



NEW ZEALAND

ANALYSIS

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1948, No. 30

AN ACT to Amend the Nassella Tussock Act, 1946.

Title.

[12th November, 1948

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 Nassella Tussock Amendment Act, 1948, and shall be read together with and deemed part of the Nassella Tussock Act, 1946 (hereinafter referred to as the principal Act).

Short Title.

1946, No. 2

2. Section forty-two of the principal Act is hereby amended as follows:—

Board may raise moneys for works to be carried out over period of years.

(a) By omitting from subsection one the words “ in any financial year ”, and substituting the words “ at any time ”:

(b) By adding to subsection three the following proviso:—

“ Provided that where under this section the raising of a sum of money is authorized in respect of works that are not to be completed within one financial year the Board shall in each financial year determine what portion of the total sum so authorized to be raised is required by it for the said works in that year, and the portion so determined in any year shall be apportioned among the Councils in such proportions as aforesaid.”:

(c) By inserting in subsection four, after the words “ total sum authorized to be raised ”, the words “ and the amount required by the Board in respect thereof in the year in which the apportionment is made ”.

3. Section forty-two of the principal Act is hereby further amended by adding thereto the following new subsections:—

“(7) Where any Council raises a loan pursuant to subsection six of this section the interest and other annual charges paid from time to time by the Council in respect thereof shall be repayable by the Board to the Council.

“(8) Where any Council pays out of its general fund the whole or any part of any sum payable by it to the Board under this section, there shall be payable by the Board to the Council, in each financial year until the sum so paid is repaid, an amount approved by the Local Government Loans Board as equivalent to the amount which would have been payable by the Council by way of interest and other annual charges if the Council had raised a loan for the sum so paid by it to the Board.

“(9) Every sum payable by the Board to any Council under subsection seven or subsection eight of this section shall be recoverable by the Council as a debt due to it from the Board, and shall be deemed for the purposes of section thirty-five of this Act to form part of the expenditure of the Board in the year in which the sum is payable.”

Annual charges on loans raised by constituent Councils under section 42 of principal Act, or equivalent annual sums, to be charged to Board.

4. The principal Act is hereby further amended by inserting, after section forty-six, the following new section:—

Remuneration of Chairman of Board.

“ 46A. There may be paid to the Chairman of the Board out of the funds of the Board such annual allowance, not exceeding one hundred pounds in any case, as may from time to time be fixed by the Board with the approval of the Minister of Finance:

“ Provided that no alteration in the amount of any such allowance shall take effect during the term of office of the Chairman for the time being.”

5. The principal Act is hereby further amended by inserting, after section sixty-five, the following new section:—

Power of Minister of Lands, at request of Board or Council, to acquire land for purpose of controlling nassella tussock.

“ 65A. (1) If in the opinion of the Board, in the case of a district, or of the Council, in the case of a county, it is desirable that any land should be acquired by His Majesty the King for the purpose of controlling or eradicating nassella tussock thereon, the Board or, as the case may be, the Council, may, by writing addressed to the Minister of Lands, request that the land be acquired under this section.

“(2) On any such request the Minister of Lands, acting on the recommendation of the Land Settlement Board established under section thirty-nine of the Statutes Amendment Act, 1941, may purchase or acquire the land under the provisions of the Small Farms Act, 1932-33, or the land may be taken as for a public work under the provisions of the Public Works Act, 1928. If the land is taken under the Public Works Act, 1928, it shall be deemed to become Crown land subject to the Small Farms Act, 1932-33.

1941. No. 26

1932-33, No. 43

See Reprint of Statutes, Vol. VII, p. 622

“(3) Notwithstanding anything contained in any enactment the Minister of Lands may, with the concurrence of the Commissioner of State Forests, by notice under his hand published in the *Gazette*, declare the whole or any portion of any land purchased, acquired, or taken as aforesaid to be a nassella tussock control reserve. While any such notice remains in force the land in respect of which the notice is given shall be deemed to be a State forest within the meaning of the Forests Act, 1921-22, and shall be administered by the State Forest Service accordingly. Any such notice may at any time in like manner be amended or revoked.

Ibid., Vol. III, p. 425

1932-33, No. 43

“(4) For the purpose of providing other land for any person whose land is purchased, acquired, or taken as aforesaid the Minister of Lands may, on the recommendation of the Land Settlement Board, purchase under the provisions of the Small Farms Act, 1932-33, any land which in his opinion is suitable for that purpose, and may, on the like recommendation, allot that land or any portion thereof, or any other area of suitable Crown land, to any such person as aforesaid in accordance with the provisions of that Act.”
