

New Zealand.



ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Wellington City Council to be constructing local authority. 3. Contributing local authorities.</p>		<p>4. Recovery of contribution. 5. Special loan may be raised. 6. Controlling Board. Expenses of Controlling Board. Schedule.</p>
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1903, No. 66.

AN ACT to provide for the Repair and Maintenance of the Hutt Road. **Title.**
[23rd November, 1903.]

WHEREAS by Warrant of the Governor dated the thirteenth day of May, one thousand nine hundred and two, made under section eight of "The Public Works Act Amendment Act, 1900," it was declared that the cost of constructing and maintaining the road mentioned in the Schedule to the said Warrant (being that part of the road known as the "Hutt Road" situate in the Borough of Onslow, hereinafter referred to as "the said road") should be borne by the local authorities and in the proportions hereinafter mentioned: And whereas doubts have arisen as to the validity of the said Warrant, and it is expedient that the cost of such construction and maintenance should be provided for in manner hereinafter appearing: **Preamble.**

BE IT THEREFORE 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 Hutt Road Act, 1903." **Short Title.**

2. The Wellington City Council (hereinafter referred to as "the constructing local authority") is hereby authorised to construct or reconstruct and maintain the said road, and may expend all moneys necessary for such purposes. **Wellington City Council to be constructing local authority.**

And also may for the purpose of such construction or reconstruction, by special order, raise a temporary loan without taking the steps provided by sections seven to thirteen of "The Local Bodies' Loans Act, 1901"; and all moneys received from any contributing local authority as hereinafter provided shall be applied in or towards the repayment of such loan:

Provided that no such moneys shall be expended until the objects of such expenditure have been approved of or authorised by a resolution of the Controlling Board hereinafter mentioned.

Contributing local
authorities.

3. The cost of constructing or reconstructing and maintaining the said road from time to time shall be borne by the local authorities mentioned in the Schedule hereto in the proportions specified in that Schedule.

Recovery of
contribution.

4. (1.) After any such expenditure as aforesaid the constructing local authority may make demand in writing on the other local authorities liable to contribute thereto (hereinafter referred to as "the contributing local authorities").

(2.) Such demand shall show in detail the whole amount expended, and shall call for payment of the proportion thereof that the contributing local authority addressed is liable to pay.

(3.) Such demand shall be deemed to be duly served on any contributing local authority if sent by registered post addressed to the Town Clerk of such authority.

(4.) Each such contributing local authority shall forthwith after service of the demand pay to the constructing local authority the amount so demanded as if it were the cost of works duly constructed by such contributing local authority in its own district, and if default is made in payment thereof for three months from the service of such demand the same, or such part thereof as remains unpaid, may be recovered by the constructing local authority in any Court of competent jurisdiction.

(5.) No moneys shall be recoverable under the provisions of this section until the objects for which such moneys have been expended have been first approved of or authorised by the Controlling Board.

Special loan may
be raised.

5. For the purpose of providing the amount necessary to enable any local authority (including the constructing local authority) to bear its proportion of the moneys expended in constructing, reconstructing, or maintaining the said road, such local authority may, by special order, raise a special loan for the said amount or any lesser amount without taking the steps provided by sections seven to thirteen of "The Local Bodies' Loans Act, 1901," and such loan shall be deemed to be for the purpose of undertaking a public work within the meaning of section fourteen, subsection three, of the said last-mentioned Act.

Controlling Board.

6. (1.) There is hereby constituted a Controlling Board consisting of the Mayors of the local authorities mentioned in the Schedule hereto.

(2.) The Mayor of the City of Wellington shall be the Chairman of the Board, and shall have a casting as well as a deliberative vote.

(3.) The Town Clerk of the City of Wellington shall be the Clerk of the Board.

(4.) The Clerk may convene a meeting of the Board whenever necessary, and shall do so whenever required in writing by any member of the Board.

(5.) At every meeting of the Board the quorum shall be two.

(6.) Subject to and without prejudice to any provision contained in this Act, the Controlling Board shall have the same power to make regulations relating to their proceedings as Councils have by virtue of section seventy-six of "The Municipal Corporations Act, 1900."

(7.) The constructing authority may from time to time, with the approval of the Controlling Board, make by-laws with reference to the said road in the manner prescribed by "The Municipal Corporations Act, 1900"; and such by-laws shall have effect as if the same were made with reference to a street within the district of the constructing authority.

(8.) All expenses incurred by the Controlling Board in the performance of its functions under this Act, including the cost of obtaining any expert assistance or advice, shall be paid by the constructing local authority, and shall be deemed part of the cost of constructing or maintaining the said road.

Expenses of
Controlling Board.

SCHEDULE.

Schedule.

Local Authorities.	Proportion of Cost to be borne.
Wellington City Council	Seven twenty-fourths.
Onslow Borough Council	Five twenty-fourths.
Petone Borough Council	Seven twenty-fourths.
Lower Hutt Borough Council	Five twenty-fourths.