

Westport Harbour Board

... Hon. Sir J. Vogel.

WESTPORT HARBOUR BOARD.

ANALYSIS.

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A BILL INTITULED

AN ACT to constitute a Harbour Board for the Harbour of Westport. 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 Westport Harbour Board Act, 1884." Short Title.

It shall be deemed to be a special Act within the meaning of "The Harbours Act, 1878."

2. In this Act,— Interpretation.  
"Board" means the Harbour Board constituted under this Act:

"Harbour of Westport" and "Harbour" means the Port of Westport as defined by a warrant dated the twentieth day of November, one thousand eight hundred and sixty-eight, and issued under "The Marine Act, 1867."

"The said Act" means "The Harbours Act, 1878."

3. A Harbour Board is hereby constituted under the said Act for the Harbour of Westport, and such Board shall consist of the members following, of whom four shall form a quorum; that is to say,— Harbour Board for Westport constituted.

- (1.) Four members to be appointed by the Governor;
- (2.) One member to be elected by the ratepayers of the Borough of Westport;
- (3.) One member to be elected by the ratepayers of the County of Buller; and

- (4.) One member to be elected jointly by all persons who, at the time of the election of members of the Board, or within twenty-eight days preceding, are registered owners of vessels in the Harbour of Westport of a registered tonnage or aggregate registered tonnage of fifty tons or upwards; and by all persons who shall have paid five pounds or upwards of harbour, pilotage, or wharfage dues within the said harbour during the year preceding the election of members of the Board. 5
- Appointment of nominated members.** 4. The members of the Board, to be appointed by the Governor, may be appointed at any time after the passing of this Act, and they shall hold office from the date of such appointment to the first day of July, one thousand eight hundred and eighty-five, and thereafter for the period of two years, prescribed by the said Act. 10
- First election of elective members.** 5. The first election of the elective members shall be held on the second Monday in the month of February, in the year one thousand eight hundred and eighty-five. 15
- Term of office of first elective members.** 6. The elective members of the Board shall come into office on their election, and shall hold office from the time of their election until the biennial election of members of the Board, to be held in February, in the year one thousand eight hundred and eighty-seven. 20
- List of owners of vessels and payers of harbour dues to be prepared.** 7. The Collector of Customs at Westport shall, in the month of January in each year, furnish to the Secretary of the Board a list of all persons being registered owners of vessels of a registered tonnage or aggregate registered tonnage of fifty tons or upwards. 25
- The Secretary of the Board shall, in the month of January next, prepare a list of all those who shall have in the twelve preceding months paid the sum of five pounds and above that sum for harbour or jetty dues; and the said Secretary shall thereafter, in the month of January in each year, prepare such a list. 30
- Voters' list and conduct of elections.** 8. The list aforesaid, when prepared, shall be the voters' list for the year for the election of persons to serve as members by the owners of vessels and the payers of dues; and such election shall be conducted in conformity with the provisions of "The Regulation of Local Elections Act, 1876." 35
- Temporary members to be appointed for immediate formation of Board.** 9. For the purpose of the immediate operation of this Act, the Governor shall appoint the four nominated members as aforesaid, and shall at the same time appoint three additional persons to be members of the Board for the complete formation thereof pending the election of the elective members. 40
- The additional members so appointed by the Governor shall cease to hold office on the coming into office of the elected members of the Board under this Act.
- Members to be paid their expenses.** 10. Every member of the Board shall be entitled to be paid out of the revenues of the Board his actual expenses out of pocket in respect of his attendance at the meetings of the Board. 45
- Endowments of Board.** 11. The Board is hereby endowed with the revenues hereinafter next mentioned, and all such revenues, as they accrue from time to time, shall be paid by the persons receiving the same to the Board, that is to say,— 50
- (1.) All moneys arising from the lease, occupation, or other disposal, and the rents, royalties, fees, and other moneys

- 5 derivable from the pieces of land known as the Buller Coal Field Reserve and the Westport Colliery Reserve, as the same are respectively described in the Third and Fourth Schedules of "The Westland and Nelson Coal Fields Administration Act, 1877," less all costs and expenses of collecting the same;
- 10 (2.) All profits arising from the Westport-Ngakawau Coal Field Railway remaining after payment of all the cost of maintenance and working expenses, and any claims for compensation in respect of injuries arising from accidents on the railway; and
- 15 (3.) All wharfage and tonnage rates in the Harbour of Westport, including all charges for the use of staitths and other charges on coal brought for shipment in the said harbour, less all costs and expenses of collecting the same.
- 20 **12.** The Board shall have power, from time to time to borrow on the security of its endowments, subject to the provisions of the said Act, and to the Governor's previous approval of a plan of the works proposed to be constructed, any sum not exceeding five hundred thousand pounds, for the construction or completion of harbour works in, or towards the improvement of, the said harbour. Borrowing powers.
- 25 **13.** If the Governor in Council is satisfied at any time that the revenues accruing to the Board under this Act are sufficient to meet the interest on any loan proposed to be raised under the authority of this Act, and to provide a sinking fund for repayment thereof, he may declare such loan and interest to be guaranteed under this Act; and from the date of the Order in Council declaring the guarantee, the interest on such loan shall be paid out of the Consolidated Fund. Governor in Council may declare loan guaranteed.
- 30 **14.** Notwithstanding anything contained in the said Act, in the event of a guarantee being declared as aforesaid, the Governor, and any persons whom he may appoint as agents for the purpose, either within or beyond the colony, may make and issue debentures under this Act and the said Act, in such form as the Governor or such agents respectively may think fit. Form of debentures in case of guarantee.
- 35 **15.** All moneys advanced from the Consolidated Fund under the *last-preceding* section shall be charged against the revenues of the Board, and shall be repaid to the said fund by the Board, together with so much added, as will provide a sinking fund to liquidate the amount of the loan guaranteed under this Act. Revenues of Board to be charged for amount of guarantee.
- 40 Such sinking fund shall be of such amount and payable at such dates respectively, commencing not later than five years after the date when the guarantee aforesaid takes effect, as shall be agreed upon between the Governor and the Board.
- 45 **16.** The Board constituted under this Act may be dissolved at any time in the event that the General Assembly shall pass an Act authorizing the Governor to take over the harbour works progressing at the said harbour, together with all contracts and engagements of the Board in relation thereto, as well as all other contracts and engagements of the Board, and its assets and liabilities, and to complete the said works on behalf of Her Majesty the Queen. Board to be dissolved if Parliament sanction works as colonial works.
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