

Mr. Luke.

JOHNSONVILLE SCHOOL RESERVE AMENDMENT.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to amend the Johnsonville School Reserve Act, 1898, and to authorise the Johnsonville Town Board to borrow Money upon the Security of a Lease of the School Reserve and to erect and occupy Buildings thereon. Title.

WHEREAS the buildings on the land referred to in the Johnsonville School Reserve Act, 1898 (hereinafter called the principal Act), are in a dilapidated condition and will shortly be ruinous and unfit for occupation, and there are not sufficient funds out to which to renew them: And whereas there is no other available site in the Johnsonville Town District so well adapted as the said land for the erection of a Town Hall and municipal offices: 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. This Act may be cited as the Johnsonville School Reserve Amendment Act, 1910, and shall be read in conjunction with the principal Act and the Johnsonville School Reserve Act Amendment Act, 1900. Short Title.

2. John Rod, of Johnsonville, butcher, and Frank Thomas Moore, of Johnsonville, farmer, are hereby appointed new Trustees of the land referred to in the principal Act, and herein referred to as "the school reserve," and the Johnsonville Town Board (herein referred to as the Board) is hereby discharged from the trust. New Trustees appointed.

3. The school reserve is hereby vested in the said John Rod and Frank Thomas Moore and their heirs as joint tenants, and the District Land Registrar is hereby directed to register them as owners in fee-simple as joint tenants of the said land. School reserve vested in new Trustees.

Power to appoint new Trustees in the future.

4. The power of appointing a new Trustee or new Trustees of the school reserve is hereby vested in the said John Rod and Frank Thomas Moore jointly, or other the Trustees or Trustee for the time being of the school reserve, and the executors or administrators of the last surviving Trustee, and on every appointment of a new Trustee or new Trustees, the District Land Registrar shall register the Trustees as owners in fee-simple as joint tenants of the school reserve. On any such appointment, the number of Trustees may be augmented or reduced, but so that at no time shall be fewer than two.

Power for Johnsonville Town Board to borrow.

5. The Board is hereby empowered to borrow for the purposes hereinafter mentioned a sum or sums not exceeding in the whole two thousand six hundred pounds, upon the security of the lease hereinafter mentioned and of a special rate to be levied in the Johnsonville Town District.

Statutory powers given to Board.

6. For the purposes in the last section mentioned, and notwithstanding the trusts declared of the school reserve, the Board shall have all the powers of a Town Board under the Town Boards Act, 1908, and all the powers of a local authority under the Local Bodies' Loans Act, 1908, and the Rating Act, 1908.

Objects of loan.

7. The moneys to be raised under the power to borrow given by this Act shall be expended in building on the school reserve a Town Hall and municipal offices, and in the purchase of furniture and fittings for the same respectively; and, if the Board shall think fit, in building thereon dwelling-houses and shops, and repairing existing buildings thereon.

Furniture and fittings belong to Board.

8. All such furniture and fittings shall be the property of the Board.

Power for Board to occupy buildings.

9. The Board may occupy the school reserve, and the Town Hall and offices, dwelling-houses, and shops, when so erected, for a term of thirty-five years from the passing of this Act, the Board paying to the Trustees of the school reserve an annual rent equal to five per cent. upon the capital value for the time being of the land without the buildings, such capital value being ascertained from time to time by the Government valuation made under the Valuation of Land Act, 1908.

Power for Trustees to lease.

10. The Trustees are hereby empowered to lease the school reserve and all buildings and erections thereon to the Board for the term and at the rent aforesaid, and upon such other terms and conditions as are usual in leases of a similar character. The Board is hereby empowered to enforce the granting of such lease, and, if any dispute or difference shall arise as to the terms of the lease, the same shall be referred to arbitration under the Arbitration Act, 1908, and the arbitrators or umpire, as the case may be, shall in such an event settle the draft of such lease.

Board has right to renew lease.

11. At the expiration of the said term of thirty-five years the Board shall have the right to a renewal of the said lease upon the same conditions, including the right of renewal as the first lease.

District Land Registrar to register memorandum of lease.

12. The District Land Registrar is hereby directed to register a memorandum of any such lease or renewed lease as aforesaid under the Land Transfer Act.

13. On the expiration of any such lease or renewed lease, the Trustee or Trustees for the time being of the school reserve shall have the right to call upon the Board to claim or abandon such right of renewal, and if the Board shall for three months after having been
5 so called upon refuse or neglect to apply for a renewal the right to a renewed lease shall be deemed abandoned and forfeited.

Trustees may call on Board to renew or abandon right.

14. If the Board shall not renew the lease, or any renewed lease of the premises, then the buildings and erections on the school reserve shall be the absolute property of the Trustees of the school reserve,
10 and no compensation shall be payable to the Board in respect thereof.

Buildings belong to trust on failure to renew.

15. Subject to the aforesaid provisions, the Trustees or Trustee for the time being of the school reserve shall hold the same and all buildings and erections thereon, and all rents, profits, and income
15 thereof and all accumulations of income received by them from the Board upon the trusts by the principal and amending Acts declared concerning the same respectively, and with the powers conferred upon the Board by those Acts, including the power of leasing given by the principal Act :

Powers of Trustees.

20 Provided that such power of leasing shall not be exercised unless there shall be at least two Trustees, and that a resolution of the Trustees within the meaning of the Public Bodies' Leasing Powers Act, 1908, may be passed by a majority of the Trustees present
25 at any meeting of the Trustees of which notice has been given by any one of them to the other Trustee or to all the other Trustees for the time being, if more than one other.