This PUBLIC BILL *originated in the* HOUSE OF REPRESENTATIVES, *and, having this day passed as now printed, is transmitted to the* LEGISLATIVE COUNCIL *for its concurrence.*

House of Representatives,

28th September, 1922.

Hon. Mr. Parr.

AUCKLAND CITY AND AUCKLAND HOSPITAL BOARD EMPOWERING.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to validate an Agreement for the Exchange of certain Lands between the Corporation of the City of Auckland and the Auckland Hospital Board, and to authorize the Auckland City Council to raise a Further Loan for the Enlargement and Improvement of the Auckland Municipal Abattoirs, and to pay certain Retiring-allowances. Title.

WHEREAS the Corporation of the Mayor, Councillors, and Citizens of the City of Auckland (hereinafter called the Corporation) has agreed with the Auckland Hospital Board (hereinafter called the Board) for the exchange of certain lands forming part of the Auckland Domain and now vested in the Corporation for certain lands at Point Chevalier now vested in the Board, and for that purpose the Corporation and the Board have entered into and executed the agreement set out in the Schedule hereto: And whereas it is desirable to validate such agreement: And whereas the Auckland City Council (hereinafter called the Council) was authorized by section seventy-nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1921–22, to borrow a sum of seven thousand pounds by way of special loan for the purpose of enlarging and improving the Auckland Municipal Abattoirs: And whereas it has been found that such sum is wholly inadequate for the purpose, and it is desirable to authorize the Council to borrow a further sum of twenty-three thousand pounds for such purpose: And whereas the Council is desirous of making provision for the retirement of aged and infirm employees, and it is advisable that it should have power so to do: Preamble.

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. This Act may be cited as the Auckland City and Auckland Hospital Board Empowering Act, 1922.

Validating certain agreement.

2. The agreement set out in the Schedule hereto is hereby validated, and the Corporation and the Board respectively are hereby authorized and empowered to do, execute, and perform all acts, deeds, matters, and things necessary or expedient for the purpose of carrying the said agreement into effect, and the Corporation and the Board respectively shall hold the lands to be vested in them respectively for the purposes and with the powers set out in the said agreement. 5 10

Power to borrow.

3. The Council is hereby empowered, without taking the steps described in sections eight to twelve of the Local Bodies' Loans Act, 1913, to borrow by way of special loan under that Act a sum or sums not exceeding in all thirty thousand pounds, and to expend the same in enlarging and improving the Auckland Municipal Abattoirs. 15

Authorizing payment of retiring-allowance, &c., to employees.

4. (1.) The Council may pay to officers, servants, or employees of the Council who, with the consent of the Council, have been retired or may hereafter be retired through infirmity arising from old age or illness such sums by way of retiring-allowance, superannuation allowance, or compassionate allowance as the Council thinks fit. 20

(2.) All such allowances shall be paid out of the District Fund.

(3.) No such retiring or superannuation allowance shall exceed an amount which, together with the allowance (if any) payable to the recipient under the National Provident Fund Amendment Act, 1914, shall equal the limit of amount of allowance payable under that Act. 25

SCHEDULE.

Schedule.

AGREEMENT made this eighteenth day of May nineteen hundred and twenty-two between the Mayor Councillors and Citizens of the City of Auckland (hereinafter called "the Council") of the one part and the Auckland Hospital Board (hereinafter called "the Board") of the other part Witnesseth and it is hereby agreed by and between the parties hereto as follows:—

1. The Council being the registered proprietor of the land described in the First Schedule hereto under the provisions of the Auckland Domain Vesting Act 1893 shall exchange the said land for the land described in the Second Schedule hereto.

2. The Board being the registered proprietor of the land described in the Second Schedule hereto shall exchange the same for the land described in the First Schedule hereto.

3. No consideration shall be received by either of the parties hereto in respect of the exchange hereby agreed to be made.

4. The obligations of the parties hereunder are subject to validation of this agreement by Parliament which validation the Council undertakes to apply for during the next session of Parliament and both parties hereto shall use their best endeavours to have such validation duly completed and the costs and expenses hereof shall be borne by the parties hereto in equal shares.

5. Possession of the lands described in the said Schedules shall be given and taken and the necessary transfers and conveyances executed by the parties hereto within one calendar month from the passing of such validating legislation.

6. Should such validation not be obtained during the next session of Parliament this agreement shall be null and void.

7. The Council shall upon the land described in the said Second Schedule being vested in it hold the same as a recreation-ground with the powers and subject to the conditions upon which it now holds or may hereafter hold the cricket-ground forming part of the Auckland Domain under the provisions of the Auckland Domain Vesting Act 1893 or any Act passed in amendment or modification thereof or in substitution therefor.

8. The Board shall upon the land described in the said First Schedule being vested in it hold the same for general hospital purposes.

As witness the seals of the parties hereto.

THE FIRST SCHEDULE.

All that parcel of land in the North Auckland Land District being part of the Auckland Domain situate in Block VIII Rangitoto Survey District and containing by admeasurement 4 acres 1 rood and 27 poles a little more or less Bounded commencing at the north-western corner of the Auckland City Council's Morgue site (certificate of title Volume 187 folio 231) Bounded on the eastern and northern sides by the Auckland Domain 206, 73·7, 110·6, 102·9, and 1220 links on the western side by Kari Street and a stream and on the southern side by the Auckland Hospital Reserve 922 links to the point of commencement as the same is shown edged red on the plan marked 1974 deposited at the Head Office of the Lands and Survey Department at Wellington.

THE SECOND SCHEDULE.

Firstly all that parcel of land containing 5 acres more or less being Allotment No. 23A of the Parish of Titirangi and being the whole of the land comprised and described in certificate of title Volume 338 folio 42 of the Land Register-books at Auckland.

Secondly all that piece of land containing 6 acres more or less being part of Suburban Allotment 23 of the Parish of Titirangi in the County of Eden As the same pieces of land are delineated by the plan edged red and marked 1974 deposited at the Head Office of the Lands and Survey Department at Wellington.

The common seal of the Auckland Hospital Board was affixed in pursuance of a resolution duly passed at a meeting of the members of the said Board held on the 30th day of May, 1922, in the presence of— (SEAL.)

WM. WALLACE, Chairman
JOHN ROWE, Member
H. A. SOMMERVILLE, Secretary
of the Auckland Hospital Board.

Signed and executed by the body corporate called the Mayor, Councillors, and Citizens of the City of Auckland by the said Mayor and two of the said Councillors on behalf of the said body corporate.

The common seal of the said body corporate was at a meeting of the said body corporate held on the 18th day of May, 1922, set affixed and impressed hereto and hereby by the said Mayor of the City of Auckland in the presence of— (SEAL.)

J. H. GUNSON, Mayor.
J. A. WARNOCK, Councillor.
H. N. BAGNALL, Councillor.
J. S. BRIGHAM, Town Clerk.

By Authority: W. A. G. SKINNER, Government Printer, Wellington.—1922.