954.

(5) The said sum of fifteen thousand pounds shall be carried to a separate account at the bank and all payments made in reduction of the said sum shall be credited to that account.

5 (6) The said sum of fifteen thousand pounds shall not at any time heretofore be deemed to have been taken into account, nor shall any amount at any time lawfully owing under this section hereafter be taken into account in determining the amount that may be borrowed or that may be owed by the Council pursuant to section twenty of the Local  
10 Authorities Loans Act 1956.

**17. Authorising New Plymouth City Council to make certain grants to the New Plymouth Public Relations Office Incorporated.**—The New Plymouth City Council is hereby authorised to make grants not exceeding one thousand two  
15 hundred and fifty pounds to the New Plymouth Public Relations Office, a society incorporated under the Incorporated Societies Act 1908, during each of the years ending on the thirty-first day of March, nineteen hundred and fifty-eight, and the thirty-first day of March, nineteen hundred  
20 and fifty-nine, for the purposes prescribed in the rules of the said society.

**18. Authorising Dunedin City Council to make certain grants to the Otago Development Council Incorporated.**—The Dunedin City Council is hereby authorised to make grants not  
25 exceeding one thousand five hundred pounds to the Otago Development Council, a society incorporated under the Incorporated Societies Act 1908, during each of the years ending on the thirty-first day of March, nineteen hundred and fifty-eight, and the thirty-first day of March, nineteen hundred  
30 and fifty-nine, for the purposes prescribed in the rules of the said society.

**19. Validating refund to District Fund Account from loan money by Ashburton Borough Council.**—Whereas, before  
35 authority was obtained to the raising of a loan of the sum of fifteen thousand pounds, known as the Extra Sewerage Loan 1956, £15,000 (in this section referred to as the loan), the Ashburton Borough Council (in this section referred to as the Council) expended out of its District Fund Account, for certain purposes for which the loan was to be raised, money  
40 amounting in the aggregate to the sum of seven thousand eight hundred and eight pounds three shillings and threepence: And whereas authority has since been obtained to the raising of

the loan: And whereas the Council has refunded to its District Fund Account out of the proceeds of the loan the sum of seven thousand eight hundred and eight pounds three shillings and threepence: And whereas the Council had no authority to make such a refund and it is desirable to validate the same: 5  
Be it therefore enacted as follows:

The action of the Council in refunding the sum of seven thousand eight hundred and eight pounds three shillings and threepence to its District Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful. 10

**20. Authorising Shannon Borough Council to raise a special loan**—Whereas the Shannon Borough Council (in this section referred to as the Council), before obtaining the sanction of the Local Authorities Loans Board to the raising of a loan for the erection of a grandstand, expended out of its District Fund Account the sum of two thousand five hundred pounds towards the erection of the grandstand: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum to its District Fund Account: And 20  
whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of two thousand five hundred pounds for the purpose of recouping its District Fund Account in respect of the money advanced thereout as aforesaid: Be it therefore enacted as follows: 25

The Council is hereby authorised and empowered to borrow by way of a special loan under the Local Authorities Loans Act 1956, an amount not exceeding the sum of two thousand five hundred pounds for the purpose of refunding to its District Fund Account the money advanced thereout 30  
towards the erection of the said grandstand.

**21. Authorising expenditure of certain money by Cromwell Borough Council for development work on certain endowment land**—Whereas the Cromwell Borough Council (in this section referred to as the Council) has certain money 35  
derived from the sale of lands under section one hundred and fifty of the Municipal Corporations Act 1954 in a separate account in the Council's books known as the Land Sales Account: And whereas the Council is required to expend the said money in the purchase of other lands to 40  
be held for the same purposes as the lands sold: And whereas

the Council holds adequate lands for the purposes of the Borough of Cromwell and it is desirable to authorise the Council to utilise certain of the money in the Land Sales Account for the purpose of carrying out development work  
5 on certain land vested or which may hereafter be vested in the Council: Be it therefore enacted as follows:

(1) It shall be lawful for the Council to transfer an amount not exceeding the sum of one thousand five hundred pounds from the Land Sales Account to a new account in the Council's books to be known as the Endowment Development  
10 Account.

(2) The money so transferred to the said Endowment Development Account may be expended by the Council for the purpose of development work on certain endowment land  
15 vested in the Council comprised in certificate of title, Volume 121, folio 184, Otago Registry, including any land which may become vested in the Council by reason of the stopping of any road passing through the said land, or for the purpose of recouping its District Fund Account in respect of any  
20 such expenditure incurred by the Council on the said land and paid for out of its District Fund Account at any time after the first day of January, nineteen hundred and fifty-seven and before the commencement of this section.

(3) Any balance unexpended in the said Endowment Development Account at the thirty-first day of March, nineteen  
25 hundred and sixty, shall be transferred back to the said Land Sales Account at that date:

(4) Development work shall include such work in the nature of subdivision and permanent improvements, carried  
30 out after the first day of January, nineteen hundred and fifty-seven, as the Council considers necessary or advisable to enable the land to be irrigated, subdivided, and let to tenants upon the most advantageous terms.

**22. Authorising raising of special loan by Tauranga  
35 Borough Council**—Whereas the Tauranga Borough Council (in this section referred to as the Council), before obtaining the sanction of the Local Authorities Loans Board to the raising of a loan for the extension of abattoir buildings and additional plant and equipment, expended out of its Abattoir  
40 Account money amounting in the aggregate to the sum of six thousand six hundred and thirty pounds ten shillings, and will require to spend an additional sum of six hundred and

sixty-nine pounds ten shillings, making a total of seven thousand three hundred pounds, towards the extension of abattoir buildings and providing additional plant and equipment: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of seven thousand three hundred pounds to its Abattoir Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of seven thousand three hundred pounds for the purpose of reimbursing its Abattoir Account in respect of the money advanced or to be advanced thereout as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding the sum of seven thousand three hundred pounds for the purpose of refunding to its Abattoir Account all money applied or to be applied by the Council as aforesaid towards the extension of abattoir buildings and the provision of additional plant and equipment.

**23. Validating agreement between Otorohanga Borough Council and Levin Amusements Limited**—Whereas by section twenty of the Local Legislation Act 1942 and by section thirty-two of the Local Legislation Act 1952 certain deeds of arrangement dated the fifth day of November, nineteen hundred and forty, and the twenty-fifth day of March, nineteen hundred and fifty-two, respectively, entered into between the Otorohanga Town Board and Levin Amusements Limited (in this section referred to as the company) were validated: And whereas the said deeds provided for the amalgamation of the motion picture exhibition business conducted by the said Board in the Town District of Otorohanga with a similar business conducted in the said Town District by the company: And whereas on the first day of October, nineteen hundred and fifty-three, the said town district was constituted a borough: And whereas the deed bearing date the twenty-fifth day of March, nineteen hundred and fifty-two, expired on the first day of October, nineteen hundred and fifty-six, and the Otorohanga Borough Council has entered into a further deed of arrangement with the company dated the twenty-ninth day of July, nineteen hundred and fifty-seven, and it is desirable to validate the further deed of arrangement: Be it therefore enacted as follows:



All parties to the deed of arrangement dated the twenty-ninth day of July, nineteen hundred and fifty-seven, shall be deemed to have and to have had full power and authority to enter into, become party to, and be bound by the said deed, and the said deed shall accordingly bind all parties thereto and take effect according to its tenor.

**24. Validating variation of terms of raising certain loan money by Cambridge Borough Council**—Whereas by Order in Council made on the twentieth day of July, nineteen hundred and fifty-five, consent was given to the raising by the Cambridge Borough Council (in this section referred to as the Council) of a loan of three thousand one hundred pounds, to be known as the Water Supply Supplementary Loan 1955: And whereas by Order in Council made on the twenty-eighth day of March, nineteen hundred and fifty-six, consent was given to the raising by the Council of a loan of three thousand six hundred pounds to be known as the Plant Loan 1955: And whereas one of the conditions determined by the Local Government Loans Board in respect of the said loans was that the said loans or any part thereof together with interest thereon should be repaid by equal aggregate annual or half-yearly instalments extending over the respective terms thereof: And whereas the Council has raised the said loans on conditions providing for repayment in one sum at the end of the respective terms thereof: And whereas it is desirable that the actions of the Council in varying the authorised manner of repaying the said loans should be validated: Be it therefore enacted as follows:

(1) The actions of the Council in raising the said loans otherwise than in accordance with the conditions determined by the Local Government Loans Board relating to the provisions for repayment thereof are hereby validated and the said sums of three thousand one hundred pounds and three thousand six hundred pounds shall be deemed to have been lawfully borrowed, and the debentures or stock issued in respect thereof shall be deemed to have been lawfully executed and issued by the Council and shall have full force and effect according to their tenor.

(2) The Council shall make provision for the repayment of the said loans by establishing a sinking fund for each loan and shall make annual payments to such sinking funds at a

rate of not less than two pounds nine shillings and eightpence per cent per annum in respect of the Water Supply Supplementary Loan 1955, and eight pounds eight shillings and sixpence per cent per annum in respect of the Plant Loan 1955, calculated on the respective amounts of the said loans for the time being borrowed and not repaid. 5

**25. Validating borrowing of certain loan money by Waipukurau Borough Council**—Whereas on the seventeenth day of August, nineteen hundred and fifty-five, the Local Government Loans Board sanctioned the raising by the Waipukurau Borough Council (in this section referred to as the Council) of a loan of five thousand pounds to be known as the War Memorial Loan 1955 (in this section referred to as the loan): And whereas contrary to the provisions of the Local Government Loans Board Act 1926, the Council, without first obtaining the consent of the Governor-General in Council, raised the loan: And whereas it is desirable that the action of the Council in raising the loan should be validated: Be it therefore enacted as follows: 10 15

The action of the Council in raising the loan without first obtaining the consent of the Governor-General in Council is hereby validated, and the money received by the Council in respect thereof shall be deemed to have been lawfully borrowed. 20

**26. Provision with respect to refund to District Fund Account from loan money by Gore Borough Council**—Whereas, before authority had been obtained to the raising of a loan of the sum of thirty-one thousand five hundred pounds known as the Water Scheme Completion Loan 1954 (in this section referred to as the loan), the Gore Borough Council (in this section referred to as the Council) expended out of its District Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of twenty-six thousand eight hundred and twenty pounds nineteen shillings and twopence: And whereas authority has since been obtained to the raising of the loan and the Council is desirous of reimbursing its District Fund Account out of the proceeds of the loan and it is expedient to make provision accordingly: Be it therefore enacted as follows: 25 30 35

The Council is hereby authorised and empowered to refund to its District Fund Account out of the proceeds of the loan a sum not exceeding twenty-six thousand eight hundred and twenty pounds nineteen shillings and twopence. 40

**27. Validating certain expenditure incurred by Patea Borough Council in connection with anniversary celebrations—**

The expenditure by the Patea Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and fifty-seven, of the sum of two hundred and fourteen pounds ten shillings and twopence in celebration of the seventy-fifth anniversary of the Borough of Patea, is hereby validated and declared to have been lawfully incurred.

**28. Validating variation of terms of raising certain loan money by Palmerston North City Council—**

Whereas by Order in Council made on the first day of March, nineteen hundred and fifty-five, pursuant to the Local Government Loans Board Act 1926, consent was given to the raising by the Palmerston North City Council (in this section referred to as the Council) of a loan of five thousand two hundred pounds to be known as the Opera House Supplementary Loan 1955 (in this section referred to as the loan): And whereas one of the conditions determined by the Local Government Loans Board in respect of the loan was that the loan or any part thereof, together with interest thereon, should be repaid by equal aggregate annual or half yearly instalments extending over a term of twenty-five years: And whereas the Council has raised the loan on terms that it should be repaid over a period of ten years by annual payments of one hundred pounds over the first five years and by annual payments of two hundred pounds over the next four years and a final payment of three thousand nine hundred pounds the next year: And whereas it is desirable that the action of the Council in varying the authorised manner of repaying the loan should be validated: Be it therefore enacted as follows:

The action of the Council in raising the loan otherwise than in accordance with the conditions determined by the Local Government Loans Board relating to the provisions for repayment thereof is hereby validated and the sum of five thousand two hundred pounds shall be deemed to have been lawfully borrowed and all debentures or stock issued in respect thereof shall be deemed to have been lawfully executed and issued by the Council and shall have full force and effect according to their tenor.

**29. Provision with respect to certain loan raised by East Coast Bays Borough Council**—Whereas on the second day of August, nineteen hundred and fifty-six, the Local Government Loans Board sanctioned the raising by the East Coast Bays Borough Council (in this section referred to as the Council) of a loan of one hundred thousand pounds to be known as the Roothing Improvement Loan 1956 (in this section referred to as the loan): And whereas the raising of the loan was subsequently authorised by a poll of ratepayers of the Borough of East Coast Bays (in this section referred to as the poll): And whereas by Orders in Council made respectively on the twenty-third day of October, nineteen hundred and fifty-six, and the nineteenth day of June, nineteen hundred and fifty-seven, consent was given to the raising of the loan by the Council: And whereas the voting paper used at the poll (in this section referred to as the voting paper) stated that the loan was required for the purposes set out in subsection three of this section: And whereas the proceedings taken by the Council prior to the poll were irregular in that, firstly, neither the notice published by the Council and purporting to be in compliance with section ten of the Local Bodies' Loans Act 1926 (in this section referred to as the notice) nor the voting paper set forth the sum proposed to be borrowed for each particular purpose for which the loan was required, and, secondly, the notice stated an additional purpose for which the loan was required was "formation of footpaths" which purpose had not been sanctioned by the Local Government Loans Board and had not been included as an additional purpose in the voting paper: And whereas no part of the proceeds of the loan has heretofore been expended by the Council for purposes other than those set out in the voting paper: And whereas it has been found that the proceeds of the loan will be insufficient to enable the Council to carry out all the purposes set out in the voting paper: And whereas it is expedient to validate the proceedings in connection with the raising of the loan and the expenditure of the proceeds of the loan heretofore made by the Council and also to authorise the Council to expend the proceeds of the loan not heretofore expended generally for all or any of the purposes set out in the voting paper as may be determined by the Council from time to time: Be it therefore enacted as follows:

(1) All proceedings in connection with the raising of the loan are hereby validated, the money received by the Council in respect thereof shall be deemed to have been lawfully borrowed, and the debentures or stock issued in respect thereof shall be deemed to have been lawfully executed and issued by the Council and shall have full force and effect according to their tenor.

(2) The Council is hereby authorised and shall be deemed to have been at all times authorised to expend the proceeds of the loan for the purposes set out in the voting paper or such one or more of those purposes to the exclusion of the other or others of them as may be or may have been determined by the Council from time to time.

(3) The purposes for which the loan was required as set out in the voting paper are as follows:

The formation, metalling, sealing, and forming and constructing footpaths on one side of the following roads, also water pipe crossings: Carlisle Road, Brown's Bay Road, Knight's Road, and Hastings Road; also formation, metalling, and sealing of East Coast Road; renewing Clyde Road Bridge; stormwater drainage.

**30. Authorising Mosgiel Borough Council to make *ex gratia* payment in respect of a contract**—Whereas by an agreement dated the tenth day of December, nineteen hundred and fifty-three, made between Robert Jack Fairweather, of Dunedin, contractor (in this section referred to as the contractor), of the one part and the Mosgiel Borough Council (in this section referred to as the Council) of the other part, the contractor agreed to execute and do certain excavation and other works for the Council in respect of the Council's underground pumping station at Mosgiel for the sum of three thousand two hundred and thirteen pounds upon the terms and conditions contained in the said agreement: And whereas by reason of certain unexpected difficulties encountered in the execution of the said works the contractor was unable to complete them for the sum agreed upon: And whereas the Council, being satisfied that the difficulties encountered were not and could not have been contemplated by the contractor at the time the said agreement was entered into, is desirous of making a payment of three hundred and fifty pounds to the contractor: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to pay the sum of three hundred and fifty pounds to the contractor by way of compensation for the loss incurred by him.

**31. Authorising Lower Hutt City Council to raise a special loan**—Whereas on the sixteenth day of September, nineteen hundred and fifty-four, the Local Government Loans Board sanctioned the raising by the Hutt County Council (in this section referred to as the County Council) of a loan of two hundred and eighteen thousand pounds known as the Stokes Valley Water and Sewerage Loan 1954 for the purpose of providing water and sewerage facilities in that portion of the Epuni Riding of the County of Hutt generally known as Stokes Valley: And whereas the raising of the loan was subsequently authorised by a poll of ratepayers: And whereas the County Council has raised as part of the said loan the sum of sixty-nine thousand eight hundred pounds: And, whereas by an Order in Council made on the eighth day of October, nineteen hundred and fifty-six, Stokes Valley was excluded from the County of Hutt and included in the City of Lower Hutt as on and from the date of that Order in Council: And whereas it is desirable that the Lower Hutt City Council (in this section referred to as the City Council) should be authorised to raise the sum of one hundred and forty-eight thousand two hundred pounds being the balance of the said loan: And whereas the City Council may be required to expend money out of its District Fund Account for the purposes for which the balance of the said loan is to be raised: And whereas doubts have arisen as to whether the City Council has authority to raise the balance of the said loan and it is expedient to remove those doubts and to authorise the Council to reimburse its District Fund Account in respect of any money expended thereout as aforesaid: Be it therefore enacted as follows:

(1) The City Council is hereby authorised to raise by way of a special loan under the Local Authorities Loans Act 1956, and, notwithstanding anything in section thirty-four of that Act, without the prior consent of the ratepayers, an amount not exceeding the sum of one hundred and forty-eight thousand two hundred pounds for the purpose of providing water and sewerage facilities in Stokes Valley.

(2) The City Council is hereby authorised to refund to its District Fund Account from the proceeds of the loan when raised any money expended from that Account, whether before the date of the commencement of this section or within six months after that date, in respect of the said works.

**32. Validating proceedings in connection with raising of certain loans by Kaitaia Borough Council**—Whereas, by Orders in Council made on the twelfth day of May, nineteen hundred and fifty-four, and the eleventh day of October, 5 nineteen hundred and fifty-five, consent was given to the borrowing by the Kaitaia Borough Council (in this section referred to as the Council) of loans of fifty thousand pounds and forty thousand pounds to be known respectively as the Sewerage Loan No. 1, 1954, and the Sewerage Loan No. 2, 10 1955 (in this section referred to as the loans): And whereas, contrary to the provisions of section twenty-four of the Health Act 1920, the Council, before raising the loans, omitted to make the special orders required by that section: And whereas doubts have arisen as to the validity of the proceedings in 15 connection with the raising of the loans and it is desirable that these doubts be resolved: Be it therefore enacted as follows:

The proceedings in connection with the raising of the loans are hereby validated, the money received in respect 20 thereof shall be deemed to have been lawfully borrowed, and the debentures issued in respect thereof shall be deemed to have been lawfully executed and issued by the Council.

**33. Authorising expenditure of certain money held in trust by Kohukohu Town Council**—Whereas the Kohukohu Town 25 Council (in this section referred to as the Council) holds in an account in the Post Office Savings Bank certain money amounting to approximately six hundred pounds in trust for library purposes: And whereas the Council is acquiring a building for use as a library, rest room, and town council 30 offices and is desirous of applying the said money firstly, in the purchase of the said building, secondly, in the improvement of that part of the said building to be used for library purposes, and, finally, in the general improvement of the said building: And whereas it is desirable to make provision 35 in manner hereinafter appearing: Be it therefore enacted as follows:

The existing trust for which the said money is held by the Council is hereby discharged and the Council is authorised to expend the said money firstly, in the acquisition of a build- 40 ing for use as a library, rest room, and town council offices, secondly, to the extent of a sum of not less than one hundred

and twenty-five pounds, in the improvement of that part of the said building to be used for library purposes, and, finally, in respect of any balance, in the general improvement of the said building.

**34. Validating deed entered into between Lower Hutt City Corporation and Hutt Valley Old Folks and Pensioners Association Incorporated**—Whereas, by a certain deed bearing date the sixteenth day of August, nineteen hundred and fifty-seven, a certified copy of which is deposited in the Department of Internal Affairs at Wellington under Number I.A. 105/853, made between the Corporation of the Mayor, Councillors, and Citizens of the City of Lower Hutt (in this section referred to as the Corporation) of the one part and the Hutt Valley Old Folks and Pensioners Association Incorporated, a society duly incorporated under the Incorporated Societies Act 1908 (in this section referred to as the Association) of the other part, the Corporation agreed, for the considerations therein appearing, to provide certain amenities for the Association and for aged people generally in the Hutt Valley in a building to be erected by the Corporation in Queens Road, Lower Hutt, on land more particularly described in the said deed: And whereas the Corporation desires to grant to the Association a lease of portion of the said building for a period of ninety-nine years upon the terms and subject to the conditions set out in the said deed: And whereas doubts have arisen as to the authority of the Corporation to enter into the said deed and it is desirable that the said deed should be validated and the Corporation should be authorised to grant a lease in accordance with the terms of the said deed: Be it therefore enacted as follows:

(1) Notwithstanding anything contained in the Municipal Corporations Act 1954, or in any other Act, the Corporation shall be deemed to have been at all times authorised and empowered to enter into and execute the said deed which shall be binding on the parties thereto, and shall, for all purposes without further authority than this section, be effective according to its tenor.

(2) The Corporation may grant to the Association in terms of the said deed a lease of portion of the said building as defined by the said deed for the use of the Association and aged people residing in the Hutt Valley.



**35. Authorising Stratford Borough Council to sell certain land**—Whereas the land described in subsection four of this section is vested in the Mayor, Councillors, and Citizens of the Borough of Stratford in trust as an endowment in aid of the municipal funds: And whereas the said land is no longer required for that purpose and it is expedient to empower the Stratford Borough Council (in this section referred to as the Council) to sell the said land: Be it therefore enacted as follows:

10 (1) The Council may, without further authority than this section, sell the land described in subsection four of this section by public auction, public tender, private treaty, or otherwise on such terms and subject to such conditions as it thinks fit and on the sale of that land all trusts and reservations theretofore affecting the same shall be deemed to be cancelled.

(2) The proceeds from the sale of the said land shall be applied by the Council in or towards the purchase of other land for public purposes.

20 (3) The District Land Registrar for the Land Registration District of Taranaki is hereby authorised and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to this section.

25 (4) The land to which this section relates is more particularly described as follows:

All that area of land situated in the Borough of Stratford containing by admeasurement one rood, more or less, being Section 358, Town of Stratford, and being part of the land comprised and described in certificate of title, Volume 70, folio 119, Taranaki Registry.

**36. Validating consolidated rate and sanitation charge made by Henderson Borough Council**—Whereas the Henderson Borough Council (in this section referred to as the Council) purported to make and levy on the fifth day of August, nineteen hundred and fifty-seven, a consolidated rate of one shilling in the pound for the year commencing with the first day of April nineteen hundred and fifty-seven, and ending with the thirty-first day of March nineteen hundred and fifty-eight, upon the unimproved value of all rateable property appearing in the Valuation Roll for the time being in force in the Borough of Henderson, together with a uniform annual sanitation charge of six pounds and five shillings per service. And whereas the making of the said rate and the said charge were within the statutory powers of the Council but the Council, before making the said rate, omitted to

approve the estimate of the proposed expenditure of the Council and to notify publicly that estimate as required by section ninety-two of the Municipal Corporations Act 1954: And whereas doubts have arisen as to the validity of the said rate and the said charge and it is desirable that those doubts be removed: Be it therefore enacted as follows: 5

Notwithstanding any irregularity which may have occurred in the making and levying by the Council of the consolidated rate and the uniform annual sanitation charge for the year commencing with the first day of April, nineteen hundred and fifty-seven, and ending with the thirty-first day of March, nineteen hundred and fifty-eight, the making and levying of the said rate and the said charge is hereby validated and declared to have been lawfully made and levied in all respects. 10 15

*Harbour Board*

**37. Authorising Auckland Harbour Board to make donation to Auckland Young Men's Christian Association New Building Campaign Committee**—The Auckland Harbour Board is hereby authorised to expend from its Harbour Fund the sum of one thousand pounds as a donation to the Auckland Young Men's Christian Association New Building Campaign Committee. 20

*Electric Power Board*

**38. Authorising Opunake Electric Power Board to collect certain subscriptions on behalf of Opunake Sub-centre of the St. John Ambulance Association**—Whereas the Opunake Electric Power Board (in this section referred to as the Board) has entered into an arrangement with the Opunake Sub-centre of the St. John Ambulance Association (in this section referred to as the Association) whereby the Board will, on behalf of the Association, collect annual subscriptions from those of its consumers who have so authorised the Board: And whereas the Board has no authority to collect the subscriptions and it is desirable that it be authorised to do so: Be it therefore enacted as follows: 25 30 35

(1) The Board is hereby authorised and empowered from time to time to debit the account of any consumer who authorises the Board in writing in that behalf with the annual subscription of that consumer to the Association. 40

(2) The Board is hereby authorised and empowered to collect from its consumers any subscriptions debited to the accounts of consumers as aforesaid, and to pay the sums so collected in lump sums from time to time to the Association.

*Catchment Board*

39. Further extending period during which classification for rating purposes of certain lands in Manawatu Catchment District shall continue in force—Whereas, pursuant to the  
5 River Boards Act 1908, and the Soil Conservation and Rivers Control Act 1941, the Palmerston North River District has been abolished and it has become the function of the Manawatu Catchment Board (in this section referred to as the Board) to undertake the care, control, and management of  
10 the watercourses which were formerly under the care, control, and management of the Palmerston North River Board: And whereas, pursuant to section thirteen of the Soil Conservation and Rivers Control Amendment Act 1946, the Board adopted and continued in force the classification of  
15 the lands in the said River District for the whole of the period of six years referred to in the said section thirteen: And whereas that period expired on the thirty-first day of March, nineteen hundred and fifty-two: And whereas, by  
20 section two of the Manawatu Catchment Board Empowering Act 1952, the said classification was continued in force for a further period of three years from the first day of April, nineteen hundred and fifty-two: And whereas that period expired on the first day of April, nineteen hundred and fifty-five: And whereas, by section twenty-seven of the Local  
25 Legislation Act 1955, the said classification was continued in force for a further period of two years from the thirty-first day of March, nineteen hundred and fifty-five: And whereas that period has now expired and the Board is desirous of continuing the said classification in force for a  
30 further period of two years: Be it therefore enacted as follows:

The Board may, by special order, declare that the classification of the lands in the former Palmerston North River District previously made by the Palmerston North River  
35 Board for rating purposes, and the proportions fixed in relation thereto, shall continue in force as if they were a classification made and proportions fixed pursuant to the Soil Conservation and Rivers Control Act 1941 specially for the purposes of a separate rate upon all property liable to be rated within that portion of the Manawatu Catchment  
40 District which was situated within the said river district for a further period of two years from the thirty-first day of March, nineteen hundred and fifty-seven, and the said classification and proportions shall thereupon be and continue in  
45 force and shall be deemed to have been and continued in

force for that period as if made for the purposes aforesaid by the Board under the Soil Conservation and Rivers Control Act 1941:

Provided that no part of the proceeds of any separate rate levied pursuant to the said classification shall be applied towards the construction or maintenance of any works which were not in existence at the time of the abolition of the Palmerston North River District. 5

*Affecting Two or More Classes of Public Bodies*

**40. Validating certain agreement between New Plymouth City Council and other local authorities as to establishment of crematorium**—Whereas for the purpose of making provision for the establishment, erection, and control of a crematorium in the Provincial District of Taranaki and for defraying the cost thereof, the local authorities mentioned in subsection six of this section entered into an agreement dated the twenty-third day of May, nineteen hundred and fifty-seven, a certified copy of which agreement is recorded in the Department of Internal Affairs, at Wellington, as Number I.A. 105/784: And whereas doubts have arisen as to the powers of the local authorities concerned to enter into and become bound by the said agreement: And whereas it is desirable that the said agreement should be validated and that the powers contained in subsection two and subsection four of this section should be conferred on the New Plymouth City Council: Be it therefore enacted as follows: 10 15 20 25

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954, the Counties Act 1956, the Cemeteries Act 1908, the Health Act 1956, the Public Works Act 1928, or in any other Act, the said agreement is hereby validated and confirmed, and the local authorities mentioned in subsection six of this section shall be deemed to have been at all times authorised and empowered to enter into and execute the said agreement which shall be binding on the parties thereto and shall for all purposes without further authority than this section be effective according to its tenor. 30 35

(2) While the said agreement remains in full force and effect, the New Plymouth City Council may make bylaws from time to time for all or any of the following purposes:

- (a) Regulating the use of the crematorium to be established and erected under the said agreement: 40
- (b) Maintaining, preserving, and embellishing the said crematorium or any building used in connection therewith:

- (c) Protecting the said crematorium and any such building from destruction or damage:
- (d) Regulating the manner and method of cremation in the said crematorium:
- 5 (e) Regulating the extent to which the public may have access to the said crematorium and to any garden or grounds belonging thereto:
- (f) Fixing a scale of fees payable for cremation and for the use of any building provided for the preservation of the ashes of the dead, and providing for any such scale to be altered at any time by resolution of the Council publicly notified:
- 10

15 Provided that no such bylaw shall have any force or effect unless and until the same has been approved by a resolution of the Committee to be appointed pursuant to the said agreement, which approval may be proved by the production of a copy of the resolution with a certificate thereon purporting to be signed by the Chairman and any two members of the Committee:

20 Provided also that no such bylaw shall have any force or effect unless and until it has been approved by the Minister of Health and his approval has been publicly notified:

(3) The provisions of Part XXIX of the Municipal Corporations Act 1954 shall apply to any bylaws made under subsection two of this section:

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(4) The New Plymouth City Council may from time to time, as and when authorised by the Committee so to do, borrow by way of special order under the Local Authorities Loans Act 1956 such sum or sums as may be required by it for or in connection with any of the purposes set out in the said agreement and may out of any money borrowed pursuant to the authority conferred by this section repay to any account of the Council any sum or sums advanced therefrom and applied, whether before or within twelve months after the commencement of this section, to the purposes for which such money is authorised to be borrowed:

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Provided that the proviso to subsection one of section thirty-four of the Local Authorities Loans Act 1956 and subsection two of that section shall not apply to any loan or loans so raised.

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(5) Any borough council, county council, or town council, the district of which is situated within the Provincial District of Taranaki may at any time become a party to the said

agreement upon such terms and conditions as may be agreed upon between all the parties for the time being to the said agreement and that council, including such variation of the said agreement as may be thought necessary or advisable, and embodied in a supplementary agreement duly executed by all such parties as aforesaid and that council and thereupon the provisions of the said agreement as varied by any such supplementary agreement shall apply and take effect according to their tenor. 5

(6) The local authorities to which this section relates are: 10  
 New Plymouth City Council    Waimate West County Council  
 Taranaki County Council        council  
 Clifton County Council        Waitara Borough Council  
 Inglewood County Council      Inglewood Borough Council  
 Stratford County Council      Eltham Borough Council      15  
 Eltham County Council        Kaponga Town Council

**41. Exempting certain land occupied by Auckland Transport Board from liability for rates**—Notwithstanding anything to the contrary in any Act, all land for the time being used as a public road or street and occupied by any tramway tracks belonging to the Auckland Transport Board together with the tramway tracks constructed thereon, shall be deemed not to be rateable property for the purposes of the Rating Act 1925; and in respect thereof the Board shall be exempt from liability for the payment of rates as from the thirty-first day of March, nineteen hundred and fifty-seven. 20 25

*Miscellaneous*

**42. Authorising sale of certain land by Trustees of Loyal Motueka Lodge Number 4467 of the Independent Order of Oddfellows**—Whereas by a certain deed of conveyance dated the thirteenth day of January, eighteen hundred and sixty-three, and registered in the Deeds Registry Office at Nelson under Number 6490, the land described in subsection three of this section, situate in the Borough of Motueka, was conveyed in trust as a site for the erection of a hall for the use and benefit of the Order of Oddfellows in the Motueka District: And whereas the said land is now vested in the Trustees of the Loyal Motueka Lodge Number 4467 of the New Zealand Branch Manchester Unity Independent Order of Oddfellows Friendly Society (in this section referred to as 30 35 40

the Trustees): And whereas the Trustees have recently acquired other hall premises in the said borough and the said land is no longer required for the purposes of the said trust: Be it therefore enacted as follows:

5 (1) The Trustees may, without further authority than this section, sell the land described in subsection three of this section in such manner and on such terms and subject to such conditions as they think fit and on the sale of the said land any trust or reservation theretofore affecting the same  
10 shall be deemed to be cancelled.

(2) The proceeds from the sale of the said land shall be applied by the Trustees for the use and benefit of the Loyal Motueka Lodge Number 4467 of the New Zealand Branch Manchester Unity Independent Order of Oddfellows  
15 Friendly Society.

(3) The land to which this section relates is more particularly described as follows:

All that parcel of land situated in the Nelson Land District, Borough of Motueka, containing by admeasurement thirty-  
20 six perches, more or less, being part of Section 155, Motueka District, and being all the land comprised in certificate of title, Volume 125, folio 22, Nelson Registry.