

New Zealand.



ANALYSIS.

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| <p style="text-align: center;">Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Rates. 4. Extended powers of classification. | <ol style="list-style-type: none"> 5. Special orders, how made. 6. Power to control and manage private drains having outfalls to Board's drains. 7. Control and management of private drains to be taken over by resolution of Board. 8. Principal Act to apply. |
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1914, No. 13.—*Local and Personal.*

Title. AN ACT to confer upon the Eltham Drainage Board Further Powers of Rating and Further Powers of Control over Drains.
[2nd November, 1914.]

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 Eltham Drainage Board Act, 1914.

Interpretation. 2. In this Act, if not inconsistent with the context,—
 “The principal Act” means the Land Drainage Act, 1908, and includes the Acts amending the same :
 “Board” means the Eltham Drainage Board constituted under the Land Drainage Act, 1904 :
 “District” means and includes the drainage district over which the Eltham Drainage Board has control :
 “Subdivisions” means subdivisions made or which may be made under section sixteen of the principal Act :
 “Owner” shall have the meaning assigned thereto by the Land Drainage Act, 1908 :
 “Occupier” means any person in actual occupation of any land, and includes the owner when there is no occupier.

Rates. 3. The Board may make and levy general rates separately in each subdivision of the district in accordance with the estimated expenditure required to be provided for in respect of works, whether such works involve construction, maintenance, or repairs in each such subdivision, and its proportionate part of the amount required for administration and general expenses of the Board.

Extended powers of classification. 4. (1.) Notwithstanding anything in the principal Act, the Board may classify the lands within the drainage district or any

subdivision thereof into four or more classes by reference to the degree to which those lands have received or are likely to receive benefit from the operations of the Board.

(2.) Nothing herein shall be construed to authorize the Board to make and levy a rate on any land which has not received and is not likely to receive, either directly or indirectly, benefit from the operations of the Board.

5. Where anything is required by this Act to be done by special order it shall be done in the manner prescribed by the Counties Act, 1908, for making special orders under that Act, and the provisions of sections ninety-seven, ninety-nine, and one hundred of the Counties Act, 1908, shall extend and apply, *mutatis mutandis*, to special orders under this Act.

Special orders,
how made.

6. The Board may, in addition to the powers conferred upon it by section seventeen of the principal Act, take over and assume full control and management of all privately constructed drains through private lands having an outfall or carrying water, either directly or indirectly, to any of the Board's drains, and for this purpose may exercise and do all or any of the powers, authorities, acts, and things that are conferred upon it or which it is authorized to do by the principal Act in relation to any drains under its control and management, including full power and authority to enter all private lands wherein such drains are situate for the purpose of viewing the same.

Power to control
and manage
private drains
having outfalls to
Board's drains.

7. If and whenever the Board shall by resolution resolve to exercise all or any of its powers and authorities and take over the control and management of any such private drains as aforesaid, it shall give notice thereof of such resolution to the owner and occupier respectively of such land, and thereupon the said private drain shall come under the control and management of the Board in like manner in all respects as a drain vested in the Board under the principal Act. Such notice shall be sent by registered post duly addressed to such owner and occupier at their respective last known places of abode in New Zealand, and shall be deemed to be served on the day following that on which it was so posted.

Control and
management of
private drains to
be taken over by
resolution of
Board.

8. Subject to the provisions of this Act, the principal Act shall apply in all matters affecting the Board and district.

Principal Act
apply.