



## ANALYSIS

Title  
Preamble  
1. Short Title

2. Repealing certain clauses of Second Schedule  
3. Consequential repeals

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 1979, No. 2—*Local*

**An Act to repeal part of the Second Schedule to the Lyttelton Waterworks Transfer Act 1878 and other enactments**

[3 August 1979]

WHEREAS by the Second Schedule to the Lyttelton Waterworks Transfer Act 1878 it was enacted that the Lyttelton Harbour Board should have and be supplied by the Corporation of the Borough of Lyttelton with water for the purposes and use of the Board and not for sale and without charge: And whereas section 8 of the Lyttelton Harbour Board Loan and Empowering Act 1955 as amended by section 6 of the Lyttelton Harbour Board Loan and Empowering Act 1965 defines the duties and powers of the said Corporation created by the said Second Schedule: And whereas it is desirable that the Lyttelton Borough Council have the powers to charge for the supply of water otherwise granted to it by the Local Government Act 1974: And whereas it is desirable that the said Council have no obligations to repair and maintain water mains and all other plant and equipment necessary to supply harbour works with an adequate and sufficient supply of fresh water: And whereas certain clauses in the said Second Schedule are now redundant:

BE IT THEREFORE 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 Lyttelton Waterworks Transfer Amendment Act 1979, and shall be read together with and deemed part of the Lyttelton Waterworks Transfer Act 1878 (hereinafter referred to as the principal Act).

**2. Repealing certain clauses of Second Schedule**—The following clauses appearing in the Second Schedule to the principal Act are hereby repealed:

- (a) That at all times hereafter the Lyttelton Harbour Board shall have and be supplied by the Corporation with water for the purposes and use of the said Board, and not for sale, and without charge:
- (b) That at all times hereafter the charge to be made by the said Corporation to the shipping in the harbour of Lyttelton aforesaid for such water as may be supplied shall not exceed eight shillings per ton:
- (c) That at all times hereafter the said Corporation shall bear, pay, and discharge the whole cost of the maintenance and working of the said waterworks:
- (d) That Her said Majesty, or the Governor, by and through such officer as aforesaid, shall supply proper accounts and items of the expenditure which may be incurred on such portion of the works, the charge of which shall be so deemed to be vested in Her said Majesty Queen Victoria as aforesaid; but all such expenditure shall be paid and satisfied by the said Corporation:
- (e) That at all times hereafter shall Her said Majesty Queen Victoria, by and through such officer or officers as aforesaid, collect the moneys which shall become owing to the said Corporation for water to be supplied to the shipping in the said Harbour of Lyttelton, and shall pay the same over to the said Corporation monthly, and render an account thereof therewith, and Her said Majesty Queen Victoria shall be allowed a commission upon the amount so collected at the rate of five pounds per centum, which shall cover all charges, and shall be at liberty to deduct same accordingly:
- (f) That at all times hereafter the said Corporation shall maintain and keep the pumping-engines connected with the said waterworks in good and proper order, repair and condition, and in as efficient a state as possible:

- (g) That the said Corporation shall be allowed to have the repairs to the said pumping-engines, machinery, and works executed at the Government railway workshop in Christchurch, the cost price of such repairs to be paid by the said Corporation to the Government; always provided the said workshops are, at the time of such repairs being necessary, in a competent position to execute the work required:
- (h) That Her said Majesty Queen Victoria, by and through such proper officer as aforesaid, shall at all times hereafter after giving due notice in writing to the said Corporation, have the full right of entry upon any portion of the said waterworks and machinery for the purpose of inspecting of the same and the working thereof, and the said Corporation shall faithfully carry out any directions and instructions which may from time to time be given by any officer or officers as to the manner of working and maintaining the said engines:
- (i) That the said Corporation shall, at the request of Her said Majesty Queen Victoria or her representative in New Zealand, dismiss any engineer or other officer who may be employed in the said waterworks in the event of the misconduct or incompetency or otherwise of such engineer or officer.

**3. Consequential repeals**—The following enactments are hereby consequentially repealed:

- (a) Section 8 of the Lyttelton Harbour Board Loan and Empowering Act 1955:
  - (b) Section 6 of the Lyttelton Harbour Board Loan and Empowering Act 1965.
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