

New Parliament.

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

House of Representatives,
20th October, 1884.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Sir J. Vogel.

WESTPORT HARBOUR BOARD.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Harbour Board for Westport constituted.</p> <p>4. Appointment of members.</p> <p>5. Members to be paid their expenses.</p> <p>6. Appointment of Engineer of works.</p> <p>7. Endowments of Board.</p> <p>8. Borrowing powers.</p>	<p>9. Governor in Council may declare loan guaranteed. Limitation.</p> <p>10. Form of debentures in case of guarantee.</p> <p>11. Revenues of Board to be charged for amount of guarantee.</p> <p>12.</p> <p>13. Board to be dissolved if Parliament sanction works as colonial works.</p> <p>14. Repeal.</p>
--	---

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," which is hereby incorporated with this Act.

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

15 "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."

20 3. A Harbour Board is hereby constituted under the said Act for the Harbour of Westport, and such Board shall consist of seven members to be appointed by the Governor in Council, of whom four shall form a quorum. Harbour Board for Westport constituted.

25 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-seven and thereafter for the period of two years, prescribed by the said Act: Provided that the Governor may from time to time remove any member so appointed and appoint another person in his place. Appointment of members.

Members to be paid their expenses.

5. 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.

Appointment of Engineer of works.

6. The Board may from time to time appoint some fit person to be Engineer of works, but every such appointment shall be subject to the approval of the Governor. 5

Endowments of Board.

7. 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 to the Board in manner as the Governor shall direct, that is to say,— 10

(1.) All moneys arising from the lease, occupation, or other disposal, and the rents, royalties, fees, and other moneys 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; 15

(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 20

(3.) All wharfage and tonnage rates in the Harbour of Westport, including all charges for the use of staiths and other charges on coal brought for shipment in the said harbour, less all costs and expenses of collecting the same. 25

Provided that nothing in this section contained shall be deemed to give the Board any authority or control over the railway wharf at Westport, nor authorize the said Board to alter any charges or tolls leviable thereat, but the said wharf shall remain under the administration of the authority having control of the railway to which the said wharf is annexed. 30

Borrowing powers.

8. 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. 35

But no money shall be borrowed under the authority of this Act at a higher rate of interest than six per centum per annum, anything contained in the said Act notwithstanding. 40

Governor in Council may declare loan guaranteed.

9. ~~If~~ Prior to the issue of a loan the Governor in Council, is if 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. 45

Limitation.

But no greater sum than one hundred and fifty thousand pounds in the whole shall be guaranteed under this Act except such extended guarantee be sanctioned by a resolution passed in that behalf by each House of the General Assembly. 50

10. 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.

11. 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.

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.

New clause.

12. So soon as a sum of two hundred and fifty thousand pounds has been expended in the improvement of the Harbour of Westport, there shall be paid, in respect of every ton of coal brought for shipment in the said harbour, by the shipper thereof, a sum of three pence, as a special rate for the purpose of being applied towards the repayment of the moneys authorized to be borrowed under this Act, and the interest thereon; and to the repayment of the sum of one hundred and forty-five thousand five hundred and eleven pounds twelve shillings and sixpence charged upon the Buller Coal Field Reserve and the Westport Colliery Reserve by "The Westland and Nelson Coal Fields Administration Act, 1877," together with interest thereon.

The aforesaid rate shall be collected as and from such day and by such persons as the Governor may from time to time appoint, and when collected shall be paid to the Board, to be applied by it for the purpose hereinabove mentioned.

13. 13. 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 sanc-
tion works as
colonial works.

13. 14. So much of "The Westland and Nelson Coal Fields Administration Act, 1877," as is repugnant to, or in conflict with, the provisions of this Act, is hereby repealed.

Repeal.