



ANALYSIS

<p>Title.</p> <p>1. Short Title.</p> <p>2. Amending section 54 of principal Act (as to borrowing-powers).</p>	<p>3. Annual estimate of Board's proposed expenditure.</p> <p>4. Calculation of assessment.</p> <p>5. Amending section 64 of principal Act (as to powers of contributing authorities in regard to payment).</p>
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1949, No. 8—Local

AN ACT to Amend the Hutt Valley Drainage Act, 1948. Title.
[11th October, 1949

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 Hutt Valley Drainage Amendment Act, 1949, and shall be read together with and deemed part of the Hutt Valley Drainage Act, 1948 (hereinafter called the principal Act). Short Title.

2. Subsection three of section fifty-four of the principal Act is hereby amended by inserting the words "the portion of" after the words "in any case" in the fifth line of the said subsection. Amending section 54 of principal Act (as to borrowing-powers).

3. Section fifty-six of the principal Act is hereby repealed, and the following section substituted therefor:— Annual estimate of Board's proposed expenditure.

“ 56. The Board shall on or before the thirtieth day of April in each year cause an estimate to be prepared of the proposed expenditure of the Board for the ensuing year showing—

“(a) The permanent appropriations for payment of interest and the creation of a sinking fund or for periodical repayments on account of loans for works serving or intended to serve the local districts or portions thereof of one or more of the contributing authorities:

“(b) The sum or sums that may be required for carrying out or maintaining in good order the works hereby authorized to be constructed and any other works vested in or controlled by the Board and in respect of works serving or intended to serve the local districts or portions thereof of one or more of the contributing authorities:

“(c) The sum or sums that may be required for the administrative costs of the Board, which shall be deemed to include the cost of engineering investigations of the Board and of engineering and general administration:

“(d) Any sums already available for such purposes:

“(e) The additional sums required.

“ Any deficiency or surplus at the end of any year shall be carried forward as an asset or liability, as the case may be, into, and calculated or allowed for in making and assessing, the next year's requirements.”

Calculation of
assessment.

4. Section fifty-nine of the principal Act is hereby repealed, and the following section substituted therefor:—

“ 59. Such assessment shall be calculated and arrived at as follows:—

“(a) The amount (if any) payable in respect of the permanent appropriations for payment of interest and the creation of a sinking fund or for periodical repayments on account of any loan raised for the benefit of the local district of any contributing authority or part thereof comprising a defined part of

the district shall be ascertained and shall be charged and assessed to the local authority of the local district or the part thereof comprising the defined part of the district, and where such defined part includes the whole or portions of two or more local districts the local authorities shall be charged with the amount of such permanent appropriations in proportion to the population of the respective local districts or portions, as the case may be:

- “(b) The amount (if any) required for carrying out or maintaining in good order the works hereby authorized to be constructed and any other works vested in or controlled by the Board in respect of the works serving or intended to serve a defined part of the district comprising the local districts or portions thereof of one or more of the contributing authorities shall be ascertained and shall be charged and assessed to the contributing authorities in proportion to the population of the respective local districts or portions thereof, as the case may be:
- “(c) The residue of the amount shown in the Board’s estimate, including administrative costs, shall be charged and assessed to the contributing authorities the whole or portion of whose local districts are within the drainage district in proportion to the population of the respective local districts or portions thereof, as the case may be:
- “(d) Until the Board shall have undertaken the disposal of the sewage from the Crown lands known as Trentham Camp Area, then for the purposes of this section the persons occupying residential accommodation thereon shall not be included in the total population of the whole or any defined part of that portion of the County of Hutt described in the Second Schedule hereto.”

Amending section 64 of principal Act (as to powers of contributing authorities in regard to payment).

5. Paragraph (b) of section sixty-four of the principal Act is hereby repealed, and the following paragraph substituted therefor:—

“(b) In lieu of exercising the power contained in paragraph (a) hereof, or to the extent to which its payment thereunder is less than the amount of its assessment, it may make and levy a separate rate on that portion of the rateable property within its area which is within the defined part or parts of the district in respect of which any portion of the assessment is made calculated to produce that portion of the assessment or the balance thereof, as the case may be, and interest thereon (if any) and the cost of and incidental to the collection thereof:”.