

New Parliament.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

Legislative Council,  
7th October, 1884.

Hon. Mr. Buckley.

## ROAD BOARDS ACT 1882 AMENDMENT.

### ANALYSIS.

Title.	
1. Short Title.	body not to invalidate rate made by Receiver.
2. Act to be read with "The Road Boards Act, 1882."	4. Certain provisions of "The Rating Act, 1882," to apply.
3. In case of default by local body Receiver may be appointed. Powers and duties of Receiver. Failure to elect member of local	5. Receiver to be supplied with valuation rolls.
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### A BILL INTITULED

AN ACT to further amend "The Road Boards Act, 1882."

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 Road Boards Act 1882 Amendment Act, 1884."

2. This Act shall be read with and shall be considered as forming part of "The Road Boards Act, 1882."

3. When and so often as any local body fails to pay any debt due by any such local body to any person or corporation, any such person or corporation to whom such debt is due or owing may apply *ex parte* by petition in a summary way to a Judge of the Supreme Court for relief under this Act; and the Judge may, if satisfied of the truth of the matters alleged in such petition, appoint, upon such terms as to security and remuneration as he shall think fit, a Receiver; and in every such case—

(1.) The Receiver shall have and may exercise all the powers of a duly-constituted Council or Board of any local body in respect of or incidental to the making levying, and recovery of rates, including general, separate, or special rates; and including also the power of recovering rates in arrear, and of making, levying, and recovering rates which ought to have been made and levied and were not so levied, but are still subject to being levied; and the neglect or omission to elect members of such Council or Board shall not affect the powers of such Receiver.

(2.) Upon the appointment of such Receiver all unpaid rates and all rates levied by him shall, when levied, vest in the Receiver, and shall cease to be vested or to vest in the local body; and all powers for the recovery of any such rate shall, upon the appointment of the Receiver, cease to be exercised by the local body, and shall be exercised by the Receiver. 5

(3) All moneys received by the Receiver shall be applied as follows:—

(a.) In payment of the costs, charges, and expenses 10 of and incidental to and consequent upon the application for the appointment of a Receiver:

(b.) In payment of the Receiver's remuneration and his reasonable and necessary expenses:

(c.) In payment of all debts due by the local body at 15 the date of the appointment of the Receiver:

(d.) The residue, after payment of the above, to the local body.

And the Receiver shall account for all such moneys as the Judge directs. 20

(4.) The Receiver may, with the sanction of the Judge, appoint a solicitor to assist him in the performance of his duties.

Failure to elect member of local body not to invalidate rate made by Receiver.

The failure, from any cause whatever, at any time to elect a member or members of any local body shall not invalidate any rate made or levied by the Receiver. Any rate made or levied by the Receiver 25 shall be valid, notwithstanding that at the time of the making or levying of any rate there were no members of the local body elected and holding office.

Certain provisions of "The Rating Act, 1882," to apply.

4. All the provisions contained in "The Rating Act, 1882," and any Act amending the same relating to the making and delivering of 30 valuation rolls, rates, and rate-books, and all other provisions of the Act, shall apply and extend to the Receiver, and the said Acts shall be read as if the words "or Receiver" were inserted therein after the words "local body" wherever the said last-mentioned words occur in the said Acts. 35

Receiver to be supplied with valuation rolls.

5. Whenever a Receiver shall be appointed at any time intervening after the making-up of any valuation roll under "The Rating Act, 1882," or any Act amending the same, and before the making-up of another, the Commissioner shall supply to the Receiver, as soon as possible, valuation rolls as described in the said Act for the district, 40 which shall remain in force till the making-up of the next valuation roll.

When Receiver's power to cease.

6. When all the debts then due are paid, or at any time by an order of a Judge of the Supreme Court on the application of the local body, if such Judge shall think fit to make such order, the powers of 45 the Receiver shall cease, and he shall forthwith pay any moneys in his hands to the local body, who shall again be capable of exercising the powers of which the appointment of the Receiver had deprived them.