

New Zealand.



ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Altering constitution of local committees.</p> | <p>3. Authorizing New Plymouth Borough Council on behalf of Board to borrow money for purposes of park, and to be reimbursed by the Board out of its revenues.</p> |
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1927, No. 9.

AN ACT to amend the Egmont National Park Act, 1924.

Title.

[21st September, 1927.]

BE IT 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 Egmont National Park Amendment Act, 1927, and shall be read together with and deemed part of the Egmont National Park Act, 1924 (hereinafter referred to as the principal Act). Short Title.

2. (1) The Second Schedule to the principal Act is hereby amended by transferring the names of the Inglewood Borough Council and the Inglewood County Council from the list of appointing local authorities for the East Egmont Local Committee to the list of appointing local authorities for the North Egmont Local Committee. Altering constitution of local committees.

(2) The members appointed respectively by the Inglewood Borough Council and the Inglewood County Council to be members of the East Egmont Local Committee pursuant to section twenty-four of the principal Act and in office on the passing of this Act shall thereupon cease to be members of that committee and shall become members of the North Egmont Local Committee.

3. Whereas by virtue of the provisions of the principal Act the Egmont National Park Board is empowered, *inter alia*, to form and to improve roads within the park, and for those purposes to borrow moneys as if it were a local authority within the meaning of the Local Bodies' Loans Act, 1926, and to give security therefor: And whereas it is intended, pursuant to the powers aforesaid, to expend upon the improvement of the road within the park extending from the Egmont Road to the North Mount Egmont Hostel, and known as the Egmont North Road, the sum Authorizing New Plymouth Borough Council on behalf of Board to borrow money for purposes of park, and to be reimbursed by the Board out of its revenues.

of seven thousand pounds, of which the sum of three thousand five hundred pounds is to be provided out of the Public Works Fund by way of subsidy: And whereas it is not convenient for the Board to borrow the remaining sum of three thousand five hundred pounds under the powers conferred on it as aforesaid, and it has been agreed between the Board and the New Plymouth Borough Council that, subject to the necessary statutory authority being conferred, the said Council will, for and on behalf of the Board, and subject to the provisions of this section, borrow the said sum of three thousand five hundred pounds, to be secured by a special rate over all rateable property in the Borough of New Plymouth, in the manner provided by the Local Bodies' Loans Act, 1926, as in the case of a loan raised under the powers conferred by that Act: And whereas for the purpose of recouping the said Council the Board has agreed to pay to it the whole or such portion as may be necessary of the moneys received or receivable by the Board as charges for admission to the park from the said Egmont North Road: And whereas it is desirable to confer upon the Board and the New Plymouth Borough Council respectively power to give effect to the terms of the aforesaid agreement: Be it therefore enacted as follows:—

(1) In this section—

“Board” means the Egmont National Park Board, constituted under the principal Act:

“Council” means the New Plymouth Borough Council.

(2) The Council may by resolution, and without taking the steps prescribed by sections nine to thirteen of the Local Bodies' Loans Act, 1926, but otherwise in accordance with that Act, raise a special loan not exceeding the sum of three thousand five hundred pounds, to be used as hereinafter provided for the purpose of forming and improving the Egmont North Road hereinbefore referred to. For the purpose of securing the repayment of such loan and the payment of interest and other charges thereon, the Council may make, levy, and pledge a sufficient special rate over all rateable property in the Borough of New Plymouth.

(3) Upon such loan being raised as aforesaid, the Council shall pay the same to the Board as a loan, to be repaid to the Council as hereinafter provided, and the Board shall apply the proceeds of such loan in and towards the formation and improvement of the said road.

(4) On payment by the Council to the Board of any moneys by way of loan as hereinbefore provided, the Board shall be deemed to have pledged as security for the repayment thereof all moneys thereafter receivable by it by way of fees for admission to the park from the said Egmont North Road, in terms of a by-law made by the Board pursuant to section thirteen of the principal Act, approved by the Governor-General as therein required, and published in the *Gazette* of the fourteenth day of July, nineteen hundred and twenty-seven, or in terms of any by-law that may hereafter be made in amendment of or in substitution for such first-mentioned by-law.

(5) Out of the proceeds of the charges for admission to the park as aforesaid, or other moneys the property of the Board, the Board shall in each year pay to the Council an amount equal to the interest and sinking-fund charges payable by the Council in that year in respect of the loan raised by it as hereinbefore provided, and the Board shall not

in any year use any portion of the moneys received by it in respect of admission to the park and subject to the charge created by this section until it has paid to the Council the amount due and payable to the Council in that year. The Board shall also, as and when required by the Council, pay to the Council the cost of the raising by the Council of the loan authorized by this section.

(6) Until all moneys payable by the Board to the Council have been paid, no variation of the by-law referred to in subsection four hereof shall be made by the Board except with the approval of the Council.

(7) If the Board, at any time while moneys owing by it to the Council are due and unpaid, fails or neglects to collect any charges for admission to the park pledged as security for the payment of such moneys, the Council shall itself have authority to collect such charges, and may make all necessary and reasonable provisions for such collection. All moneys received by the Council under this subsection shall be applied by the Council in payment of the cost of collection and in satisfaction of the amount due to the Council by the Board, and the balance, if any, shall be paid by the Council to the Board.
