

New Zealand.

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1932-33, No. 10.—*Local and Personal.*

- Title. AN ACT to amend the Christchurch District Drainage Act, 1907. [9th March, 1933.]
- BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
- Short Title. 1. This Act may be cited as the Christchurch District Drainage Amendment Act, 1932-33, and shall be read together with and deemed part of the Christchurch District Drainage Act, 1907 (hereinafter referred to as the principal Act).
- Interpretation. 2. In this Act, if not inconsistent with the context,—
- “Board” means the Christchurch Drainage Board :
 “By-laws” means the by-laws for the time being of the Board :
 “Owner”, in addition to the meaning given by section two of the Christchurch District Drainage Amendment Act, 1927, means the

person whose name is recorded in the Land Register Office at Christchurch as the proprietor of premises whether in fee-simple or for life, and includes the person for the time being who would be entitled to receive the rack-rent of the premises in respect of which the word is used if such premises were let to a tenant at a rack-rent, and includes the person receiving or so entitled to receive such rack-rent, whether he is entitled beneficially or in trust :

“ Premises ” includes buildings and parts of buildings and also land :

“ The district ” means the district as defined by the Christchurch District Drainage Act, 1907, and its amendments :

“ The said Acts ” means and includes the principal Act and the Acts amending the same :

“ Works ” include the providing and doing of all such materials and things as shall be required by the Board or deemed by it necessary in or incidental to the execution of works required or executed by the Board pursuant to the said Acts or the by-laws.

3. Whenever under the said Acts or under any other Act or the by-laws the owner of any premises in the district shall be required by the Board or be otherwise liable to execute, provide, or do any works, materials, or things on or in connection with such premises with respect to the drainage, sewerage, or sanitation thereof, and shall make default in executing, providing, or doing such works, materials, or things, or any of them, or any part thereof respectively, within the time limited for that purpose by any notice served on such owner by the Board, then the Board may itself execute, provide, or do, or cause to be executed, provided, or done, such works, materials, or things, or such of them or such part thereof respectively as shall not have been executed, provided, or done by the owner ; and in connection therewith the following provisions shall have effect :—

Powers of Board to execute works on default of owner.

(a) The Board's Engineer shall certify in writing under his hand the cost of the works, materials,

or things so executed, provided, or done by the Board and the date when the same shall have been so executed, provided, or done, and such certificate shall be *prima facie* evidence of such cost and date.

- (b) The cost of works, materials, and things executed, provided, and done respectively by the Board as aforesaid shall be a debt due to the Board from the owner, and shall until payment thereof be a first charge upon the premises on or in connection with which the same shall be executed, provided, or done; and, if such debt is not paid within fourteen days after demand has been made by the Board for payment thereof, shall be deemed to be an advance made by the Board under the provisions of section four of the Christchurch District Drainage Amendment Act, 1927.
- (c) Any notice, demand, order, requirement, or direction by the said Acts or the by-laws required or authorized to be given or made by the Board, or any officer thereof, may be served personally upon the person to or upon whom the same is to be given or made or by a registered letter addressed to such person at his usual address or the address last known to the Board, or at the premises to which such notice, demand, order, requirement, or direction relates.
- (d) In the event of there being any doubt as to who is the owner of any premises, or in the event of the owner of any premises being dead or absent from the Dominion, or if for any reason the Board is unable to serve any notice, demand, order, requirement, or direction on the owner of any premises, then such notice, demand, order, requirement, or direction may be served by registered letter addressed to the person whose name appears in respect of the premises to which such notice, demand, order, requirement, or direction relates in the occupier's column on the valuation roll for the district.

(e) (i) For the purpose of executing, providing, or doing such works, materials, or things, the Board may, by its surveyors, engineers, agents, contractors, officers, workmen, or any other persons authorized by the Board, enter upon the premises on or in connection with which the same are to be executed, provided, or done.

(ii) Any owner or occupier of premises who shall refuse to permit or allow the Board or any of its officers, agents, servants, or persons authorized by it so to do, to enter thereon and every person who shall obstruct the Board or any of its officers, agents, servants, or authorized persons in the exercise of their powers shall be guilty of an offence and shall be liable to a penalty not exceeding twenty pounds for each offence.