

New Zealand.

Title.

Preamble.

1. Short Title.
2. Interpretation.
3. Resolutions under section 5 of Amendment Act, 1922, to come into force as provided in this section.

ANALYSIS.

4. Additional authority to borrow money for purposes of drainage and sewerage works within special area.
5. Saving of authority to raise supplementary loan to complete drainage and sewerage works.

1924, No. 21.—*Local and Personal.*

Title.

AN ACT to amend the Christchurch District Drainage Act, 1907.

[6th November, 1924.]

Preamble.

WHEREAS the Christchurch Drainage Board by resolution passed on the seventeenth day of April, nineteen hundred and twenty-three, and published in the *Gazette* of the twenty-sixth day of the same month, defined and created a special area pursuant to the powers conferred on it in that behalf by section five of the Christchurch District Drainage Amendment Act, 1922: And whereas by a poll of the ratepayers of the said special area, taken on the twelfth day of July, nineteen hundred and twenty-three, the Board was authorized to raise a special loan of seven hundred thousand pounds for the purpose of constructing drainage and sewerage works within the said special area: And whereas by section five of the Christchurch District Drainage Amendment Act, 1922, the said Board is empowered from time to time in the manner prescribed by that section to alter the boundaries of any special area: And whereas the aforesaid special loan of seven hundred thousand pounds will not be sufficient to complete the drainage and sewerage works within the special area if the boundaries thereof are hereafter extended in the manner authorized, as hereinbefore recited, by section five of the Christchurch District Drainage Amendment Act, 1922: And whereas in the event of such extension it is desirable that the Board should have power to borrow additional moneys sufficient to complete the drainage and sewerage works over the whole of the special area as for the time being constituted: And whereas it is further desired to amend the provisions of the Christchurch District Drainage Amendment Act, 1922:

BE IT THEREFORE 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 Christchurch District Drainage Amendment Act, 1924, and shall be read together with and deemed part of the Christchurch District Drainage Act, 1907.

Short Title.

2. In this Act, if not inconsistent with the context,—

Interpretation.

“Board” means the Christchurch Drainage Board:

“The special area” means the special area created by the Board, as hereinbefore recited, on the seventeenth day of April, nineteen hundred and twenty-three, and includes any area or areas that may thereafter be lawfully added thereto.

3. (1.) Every resolution of the Board purporting to alter the boundaries of any special area or subdivision pursuant to paragraph (f) of section five of the Christchurch District Drainage Amendment Act, 1922, shall, in so far as it applies to any lands in respect of which notice of appeal is not given within the time limited by paragraph (g) of that section, come into force on such date as may be specified in that behalf in the resolution, being not earlier than the day immediately succeeding the last day on which notice of appeal may be so given; or if a date is not so specified in the resolution, shall come into force on the day immediately succeeding the last day on which notice of appeal may be given.

Resolutions under section 5 of Amendment Act, 1922, to come into force as provided in this section.

(2.) Where notice of appeal is given as aforesaid from any resolution purporting to alter the boundaries of any special area or subdivision, the determination of the Magistrate on such appeal (whether confirming the resolution or altering the boundaries of any special area or subdivision) shall come into force on a date to be specified by the Magistrate. In any such case the determination of the Magistrate may be made retrospective, but not so as to come into force on a date earlier than the date on which the resolution of the Board would have come into force if there had been no appeal therefrom.

4. (1.) When any area has been included in the special area, as provided by section five of the Christchurch District Drainage Amendment Act, 1922, the Board shall cause to be made an estimate of the additional amount that will require to be expended for the purpose of carrying out the drainage and sewerage works in the special area as so extended, and may thereupon, with the precedent consent of the Minister of Finance, by special order, but without taking the steps described in sections eight to twelve of the Local Bodies' Loans Act, 1913, borrow by way of special loan under that Act the whole or any part of the additional moneys so required, but not exceeding in the aggregate (exclusive of the aforesaid amount of seven hundred thousand pounds) the sum of one hundred thousand pounds.

Additional authority to borrow money for purposes of drainage and sewerage works within special area.

(2.) Every special loan raised under this section shall be secured by means of a special rate made and levied on all rateable property within the special area as at the date of the special order hereinbefore referred to.

(3.) For the purpose of meeting the annual charges of interest and sinking fund on any loan raised for drainage and sewerage works within the special area, including the aforesaid loan of seven hundred

thousand pounds, the Board may from time to time make and levy a separate rate on all rateable property for the time being comprised in the special area :

Provided that nothing herein shall affect any special rate made and levied as security for any loan.

(4.) The provisions of paragraph (b) of section five of the Christchurch District Drainage Amendment Act, 1922, shall apply with respect to all rates made and levied for the purposes of this section.

Saving of authority
to raise
supplementary
loan to complete
drainage and
sewerage works.

5. (1.) The authority conferred by this Act to borrow moneys is in addition to, and not in substitution for, the authority conferred by section eighteen of the Local Bodies' Loans Act, 1913, to borrow in any case a further sum not greater than one-tenth of the amount originally authorized by the ratepayers to complete any undertaking in respect of which an original loan was raised.

(2.) Any moneys borrowed by the Board under the said section eighteen of the Local Bodies' Loans Act, 1913, may be used to complete the drainage and sewerage works in the special area as then constituted.
