

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.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. Ballance.

WANGANUI HARBOUR BOARD EMPOWERING.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. District defined. 3. Power to levy rate. 4. Valuation under Property Assessment Acts to be rateable value. 5. Rate may be levied by resolution of Board. Recovery of rates. 6. Proposal to levy rate may be submitted to</p>	<p>ratepayers. Consent of ratepayers to be obtained before loan is raised. 7. Chairman to call meeting of ratepayers to consider proposal to borrow. How poll to be taken. 8. As to number of votes for each ratepayer. 9. When resolution to be deemed to be carried. Chairman to declare numbers polled. 10. Proposal may be renewed. 11. When proposal deemed to be affirmed. 12. Members of Board increased.</p>
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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 "the said Board") was empowered under "The Wanganui Harbour 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:" Preamble.

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:

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 Board Empowering Act, 1884," and it shall be deemed to be a special Act within the meaning of "The Harbours Act, 1878." Short Title.

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

3. The Wanganui Harbour Board may, at their own discretion, 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.

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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.

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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.

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Recovery of rates.

Proposal to levy rate may be submitted to rate-payers.

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:—~~

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*Struck out.*

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:—

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

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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.

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(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.

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(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.

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If majority of rate-payers 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.

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*Addition to clause 6.*

Before the loan authorized by this Act is raised, the consent of the ratepayers in the harbour district shall first be obtained, in the mode hereinafter prescribed:—

Consent of ratepayers to be obtained before loan is raised.

5 (1.) A notice shall be published in a newspaper circulating in the district, and shall specify the time and place in each borough and riding at which meetings are to be held to consider a proposal to raise such special loan, or any part thereof, and the following particulars, namely:—

- 10 (1.) The particular work proposed to be undertaken :  
 (2.) The sum proposed to be borrowed for such purpose :  
 15 (3.) Any special rate or tolls or the rents and profits of any property which it is proposed to pledge as security for such loan, not being moneys received by way of grant from the General Government or moneys theretofore pledged as security for any loan or appropriated to any special purpose.

*New clauses.*

20 7. The Chairman shall call meetings of the ratepayers, to be held within the Borough of Wanganui, and of the ratepayers of each riding within the Counties of Wanganui and Waitotara respectively, upon a day not more than ten days after the last publication of such notice, to consider the said proposal; and shall appoint one of the members of the Municipal Corporation or County Council elected  
 25 for the riding, as the case may be, to preside at each meeting, if such member shall be willing to act; and if no such member is willing to act, or becomes incapacitated from acting from any cause, then such person as the Chairman thinks fit.

Chairman to call meeting of ratepayers to consider proposal to borrow.

30 The member or person so appointed shall be called the "Presiding Officer," and he shall preside at the meeting to be held in the borough or riding for which he has been appointed, and shall also preside at the taking of any poll as hereinafter provided.

After due consideration and discussion of the proposal, the Presiding Officer shall give notice that a poll will be taken.

The poll shall be taken as follows:—

How poll to be taken.

- 35 (1.) The Chairman shall publish a notice setting forth the day, not less than one nor more than three weeks from the day of the said meeting, on which the poll will be taken :  
 (2.) The Chairman shall give notice in writing to the Presiding Officer, requiring him to take the poll upon the day appointed :  
 40 (3.) The Presiding Officer shall, upon the day so appointed, proceed to take the poll in the manner provided by "The Regulation of Local Elections Act, 1876," for taking a poll at any election, and shall provide voting papers and all things necessary for taking the poll :  
 45 (4.) The voting papers shall be printed in the form in the *Third* Schedule hereto attached, with the words, "I vote for the above proposal," and "I vote against the above proposal," legibly printed at the foot of each voting paper :  
 50 (5.) The voter shall erase one or other of the said lines, and his vote shall be deemed to be given according to the one of the said lines which he leaves unerased :  
 55 (6.) All the provisions of "The Regulation of Local Elections Act, 1876," as regards taking a poll, shall, so far as they are applicable, and except as by this section otherwise provided, apply to the taking a poll on the proposal to raise a special loan :

As to number of votes for each ratepayer.

(7.) A separate poll shall be taken in each borough and riding or road district as aforesaid, and each voter shall have and may exercise as many votes as he has and may exercise at any election of the members of the local governing body of such borough, road district, or county respectively. 5

8. Every ratepayer within the district shall be entitled to vote according to the following scale, that is to say,—

(1.) If his rateable property is valued on any valuation roll at not more than one thousand pounds, he shall have one vote: 10

(2.) If such property is so valued at more than one thousand but not more than two thousand pounds, he shall have two votes:

(3.) If such property is so valued at more than two thousand but not more than three thousand pounds, he shall have three votes: 15

(4.) If such property is so valued at more than three thousand but not more than seven thousand five hundred pounds, he shall have four votes:

(5.) If such property is valued at more than seven thousand five hundred pounds, he shall have five votes. 20

When resolution to be deemed to be carried.

9. If the number of votes given for the proposal represent an absolute majority of the votes exercisable within the harbour district, the resolution in favour of the proposal shall be deemed to be carried, and the Board may proceed with the proposal accordingly; but if there is not such a majority in favour of the proposal the resolution shall be deemed to be rejected, and the Board shall not proceed. 25

Chairman to declare numbers polled.

As soon as conveniently may be after the result of the poll has been ascertained the Chairman shall give public notice of the number of votes recorded for and against the proposal as above provided, and shall declare the resolution to be carried or rejected as the case may be. 30

Proposal may be renewed.

8. 10. At any time after the expiration of twelve months from the day of taking a poll of ratepayers as aforesaid, the question may again 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. 35

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

When proposal deemed to be affirmed.

9. 11. If at either of the polls of ratepayers taken as aforesaid a majority of the votes given at the poll exercisable 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 year. 40 45

Members of Board increased.

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

One to be nominated by the Governor;

The Chairman of the County Council of Waitotara; 50

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. 55