

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,
16th October, 1884.*

of the
of the
of the

Hon. Mr. Ballance.

WANGANUI HARBOUR BOARD EMPOWERING.

ANALYSIS.

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A BILL INTITULED

AN ACT to enable the Wanganui Harbour Board to levy a Rate. Title.

WHEREAS the Wanganui Harbour Board (hereinafter referred to as Preamble.
"the said Board") was empowered under "The Wanganui Harbour
5 Endowment and Borrowing Act, 1877," to borrow any sum of money not exceeding one hundred thousand pounds for harbour improvements, and the powers given by the Act last named were continued and confirmed to the Board by "The Harbours Act, 1878:"

10 And whereas under the aforesaid powers a sum of sixty thousand pounds has been borrowed, and it is desired to raise a further sum of forty thousand pounds, being the balance of the loan authorized to be raised as aforesaid; and it is expedient to levy a rate as a security for the payment of the interest and sinking fund on such sum, and otherwise to secure the persons advancing the same:

15 BE IT THEREFORE 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 Wanganui Harbour Short Title.
Board Empowering Act, 1884," and it shall be deemed to be a special
20 Act within the meaning of "The Harbours Act, 1878."

2. The Wanganui Harbour District, for the purpose of this District defined.
Act, consists of the Borough of Wanganui and the Counties of Wanganui and Waitotara.

3. The Wanganui Harbour Board may, at their own discretion, Power to levy rate.
25 levy a rate or rates over the Wanganui Harbour District, not exceeding altogether in any one year the amount of one farthing in the pound on the rateable value of all rateable property in the said

district, for the purpose of providing security whereon to raise the balance sum of forty thousand pounds authorized to be raised for harbour improvements under the Acts hereinbefore recited: Provided that the poll of the ratepayers under section *six* of this Act shall previously have been taken with a result in favour of the rate. 5

Valuation under Property Assessment Acts to be rateable value.

4. For the purpose of arriving at the rateable value of all lands and tenements in the Wanganui Harbour District, the rateable value appearing in the assessment rolls under "The Property Assessment Act, 1879," and its amendments, in force for the time being as regards all rateable property in the district shall be the rateable value of all such property for the purposes of this Act. 10

Rate may be levied by resolution of Board.

5. Such rate or rates may, in the discretion of the Board, be levied by a resolution of the said Board, and notice thereof shall be given as provided in section twenty-three of "The Rating Act, 1882," and may then be recovered summarily, at the suit of any collector appointed by the said Board, in the same way as a general rate duly levied might be recovered by the respective Corporations of the Borough of Wanganui and the Counties of Wanganui and Waitotara. 15

Recovery of rates.

Proposal to levy rate may be submitted to ratepayers.

6. A poll of the ratepayers in the said district may be held on some day not later than *six* months after the day this Act is assented to by the Governor, to decide whether such rate shall be levied or leviable or not; and the Chairman of the Board shall cause such poll to be held in manner following:— 20

Manner of calling for and holding poll.

(1.) The said poll shall be held under the provisions of "The Municipal Corporations Act, 1876," on a proposal to raise a special loan; and the question shall be submitted to the ratepayers at such poll in manner following:— 25

A proposal to levy a rate as security for a loan of forty thousand pounds to be raised for harbour improvements. 30

I vote *for* the above proposal.

I vote *against* the above proposal.

(2.) The Chairman shall appoint such Returning Officer, with a deputy or deputies if necessary, and such polling-place or polling-places as he may think necessary. 35

(3.) Every ratepayer shall be entitled to the number of votes allowed by "The Counties Act, 1876," and "The Municipal Corporations Act, 1876," provided that in no case shall he be allowed to give more than five votes on the question. 40

(4.) The statutory declaration of the said Chairman that the result of the poll has been in favour of the said rate, shall, when published in the *New Zealand Gazette*, be conclusive evidence of the authority to raise the said rate; and the said Board shall have power to levy and enforce the payment of such rate as aforesaid. 45

If majority of ratepayers favourable, rating powers operative.

7. If a majority of the votes given at the poll taken as aforesaid shall be in favour of the proposal, then the rating powers hereby conferred shall become operative.

Proposal may be renewed.

8. At any time after the expiration of twelve months from the day of taking a poll of ratepayers as aforesaid, the question may again 50

be submitted to the ratepayers in manner as aforesaid, and the provisions of sections *six* and *seven* shall apply to the second poll in the same manner as in the case of the first poll.

After such second poll, the question shall be deemed to be
5 decided, and no further poll shall be held on the question.

9. If at either of the polls of ratepayers taken as aforesaid a majority of the votes given at the poll shall be in favour of the proposal, and the Board impose the rate as provided in section *three*, then the proposal shall be deemed to be affirmed conclusively, and the rating powers shall come at once into operation and the rate to be levied shall be a recurring rate, and may be levied from year to

When proposal deemed to be affirmed.

10 year.

10. In addition to the Board as at present constituted there shall be four additional members:

Members of Board increased.

One to be nominated by the Governor;
The Chairman of the County Council of Waitotara;

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Two members to be elected by the ratepayers of the County of Waitotara.

The first election of the new members shall be held on the first Monday in December, one thousand eight hundred and eighty-four, and they shall hold office for a period of two years.

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

Short Title.

1. The Short Title of this Act is "The Christchurch Market Reserves Act, 1884."

Portions of "Christchurch City Reserves Act, 1877," repealed.

2. So much of section four and of Schedule Three of "The Christchurch City Reserves Act, 1877," as is dealt with in this Act is hereby repealed.

Market reserve made an endowment for general municipal purposes.

3. The parcel of land described in the Schedule hereto is hereby vested in the Mayor, Councillors, and citizens of the City of Christchurch, hereinafter called "the Council," in trust as an endowment in aid of the funds of the said Council and for municipal purposes generally.

Council may lease reserve by auction or tender.

4. The Council may from time to time lease all or any part of the said lands for such term of years, to take effect in possession, and upon such terms and conditions generally, as the Council shall think expedient: Provided that every such lease shall be disposed of by public auction or by public tender as the Council may think fit, and that no lease to be granted by the Council shall authorize or empower any lessee or lessees thereof to purchase the fee-simple of any such lands.

Council may not sell reserve.

5. The Council shall not sell or alienate the fee-simple of the said lands or any part thereof.

Schedule.

SCHEDULE.

ALL that plot of land bounded on the South by Armagh Street; on the North-east by Victoria Street; and on the West and North-west by Oxford Terrace West.