

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

*House of Representatives, 4 August 1970.*

Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.

*Hon. Mr Talboys*

## MATAURA BOROUGH COUNCIL EMPOWERING

[LOCAL]

### ANALYSIS

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### A BILL INTITULED

An Act to authorise the Mataura Borough Council to acquire, purchase, or erect in the Borough of Mataura a medical practitioner's residence and surgery and to furnish and equip the same *(and to raise a loan for any of such purposes)*

WHEREAS it is desirable and expedient for the purposes of providing medical services to the citizens of the Borough of Mataura that the Mataura Borough Council be authorised to acquire, purchase, or erect in the Borough of Mataura a medical practitioner's residence and surgery and to furnish and equip the same: *(And whereas it is required that the council be empowered to borrow sufficient money to carry out such purpose:)*

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

No. 36—2

Price 5c

**1. Short Title**—This Act may be cited as the Mataura Borough Council Empowering Act 1970.

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

“Borough” means the Borough of Mataura: 5

“Council” means the Mataura Borough Council:

“Medical practitioner” means a registered medical practitioner as defined under the Medical Practitioners Act 1968:

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“Medical practitioner’s residence” means any dwelling suitable for the occupancy of a medical practitioner:  
 “Medical practitioner’s surgery” means any building (whether annexed to the medical practitioner’s residence or separate therefrom) suitable for use by a medical practitioner for the purpose of his profession. 15

*New*

“Medical practitioner’s residence” means any premises suitable for occupation as a dwelling by a medical practitioner: 20  
 “Medical practitioner’s surgery” means any premises suitable for use by a medical practitioner for the practice of his profession.

*Struck Out* 25

**3. Authority to acquire, purchase, or erect a medical practitioner’s residence and surgery and to furnish and equip the same**—(1) The council is hereby authorised from time to time to acquire, purchase, erect on land acquired for the purpose, or lease a medical practitioner’s residence within the Borough of Mataura upon such terms and conditions as it thinks fit. 30

(2) The council is hereby authorised from time to time to acquire, purchase, erect on land acquired for the purpose, or lease a medical practitioner’s surgery within the Borough of Mataura upon such terms and conditions as it thinks fit. 35

(3) The council is hereby authorised from time to time to acquire, purchase, or lease upon such terms and conditions as it thinks fit such household furniture as it considers necessary for the purpose of furnishing a medical practitioner’s residence. 40

(4) The council is hereby authorised from time to time to acquire, purchase, or lease upon such terms and conditions

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as it thinks fit such medical or surgical equipment as it considers necessary for the purpose of equipping a medical practitioner's surgery.

- 5 (5) The council is hereby authorised to maintain, improve, enlarge, or develop any real or personal property acquired by it pursuant to the foregoing provisions of this Act.

*New*

10 **3. Authority to provide a medical practitioner's residence or a medical practitioner's surgery and to furnish and equip the same**—(1) The council may from time to time, upon such terms and conditions as it thinks fit,—

- 15 (a) Provide within the borough a medical practitioner's residence or a medical practitioner's surgery or both, either together or separately:  
20 (b) Furnish any such medical practitioner's residence with such household furniture as it considers necessary:  
(c) Equip any such medical practitioner's surgery with such medical and surgical equipment as it considers necessary.

(2) For the purposes of subsection (1) of this section, the council may—

- (a) Purchase, take on lease, or otherwise acquire any land within the borough:  
25 (b) Erect, purchase, take on lease, or otherwise acquire any building within the borough:  
(c) Utilise any land or building which may be lawfully appropriated for those purposes:  
(d) Purchase, take on lease, or otherwise acquire any personal property:  
30 (e) Maintain, improve, enlarge, or develop any real or personal property.

**4. Authority to sell, exchange, lease, and bail**—(1) The council is hereby empowered to sell, lease, or bail to a medical practitioner any real or personal property acquired by it pursuant to the provisions of this Act upon such terms and subject to such covenants and conditions as it thinks fit. (*and sections 8 and 9 of the Public Bodies Leases Act 1908 and sections 150*).

(1A) The Public Bodies Leases Act 1969 and sections 152 and 153 of the Municipal Corporations Act 1954 shall not apply to any lease granted by the council pursuant to this section.

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(2) The council is hereby empowered to sell, exchange, and in respect of any such exchange, to give or receive any money for equality of exchange and lease, any real or personal property acquired by it pursuant to the provisions of this Act upon such terms and subject to such covenants and conditions as it thinks fit. 10

**5. Authority to borrow money**—Subject to the provisions of the Local Authorities Loans Act 1956, the council may borrow such sum or sums of money as it considers necessary for any of the purposes mentioned in sections 3 and 4 of this Act. 15