

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives 26 March 1975

Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule or with double rule before first line and after last line.

Mr B. G. Barclay

**CHRISTCHURCH DISTRICT DRAINAGE
AMENDMENT**

[LOCAL]

ANALYSIS

Title	3. Advances to owners
1. Short Title	4. Unauthorised expenditure
2. Power to enter private land	5. Board may establish special funds
	6. Increased penalties

A BILL INTITULED

An Act to amend the Christchurch District Drainage Act 1951

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

1. **Short Title**—This Act may be cited as the Christchurch District Drainage Amendment Act ~~(1974)~~ 1975, and shall be read together with and deemed part of the Christchurch
10 District Drainage Act 1951 (hereinafter referred to as the principal Act).

2. **Power to enter private land**—Section 28A of the principal Act (as inserted by section 3 of the Christchurch District Drainage Amendment Act 1957) is hereby amended by
15 adding the following subsection:

“(6) The Board, its agents, officers, and workmen may enter upon such private land as may be necessary for the performance of any matter or thing authorised by this section.”

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3. Advances to owners—Section 49 (1) (b) of the principal Act is hereby amended by inserting, after the words “public sewer, or drain,”, the words “or to effect repairs to any such connection,”.

4. Unauthorised expenditure—(1) Section 52 of the principal Act (as amended by section 6 of the Christchurch District Drainage Amendment Act 1957 and section 7 (1) of the Decimal Currency Act 1964) is hereby further amended by omitting the words “one thousand dollars”, and substituting the expression (“\$20,000”) “\$2,000”. 5
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New

(2) Section 6 of the Christchurch District Drainage Amendment Act 1957 is hereby consequentially repealed.

5. Board may establish special funds—(1) The principal Act is hereby further amended by *(inserting, after)* repealing section 55, and substituting the following section: 15

“55. (1) The Board may from time to time, by resolution specifying the purposes of the fund, establish 1 or more funds for the purpose of providing for the cost of any activity or matter which the Board is authorised to undertake. 20

“(2) The Board shall, not later than the 30th day of June in every year, pay into a separate bank account or invest all money allocated to any such fund during the financial year that ended with the immediately preceding 31st day of March: 25

“Provided that the amount so payable into the separate bank account may be reduced by the amount of any expenditure actually incurred during the period of 15 months ending with that 30th day of June and properly chargeable against the fund which has not already been withdrawn from the separate bank account. 30

“(3) The Board may from time to time invest any money so allocated to any such fund in securities referred to in section 4 of the Trustee Act 1956 and pay the proceeds of the investment into the fund. 35

“(4) The Board may from time to time apply the money in any such fund only to the purposes for which the fund was established.

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“(5) On the completion of the purposes for which a fund from general revenues was established by resolution under this section, or when in the opinion of the Board and with the
5 concurrence of the Audit Office the purposes are no longer attainable, the Board may, by resolution, apply any surplus remaining in that fund to the General Account.”

New

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10 (5) On the completion of the purposes for which any such fund was established, or when in the opinion of the Board with the concurrence of the Audit Office the circumstances are such that it is unnecessary to retain the whole of the fund or the whole or any part of the surplus of the fund, the Board
15 may, by resolution, appropriate the fund or, as the case may be, the whole or any part of that surplus to the General Account.”

(2) Section 3 of the Christchurch District Drainage Amendment Act 1971 is hereby consequentially repealed.

(3) Every renewal fund formed under section 55 of the
20 principal Act and in existence immediately before the commencement of this section shall, on and after the commencement of this section, be deemed to be a special fund established under the said section 55 (as substituted by subsection (1) of this section).

25 5A. **Investment of sinking funds**—Section 64 of the principal Act is hereby amended by omitting the words “, but not including renewal funds set aside under the provisions of section fifty-five of this Act,”.

30 **6. Increased penalties**—The principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended—

(a) By omitting from section 37 (4) the words “one hundred and forty dollars” and also the words “four
35 dollars”, and substituting the expressions “\$2,000” and “\$100”, respectively:

(b) By omitting from section 41 (5) (as amended by section 4 of the Christchurch District Drainage Amendment Act 1957) the words “ten dollars”, and substituting the expression “\$100”:

40 (c) By omitting from section 42 (4) the words “one hundred dollars”, and substituting the expression (“\$1,000”) “\$200”:

(d) By omitting from section 42 (5) (g) the words “forty
45 dollars”, and substituting the expression (“\$400”) “\$200”:

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- (e) By omitting from section 43 (3) the words “twenty dollars” and also the words “one dollar”, and substituting the expressions (“\$200”) “\$100” and “\$10”, respectively:

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- (f) By omitting from section 81 the words “forty dollars” and also the words “ten dollars”, and substituting the expressions “\$400” and “\$100”, respectively:

New

- (f) By omitting from section 81 the words “forty dollars”, and substituting the expression “\$100”:

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- (g) By omitting from section 86A (as inserted by section 13 of the Christchurch District Drainage Amendment Act 1960) the words “one hundred dollars”, and substituting the expression (“\$1,000”) “\$200”:

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- (h) By omitting from section 88 the words “forty dollars”, and substituting the expression (“\$400”) “\$200”.