

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 30 September 1970.

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.

Mrs Tombleson

GISBORNE HARBOUR BOARD FARM EMPOWERING

[LOCAL]

ANALYSIS

Title
1. Short Title
2. Special Act

3. Interpretation
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Schedule

A BILL INTITULED

Struck Out

5 **An Act to extend the powers of the Gisborne Harbour Board relating to its Tauwhareparae lands and amend the Gisborne Harbour Board Empowering Act 1953**

New

An Act to authorise the Gisborne Harbour Board to sell part of its endowment land at Tauwhareparae

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

1. **Short Title**—This Act may be cited as the Gisborne Harbour Board (*Farm*) Empowering Act 1970.

15 2. **Special Act**—This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1950.

No. 53—2

3. Interpretation—In this Act, unless the context otherwise requires,—

“Board” means the Gisborne Harbour Board:

Struck Out

“Minister” means the Minister of Marine: 5

“Land” means that portion of the land described in the Schedule to the Gisborne Harbour Board Empowering Act 1953 as is described in the Schedule to this Act.

4. Power to sell land—The Board is hereby authorised and empowered, subject to the consent of the Minister,— 10

- (a) To accept a surrender of any lease of the whole or any part of the land upon such terms and conditions as it thinks fit: 10
- (b) To advertise for sale and to sell the whole or any part of the land by public auction or tender or private contract at a price not less than the capital value of a special Government valuation made for the purpose in respect of the land upon such terms and conditions as it thinks fit, with power to accept from the purchaser a first mortgage over the land sold for not more than half of the sale price thereof for a term not exceeding 10 years with interest at the rate of \$7 percent per annum and with such other provisions as to the rate of interest payable at any time and repayment of money due by annual instalments of principal or otherwise as the Board shall decide: 15 20 25
- (c) To employ such companies or persons as the Board determines to conduct such auction or tender or by private contract upon the usual terms relating to the sale of land and to pay such remuneration as is proper in such cases: 30
- (d) To use the proceeds of such sale and accrued interest thereon and money received on the surrender of any lease for any of the purposes authorised by the Gisborne Harbour Board Empowering Act 1953. 35

New

4. Power to sell endowment land—(1) Notwithstanding anything in section 12 of the Gisborne Harbour Act 1905, the Board, with the consent of the Minister of Marine and subject to such terms and conditions as he thinks fit (including, but not by way of limitation, terms of deferred payment 40

New

which may provide for the transfer of the land and the securing of the unpaid purchase money by way of mortgage of the land sold), may sell the whole or any part of the land described in the Schedule to this Act (being part of the land set apart as an endowment for the Board by section 12 of the Gisborne Harbour Act 1905 and part of the land subject to the Gisborne Harbour Board Empowering Act 1953).

(2) On registration of any transfer that completes a sale made pursuant to subsection (1) of this section the land comprised in the transfer shall cease to be subject to the Gisborne Harbour Act 1905 and to the Gisborne Harbour Board Empowering Act 1953.

5. Application of money received on sale of land or surrender of lease—(1) Where any land is sold pursuant to subsection (1) of section 4 of this Act or where any money is received on the surrender of a lease of the whole or any part of the land described in the Schedule to this Act, the net proceeds of the sale and any money so received shall be paid by the Board into a special account and may be invested by the Board in accordance with section 53 of the Harbours Act 1950.

(2) The capital of that special account together with any interest on that capital or any part thereof may from time to time be applied by the Board in carrying out the powers conferred on it by section 4 of the Gisborne Harbour Board Empowering Act 1953.

SCHEDULE

Firstly, all (*that area*) those pieces of land in the Gisborne Land District, containing 12,894 acres, more or less, being Lots 15, 16, and 18, D.P. 3426, and Lot 17, D.P. 3394, being parts Tauwhareparae Block, situated in Block XII, Tutamoi Survey District, and Blocks, V, IX, X, XIII, and XIV Tokomaru Survey District, and being part of the land comprised and described in certificate of title, Volume 2D, folio 206, Gisborne Land Registry. (*as shown bordered red on the plan marked M.D. deposited in the office of the Marine Department at Wellington.*)

Secondly, all that (*area*) piece of land in the Gisborne Land District, containing 3,282 acres, more or less, being Lot 19, D.P. 3395, being part Tauwhareparae Block, situated in Blocks XIII and XIV, Tokomaru Survey District, and being part of the land comprised and described in certificate of title, Volume 2D, folio 206, Gisborne Land Registry. (*as shown bordered brown on the plan marked M.D. deposited in the office of the Marine Department at Wellington.*)