

## New Zealand.



### ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Governor-General may subdivide railway district into wards for purposes of representation.</p> | <p>3. Triennial elections of Boards.</p> <p>4. Governor-General on petition by Board may abolish local railway district.</p> <p>5. Filling casual vacancies on Board.</p> <p>6. Inspection of locomotives.</p> |
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### 1926, No. 34.

Title. AN ACT to amend the Local Railways Act, 1914.

*[31st August, 1926.]*

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 Local Railways Amendment Act, 1926, and shall be read together with and deemed part of the Local Railways Act, 1914 (hereinafter referred to as the principal Act).

Governor-General may subdivide railway district into wards for purposes of representation.

2. (1.) On presentation to him of a petition in that behalf from the Board of any district the Governor-General may, by Order in Council, divide the district into subdivisions for purposes of representation, and may, by the same or any other Order in Council, but subject to the provisions of subsection one of section four of the principal Act, fix the number of members to be elected for any such subdivision.

(2.) At any election of members of the Board held after an Order in Council under the last preceding subsection has taken effect the ratepayers of each subdivision shall elect the member or members for that subdivision.

(3.) In any such case a separate electors list shall be made out for each subdivision, and the provisions of sections six to twelve of the principal Act shall, with the necessary modifications, apply with respect to the electors list and electors roll of each subdivision.

(4.) No person shall be entitled to have his name entered on the electors list of more than one subdivision, but any person who is the occupier of rateable property in more than one subdivision may, at any time before the closing of the roll, elect, by notice in writing addressed to the Clerk of the Board, the subdivision for which he shall be enrolled as an elector.

(5.) Any Order in Council under this section may be at any time in like manner varied or revoked.

3. (1.) Section thirteen of the principal Act is hereby amended by omitting the word "second," and substituting the word "third." Triennial elections of Boards.

(2.) The said section is hereby further amended by adding the following proviso :—

"Provided that the Governor-General may at the request of the Board postpone the date of any general election for not more than three months, or may, subject to the limitation imposed by the foregoing provision of this proviso, fix another day on which general elections of members of the Board shall be held."

4. (1.) On presentation to him of a petition from the Board of a district constituted under the principal Act praying for the abolition of that district, or if for any such district there is no Board in existence, the Governor-General may, by Proclamation, abolish the district and declare the Board thereof to be dissolved as from a date to be specified in such Proclamation. Governor-General on petition by Board may abolish local railway district.

(2.) On the taking-effect of such Proclamation all lands and other property (whether real or personal) vested in the Board at the time of its dissolution shall thereupon become vested in the Crown for the estate or interest for which they were held by the Board, subject, however, to all charges, encumbrances, or other estates or interests then affecting the same; and all contracts, engagements, debts, and liabilities of the Board shall thereupon become the contracts, engagements, debts, and liabilities of the Crown.

(3.) All property vested in the Crown as aforesaid shall be disposed of in such manner as the Governor-General shall think fit.

(4.) The proceeds of such disposition shall be used in meeting the debts and liabilities of the Board, and the balance (if any) shall be paid into the Public Account, and shall form part of the Consolidated Fund.

(5.) Nothing in this section 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.

(6.) For the purpose of levying and collecting any such special rate the Minister shall have and may exercise all the powers that would have been exercisable in respect thereof by the Board had the district not been abolished.

5. (1.) Where the office of a member of a Board becomes vacant otherwise than by the expiration of the period for which he was elected to hold such office, the Board shall forthwith appoint in his place some qualified person to be a member of the Board. Filling casual vacancies on Board.

(2.) If the Board fails for a period of two months after any such vacancy occurs to make such an appointment, the Governor-General may appoint a qualified person to be a member of the Board.

(3.) Every person appointed to be a member of a Board pursuant to this section shall hold office only for the unexpired portion of the term of office of his predecessor.

6. Notwithstanding the provisions of the Inspection of Machinery Act, 1908, or any regulations made thereunder, locomotive engines owned and used by the Board on a railway shall not be subject to the provisions of the said Act or regulations, but for the purpose of inspection shall be deemed to belong to the New Zealand Government, and shall be subject to inspection in all respects as if they were being used in the working of the New Zealand Government railways. Inspection of locomotives.