



ANALYSIS

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1957, No. 5—*Local*

An Act to amend the Christchurch District Drainage Act 1951
[13 September 1957]

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

1. Short Title—This Act may be cited as the Christchurch District Drainage Amendment Act 1957, and shall be read together with and deemed part of the Christchurch District Drainage Act 1951 (hereinafter referred to as the principal Act).

2. Power to acquire land and erect dwellings for employees—The principal Act is hereby amended by inserting, after section thirty-one, the following section:

“31A. (1) The Board may from time to time:

“(a) Acquire land and erect dwellings thereon for occupation by persons in the employment of the Board:

“(b) Erect, on any land vested in the Board, not being land held in trust for any special purpose, dwellings for

occupation by persons in the employment of the Board:

- “(c) Purchase, either within the district or adjacent thereto, lands with dwellings thereon, for occupation by persons in the employment of the Board:
- “(d) Purchase dwellings for removal to any land vested in the Board, not being land held in trust for any special purpose, so that they may be made available for occupation by persons in the employment of the Board:
- “(e) Convert any building for the purpose of occupation by any person in the employment of the Board:
- “(f) Alter, enlarge, repair, and improve any dwelling erected or acquired by the Board from time to time pursuant to this section:
- “(g) Advance money to any person in the employment of the Board to enable him to erect a dwelling on any land of which he is the owner or to acquire land with a suitable dwelling already erected thereon, and provide for the repayment of any such advance with interest by instalments.

“(2) The Board may dispose of any dwelling and the land appurtenant thereto to any person in the employment of the Board by way of sale or lease, or upon any tenancy.

“(3) If any dwelling acquired or erected or converted by the Board for the purposes of this Act is no longer required for such purposes, the Board may sell, let, exchange, or otherwise dispose of it in such manner and on such terms as the Board thinks fit.

“(4) The purposes specified in subsection one of this section shall be deemed to be purposes for which the Board may borrow money pursuant to section sixty-three of the principal Act.”

3. Board may construct and repair drains or sewers on private lands—The principal Act is hereby amended by inserting, after section twenty-eight, the following section:

“28A. (1) The Board may cause to be constructed, of such dimensions and such materials as it thinks fit, upon or under any private lands or buildings within the district all such drains or sewers as the Board from time to time thinks needful for the efficient drainage or sewerage of the district, subject to the provisions set out in subsection two of this section.

“(2) Before the Board constructs any such drain or sewer as is referred to in subsection one of this section, the following conditions shall be complied with:

“(a) A plan and description of the drain or sewer, showing how it affects any such lands, shall be deposited for public inspection at the office of the Board or at some place within the district:

“(b) The Board shall give notice in writing to the occupier of the lands, and also to the owner when known, of the intention to construct the drain or sewer, and shall refer in the notice to the plan and description, and state where the same are on view:

“(c) If within one month after the notice is given the occupier or owner serves on the Board a written objection to the proposed work, the Board shall appoint a day for hearing the objection, and shall give notice of the same to the objector:

“(d) The Board shall hold a meeting on the day so appointed, and may, after hearing any person making any objection, if present, determine to abandon the work proposed, or to proceed therewith, with or without such alterations as the Board thinks fit.

“(3) Every such drain or sewer under any building shall, throughout so much of its length as passes under that building, be constructed of brick, concrete, stone, tiles, or cast iron.

“(4) Every sewer shall be wholly enclosed and covered in.

“(5) The Board may from time to time alter, renew, repair, and cleanse any such drain or sewer constructed on private land.”

4. Increasing penalty for continuing offence—Section forty-one of the principal Act is hereby amended by omitting from subsection five the words “one pound”, and substituting the words “five pounds”.

5. Right of owner to recover advances—The principal Act is hereby further amended by inserting, after section fifty-one, the following section:

“51A. (1) Where an advance is made under the provisions of section forty-nine of this Act to an owner, at the request in writing (containing a reference to this section) of a tenant under him, the owner may recover from the tenant, in like

manner as if the same were rent reserved under the tenancy, each and every sum paid by the owner to the Board.

“(2) For the purposes of this section, the term ‘tenant’ includes a purchaser under section sixteen of the Housing Act 1955, and a licensee under section seventeen of that Act, where the agreement for sale or licence, as the case may be, has been registered under section eighteen of that Act; and also includes a lessee or licensee under section sixty-three or section sixty-five of the Land Act 1948.”

6. Unauthorised expenditure—Section fifty-two of the principal Act is hereby amended by omitting the words “two hundred and fifty pounds”, and substituting the words “five hundred pounds”.
