

Mr. Brown.

NAPIER MUNICIPAL THEATRE AND BUILDINGS.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to enable the Mayor, Councillors, and Burgesses of the Borough of Napier to erect Buildings on certain Lands in the Borough of Napier vested in them under the Napier Borough Endowments Act, 1876. Title.

WHEREAS by section two of the Napier Borough Endowments Act, 1876 (hereinafter referred to as the said Act), all the land in the First and Second Schedules to the said Act were declared to be an endowment for the use, benefit, and improvement of the Borough of Napier: And whereas the lands in the Second Schedule to the said Act so declared to be an endowment as aforesaid included, *inter alia*, the lands described in the Schedule to this Act: And whereas by section five of the said Act it was enacted that the Mayor, Councillors, and Burgesses of the Borough of Napier might from time to time in respect of the land described in the Second Schedule to the said Act exercise all or any of the powers following, but none other, that is to say,—(1) Might enclose, lay out, and plant the same or any part thereof; (2) might dedicate such land or any part thereof for public or for recreation purposes: And whereas the said Mayor, Councillors, and Burgesses are desirous of erecting on the land described in the Schedule hereto such building or buildings as are hereinafter mentioned: And whereas in the interests of the said Borough of Napier and the inhabitants thereof it is expedient that the powers and authorities hereinafter mentioned should be given to the Mayor, Councillors, and Burgesses of the said Borough of Napier to enable them to give effect to their said desire: 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 Napier Municipal Theatre and Buildings Act, 1910. Short Title.

This Act a special Act.

2. This Act shall be deemed to be a special Act within the meaning of the Public Reserves and Domains Act, 1908.

Interpretation.

3. In this Act, if not inconsistent with the context,—

“Borough” means the Borough of Napier :

“Corporation” means the Mayor, Councillors, and Burgesses of the borough as herein defined : 5

“The said Act” means the Napier Borough Endowments Act, 1876.

Powers of Corporation.

4. Notwithstanding anything in the said Act or in any other Act contained, it shall be lawful for the Corporation to erect and maintain upon the land described in the Schedule hereto or any part thereof a building or buildings for the purpose of and comprising all or any of the following, that is to say,—municipal offices, a municipal theatre, town hall, music-hall, art-gallery, museum, and such other rooms or places for public purposes, or for purposes of public amusement, recreation, or instruction, as the Corporation may think proper, and to use the said premises as and for all or any of the purposes aforesaid, with liberty to the Corporation to license or allow persons to enter upon the said land, and all or any building or buildings erected thereon in pursuance of this Act, for the purpose of using and enjoying the same or for other legitimate purposes, and to exclude persons from the said land or building or buildings or any part thereof, and with liberty also to the Corporation to make and enforce such charges for the use of and admission to the said land and building or buildings or any part thereof as the Corporation determines, and generally with liberty to the Corporation to make such by-laws and do and suffer all such acts and things as may in the opinion of the Corporation be necessary and proper in respect of the premises. 10 15 20 25

Leasing-powers.

5. The Corporation shall have and may exercise in respect of the said land and building or buildings or any part thereof respectively all such powers of leasing and letting as are by the Municipal Corporations Act, 1908, conferred upon Municipal Corporations, but subject to the conditions in that Act prescribed, and subject also to the conditions that the demised premises shall be used only for purposes authorized by this or the said Act. 30 35

Powers of tenants.

6. Every lessee or tenant of the said land or building or buildings or any part thereof shall have and may exercise, but subject to such conditions as the Corporation thinks fit to impose, the like powers of excluding and admitting persons from or to the premises demised to him, and of charging for the use of or admission thereto, as are by this Act conferred upon the Corporation. 40

Saving of powers under the Napier Borough Endowments Act, 1876.

7. The powers by this Act conferred upon the Corporation are in addition to and not in diminution or prejudice of the powers conferred upon the Corporation by the said Act. 45

The Municipal Corporations Act, 1908, and the Public Reserves and Domains Act, 1908, not to apply.

8. In so far as the provisions of the Municipal Corporations Act, 1908, relating to public reserves, and the provisions of the Public Reserves and Domains Act, 1908, are repugnant to or inconsistent with the provisions of this Act, those said provisions of the two first-mentioned Acts shall not apply to the land described in the Schedule hereto. 50

SCHEDULE.

Schedule.

THAT piece of land, situate in the Borough of Napier, containing by admeasurement 3 roods 35·7 perches, more or less, being part of a municipal reserve known as Clive Square. Bounded towards the north-west by Tennyson Street, 400·5 links; towards the south-west by a public street, 243 links; towards the south-east by a public street, 400·5 links; and towards the north-east by a public street, 243 links.

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