

*Mr Davey*

**GISBORNE HARBOUR BOARD LOAN AND  
EMPOWERING**

[LOCAL]

ANALYSIS

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A BILL INTITULED

5 **An Act to authorise the Gisborne Harbour Board to borrow the sum of \$450,000 and to make and levy a special rate as security for the loan, and to confer certain powers on that Board**

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

10 **1. Short Title**—This Act may be cited as the Gisborne Harbour Board Loan and Empowering Act 1973.

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

“Board” means the Gisborne Harbour Board:

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“Harbour district” means the Gisborne Harbour District as defined by the Gisborne Harbour Board Empowering Act 1952.

**3. Special Act**—This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1950 and the Local Authorities Loans Act 1956. 5

**4. Authority to purchase tug**—The Board is hereby authorised, subject to the provisions of the Harbours Act 1950 and this Act, to enter into such contracts as may be necessary for the purpose of either purchasing a tug and any other craft for the efficient use of the tug in the Port of Gisborne and equipping the same with all necessary gear, spare and other parts, and incidental machinery and appliances, as the Board may decide, or for purchasing, constructing, or having constructed or built in whole or in part the said tug and other craft with all necessary gear, spare and other parts, and incidental machinery and appliances and equipping the same, and for such purpose to purchase such materials, plant, machinery, and other items as are required and to employ labour necessary to complete the said tug and other craft as aforesaid. 10  
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**5. Authority to make and levy a special rate**—  
(1) If the Board is authorised under the Local Authorities Loans Act 1956 to borrow a sum not exceeding \$450,000 for the purposes of this Act, and if the loan raised for those purposes is designated by the Local Authorities Loans Board as the loan to which this Act applies, the Board may make and levy for securing repayment of the money to be borrowed and interest thereon a special rate not exceeding 0.026 of a cent in the dollar on the capital value of all rateable property in the harbour district. 25  
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(2) Nothing in this section or in any debentures or stock issued in respect of any such loan shall affect or prejudice the rights of the holders of any debentures or stock executed or issued by the Board before that loan is raised. 35

**6. Returning Officer**—Where, pursuant to the provisions of section 34 of the Local Authorities Loans Act 1956 (as amended by section 8 of the Local Authorities Loans Amendment Act 1971), the prior consent of the ratepayers of the harbour district is required to the raising of the loan referred to in section 5 of this Act, the Board shall appoint 40

some person to be the Returning Officer for the purposes of the poll required to be taken on the proposal to raise the loan, and the provisions of the Local Elections and Polls Act 1966 (including the provisions of subsections (2) and (5) of section 5 8 of that Act) shall apply accordingly with such modifications as may be necessary.

**7. Ratepayers roll**—The roll of ratepayers of the harbour district shall be the roll for the purposes of any such poll.

**8. New Zealand Ports Authority Act not affected**—Nothing 10 in this Act shall limit the provisions of the New Zealand Ports Authority Act 1968.

**9. Authorising refund to Harbour Fund Account from loan money**—The Board is hereby authorised, subject to the approval of the Local Authorities Loans Board, to refund 15 to its Harbour Fund Account, from money borrowed in accordance with section 5 of this Act, any money expended (whether before or after the commencement of this Act) for the purposes specified in this Act; and all money so refunded shall be deemed to have been applied and 20 expended for those purposes.