



ANALYSIS

Title
1. Short Title

2. Appeal to Magistrate's Court against
decision of Council on objections

1963, No. 102

An Act to amend the Municipal Corporations Act 1954

[23 October 1963]

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 *Municipal Corporations Amendment Act 1963*, and shall be read together with and deemed part of the *Municipal Corporations Act 1954* (hereinafter referred to as the principal Act).

2. Appeal to Magistrate's Court against decision of Council on objections—(1) The Eighth Schedule to the principal Act is hereby amended by inserting, after clause 5, the following clauses:

“5A. Any person who is aggrieved by any determination of the Council under clause 5 of this Schedule to adopt the proposed level (with or without alterations) may appeal to a Magistrate's Court against that determination within fourteen days after the date thereof.

“5B. On the hearing of the appeal, the Court, whose decision shall be final, may confirm or amend or set aside the determination of the Council.”

(2) The Tenth Schedule to the principal Act is hereby amended by adding, as clauses 2 and 3, the following clauses:

“2. Any person who is aggrieved by any determination of the Council under paragraph (d) of clause 1 of this Schedule to proceed with the work proposed (with or without alterations) may appeal to a Magistrate’s Court against that determination within fourteen days after the date thereof. Pending the decision of the Court on the appeal, the Council shall not proceed with the work.

“3. On the hearing of the appeal, the Court, whose decision shall be final, may confirm or amend or set aside the determination of the Council.”

This Act is administered in the Department of Internal Affairs.
