

New Zealand.



ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. New Boards may borrow in anticipation of revenue.</p> | <p>3. Special orders.</p> <p>4. Validation.</p> <p>5. Board may purchase existing works.</p> <p>6. Validation of Board.</p> |
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1908, No. 249.

AN ACT to amend the Land Drainage Act, 1908.

Title.

[10th October, 1908.]

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 Land Drainage Amendment Act, 1908, and it shall form part of and be read together with the Land Drainage Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. (1.) The Board of any new district may, in anticipation of its current revenue, borrow moneys from any bank by way of overdraft; but the amount of such overdraft shall not exceed the total amount of the estimated ordinary income of the Board, as defined by section forty-two of the principal Act, for the period of twelve months next after the first constitution of the Board.

New Boards may borrow in anticipation of revenue.

(2.) The Taieri Drainage District constituted under the provisions of the Taieri Land Drainage Act, 1907, shall for the purposes of this section be deemed to be a new district constituted on the date of the commencement of this Act.

3. The power given by the principal Act to do anything by special order shall be exercised 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 the principal Act.

Special orders.

4. A resolution for the raising of a loan of twenty thousand pounds, passed on the fifteenth day of August, nineteen hundred and eight, by the Taieri Drainage Board constituted under the Taieri Land Drainage Act, 1907, is hereby declared to be valid for

Validation.

all purposes, and shall be deemed to be a special order duly made in pursuance of the principal Act and of this Act.

Board may
purchase existing
works.

5. (1.) The Ellesmere Land Drainage Board is hereby empowered, out of moneys authorised by the Ellesmere Land Drainage Act, 1905, to be raised, or out of any moneys belonging to the Board, to pay any person who has constructed any works as an outlet to the sea of the waters of Lake Ellesmere the cost of such works, or any part thereof, as may be agreed on between the Board and such person, and to enter into any contract with that person or any other person for the further construction, completion, and maintenance of such works on such terms and conditions as the Board thinks fit.

(2.) Nothing herein shall be deemed to have authorised the construction by any person of any works as aforesaid, or to entitle him to claim payment from the Board of the cost of the same, unless the Board determines to pay such cost or to entitle such person to retain possession of such works or any part thereof pending any such determination by the Board, or in any case whatsoever.

(3.) If the Board determines to pay to any person as aforesaid the cost of such work, the Board may, failing agreement between the parties as to the amount of such cost, refer the question of amount to arbitration, which shall be conducted in accordance with the provisions of the Arbitration Act, 1908; one arbitrator to be appointed by each party, unless the parties agree to refer the question to a single arbitrator, and where more than one arbitrator is appointed the arbitrators shall be at liberty to appoint an umpire.

Validation of
Board.

6. The members of the Ellesmere Land Drainage Board elected in the year nineteen hundred and six and acting as members of the Board on the passing of this Act shall be deemed to have been validly re-elected on the first Monday of November, nineteen hundred and seven, and shall hold office until the first Monday in November, nineteen hundred and nine, when a fresh election of members shall be held.