

LOCAL.

Canterbury Rivers Act 1870 Amendment.

No. XLIX.

CANTERBURY RIVERS
ACT 1870
AMENDMENT.AN ACT further to amend "The Canterbury Rivers
Act, 1870." [29th November, 1877.]

Preamble.

WHEREAS it is desirable to alter the mode of constituting districts and the appointment of Boards of Conservators under "The Canterbury Rivers Act, 1870" (herein called "the said Act"):

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

Short Title.

1. The Short Title of this Act shall be "The Canterbury Rivers Act 1870 Amendment Act, 1877."

Repeals.

2. Sections five, six, seven, and eight of the said Act are hereby repealed, and in lieu thereof it is enacted as follows:—

Governor to proclaim
districts on petition.

3. The Governor may, if he thinks fit, by Proclamation, declare any district in the Provincial District of Canterbury to be a district under the said Act from and after a day to be named in such Proclamation, subject to the following conditions:—

- (1.) That a petition is presented to the Governor signed by not less than two-thirds in number of the owners or occupiers of land in any part of the Provincial District of Canterbury, intersected or bounded by any river or rivers from the overflow of which damage may be apprehended, praying the Governor to constitute such district under this Act.
- (2.) That such petition describes the boundaries and area of the district proposed to be so constituted.
- (3.) That such petition is publicly notified before presentation.

In every Proclamation constituting a district the Governor shall fix the name by which such district shall be known.

Provided always that the Governor may cause inquiry to be made by the County Council or Councils of the district, in such manner as he shall think fit, into the subject-matter of any petition as aforesaid, and may, on their recommendation, alter the proposed boundaries of any district, and proclaim the same in its amended form.

The publication in the *Gazette* of any Proclamation constituting a district shall be conclusive evidence that all the requirements of this Act in respect of proceedings required to be taken previously to the making of such Proclamation have been complied with.

Constitution of
Boards.

4. The Governor shall also, in such Proclamation, determine the number of Conservators who are to constitute the Board for each such district, but in no case shall the number be less than three nor more than five; and every such Board shall be established as follows:—

- (1.) All members of any Board of Conservators established under the said Act, or this Act, shall in future be elected thereto in manner herein provided.
- (2.) All persons who may be members of any such Board of Conservators at the time of the passing of this Act, and who were originally nominated and not elected thereto, shall retire from such Board as soon as they shall have held office as members for a period of four years from the date of their nomination respectively, unless previous to the expiration of such period they shall become otherwise disqualified under the provisions of the said Act.

City of Dunedin Loans Consolidation.

LOCAL.

- (3.) For the purpose of electing the first Board of any district, the Governor shall, within one month after such district is constituted, cause a list to be made of the owners or occupiers of property within such district, and every person whose name shall appear therein shall be entitled to vote at the election of the first Board in the manner hereinafter provided.
- (4.) As soon as the list as aforesaid is completed, the Governor shall cause a copy thereof to be posted up in some conspicuous place in the district, and shall within fourteen days, by notice in some newspaper in general circulation within the district, summon a general meeting of the voters at a convenient time and place within the district, and the said voters, having assembled and having appointed a Chairman, shall elect from amongst the persons qualified to vote at such meeting a sufficient number of persons to be the Board of the district: Provided that if any candidate or voter shall demand a poll, the polling shall take place on such day and at such place, being not less than three nor more than seven days after the day of nomination, as the Chairman shall appoint, and the mode of voting shall in all other respects be conducted in the same manner as provided for the election of members of the House of Representatives, and the Chairman of such meeting or some person to be appointed by him shall preside at such polling, and shall report in writing to the Governor the names of the persons so elected.
- (5.) If any district shall include one or more cities or boroughs or any part of a city or borough incorporated under the provisions of "The Municipal Corporations Act, 1876," or any similar Act that may hereafter come into operation, the Mayor of such city or borough shall be *ex officio* a Conservator of such district, in addition to the number of Conservators fixed by the Governor.

Provided always that nothing in this section shall be deemed to affect any existing provisions under which the Board of Conservators of the South Waimakariri District was constituted.
