[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 24 August 1955

Words struck out by Local Bills Committee are shown in italics within bold brackets; words inserted are shown in black.

Mr McKay

HIKURANGI TOWN COUNCIL EMPOWERING

[LOCAL BILL]

ANALYSIS

Title.
Preamble.
1. Short Title.
2. Interpretation.
3. Council may make by-laws levying annual fee for water supply purposes.
4. Validating certain fees already levied by Town Board or Council.
5. Act not to affect rights of debenture holders or creditors.

A BILL INTITULED

AN ACT to empower the Hikurangi Town Council to make and levy in respect of properties within the Hikurangi Town District water fees at a fixed flat rate. Title.

WHEREAS the existing provisions of the Municipal Corporations Act 1954 for the levying of water rates have been found within the Hikurangi Town District to **[***be inadequate***]** **operate inequitably** inasmuch as a water rate based on the unimproved values of all rateable properties within the said Hikurangi Town District would cause undue hardship to the owners of certain of such properties: And whereas since the first day of January, nineteen hundred and forty-seven, the Hikurangi Town Council has purported to make and levy in respect Preamble.

of all properties within the Hikurangi Town District water fees at a flat rate: And whereas it is now desired that such fees should be made and levied permanently:

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

Short Title.

1. This Act may be cited as the Hikurangi Town Council Empowering Act 1955.

Interpretation.

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

"Council" means the Hikurangi Town Council:

"Town district" means the Hikurangi Town District.

Council may make by-laws levying annual fee for water supply purposes.

3. (1) The Council may from time to time, in manner provided by the Municipal Corporations Act 1954, make by-laws providing for the payment of an annual fee for water supply purposes (hereinafter referred to as the water fee), [*and may from time to time fix the amount of such water fee*] and may in every year levy a water fee in accordance with such by-laws on all rateable property situated within the town district, and may also in every year levy [*such fee as aforesaid*] **the water fee** on all non-rateable property (not being lands vested in Her Majesty of which there is not an owner or occupier, as defined by the Rating Act 1925, other than Her Majesty) situated within the town district and connected with [*the receiving services*] **and receiving service** from the Council's water supply system.

(2) Any such by-laws may make provision for the exemption from [*paying*] **payment** of the water fee of any owner or occupier of property which is not served or is not likely to be served by the Council's water supply service.

(3) The water fee may in any year be of a sufficient amount to provide for the payment of the whole or part of the interest and other charges for that year on any loans heretofore or hereafter raised by the Hikurangi Town Board or the Council for water supply purposes and of the cost of maintaining the Council's water supply service.

(4) Where any loan has been raised by the Hikurangi Town Board or the Council for the purpose of carrying out any water supply scheme and has been secured by a special rate levied over the rateable property within the town district or any defined portion of the town district,

the Council may in any year in which the amount collected or to be collected by way of the water fee is available and sufficient for the payment of the whole or part of the interest and other charges on the loan refrain from levying the said special rate or reduce the amount thereof to be levied in that year, as the case may require.

(5) The proceeds of any water fee shall be available only for the purposes mentioned in subsection *three* of this section.

(6) A water fee shall for all purposes be deemed to be a separate rate.

Validating certain fees already levied by Town Board or Council.

4. Any such water fees made and levied in the years that commenced on the first day of April, nineteen hundred and forty-nine, the first day of April, nineteen hundred and fifty, the first day of April, nineteen hundred and fifty-one, the first day of April, nineteen hundred and fifty-two, the first day of April, nineteen hundred and fifty-three, and the first day of April, nineteen hundred and fifty-four, respectively, are hereby validated and declared to have been lawfully made and levied and shall be for all purposes valid and effectual.

Act not to affect rights of debenture holders or creditors.

5. Nothing in this Act shall in any way affect the rights or interests of any debenture holder or other creditor of the Council.

WELLINGTON, NEW ZEALAND: Printed under authority of the New Zealand Government, by R. E. OWEN, Government Printer—1955