NEW ZEALAND

ANALYSIS

Title.
1. Short Title.
2. Membership of council where district unites with any of four main cities.
3. Power of Borough Councils to guarantee loans for erection of flats.

1951, No. 53

AN ACT to amend the Municipal Corporations Act 1933. Title.

[*1 December 1951*

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 Municipal Corporations Amendment Act 1951, and shall be read together with and deemed part of the Municipal Corporations Act 1933 (hereinafter referred to as the principal Act). Short Title. 1933, No. 30

2. (1) Section one hundred and forty-three of the principal Act is hereby amended by repealing the proviso thereto. Membership of council where district unites with any of four main cities.

(2) Section one hundred and forty-three of the principal Act is hereby further amended by adding the following subsections as subsections two and three thereof:—

"(2) Notwithstanding anything in subsection one of this section, in the case of any borough uniting with any of the cities of Auckland, Wellington, Christchurch, and Dunedin, the number of members of the Borough Council

who shall be Councillors of the united borough in addition to the Mayor and Councillors of the city shall be calculated as follows:—

"(*a*) Where the population of the uniting borough does not exceed five thousand, one member:

"(*b*) Where the population of the uniting borough exceeds five thousand but does not exceed ten thousand, two members:

"(*c*) Where the population of the uniting borough exceeds ten thousand, three members.

"(3) The member or members of the Borough Council to be Councillor or Councillors of the united borough pursuant to subsection two of this section shall be chosen by that Borough Council, and for the purpose of making that choice, but for no other purpose, the Borough Council shall, where necessary, continue in office after the constitution of the united borough."

(3) Section one hundred and forty-six of the principal Act is hereby amended by inserting in subsection two, after the words " For the purposes of ", the words " subsection one of ".

(4) Section one hundred and forty-six of the principal Act is hereby further amended by adding the following subsection:—

"(3) The provisions of subsections two and three of section one hundred and forty-three hereof shall, with the necessary modifications, apply in the case of any town district or road district uniting with any of the cities of Auckland, Wellington, Christchurch, and Dunedin."

Power of Borough Councils to guarantee loans for erection of flats.

3. (1) For the purpose of enabling any person to obtain funds required by him for the erection of residential flats on land in the borough, the Council may from time to time, with the prior consent of the Local Government Loans Board, and upon and subject to such terms and conditions as may be prescribed or approved by that Board, guarantee the repayment of the whole or any part of any moneys so borrowed by that person for that purpose and the payment of interest or any part of the interest on any moneys so borrowed.

(2) Without limiting the general power of the Local Government Loans Board to prescribe conditions conferred by subsection one of this section, the Board may require a poll of ratepayers to be taken on the proposal to give such a guarantee.

(3) Where the Council becomes liable to make any payment under any such guarantee as aforesaid, it may make the payment out of the General Account or out of any moneys borrowed under this section.

(4) For the purpose of providing funds to enable it to make any payment for which it becomes liable pursuant to this section or for the purpose of refunding to the General Account any moneys paid thereout under this section, the Council may borrow moneys by way of special loan under the Local Bodies' Loans Act 1926, by special order, without taking the steps prescribed by sections nine to thirteen of that Act. See Reprint of Statutes, Vol.V, p. 360

(5) The borrowing of moneys under the authority of the last preceding subsection shall for the purposes of the Local Government Loans Board Act 1926 be deemed to be borrowing by the Council for the purpose of meeting liabilities imposed on it by this Act. Ibid., p. 418

(6) This section shall be deemed to form part of Part XXIX of the principal Act.