



ANALYSIS

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1. Short Title

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| 2. Maximum annual allowance of Chairmen and Deputy Chairmen, and maximum remuneration of members | 3. Watercourses not to be allowed to become nuisance |
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1980, No. 118

An Act to amend the Land Drainage Act 1908

[22 December 1980]

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

1. Short Title—This Act may be cited as the Land Drainage Amendment Act 1980, and shall be read together with and deemed part of the Land Drainage Act 1908 (hereinafter referred to as the principal Act).

2. Maximum annual allowance of Chairmen and Deputy Chairmen, and maximum remuneration of members—(1) Section 11A (1) of the principal Act (as inserted by section 2 of the Land Drainage Amendment Act 1978) is hereby amended by omitting the words “\$800, out of the funds of the Board as the Board from time to time fixes, but no alteration in the amount of that allowance shall take effect during the term of office of any Chairman.”, and substituting the words “the amount for the time being fixed in that behalf by the Minister of Local Government, with the concurrence of the Minister of Finance, out of the funds of the Board.”

(2) Section 13B of the principal Act (as inserted by section 3 of the Land Drainage Amendment Act 1978) is hereby amended by omitting the expression “\$9”, and substituting the words “the amount for the time being fixed in that behalf by the Minister of Local Government, with the concurrence of the Minister of Finance”.

(3) The following provisions are hereby consequentially repealed:

(a) Section 11A (2) of the principal Act:

(b) Section 2 (2) of the Land Drainage Amendment Act 1978.

3. Watercourses not to be allowed to become nuisance—

(1) The principal Act is hereby amended by inserting, after section 24, the following section:

“25 (1) Every Board shall cause all watercourses and drains vested in it or under its management to be so constructed and kept as not to be a nuisance or injurious to health, and to be properly cleared and cleansed, and maintained in proper order.

“(2) Subsection (1) of this section shall not prevent a Board from exercising any power conferred on it by section 62 of this Act.

“(3) Where, in the case of a drain actually constructed by it, a Board fails to comply with any requirement of subsection (1) of this section, it shall be liable to the owners or occupiers of any land for damage done to that land in consequence of or through that failure.”

(2) Section 47 of the Finance Act 1933 (No. 2) is hereby consequentially repealed.

This Act is administered in the Department of Internal Affairs.
