

Mr. Statham.

DUNEDIN DISTRICT DRAINAGE AND SEWERAGE AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

- Title.
- 1. Short Title.
- 2. Interpretation.
- 3. Constitution of the Board.

- 4. Section 4 of principal Act modified. Sections 5 to 15 inclusive repealed *pro tanto*.
- 5. Provisions of principal Act and its amendments to apply to Board as constituted by this Act.

A BILL INTITULED

AN ACT to further amend the Dunedin District Drainage and Sewerage Act, 1900, and the Acts amending the same. Title.

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

1. (1.) This Act may be cited as the Dunedin District Drainage and Sewerage Amendment Act, 1916. It shall form part of and be read together with the Dunedin District Drainage and Sewerage Act, 1900. Short Title.

(2.) This Act shall come into operation on the first day of October June, nineteen hundred and sixteen seventeen.

2. In this Act, if not inconsistent with the context,— Interpretation
"The principal Act" means the Dunedin District Drainage and Sewerage Act, 1900 :
"The Board" means the Dunedin Drainage and Sewerage Board.

3. (1.) On and after the coming into operation of this Act the Board shall consist of the following persons, who shall be the only members of the Board:— Constitution of the Board.

(a.) The Mayor and Councillors of the City of Dunedin for the time being:

Struck out.

(b.) One other person to be appointed by the St. Kilda Borough Council from amongst the members of the said Borough Council for the time being.

New.

(b.) Nine other members of the Dunedin City Council and two members of the St. Kilda Borough Council, to be appointed as hereinafter provided.

Struck out.

(2.) The first member of the Board to be appointed by the St. Kilda Borough Council as aforesaid shall be appointed by the St. Kilda Borough Council during the month of September, nineteen hundred and *sixteen*, and he shall hold office until his successor is appointed by the said Council in the month of May, nineteen hundred and *seventeen*, and each successive appointment thereafter by the St. Kilda Borough Council shall be made every second year and during the month of May following the general election of Councillors pursuant to the provisions of the Municipal Corporations Act, 1908. It shall be the duty of the Town Clerk of the said Borough forthwith and from time to time to notify the Secretary of the Board in writing of the name of the person so appointed.

(3.) Should a vacancy occur in the office held by the member of the Board so from time to time appointed by the St. Kilda Borough Council (either from death, resignation, or other cause) the fact of such vacancy occurring shall be notified by the Secretary of the Board to the Town Clerk of St. Kilda, who shall forthwith call a special meeting of the members of the said Council for the purpose of filling the vacancy, and the provision herein contained shall be deemed sufficient authority for the holding of such special meeting, notwithstanding any provision to the contrary contained in any Act of the General Assembly or in any by-law or standing orders of the said Borough Council.

New.

(2.) The members of the Board to be appointed by the Dunedin City Council and the St. Kilda Borough Council shall be appointed during the month of May, nineteen hundred and seventeen, and thereafter during the month of May following every general election of Councillors held pursuant to the Municipal Corporations Act, 1908. The members so appointed shall come into office on the first day of June next after their appointment, and shall hold office until their successors come into office.

(3.) It shall be the duty of the Town Clerks of the said Councils forthwith and from time to time to notify the Secretary of the Board in writing of the names of the persons so appointed.

(4.) The Mayor of the City of Dunedin for the time being shall be Chairman of the Board.

New.

(5.) The election of three members of the Board fixed for the second Thursday in May, nineteen hundred and seventeen, shall be deemed to be cancelled, and such members of the Board as would, but for this provision, have retired on the date aforesaid shall hold office until the coming into operation of this Act.

(6.) Should a vacancy occur in any office held by the members of the Board from time to time appointed as aforesaid either by the Dunedin City Council or by the St. Kilda Borough Council (from death, resignation, or other cause), the fact of such vacancy occurring shall be notified by the Secretary of the Board to the Town Clerk of Dunedin, or of St. Kilda, as the case may be, who shall forthwith call a special meeting of the members of the said Council for the purpose of filling the vacancy, and the provision herein

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New.

5 contained shall be deemed sufficient authority for the holding of such special meeting notwithstanding any provisions to the contrary contained in any Act of the General Assembly or in any by-law or standing orders of the said City or Borough Council. The member so appointed shall hold office only for so long as his predecessor would have held it if no such vacancy had occurred.

Struck out.

10 4. The *last preceding* section hereof is in substitution for the provisions contained in sections four to fifteen (inclusive) of the principal Act in so far as the same relate to the number of members, the method of election, and all matters pertaining or incidental thereto. The said section four is hereby modified accordingly, and
15 repealed (in so far as may be necessary) together with all and every other provision of the principal Act and of the several Acts amending the same wherever such provision refers to any matter pertaining or incidental to the number or election of members of the Board or the procedure for filling vacancies, whether ordinary or
20 extraordinary.

Section 4 of principal Act modified. Sections 5 to 15 inclusive repealed *pro tanto*.

New.

25 4A. (1.) No differential rate shall at any time hereafter be imposed on any lands or rateable property now included in the district as defined by the principal Act in respect to sewage, storm-water, or any other matter under the Board's jurisdiction, and section three of the Local Bodies' Loans Act, 1913, is hereby excluded from the powers of the Board or of the Corporation of the City of Dunedin in so far as they relate to sewage, storm-water, or any other matter under the Board's jurisdiction.

Differential rating not to be imposed.

30 (2.) The provisions of this section shall be limited in its application to the area contained in the district as defined by the principal Act, and shall not apply to any area that may hereafter be added to the district, in whatever manner or by whatever method such addition may be made.

35 5. Subject to the provisions of the ~~last preceding section hereof, this Act~~, all the provisions of the principal Act and the Acts amending the same, and all the powers and privileges contained in the ~~said principal Act and the those~~ Acts amending the same, shall apply to and be vested in the Board as the same is reconstituted
40 by this Act.

Provisions of principal Act and its amendments to apply to Board as constituted by this Act.

New.

6. The principal Act and its amendments are hereby consequentially amended as described in the *Schedule* hereto.

Repeals.

Schedule.

New.
SCHEDULE.

ENACTMENTS AMENDED.

- 1900, No. 25, Local.—The Dunedin District Drainage and Sewerage Act, 1900 :—
 Section 3, by omitting the definition of “ elector.”
 Section 4, by omitting the words “ nine persons, to be elected from time to time in manner herein provided,” and substituting the words “ twelve persons.”
 Sections 5 to 12, by repealing those sections.
 Section 13, by omitting the word “ elected,” and substituting the word “ appointed.”
 Section 15, by omitting the words “ Chairman, and there shall also be a Deputy Chairman chosen in the same way,” and substituting the words “ Deputy Chairman”; by omitting the words “ offices of Chairman and,” and substituting the word “ office”; and by omitting the words “ they become,” and substituting the words “ it becomes.”
- 1902, No. 15, Local.—The Dunedin District Drainage and Sewerage Act 1900 Amendment Act, 1902 :—
 Sections 3 and 4, by repealing those sections.
 Section 6, by omitting the words “ or any ten electors.”
 Section 10, by omitting paragraphs (3) and (4).
- 1909, No. 23, Local.—The Dunedin District Drainage and Sewerage Acts Amendment Act, 1909: Section 26, by repealing that section.
- 1912, No. 3, Local.—The Dunedin District Drainage and Sewerage Acts Amendment Act, 1912: Section 6, by repealing that section.
- 1913, No. 3, Local.—The Dunedin District Drainage and Sewerage Acts Amendment Act, 1913 :—
 Section 8, by repealing that section.
 Section 9, by omitting the words “ election or.”
- 1914, No. 12, Local.—The Dunedin District Drainage and Sewerage Acts Amendment Act, 1914: Section 10, by repealing that section.