

New Zealand.

ANALYSIS.

- Title.
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| <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Power to erect lifts, &c., for purpose of passenger traffic between streets. | <ol style="list-style-type: none"> 4. Power to fix tolls, charges, &c. 5. Power to delegate. 6. Preventing trespass. 7. Definition of "works." |
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1913, No. 12.—*Local and Personal.*

Title.

AN ACT to enable or authorize the Borough Council of the Borough of Wanganui to provide Access from One Street to Another, or from One Part of a Street to Another Part of the Same Street, in the Borough of Wanganui, by Tunnel or Shaft, or partly by Tunnel and partly by Shaft, and to construct Elevators, Lifts, Platforms, and Machinery for Passenger Traffic, and all Subways, Tunnels, Shafts, and Approaches necessary or convenient in connection therewith, and to delegate such Power. [7th November, 1913.]

Short Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Interpretation.

1. This Act may be cited as the Wanganui Borough Council Street Access Empowering Act, 1913.

2. In the interpretation of this Act the following expressions shall, unless the context shall require otherwise, have the meanings annexed thereto:—

“The Borough of Wanganui” shall mean the Mayor, Councillors, and Burgesses of the Borough of Wanganui as constituted by the Municipal Corporations Act, 1908:

“The Council” means the Borough Council of the Borough of Wanganui:

“The Public Works Act” means the Public Works Act, 1908, and any amendments thereof:

“Delegate” means the person or persons, company or companies, to whom the Council shall delegate any of the authorities granted it by or under this Act.

3. The Borough of Wanganui shall have power (and it is hereby expressly authorized) for the purpose of providing access from one street to another, or from one part of a street to another part of the same street, by tunnel or shaft, or partly by tunnel and partly by shaft, on any street or land adjacent to any street, other than private land, to construct elevators, lifts, platforms, and machinery for passenger traffic, and all subways, tunnels, shafts, and approaches necessary or convenient for the use of such means of transport.

Power to erect lifts, &c., for purpose of passenger traffic between streets.

4. The Borough of Wanganui may by by-law fix tolls and charges for the use of any means of transport constructed under this Act, and for such purpose may do all or any of the following things:—

Power to fix tolls, charges, &c.

(a.) Issue tickets to persons using any such means of transport:

(b.) Erect turnstiles or gates at the entrance to any elevator or passage, subway, tunnel, or shaft leading to such elevator, and do all things necessary for the working of such elevator and the collection of the prescribed charges:

(c.) Appoint and discharge collectors of tolls and elevator-attendants:

(d.) Provide for the lighting of any such elevator, tunnel, subway, shaft, or approach.

5. The Borough of Wanganui may by deed, and subject to the provisions of this Act, delegate all the powers, rights, privileges, and obligations referred to or vested in or imposed upon the Borough of Wanganui under this Act (other than the power to make by-laws or to take land under the Public Works Act); and the Borough of Wanganui may in and by the deed of delegation impose all such terms and conditions as it shall think fit:

Power to delegate

Provided that such deed shall contain a power to purchase by the Borough of Wanganui at the expiration of ten years or at any time thereafter from the date of the completion of the works mentioned in section three of this Act; and, in determining the price at which the Borough of Wanganui may purchase, nothing shall be allowed for goodwill.

6. No person shall, without the consent of the Borough of Wanganui, or if the authority to construct the said works mentioned in section three of this Act shall be delegated by the Borough of Wanganui, then without the consent of the delegate, pass in, through, or along any tunnel or shaft, or any part thereof, or any land as shall be owned or used by the Borough of Wanganui or such delegate in connection therewith.

Preventing trespass.

7. Every work constructed under this Act shall be a public work within the meaning of the Public Works Act, and this Act shall be deemed to be a special Act within the meaning of the Public Works Act; and the expression "local authority" in the Public Works Act shall, subject to the provisions of this Act, extend to and include the delegate.

Definition of "works."