

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Meat-export slaughterhouses. By-laws. 4. Renewal Fund. 5. Appointment of Commissioners. 6. Investment of Renewal Fund. Accounts. 7. Purposes of Renewal Fund. | <ol style="list-style-type: none"> 8. Demands by Council on Commissioners. 9. Commissioners may obtain reports of experts. 10. Payments by Commissioners. Applications to Supreme Court. 11. Protection of Commissioners. 12. Sections 10 and 11 of Slaughtering and Inspection Act, 1908, to apply. |
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1919, No. 15.—*Local and Personal.*

AN ACT to confer Additional Powers on the Corporation of the City of Wellington in relation to Abattoir Charges, the Establishment of an Abattoir Renewal Fund, and the Raising of Special Loans. Title.
[4th November, 1919.]

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 Wellington City Abattoir Charges and Renewal Fund Act, 1919. Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.

“Abattoir” means the Wellington City Abattoir :

“City” means the City of Wellington :

“Commissioners” means any Renewal Fund Commissioners appointed under this Act :

“Council” means the Wellington City Council.

3. (1.) Meat from stock slaughtered in meat-export slaughterhouses shall not be sold or exposed for sale in a district for which the abattoir is available for the slaughter of stock, except upon terms of paying to the Council the fees fixed by any existing by-law or any by-law made as hereinafter provided. Meat-export slaughterhouses.

(2.) The Council may from time to time make by-laws not inconsistent with the principal Act or this Act or with regulations made thereunder— By-laws.

(a.) Prescribing the charges payable for the use of the abattoir, and for the housing and feeding of stock before slaughter, and for the slaughtering and dressing of stock ;

(b.) Prescribing the fees to be paid in respect of meat from stock slaughtered in meat-export slaughterhouses that is sold or exposed for sale in any district for which the abattoir is available; and

(c.) Regulating the working and management of the abattoir.

(3.) No such by-law shall come into force unless and until it is approved by the Governor-General.

(4.) So long as any by-law is in force prescribing the charges in respect of the abattoir, or the fees in respect of meat slaughtered in meat-export slaughterhouses that is sold or exposed for sale in any district for which the abattoir is available, no greater or other charges shall be payable than those specified in the by-law.

(5.) If default is made in respect of any charges in respect of any abattoir, the Council, or any person appointed or authorized by it in that behalf, may at any time after such default recover the charges by action in any Court of competent jurisdiction, or by distress and sale of any stock in the abattoir belonging to the person by whom the said charges are payable.

(6.) The fees and charges paid to the Council under any by-law shall not in any one year be more than sufficient to defray the annual cost of the abattoir inclusive of seven per centum per annum on the capital expended in establishing and erecting the abattoir.

(7.) Nothing in section twenty-seven of the Slaughtering and Inspection Act, 1908, or the Slaughtering and Inspection Amendment Act, 1910, shall apply to the Wellington City Council or restrict the operation of this section.

Renewal Fund.

4. (1.) The Council may from the revenue from its abattoir charge an annual appropriation to provide for a renewal fund, such appropriation to be not more than one pound per centum per annum of the value of the depreciable assets of the undertaking, and such value shall be fixed by an engineer to be appointed by the Council.

(2.) The appropriation referred to in the last preceding subsection shall in the month of April in each year be paid to the Commissioners to be appointed as hereinafter provided. The first of such payments shall be made on the first day of April, nineteen hundred and twenty-one.

(3.) The annual appropriation under this section shall not be deemed to form part of the annual cost of the abattoir for the purposes of subsection six of the last preceding section.

**Appointment of
Commissioners.**

5. (1.) Immediately upon the coming into operation of this Act the Council shall appoint three Commissioners, to be called "The Wellington City Abattoir Renewal Fund Commissioners," and sections thirty-five, thirty-six, and thirty-nine of the Local Bodies' Loans Act, 1913, shall, *mutatis mutandis*, apply to the Commissioners to be so appointed in like manner as if they were Sinking Fund Commissioners appointed under the said section thirty-five.

(2.) No member or employee of the Council shall be appointed a Commissioner.

6. (1.) The Commissioners shall invest all sums of money received by them pursuant to section four hereof in the manner following, that is to say:—

Investment of
Renewal Fund.

(a.) In New Zealand Government securities:

(b.) On deposit in any bank carrying on business in New Zealand under the authority of an Act of the General Assembly or other lawful authority.

(2.) Accounts shall be kept by the Commissioners of all moneys paid to or received by them; and in preparing the yearly statements of accounts pursuant to section thirty-nine of the Local Bodies' Loans Act, 1913, as applied by this Act, the Commissioners shall show in detail the amount of such funds or moneys paid to or received by the Commissioners as aforesaid.

Accounts.

7. All funds or moneys received by the Commissioners pursuant to the provisions of this Act, together with all accumulations and interest, shall be held by the Commissioners upon trust to pay to the Council, either in one sum or from time to time by instalments, the funds or moneys and interest standing to the credit of the account for the purpose of renewing or replacing the plant of the undertaking or any parts thereof that from time to time become worn out, obsolete, or incapable from any other cause of further usefulness in connection with the undertaking.

Purposes of
Renewal Fund.

8. (1.) Every demand made by the Council upon the Commissioners for any sum shall be accompanied by a copy of the resolution duly passed by the Council calling up such money, and by a full specification of the works proposed to be done, but no such demand shall be for a less sum than five hundred pounds.

Demands by
Council on
Commissioners.

(2.) Such resolution shall contain a statement that the money proposed to be called up is required to replace plant or material that has become worn out, or obsolete, or is incapable from any other cause of further usefulness, and shall be certified by the Mayor and the Town Clerk as a correct copy of the resolution of the Council.

(3.) The Commissioners shall not pay or refund any amount in excess of the amount held by them.

9. (1.) The Commissioners may call for a report by an engineer or other qualified person to be appointed by them.

Commissioners may
obtain reports of
experts.

(2.) Such engineer or other person shall have the right to inquire into the reason why the Council proposes to expend the money asked for and the nature and extent of the work proposed to be done.

(3.) Such engineer or other person shall report the result of his investigation and his opinion upon the proposals of the Council to the Commissioners.

(4.) The Commissioners are hereby authorized to pay to such engineer or other person, out of the moneys held by them in respect of the undertaking, a reasonable sum for his services.

10. (1.) The Commissioners may pay the money so demanded by instalments as the works proceed, or may decline to pay the said money except under an order of the Supreme Court, in which case the Council may, by a summons in Chambers, apply for an order directing the Commissioners to pay to the Council the money so demanded; and if the Court is of opinion that the Council has proved that

Payments by
Commissioners.

the money required is necessary to replace or renew plant which has become worn out, or obsolete, or incapable from any other cause of further usefulness, the Court may make an order authorizing the payment of the money to the Council.

Applications to
Supreme Court.

(2.) The decision of the Supreme Court in such an application shall be final.

Protection of
Commissioners.

11. The Commissioners shall not be answerable for the misapplication or non-application, nor shall they be obliged to see to the application, of any moneys which may from time to time be paid by them to the Council under the provisions in that behalf hereinbefore contained.

Sections 10 and 11
of Slaughtering and
Inspection Act,
1908, to apply.

12. The provisions of sections ten and eleven of the Slaughtering and Inspection Act, 1908, as to the establishment of an abattoir shall be deemed to extend and apply to the making from time to time of any additions to or extensions of any abattoir.
