

New Zealand.

ANALYSIS.

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1889, No. 10.—*Local.*

Title.	AN ACT to further amend "The Gisborne Harbour Act, 1884." [16th September, 1889.]
Short Title.	BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:— 1. The Short Title of this Act is "The Gisborne Harbour Act 1884 Amendment Act, 1889."
Incorporation of previous Acts.	2. This Act shall be read together with "The Gisborne Harbour Act, 1884," "The Gisborne Harbour Act 1884 Amendment Act, 1887," and "The Gisborne Harbour Act 1884 Amendment Act, 1888."
Board to raise interest by special rate.	3. The Board, for the annual period commencing the first day of January, one thousand eight hundred and eighty-nine, and for each and every annual period thereafter, shall, subject to credit from ordinary revenue hereinafter provided, raise the proportion of interest payable upon forty thousand pounds of Loan Fund by a special district rate to be raised and levied upon all rateable property within the special district.
Amount of special rate.	4. The special district rate raised and levied for each annual period, notwithstanding anything contained in "The Gisborne Harbour Act, 1884," shall not exceed twopence in the pound in the Borough of Gisborne, and one penny in the pound in the other part of the special district: Provided that the rate levied upon rateable property in the Borough of Gisborne shall be double the rate levied upon rateable property in the other part of the special district.
Sinking fund and balance of interest to be raised by ordinary rate.	5. The Board for the annual period commencing the first day of January, one thousand eight hundred and eighty-nine, and for each and every annual period thereafter, shall raise the annual amount

required to provide the sinking fund and the balance of interest on the Loan Fund not provided for by the special district rate by an ordinary rate to be raised and levied on the rateable property of the whole harbour district, as provided by and as subject to the limitations of "The Gisborne Harbour Act, 1884."

6. In assessing the amount required in any one year to be raised and levied upon rateable property in the special district and in the harbour district respectively, the estimated ordinary revenue, inclusive of interest accrued or accruing due *de die in diem* within the annual period upon Loan Fund invested in the Public Trustee or on deposit in any bank, for that year, in excess of working-expenses and the cost of administration, may first be applied to the credit of the several districts in the proportion which the whole value of rateable property in the one district bears to the whole value of rateable property in the other.

Apportionment
of rate.

7. Section six of "The Gisborne Harbour Act 1884 Amendment Act, 1888," so far as inconsistent with the provisions of this Act, is hereby repealed.

Section 6 of Act of
1884 amended.

Section five of "The Gisborne Harbour Act 1884 Amendment Act, 1888," is hereby repealed.

Section 5 repealed.

8. The special district rate and the ordinary rate for the annual period ending the thirty-first day of December, one thousand eight hundred and eighty-nine, shall be made as soon as conveniently may be after the passing of this Act, and may in each case be made payable in two equal instalments, at such times, whether within such annual period or otherwise, as the Board in making such rates may resolve.

Time of making
and payment of
rates for 1889.

9. The special district rate and ordinary rate for each annual period after the thirty-first day of December, one thousand eight hundred and eighty-nine, shall be made and be made payable within the annual period in two equal instalments, at such times in each case, not being necessarily the same times, as the Board in making such rate may resolve.

For future years.

10. No rate made under this Act shall be capable of being set aside or of being quashed by any proceeding of any Court or otherwise, and no defect in the same or in the time prescribed for the payment of any instalment shall be set up as a defence to any action which may be brought to recover the same.

No rate to be
quashed.

11. The special district rate shall not be deemed to be a "special rate" within the meaning of "The Rating Act, 1882," or any amendment thereof, but shall for all purposes be deemed to be an ordinary and additional rate raised and levied over rateable property in a restricted district.

Special rate not to
be deemed "special
rate" under Rating
Acts.