

New Zealand



ANALYSIS.

<p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Power to raise special loans for certain purposes.</p> <p>3. Certificate of County Council or Water-supply Board sufficient evidence of preliminary expenses having been incurred.</p>	<p>4. Expenses and liabilities to be paid out of special loan.</p> <p>5. Loans not to be raised without consent of Governor in Council.</p> <p>6. Compensation for land taken, how determined.</p> <p>7. Further powers of Councils and Boards.</p> <p>8. Regulations respecting irrigation.</p>
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1894, No. 33.

Title.	AN ACT to amend "The Water-supply Act, 1891." [18th October, 1894.]
Preamble.	WHEREAS, under and by virtue of "The Water-supply Act, 1891" (herein referred to as "the said Act"), certain County Councils and Water-supply Boards have been authorised to raise special loans for the purpose of exercising powers conferred on County Councils by the said Act: And whereas such Councils or Boards may not be desirous of proceeding at present with the works for which such loans were authorised: And whereas it is desirable to make further provision relating to the powers conferred by the said Act: BE IT THEREFORE 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 Water-supply Act Amendment Act, 1894."
Power to raise special loans for certain purposes.	2. Notwithstanding anything to the contrary contained in section thirty-one of the said Act, a County Council or a Water-supply Board may raise a special loan sufficient to pay all preliminary expenses or liabilities incurred in constituting any "district" or sub-district under the said Act, or for preliminary surveys, plans, or other expenses of a similar character incurred in formulating or inaugurating any scheme or schemes of water-supply for such district, or for trial or other works executed or to be executed in connection therewith, notwithstanding that such expenses may have been incurred before the constitution of such district, and before or after the consent of the ratepayers had been given to the raising of any special loan, and notwithstanding that such works or liabilities were not specially mentioned in the proposal for which such consent was or may be given; and may raise such special loan without being compelled

to raise the whole loan authorised by the ratepayers under the said section thirty-one to be raised.

3. A certificate under the seal of the County Council or Water-supply Board of the amount of the preliminary expenses and liabilities incurred, as mentioned in the last-preceding section, shall be conclusive evidence that such amount has been so incurred.

Certificate of County Council or Water-supply Board sufficient evidence of preliminary expenses having been incurred.

4. Out of such special loan so raised, County Councils or Water-supply Boards shall pay and discharge all such expenses and liabilities as shall have been properly incurred for the purposes mentioned in the aforesaid section.

Expenses and liabilities to be paid out of special loan.

5. No County Council or Water-supply Board shall raise any loan under the sanction of this Act without the consent first obtained of the Governor in Council.

Loans not to be raised without consent of Governor in Council.

6. The compensation agreed to be paid, or that may be determined under the said Act or this Act, for or in respect of any land taken by any Proclamation for any water-race, or injuriously affected by the exercise of any of the powers conferred by the said Act, shall not exceed the value of such land according to the valuation thereof in force under "The Property Assessment Act, 1885," or the improved value of the said land as assessed under "The Land and Income Assessment Act, 1891," as the case may be, at the date of the gazetting of the Proclamation first taking such land for the said water-race as aforesaid.

Compensation for land taken, how determined.

If there be no such valuation or assessment, then the Compensation Court may determine what is the improved value of such land for the purposes of this Act, as nearly as may be, as if such improved value had been assessed under "The Land and Income Assessment Act, 1891."

7. In addition to any powers conferred by the said Act, every County Council and Water-supply Board is hereby authorised and empowered, so far as relates to all waters within or bounding the district,—

Further powers of Councils and Boards.

- (1.) To prevent the diversion of any stream, or any portion thereof, without the consent of the Council or Board ;
- (2.) To remove or cause to be removed any channel, intake, weir, or other works which cause any river or stream to be diverted ;

and generally to do and permit to be done anything necessary for the efficient use by the Council or Board of the whole of the waters in any river or stream.

8. The Governor may from time to time make, amend, or revoke regulations under the said Act to provide that any lessee of pastoral land held under any Land Act may construct water-races to irrigate the land so leased, and may agree that on the expiration of any such lease the outgoing tenant shall be entitled to valuation for the benefit which any such races are to the land comprised in the lease, anything in the Land Acts or in the lease to the contrary notwithstanding.

Regulations respecting irrigation.