

New Zealand.



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1905, No. 28.

Title.

AN ACT to provide for the Local Government of Native Townships.

[27th October, 1905.]

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. The Short Title of this Act is "The Native Townships Local Government Act, 1905."

Inhabitants of
Native townships
may be incorporated.

2. The Governor may from time to time, by Order in Council gazetted, declare any Native township constituted under "The Native Townships Act, 1895," or under "The Native and Maori Land Laws Amendment Act, 1902," to be subject to the provisions of this Act, and the inhabitants of such township shall thereupon become a body corporate under the style of "The Inhabitants of the _____ Native Township," and by that name shall have perpetual succession and a common seal, and be capable of acting by the Council thereof.

**Constitution of
Council.**

3. For every such township there shall be a Council consisting of five persons, who shall be elected in manner hereinafter mentioned:

Provided that in the case of the first Council constituted under this Act only four members shall be elected, and one member, who shall be a Maori, shall be nominated by the Governor.

Electors roll.

4. For the purposes of such election the following provisions shall apply:—

(a.) For the first election the President of the District Maori Land Council, or such other person as the Governor may appoint, shall cause a roll to be prepared of all persons

who, being residents of the said township, are entitled to vote at any election of a member of the House of Representatives ; and any person appearing on such roll shall be deemed to be an elector for the purposes of such first election, and to be eligible for election as a Councillor.

(b.) The President of the District Maori Land Council, or such other person as the Governor may appoint, shall be the Returning Officer at such first election.

(c.) For every subsequent election an electors roll shall be prepared in the manner provided by "The Municipal Corporations Act, 1900," and every person whose name appears on such roll shall be an elector, and shall be eligible for election as a Councillor.

5. The first election of such four members of the Council shall be held on a day to be fixed by the Governor. Governor to fix date of election.

6. The first meeting of the Council shall be convened by the Returning Officer, who shall preside thereat until the Chairman is elected. At such first meeting the Council shall proceed to elect one of its number to be Chairman of the Council, to hold office until the date of the next election. First meeting. Chairman.

7. On the last Wednesday in the month of April in the second year following the year in which such first election is held, and on the same day in every succeeding second year thereafter, all the members shall go out of office, and a fresh election shall be held. Biennial election of Council.

8. Subject to the provisions of this Act, all elections of Councillors shall be held under the provisions of "The Local Elections Act, 1904." Election to be held under "The Local Elections Act, 1904."

9. (1.) If the Chairman or any Councillor resigns his office, or dies, or becomes bankrupt, or compounds with his creditors, or is convicted of any crime, or absents himself without leave of the Council from four or more consecutive meetings of the Council, or becomes interested, either solely or jointly with any other person, in any contract with the Council, otherwise than as a member of any incorporated or registered company, or accepts or holds any place of profit under the Council, his office shall thereby be deemed to be vacated and he shall cease to be a Councillor. Extraordinary vacancy of Councillor.

(2.) Upon any such vacancy occurring the Governor shall appoint a fit person to be a Councillor, who shall hold office until the date of the next election of members.

10. The business and proceedings of the Council shall be conducted generally in accordance with sections sixty to seventy-six of "The Municipal Corporations Act, 1900," and the Council shall have all such powers, duties, and liabilities as are conferred and imposed on Borough Councils by any Act for the time being governing Municipal Corporations in respect of the following matters :— Powers of Council.

(a.) Appointing necessary officers, and providing offices ;

(b.) Making and levying rates ;

(c.) Keeping and auditing of accounts, and the preparation of a yearly balance-sheet, and banking and paying away money ;

- (d.) Making and maintaining streets, drains, waterworks, and electric-lighting works, and generally executing any public work for the benefit of the township;
- (e.) The suppression of nuisances;
- (f.) Borrowing money for public works;
- (g.) Making by-laws and enforcing penalties for the breach thereof:

and all the provisions of any such Act relating to any of such matters, and to any other matters that may be prescribed by the Governor from time to time, shall, subject to the provisions of this Act, apply to the said Council so far as the same are applicable.

11. All roads in such township shall be under the control of the Council in like manner as streets in a borough are under the control of the Council of the borough.

12. In the case of every such township it is hereby declared that, notwithstanding anything in this Act, no land in the township that is not leased or occupied shall, unless the Governor by notice in the *Gazette* otherwise directs, be liable to rates; and in no case shall the District Maori Land Council, as the registered proprietors of any portion of the township, be liable for any rates in excess of the funds in hand available in respect of each section or holding.

13. The Governor may, by Order in Council, prescribe the several sections of "The Municipal Corporations Act, 1900," that shall be applicable to any Native township subject to the provisions of this Act, and so long as such Order is in force such sections shall be deemed to be incorporated in this Act.

Roads to be under
control of Council.

Unoccupied lands
not to be rated.

Governor may apply
parts of Municipal
Corporations Act.