

*Hon. Mr. Ormond.*

## HAWKE'S BAY RIVERS AMENDMENT.

(LOCAL BILL.)

### ANALYSIS.

<b>Title.</b>	
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	5. Board to pay costs of promoting this Act.

### A BILL INTITLED

AN ACT to amend the Hawke's Bay Rivers Act, 1910.

**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 Hawke's Bay Rivers Amendment Act, 1912, and it shall be read with and be deemed to form part of the Hawke's Bay Rivers Act, 1910 (hereinafter referred to as the principal Act).
- 10 (2.) The expressions "the Board" and "the district" where used herein shall have the meanings given to them respectively in the principal Act.

2. Section six of the principal Act is hereby repealed, and the following section is hereby enacted in lieu thereof:—

15 "6. There shall be a River Board in and for the said district, to be called 'The Hawke's Bay Rivers Board,' and to consist of eight members elected as follows: two by the ratepayers of the Pukahu Ward and one for each of the other wards by the ratepayers thereof respectively."

20 3. Notwithstanding anything in the Local Bodies' Loans Act, 1908, or ~~in~~ any amendment thereof, it shall be lawful for the Board, when making and levying a special rate as security for any loan raised by them under the provisions of the last-cited Act in and for the benefit of the district as a whole, to make and levy on all 25 rateable property within the Pukahu Ward a special rate of lesser amount than the special rate made and levied by them as security for the same loan on all rateable property within the remainder of the district.

**Réduction in  
number of members  
for Pukahu Ward.**

**Special rate in  
Pukahu Ward may  
differ from special  
rate in other wards.**

**Further provisions  
regarding special  
loans.**

**4.** Whenever the Board shall resolve to raise any such loan as aforesaid in and for the benefit of the district as a whole, the following provisions shall apply:—

- (a.) In and by the resolution to raise the loan the Board shall determine what special rates shall be levied within the Pukahu Ward and the remainder of the district respectively as security for the loan. 5
- (b.) In case both or either of the members for the Pukahu Ward shall dissent from the Board's determination in this behalf—that is to say, their determination of the question what special rates shall be levied within the Pukahu Ward and the remainder of the district respectively as security for the loan—the Board shall not take any further steps preliminary to the raising of the loan, unless and until the said question shall have been referred to and decided by a Commission consisting of these three persons, to wit: the Stipendiary Magistrate exercising jurisdiction at Napier, the Commissioner of Crown Lands for the Land District of Hawke's Bay, and the Government Valuer or one of the Government Valuers for the District of Hawke's Bay appointed under the Valuation of Land Act, 1908; and the decision of the aforesaid Commissioners, or any two of them, in the premises shall be final and without appeal. 10
- (c.) A memorandum in writing signed by the Chairman of the Board and by either of the members for the Pukahu Ward stating that the said question stands referred to the aforesaid Commissioners shall be sufficient authority to the Commissioners to enter upon the reference. 25
- (d.) For the purpose of enabling them to decide and determine the said question, the aforesaid Commissioners shall have all the powers, privileges, and immunities of Commissioners appointed under the Commissions of Inquiry Act, 1908. 30
- (e.) All costs and expenses of and incidental to the reference of the said question to, and the determination thereof, by the aforesaid Commissioners shall be borne and paid by the Board. 35
- (f.) The Commissioners shall, so soon as practicable after the reference to them of the said question, make and sign a report in writing embodying their answer thereto, and shall forthwith deliver the said report to the Board, and shall at the same time publish a copy of the said report in some newspaper circulating within the district. 40
- (g.) After the said report has been so delivered it shall not be lawful for the Board when raising the proposed loan, or taking any steps or proceedings necessary or incidental to the raising of the same, to alter the special rates expressed in the said report to be properly leviable as security for the loan within the Pukahu Ward and the remainder of the district respectively. 50

**In case of opposition  
by members for  
Pukahu Ward, rates  
to be determined by  
special Commission.**

**Authority for  
Commissioners to  
act.**

**Powers of  
Commissioners.**

**Board to pay costs  
of reference.**

**Commissioners to  
report in writing.**

**Report to be binding  
on Board.**

- (h.) In assessing the special rates to be levied as such security as aforesaid within the Pukahu Ward and the remainder of the district respectively, the Board or the Commissioners, as the case may be, shall have regard to the provisions of subsection three of section seventeen of the Local Bodies' Loans Act, 1908. Rates to be so calculated as to yield 10 per cent. more than charges on loan.
- 5 5. All costs and expenses of and incidental to the promotion of this Act shall be chargeable against the Board, and shall be paid out of moneys belonging to the Board. Board to pay costs of promoting this Act.

By Authority : JOHN MACKAY, Government Printer, Wellington. - 1912.