

Mr. Davey.

LYTTELTON HARBOUR BOARD.

[LOCAL BILL.]

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Deemed a special Act. 3. Interpretation. 4. Lyttelton Harbour Board District defined. 5. Constitution of Board. 6. Electoral divisions of Harbour Board district. 7. Combined electoral divisions. 8. Change of district not to affect membership. Governor may vary districts and representation.</p>	<p>9. Election of members for separate divisions. Each elector one vote only. Local Elections and Polls Act, 1908, to apply. 10. Election of members for combined divisions. Regulations, &amp;c. 11. Cost of elections. 12. Returning Officer. 13. First election of members. 14. Coming into office and tenure of office. 15. Tenure of office of previous members. 16. Repeal.</p>
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A BILL INTITULED

AN ACT to amend the Lyttelton Harbour Board Act, 1882, and to reconstitute the Harbour Board for the Port of Lyttelton. Title.

WHEREAS the Lyttelton Harbour Board as at present constituted consists partly of elective and partly of non-elective members: And whereas it is deemed expedient that the said Board should be more directly representative of the electors, and that the members of the said Board should to that end be elected directly by the electors of the Lyttelton Harbour Board District, and that the representation of the said district should be determined by reference to the distribution of population in the several portions of the said district: 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 Lyttelton Harbour Board Act, 1910. Short Title.

2. This Act shall be deemed to be a special Act within the meaning of the Harbours Act, 1908, which Act shall be incorporated with this Act Deemed a special Act.

3. In this Act, if not inconsistent with the context, " Board " means the Lyttelton Harbour Board constituted under the Harbours Act, 1908: Interpretation.  
" The said Act " means the Harbours Act, 1908.

Lyttelton Harbour Board District defined.

4. The Lyttelton Harbour Board District shall include and be composed of the undermentioned districts :—

The City of Christchurch ;

The Boroughs of Woolston, Sumner, New Brighton, Lyttelton, Kaiapoi, and Rangiora ;

The Counties of Selwyn, Tawera, Akaroa, Mount Herbert, Waiwera, Waipawa, and Waimairi ; and

The Road Districts of Ashley, Cust, Mandeville and Rangiora, Eyreton, Eyreton West, Kowai, and Oxford.

Constitution of Board.

5. The Board shall, from and after the *second* Monday in the month of February in the year nineteen hundred and *eleven* consist of fifteen members and no more, seven of whom shall form a quorum, and all of whom shall be elected in manner hereinafter provided as representatives on the Board of the Lyttelton Harbour Board District.

Electoral divisions of Harbour Board district.

6. Subject to the provisions of section *seven* of this Act, the districts mentioned in section *four* of this Act shall be represented by one or more members on the Board, and for the purposes of such representation the Lyttelton Harbour Board District shall be divided into such electoral divisions as the Governor by Order in Council may determine ; and the Governor by the same or any other Order shall determine the number of representatives to be returned to the Board by each of such electoral divisions, having regard in such manner as he thinks fit to the relative populations of such electoral divisions, but so that the total number of such representatives shall not be more or less than fifteen.

Combined electoral divisions.

7. In determining the number of such electoral divisions the Governor may in and by the said Order in Council combine into one or more combined electoral divisions any two or more contiguous districts mentioned in section *four* hereof (whether of the same or of different kinds), composing the said Lyttelton Harbour Board District ; and in any such case the Governor shall by the same or any other Order in Council determine the number of members to be elected in common as the representatives or representative of any such combined electoral divisions, having regard in such manner as he thinks fit to the relative populations of the said combined electoral division and of every other combined or separate electoral division within the Lyttelton Harbour Board District.

Change of district not to affect membership.

8. (1.) The abolition, merger, union, division, or other alteration of any part of any electoral division of the Lyttelton Harbour Board District shall not in itself have any operation to affect the then existing membership of the Board until the next election held under this Act.

Governor may vary districts and representation.

(2.) The Governor may by Order in Council, from time to time, whenever in his opinion it becomes necessary or expedient to do so by reason of any such alteration or of the altered distribution of population as shown by any periodical census, or by reason of any other circumstances, revoke or amend any provisions made by him with respect to the creation or representation of the said electoral divisions, or with respect to the creation or representation of any combined electoral division, and may make with respect to any of such matters any other provisions which he thinks fit, and which are not inconsistent with this Act ; and such provisions shall have effect

at the next ensuing general election of members of the Board, and shall not in the meantime operate to affect the then existing membership of the Board.

5 9. (1.) The representatives on the Board of each separate electoral division shall be elected by the electors of the local authority in that division. Election of members for separate divisions.

(2.) Every such elector shall have one vote only, notwithstanding anything to the contrary contained in section twenty-nine subsection two of the said Act, which subsection, so far as it applies to the 10 election of members of the Board, is hereby repealed. Each elector one vote only.

(3.) Every such election shall be held in the like manner, with all necessary modifications, as the election of members of the local authority in that division; and all the provisions of the Local Elections and Polls Act, 1908, and of all other Acts affecting the 15 mode of election of members of that local authority (including the penal provisions thereof, and the provisions relating to disputed elections) shall, so far as applicable and so far as consistent with this Act, apply accordingly. Local Elections and Polls Act, 1908, to apply.

(4.) In the application of the Local Elections and Polls Act as 20 aforesaid every reference therein to the local authority shall be construed as a reference to the local authority in the said division.

10. (1.) The representatives on the Board of a combined electoral division shall be elected by the electors of the local authorities whose districts are included in the combined division. Election of members for combined divisions.

25 (2.) Every such elector shall have one vote only, even though he is elector of more than one of the local authorities of that division.

(3.) Every such election shall be held in manner provided by regulations made by the Governor in Council either generally or in respect of any specified combined division or divisions. Regulations, &c.

30 (4.) By such regulations the Governor in Council may apply to any such election, with such modifications, exceptions, and additions as he thinks fit, the provisions of the Local Elections and Polls Act, 1908, and of any other Act affecting the election of members of any of the local authorities of a combined division.

35 11. The cost of every such election, except the expenses of scrutineers and other expenses incurred by or on behalf of candidates, shall be borne and paid by the Lyttelton Harbour Board. Cost of elections.

12. The Returning Officer for the Lyttelton Harbour Board shall be the Returning Officer for the purpose of elections under this Act. Returning Officer.

40 13. The first election of members of the Board shall be held on the *second* Monday in the month of February in the year nineteen hundred and *eleven*. First election of members.

45 14. The members so elected shall come into office on their election, and shall hold office from the time of their election until the then next biennial election of members of the Board to be held in accordance with the provisions of the said Act. Coming into office and tenure of office.

15. The elective and non-elective members of the Board as at present constituted shall cease to hold office on the coming into office of the members to be elected under this Act. Tenure of office of previous members.

50 16. So much of the Second Schedule of the said Act as relates to the constitution of the Board, succession to office, and election of the members of the Board, and sections four to nine (both included) of Repeal.

the Lyttelton Harbour Board Act, 1882, are hereby repealed ; but such repeal shall not cause any change in the corporate entity or capacity of the Board, and shall not affect the validity, invalidity, effect, or consequence of any proceedings, acts, matters, or things heretofore taken, begun, had, done, or suffered, or any existing status or capacity, 5 or any existing by-law or regulation, or any right, interest, or title heretofore acquired, accrued, or established, or any appointment heretofore made ; and the members of the Board holding office on the coming into operation of this Act shall continue in office until their successors under this Act come into office, and the Board shall 10 have and may continue to exercise all such powers as are vested in it by virtue of the said Act and every other Act in that behalf.

By Authority : JOHN MACKAY, Government Printer, Wellington.—1910.