

Hon. Mr. Reynolds.

HARBOURS ACT 1878 AMENDMENT.

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A BILL INTITULED

AN ACT to amend "The Harbours Act, 1878."

Title.

WHEREAS it is desirable to amend "The Harbours Act, 1878:"

Preamble.

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

1. The Short Title of this Act is "The Harbours Act 1878 Amendment Act, 1881."

Short Title.

2. Notwithstanding anything contained in "The Harbours Act, 1878," it shall be lawful for any Board, in granting leases under the powers conferred by "The Harbours Act, 1878," to provide for the renewal from time to time, by way of new lease, of all or any of such leases, on such terms and conditions as the Board may determine, or for payment by the incoming tenant, or otherwise, of the value of the buildings or other improvements upon lands so leased, subject to the following limitations:—

Board may lease and re-lease.

- (1.) That every renewal or new lease shall be granted upon or after the expiration of the then existing lease, and not otherwise:
- (2.) That, notwithstanding any covenant for renewal, every lease shall be offered for sale at auction, and such auction shall take place at not less than six nor more than seven months previously to the expiration of the then existing lease:
- (3.) That if the upset price is not bid at the auction, the Board may, within six months thereafter, lease the land at the upset price, or at a price beyond it, by private treaty:
- (4.) That, except so far as they may be inconsistent with this Act, all the provisions contained in "The Harbours Act, 1878," herein referred to, shall apply to such renewals or new leases.

Board may enter into contracts.

3. It shall be lawful for any Board to enter into contracts to lease any lands vested in it without at the same time executing any lease, and such contracts shall be binding on the Board and the said lessee to grant and accept the said lease respectively.

Sub-leases may be granted.

4. It shall be lawful for any Board, with the consent of the lessee, his executors, administrators, or assigns, and any person having any interest under such lease, to give a sub-lessee a lease direct from the Board, provided that the rent payable to the Board is not lessened, or the term for which the existing lease was granted extended thereby.

Otago Harbour Board may assimilate leases.

5. It shall be lawful for the Otago Harbour Board, within twelve months after the commencement of this Act, with the consent of the lessees, their executors, administrators, or assigns respectively, and on such terms as it may deem fit, to assimilate the covenants and conditions of all or any leases heretofore granted to the provisions contained in the second section hereof: Provided that no premium, fine, or foregift shall be taken as the consideration for such assimilation, and that the rent to be payable under any such assimilated lease shall be fixed by the Crown Lands Commissioner of the District of Otago, the Resident Magistrate of the District of Dunedin, and the Chief Surveyor of the Provincial District of Otago, or any two of them; and all the expenses of and incidental to the ascertaining and fixing of such rent shall be paid as they, or any two of them, may direct.

The rent fixed in manner herein provided shall in no case be less than that now payable.