

675

Hon. Mr. Hall.

PORT CHALMERS DOCK TRUST.

ANALYSIS.

Title.	
1. Short Title.	7. Dock to be kept and maintained for purposes for which it is now used.
CONSTITUTION OF DOCK TRUST.	
2. Constitution of "The Port Chalmers Dock Trust."	POWER TO BORROW MONEY.
3. Powers of Trust.	8. Power to Trust to borrow money.
4. Provision as to vacancies arising in Trust.	MISCELLANEOUS POWERS.
PROPERTY OF THE TRUST.	9. Provisions of "The Harbours Act, 1878," to apply.
5. When Governor satisfied that Trust has sufficient funds to carry out harbour and dock improvements, &c., land in Schedules to be conveyed to Trust. Exception of lands occupied for public works. Condition that portion of lands may be taken for public works.	10. Power to make by-laws.
6. Control and management of dock vested in Trust.	11. Power to appoint surveyors, clerks, &c.
	12. Accounts to be kept.
	13. Yearly balance-sheet to be prepared.
	14. Accounts and balance-sheet to be forwarded to Governor, and audited by Controller and Auditor-General.
	Schedules.

A BILL INTITULED

AN ACT to constitute a Dock Trust for the Management and Maintenance of a Dock at Port Chalmers, and for vesting certain Lands in such Dock Trust. Title.

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

1. The Short Title of this Act is "The Port Chalmers Dock Trust Act, 1881." Short Title.

5 CONSTITUTION OF DOCK TRUST.

2. The Mayor of the City of Dunedin, the Mayor of the Borough of Port Chalmers, the Chairman of the Otago Harbour Board at Dunedin, the President of the Chamber of Commerce, and their successors in their several offices, together with one person elected by the Council of the Borough of Port Chalmers and two persons nominated by the Governor, and their successors, shall be and they are hereby constituted a body politic and corporate by the name and style of "The Port Chalmers Dock Trust," and by that name it and its successors shall have perpetual succession and a common seal. Constitution of "The Port Chalmers Dock Trust."

15 3. The Port Chalmers Dock Trust and its successors (hereinafter called "the Trust") shall have full power and authority to do all matters and things incidental to or appertaining to a corporate body, subject nevertheless to any provisions in this Act contained affecting such powers. Powers of Trust.

Provision as to vacancies arising in Trust.

4. When any member of the Trust shall die, resign, cease to hold the office in respect of which he is such member, or be absent from the colony for the space of six consecutive months, the Governor shall appoint, either permanently or temporarily as occasion may require, another or other fit and proper person or persons to be a trustee or trustees in the room of the trustee or trustees so dying, resigning, ceasing to hold office, or being absent as aforesaid. 5

PROPERTY OF THE TRUST.

When Governor satisfied that Trust has sufficient funds to carry out harbour and dock improvements, &c., land in Schedules to be conveyed to Trust.

5. Whenever the Governor shall be satisfied that the Trust either has or will be able to raise sufficient funds for the enlargement of the existing dock, or for the construction of a new dock on the land described in the *First* Schedule hereto, and also that, if such enlarged or new dock be built or erected, the bar at the entrance to the Harbour of Port Chalmers and the navigation of the said harbour will be so improved as to permit the full use of such enlarged or new dock, he may, in the name and on behalf of the Queen (subject to the reservations and conditions hereinafter set forth), grant and convey to the Trust, free from all trusts now affecting the same,— 10 15

- (1.) The land and property described in the *First* Schedule hereto to be held by it in trust for a dock, subject to the powers, provisions, and conditions herein expressed and declared; 20
- (2.) And also the several parcels of land described in the *Second* Schedule, as an endowment for the purposes of this Act: 25

Exception of land occupied for public works. Condition that portion of lands may be taken for public works.

Excepting out of the lands described in the *First* and *Second* Schedules all lands other than the said dock, which is now used and occupied as sites for public buildings or for public works of any kind, and reserving to the Governor on behalf of the Queen full power and authority, before any grant shall be made under this provision, to set apart and reserve for the use of Her Majesty such portion of the lands described in the *First* and *Second* Schedules, or either of them, as he thinks fit, for any public work within the meaning of "The Public Works Act, 1876," to be made or constructed by the Government of the colony. 30

Control and management of dock vested in Trust.

6. The whole and entire charge, control, and management of such dock, and the maintenance, enlargement, alteration, and repair thereof, shall be and is hereby vested in the Trust, subject to the provisions of this Act. 35

Dock to be kept and maintained for purposes for which it is now used.

7. The Trust shall at all times keep, use, and maintain the said dock as and for the purposes for which it is now used, and shall permit the same to be used by all vessels: 40

Provided that all ships belonging to Her Majesty, or to the Government of the colony, shall be admitted to the use of the said dock free of all charges other than the actual expenses for labour employed in docking them. 45

POWER TO BORROW MONEY.

Power to Trust to borrow money.

8. The Trust may from time to time, in the manner provided by "The Harbours Act, 1878," borrow such sum or sums of money as the Trust may require for the purposes of constructing, enlarging, maintaining, or repairing the said dock, not exceeding in the whole the sum of *one hundred thousand* pounds, and so often as any part of such sum shall be repaid the Trust may re-borrow the same. 50

MISCELLANEOUS POWERS.

9. Except as may be expressly provided by this Act, all the provisions of "The Harbours Act, 1878," shall extend and apply to the Trust created by this Act, and the rights, powers, duties, and functions imposed upon such Trust by this Act, and to the land to be granted and conveyed to it under the powers hereinbefore contained, in like manner and as fully as if such Trust were a Harbour Board created by a special Act, to which "The Harbours Act, 1878," is applicable, and this Act shall be deemed to be a special Act accordingly.
- 10 **10.** The Trust may from time to time make all such by-laws as may appear to it to be necessary for fully carrying out the purposes of this Act, and may in such by-laws fix and determine the amount of dues to be charged upon or from vessels making use of such dock.
- 15 **11.** The Trust may appoint such surveyors, overseers, clerks, collectors, and other officers as they may deem necessary, with reasonable salaries or allowances for their trouble.
- 12.** The Trust shall keep accurate accounts of all sums of money received for dues or other charges on account of the said dock, and of all rents and other moneys received from the endowments by this Act
- 20 authorized to be vested in it, and of all costs, charges, expenses, and disbursements in connection with the management and maintenance thereof.
- 13.** On the thirty-first day of March in every year, or within one week thereafter, the Trust shall prepare accounts and a balance-sheet, showing the receipts and disbursements of the Trust during the previous year, and the actual financial state of the Trust on the thirty-first day of March in that year.
- 25 **14.** Such accounts and balance-sheet shall be forwarded in duplicate to the Governor, who shall cause the same to be forwarded for examination by the Controller and Auditor-General in manner directed by the thirty-third section of "The Public Revenues Act, 1878;" and such balance-sheet shall be published at the expense of the Trust, immediately after the same shall have been so audited, as the Governor may direct.

Provisions of "The Harbours Act, 1878," to apply.

Power to make by-laws.

Power to appoint surveyors, clerks, &c.

Accounts to be kept.

Yearly balance-sheet to be prepared.

Accounts and balance-sheet to be forwarded to Governor, and audited by Controller and Auditor-General.

SCHEDULES.

Schedules.