

## Waipa Drainage Board Loans Conversion Order, 1940.

GALWAY, Governor-General.

## ORDER IN COUNCIL.

At the Government House at Wellington, this 13th day of November, 1940.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the Waipa Drainage Board (being a local authority within the meaning of the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33) has issued securities in respect of the loans specified in the First Schedule hereto and such securities are held by the State Advances Corporation of New Zealand :

And whereas the said local authority, being desirous, with the consent of the holder of such securities of issuing new securities in conversion of such existing securities and of including in the principal sum secured by such new securities certain arrears of interest owing in respect of such existing securities, has complied with the provisions of Part II of the said Act, and it is expedient that the precedent consent of the Governor-General to such conversion shall be given as required by the said Act, and that by this Order the provisions hereinafter set forth should be made with respect to the matters specified in section thirteen of such Act :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, and in pursuance and exercise of the powers and authorities conferred on him by the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33, section thirty-five of the Local Legislation Act, 1940, and of all other powers and authorities enabling him in this behalf, doth hereby consent to the issue by the said local authority of new securities in conversion of any existing securities to which this Order applies, and with respect to such conversion doth hereby make the following provisions :—

## PRELIMINARY.

1. This Order may be cited as the Waipa Drainage Board Loans Conversion Order, 1940.

2. In this Order, unless the context otherwise requires,—

“The Act” means the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33 :

“The date of conversion” means the date specified in clause five of this Order :

“Existing securities” means debentures or other securities issued in respect of the loans specified in the First Schedule hereto :

“The local authority” means the Waipa Drainage Board :

“New securities” or “new debentures” means securities or debentures issued in accordance with this Order in conversion of existing securities to which this Order applies.

## APPLICATION OF ORDER.

3. This Order shall apply to all existing securities issued in respect of the loans specified in the First Schedule hereto held by the State Advances Corporation of New Zealand.

## SPECIAL RESOLUTION OF LOCAL AUTHORITY.

4. (1) If the local authority so resolves by a resolution passed and confirmed as provided by subsection two of section nine of the Act, it may, with the consent of the holder of the existing securities to which this Order applies, and subject to and in accordance with the provisions of this Order, issue new securities in conversion of such existing securities.

(2) The following provisions of this Order shall come into force if such a resolution is passed and confirmed as aforesaid, but not otherwise :

Provided that a certificate signed by the Chairman of the local authority and published in the *Gazette* to the effect that such a resolution has been duly passed and confirmed shall be conclusive evidence of the facts therein certified.

## DATE OF CONVERSION.

5. The date from which the conversion of existing securities into new securities shall take effect shall be the first day of December, one thousand nine hundred and forty.

## NOTICE TO HOLDER OF EXISTING SECURITIES.

6. The local authority shall cause a notice in the form numbered (1) in the Second Schedule hereto, together with a copy of this Order, to be forwarded by registered letter to the holder of the existing securities to which this Order applies.

## CONSENT TO CONVERSION.

7. The consent of the holder of the existing securities to the conversion thereof in accordance with this Order shall, if given, be signified in writing and when given shall be irrevocable.

## NEW SECURITIES.

8. The amount of principal to be secured by the new securities issued in conversion of the existing securities shall be equal to the aggregate amount of principal secured by the existing securities at the date of conversion increased by the amount of interest accrued in respect of such existing securities up to such date and then unpaid.

9. The aggregate amount of principal secured by the new securities to be issued in conversion of existing securities to which this Order applies, together with interest thereon computed at the rate of four and one-quarter per centum per annum, shall be repaid by equal half-yearly instalments over a period of twenty-five years, the first half-yearly instalment to fall due and be paid on the first day of June, one thousand nine hundred and forty-one, and subsequent half-yearly instalments to fall due and be paid on every first day of December and first day of June thereafter, the last half-yearly instalment to fall due and be paid on the first day of December, one thousand nine hundred and sixty-five.

10. (1) New securities for the amount of each half-yearly instalment referred to in the preceding clause shall be issued in the form of debentures in the form numbered (2) in the Second Schedule hereto.

(2) All new debentures shall be numbered consecutively and as between the holders thereof shall rank equally.

(3) Every new debenture shall state on its face that the holder has no claim in respect thereof upon the Government or public revenues of New Zealand.

(4) Every new debenture shall be signed by the Chairman, countersigned by the Treasurer or some other officer appointed by the local authority for the purpose, and sealed with the common seal of the local authority.

## PLACE FOR PAYMENT OF PRINCIPAL AND INTEREST.

11. The principal and interest in respect of new securities shall be payable at such place or places in New Zealand as may be directed by the holder.

## SURRENDER OF CONVERTED SECURITIES.

12. The holder of the existing securities converted into new securities shall surrender the existing securities in Wellington in exchange for the new securities.

## CONSOLIDATED SPECIAL RATE.

13. (1) As a security for the new securities the local authority shall forthwith, by resolution gazetted (in the form numbered (3) in the Second Schedule hereto), make and levy a special rate over the whole of the district of the local authority to provide for the payment of the half-yearly instalments of principal and interest in respect of the new securities.

(2) Subject to the provisions of this Order, the provisions of the Local Bodies' Loans Act, 1926, the Land Drainage Act, 1908, and of any other Act shall, so far as applicable and with all necessary modifications, apply with respect to such special rate, and with respect to the principal, interest, and other charges in respect of such securities, as if such special rate were made and levied in respect of a special loan raised under Part I of the said Local Bodies' Loans Act, 1926.

(3) Upon the making of such special rate every special rate heretofore made in respect of any existing securities to which this Order applies shall cease to be a security for such existing securities :

Provided, however, that nothing in this clause shall be deemed to extinguish the liability of any ratepayer for special rates outstanding in respect of the loans enumerated in the First Schedule hereto at the commencement of this Order.

## PAYMENT OF COSTS OF CONVERSION.

14. All costs, charges, and expenses incidental to the conversion shall be borne by the local authority.

## FIRST SCHEDULE.

## LOANS TO BE CONVERTED.

Name.	Amount.	Rate of Interest.		Date of Maturity.
		Original.	Existing.	
Drainage Loan, £5,000 (part)	1,000*	4½	4¼	12th September, 1957.
Drainage Loan, £5,000 (part)	1,000*	4½	4¼	12th September, 1957.
Drainage Loan, £5,000 (part)	1,000*	4½	4¼	12th March, 1957.
Drainage Loan, £5,000 (part)	2,000*	4½	4¼	12th March, 1958.

\* Less principal repaid to date of conversion.