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Hon. Mr. Buddo.

WAIMAKARIRI HARBOUR DISTRICT AND EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to constitute the Waimakariri Harbour District, and to confer certain Powers on the Waimakariri Harbour Board. Title.

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

1. This Act may be cited as the Waimakariri Harbour District and Empowering Act, 1916. Short Title.

2. This Act shall be deemed to be a special Act within the meaning of the Harbours Act, 1908, and the amendments thereof, which accordingly are incorporated herewith. Special Act.

3. In this Act, if not inconsistent with the context,— Interpretation.

“The Board” means the Waimakariri Harbour Board:

15 “The Chairman” means the Chairman for the time being of the Waimakariri Harbour Board:

“The district” means the Waimakariri Harbour District as constituted by section four of this Act:

20 “Harbour-works” means harbour-works as that expression is defined in the Harbours Act, 1908, and any amendments thereof.

4. The Waimakariri Harbour District is hereby constituted for the purpose of this Act, and such district shall comprise the area described in the Schedule hereto. Harbour district constituted.

25 5. It shall be lawful for the Board, subject to the provisions of the Harbours Act, 1908, and as further interpreted by the Harbours Amendment Act, 1910, and any other amendments, to construct such harbour-works as the Board may from time to time consider Power to construct works.

necessary or advisable for the requirements of or for improvements in the harbour and river of Waimakariri and also to purchase, erect, construct, maintain, repair, or alter all such tugs and dredges as may be deemed necessary or proper by the Board, and also to erect and construct all such wharves, cranes, sheds, and training-walls, works, and appliances for the improvements of the said harbour and river and banks of the river as are judged necessary by the Board for the safety, convenience, or reception of vessels resorting to the said harbour and for the more convenient loading and unloading of such vessels, or for the safety and protection of any works constructed or proposed to be constructed by the Board, and for providing proper access to and from such works. 5 10

Power to borrow.

6. The Board shall have power to borrow from time to time by way of special loan, subject to the provisions of the Harbours Act, 1908, and to the provisions of this Act, in addition to any sum it is by any other Act in force authorized to borrow, such further sum or sums of money as the Board thinks fit, but so that the total of the further sum or sums so borrowed does not exceed fifty thousand pounds; and the Board may borrow such sum or sums of money as aforesaid for such period or periods as the Board thinks fit, and may renew or again borrow any or all of such sum or sums of money as they shall fall due for such further or other period or periods as the Board thinks fit; and the moneys so borrowed shall be applied in or about the construction and carrying-out of the works mentioned in section *five* of this Act, and also the costs and expenses of and incidental to this Act or incurred in connection with the borrowing of any money so borrowed and the first year's interest and sinking fund on any amount so borrowed during the construction of the works for which the loan is raised, and also the amount (if any) owing by the Board on bank overdraft at the time when such loan is raised. 15 20 25 30

Interest.

7. No money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than six pounds per centum per annum.

Consent of ratepayers required.

8. (1.) The Board shall not borrow any money under the authority of this Act, except with the consent of the ratepayers of the district ascertained in manner prescribed by the Local Bodies' Loans Act, 1913, and its amendments. 35

(2.) All the provisions of Part I of the said Act shall, save as by this Act expressly or impliedly modified, extend and apply to the loan hereby authorized, and the district shall be deemed to be district, and the Board shall be deemed to be a local authority, for the purpose of the said Act. 40

Ratepayers rolls.

(3.) For the purposes of this section the Valuer-General shall, whenever requested by the Chairman of the Board so to do, prepare from the district valuation rolls in force under the Valuation of Land Act, 1908, at the date of such request in any borough, town district, or county, or any part thereof comprised in the harbour district, a special roll setting forth the names of all persons whose names appear in the ratepayers column of such district valuation rolls respectively in respect of any lands situated in the harbour district. Such special roll shall be signed by the Chairman or two 45 50

members of the Board, and when so signed shall be the roll upon which the poll shall be taken.

(4.) Every person whose name appears on such special roll shall be entitled to one vote only.

5 (5.) If the total number of valid votes recorded in favour of the proposal is a majority of the total number of valid votes recorded at any poll, the proposal shall be deemed to be carried. Result of poll.

10 9. (1.) For the purpose of providing a sinking fund for the liquidation of the principal sum raised under the authority of this Act the Board shall in every year set aside out of the revenue of the Board a sum equal to one per centum on the amount of all unredeemed bonds, debentures, and other securities given under this Act previous to the then current year, and shall pay the same to Sinking Fund Commissioners to be appointed by the Board under the provisions of this Act. Sinking fund.

15 (2.) Any moneys so paid to the said Commissioners may be either invested, together with the interest and profits accruing therefrom, in such securities as the Board may from time to time determine, or may be, as the whole or any part thereof accumulated at any time, utilized for the purchase and redemption of any debentures issued under the authority of this Act for the time being outstanding.

20 (3.) The Board may also at any time appropriate any part of the Harbour Fund not appropriated for any special purpose and pay the same to Commissioners hereinbefore mentioned to be applied to the purposes mentioned in subsection *two* of this section.

(4.) The Board shall appoint two or more Commissioners for the purposes in this section mentioned.

30 10. (1.) The Board shall in each year cause an estimate to be prepared in such manner and according to such method as the Board approves of the anticipated revenue of the year (exclusive of any rate to be levied under this Act) and of the anticipated expenditure of the year (including the annual charges and sinking-fund payments upon the moneys borrowed under the authority of this Act, but exclusive of capital expenditure on loan account), and shall upon such estimate determine the deficiency (if any) of revenue required to meet such expenditure. Estimate of revenue and expenditure and amount of rate.

35 (2.) The Board shall make and levy in each year such rate as it deems sufficient to provide such deficiency, such rate to be levied on all rateable property within the district according to its rateable value based upon the capital value as appearing in the district valuation rolls prepared by the Valuer-General in accordance with the Valuation of Land Act, 1908, and for the time being in force in the several boroughs, counties, and town districts included in the district.

40 11. No rate under this Act shall be set aside or quashed by any proceeding in any Court or otherwise, and no defect in the same or the making thereof shall be set up as a defence to any action which may be brought to recover the same. Rate not to be questioned.

50 12. Notwithstanding any provision contained in the Harbours Act, 1908, or any amendments thereof, it shall be lawful for the Board to make and levy— Differential dues may be levied.

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- (a.) Harbour dues to be charged and collected in respect of goods produced or manufactured upon such parts or part of the lands outside the harbour district as the Board may from time to time direct, in excess of the dues to be made and levied in respect of the same goods if produced or manufactured within the harbour district and so that such excess dues may, if the Board so determines, vary in amount in respect of various parts of the lands outside the harbour district; also 5
- (b.) Harbour dues to be charged and collected in respect of goods landed at the Port of Waimakariri, and thence despatched to such place or places outside the harbour district as the Board may from time to time direct, without being first warehoused inside such district, in excess of the dues to be made and levied in respect of the same goods if the same were being despatched to a place inside the said district as their final destination or were being warehoused inside the said district before being despatched outside the said district, and so that such excess dues may, if the Board so determines, vary in amount in respect of the various parts of the lands outside the harbour district; 10 15 20

and for the purpose of the assessment or collection of such excess dues the Board may require from the persons for or in whose behalf any goods may be shipped or landed statutory declarations under the Justices of the Peace Act, 1908, to be made before a Justice of the Peace, stating specifically where such goods were produced or manufactured, and the owners, shippers, and consignees thereof and their places of abode and the places to which it is intended to despatch any goods landed at the Port of Waimakariri. 25 30

Schedule.

SCHEDULE.

DESCRIPTION OF DISTRICT.

ALL that area of land comprising—

1. The Borough of Kaiapoi.
2. The Rangiora Riding of the Rangiora County.
3. The Eyreton Riding of the Eyreton County.
4. That part of the Waimakariri River within the Waimairi County bounded towards the north and north-east by the centre of the Waimakariri River; towards the west by a line in line with the east boundary of the Borough of Kaiapoi from the centre of the said river to the right bank thereof; towards the south-west by the said right bank to a point in continuation of the north-east boundary of Rural Section 6456; and towards the south by a line in continuation of the last-mentioned boundary.