

New Zealand.



ANALYSIS.

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| <p>Title. 1. Short Title. 2. Act to operate in certain counties. Repeal.</p> | <p>3. Provision where Council vacates office without providing for election of its successors.</p> |
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1910, No. 37.

AN ACT to amend the Counties Act, 1908.

Title.

[21st November, 1910.]

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

1. This Act may be cited as the Counties Amendment Act, 1910, and shall form part of and be read together with the Counties Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. (1.) The Governor may by Proclamation declare that on a day named in the Proclamation (being not sooner than the first day of April, nineteen hundred and eleven) the principal Act shall apply and be in force in the Counties of Awakino, West Taupo, and Sounds, and shall be revived in the Counties of Eden, Manukau, Ashley, Marlborough, and Peninsula; and on the day so named the principal Act shall apply and come into force or be revived accordingly.

Act to operate in certain counties.

(2.) By the same or a subsequent Proclamation the Governor may divide into ridings each of the said counties in which the principal Act is not in force, and may, if he thinks fit, redivide into ridings any of the said counties in which the said Act is suspended, and in any case with such names and boundaries as he thinks fit, and fix the number of members to be elected for each riding.

(3.) The provisions of sections sixty-seven and sixty-eight of the principal Act shall apply to each of the said counties as if it were a new county.

(4.) On the day appointed for the first election of Councillors for any of the said counties the Councillors of that county then in office (if any) shall go out of office.

(5.) The Governor shall by Proclamation state specifically what portion of the property (including uncollected rates, if any)

belonging to the several Road Boards and Town Boards within any of the said counties shall vest in the Corporation of the county, and what portion of the liabilities (if any) of the several Road Boards and Town Boards in the county shall be discharged by the Council.

(6.) Where the Council and the several Road Boards and Town Boards in the county agree upon the aforesaid matters, the Governor, in such Proclamation, shall as far as possible give effect to such agreement.

(7.) The directions contained in any such Proclamation as to the vesting of property and the imposing of liabilities as aforesaid shall have the effect of vesting such property in the Corporation and of imposing upon the Council such liabilities as fully and effectually as if the Corporation had lawfully acquired the property and the Council had lawfully incurred the liabilities.

Repeal.

(8.) On the day named in the Proclamation mentioned in subsection one hereof Part VII of the principal Act shall, together with the Fifth Schedule to the same Act, be repealed.

(9.) The Governor in Council may by notice in the *Gazette* suspend the operation of this section for a period not exceeding twelve months after the first day of April, nineteen hundred and eleven, in any of the said counties, on the petition of a majority of the local authorities (other than Borough Councils) within that county, or, if there are no such local authorities in any such county, then on the petition of not less than ten per centum of the householders of that county.

Provision where Council vacates office without providing for election of its successors.

3. (1.) If the Council of any county resigns or vacates office without making the necessary arrangements for the election of its successors in office, the Governor may thereupon do all things necessary for the election of a new Council, in the same manner in all respects as in the case of the first Council of a united county constituted under section eleven of the principal Act; and if the electors thereupon fail to elect a Council or sufficient Councillors to represent the several ridings of the county, the Governor may in any such case appoint a sufficient number of suitable persons as Councillors; and any person so appointed shall be deemed to have been duly elected by the electors, and shall retain office for the same period as if he had been so elected.

(2.) A general election of Councillors of the County of Rotorua shall be held on a day to be fixed by the Governor, and the provisions of the principal Act relating to the first election of Councillors of a new county shall, *mutatis mutandis*, apply to such elections.