

## New Zealand.



### ANALYSIS.

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1920, No. 56.

Title.

AN ACT to amend the Land Drainage Act, 1908.

*[9th November, 1920.]*

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

Short Title.

1. This Act may be cited as the Land Drainage Amendment Act, 1920, and shall be read together with and deemed part of the Land Drainage Act, 1908 (hereinafter referred to as the principal Act).

Representation of subdivisions.

2. (1.) The Board of any district may, in any special order subdividing the district under section sixteen of the principal Act, or in a subsequent special order in that behalf, fix the number of Trustees to be elected for any subdivision, and may in like manner from time to time alter the representation of any subdivision.

(2.) The total number of Trustees to be elected for all subdivisions shall not exceed the number of Trustees for the district fixed pursuant to section four of the principal Act.

(3.) In any such case there shall be at least one Trustee for each subdivision of the district.

(4.) If any candidate consents to be nominated for more than one subdivision at any election his nomination shall in every case be void.

(5.) Every special order made under this section or section sixteen of the principal Act shall be forwarded to the Minister and be gazetted by him free of charge.

(6.) The powers conferred on the Board by this section and by section sixteen of the principal Act may be exercised by the Governor-General by Order in Council with respect to any new district constituted under section three of the principal Act.

3. (1.) In any district in which the Trustees are elected separately for the various subdivisions as hereinbefore provided the ratepayers list and roll provided for in sections six to eight of the principal Act shall be prepared separately for each subdivision.

Rolls for  
subdivisions.

(2.) Only those persons whose names appear on the ratepayers roll for the time being of any subdivision shall be entitled to vote at an election of Trustees for that subdivision.

4. (1.) The Board may out of its funds pay to members such reasonable actual travelling-expenses as it thinks fit. Such payment shall be made only to members who are required to travel not less than five miles (counting one way only) on the business of the Board.

Travelling-expenses.

(2.) Nothing in section fourteen of the principal Act shall operate to confer on the Board the powers of a County Council under any Act with respect to the travelling-expenses of the Chairman and members of the County Council.

5. In addition to the powers conferred on it by section fifty of the principal Act the Board shall have and may exercise the same powers to make by-laws relating to drains and drainage-works as are conferred on County Councils by any Act.

Additional powers  
as to by-laws.

6. The provisions of the Fencing Act, 1908 (requiring the occupiers of adjoining lands not divided by a sufficient fence to contribute in equal proportions to the erection of such a fence), shall apply as between a Drainage Board and the occupiers of lands adjoining any drain constructed, maintained, or controlled by the Board in like manner as if such drain and the adjoining lands were lands not divided by a sufficient fence within the meaning of the said Act.

Application of  
Fencing Act, 1908.

7. (1.) If at any time the whole of a district under the principal Act becomes a borough or part of a borough, the district shall thereby be deemed to be abolished and the Board thereof dissolved, and all property and the control of any land or thing vested in the Board at the time of its dissolution shall thereupon be vested in the Corporation or the Council of the borough; and all liabilities and engagements of the Board, and all proceedings pending by or against the Board, shall be liabilities and engagements of, and proceedings to be carried on by or against, the Corporation or the Council of the borough.

Merger of land-  
drainage district  
in borough.

(2.) If at any time part of a district is included in a borough, that part shall thereupon cease to form part of the district, and the provisions of section one hundred and twenty-seven of the Municipal Corporations Act, 1908, or the corresponding provisions of any Act passed in substitution therefor, shall apply in respect of that part as between the Board of the district and the Council of the borough.

(3.) The foregoing provisions of this section shall apply to every such merger or alteration of a district as aforesaid effected prior to the passing of this Act, and in every such case an adjustment shall be made in accordance therewith within six months after the passing of this Act.

(4.) Nothing in this section shall in any way affect the rights or interests of any bondholder or other creditor of the Board, or shall relieve the ratepayers for the time being in the area affected from their liability to pay any special rate made by the Board as security for any loan.