

Consenting to the Raising of Loans by certain Local Authorities and prescribing the Conditions thereof

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington, this 25th day of August, 1948

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS the several local authorities enumerated in the Schedule hereto, being desirous of raising the respective loans stated opposite their names therein, have respectively complied with the provisions of the Local Government Loans Board Act, 1926 (hereinafter called the said Act), and it is expedient that the precedent consent of the Governor-General in Council, as required by the said Act, should be given to the raising of the said loans:

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 section eleven of the said Act, as set out in section twenty-nine of the Finance Act, 1932 (No. 2), and of all other powers and authorities enabling him in this behalf, doth hereby consent to the raising in New Zealand by the respective local authorities mentioned in the first column of the said Schedule of the respective loans set out in the second column of the said Schedule, up to the respective amounts specified in the third column of the said Schedule, and in giving such consent doth hereby determine as follows:—

- (1) The terms for which the said loans or any parts thereof may be raised shall be the respective terms (in years) stated in the fourth column of the said Schedule.
- (2) The rates of interest that may be paid in respect of the said loans or any parts thereof shall be such as shall not produce to the lender or lenders a rate or rates exceeding the respective rates per centum per annum stated in the fifth column of the said Schedule.
- (3) The said respective loans or any parts thereof, together with interest thereon, shall be repaid by equal aggregate annual or half-yearly instalments extending over the respective terms as determined in (1) above.
- (4) The payment of such instalments shall be made in New Zealand, and no such instalment shall be paid out of loan-moneys.
- (5) The rate payable for brokerage, underwriting, and procreation fees in respect of the raising of the said respective loans or any parts thereof shall not in the aggregate exceed one-half per centum of any amount raised.
- (6) No moneys shall be borrowed under this consent after the expiration of two years from the date hereof.

SCHEDULE

First Column. Name of Local Authority.	Second Column. Name of Loan.	Third Column. Amount of Loan.	Fourth Column. Term of Loan (Years).	Fifth Column. Rate of Interest.
Kaipara Hospital Board	New Hospital Buildings Loan, 1948	£ 353,000	25	£ s. d. 3 5 0
Papatoetoe Borough Council	Street Sealing and Plant Loan, 1947	21,300	10	3 5 0

(T. 40/416/6.)

T. J. SHERRARD, Clerk of the Executive Council.

Varying the Determinations in Respect of the Bluff Harbour Board's Loan of £8,000

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington, this 25th day of August, 1948

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS by Order in Council made on the ninth day of June, one thousand nine hundred and forty-eight (hereinafter called the said Order in Council), and subject to the determinations as to borrowing and repayment therein set out, consent was given to the raising in New Zealand by the Bluff Harbour Board (hereinafter called the said local authority) of a loan of eight thousand pounds (£8,000), to be known as "Loan No. 12, 1948" (hereinafter called the said loan):

And whereas the authority conferred by the said Order in Council has not yet been exercised, and it is expedient to vary certain of the determinations aforesaid in respect of the said loan:

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 section eleven of the Local Government Loans Board Act, 1926, as set out in section twenty-nine of the Finance Act, 1932 (No. 2), and of all other powers and authorities enabling him in this behalf, doth hereby vary certain of the determinations aforesaid in respect of the said loan by prescribing that in lieu of provision being made for the repayment of the said loan by the establishment of a sinking fund in respect thereof, as specified in clause three of the said Order in Council, the said loan or any part thereof, together with interest thereon, shall be repaid by equal aggregate annual or half-yearly instalments extending over the term of fifteen (15) years as specified in clause one of the said Order in Council.

T. J. SHERRARD, Clerk of the Executive Council.

(T. 49/315/5.)

Varying the Determinations in Respect of Portion (£1,100) of the Nelson City Council's Loan of £11,500 by Extending the Term Within which the Said Loan May be Borrowed

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington, this 25th day of August, 1948

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS by Order in Council made on the twenty-fifth day of September, one thousand nine hundred and forty-six (hereinafter called the said Order in Council), and subject to the determinations as to borrowing and repayment therein set out, consent was given to the raising in New Zealand by the Nelson City Council (hereinafter called the said local authority) of a loan of

eleven thousand five hundred pounds (£11,500), to be known as "Abattoir Loan, 1946" (hereinafter called the said loan):

And whereas the authority conferred by the said Order in Council has not been exercised to the extent of four thousand one hundred pounds (£4,100) (hereinafter called the said sum), and it is expedient to extend the term, as specified in clause seven of the said Order in Council, within which the said sum or any portion thereof may be raised:

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 section eleven of the Local Government Loans Board Act, 1926, as set out in section twenty-nine of the Finance Act, 1932 (No. 2), and of all other powers and authorities enabling him in this behalf, doth hereby vary the determinations aforesaid in respect of the said sum by prescribing that no moneys shall be borrowed under the consent given by the said Order in Council after the expiration of four (4) years from the date thereof.

T. J. SHERRARD, Clerk of the Executive Council.

(T. 49/279/24.)

Appointing a Member of the First Division of the Court of Appeal

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington, this 1st day of September, 1948

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS by Order in Council made on the twenty-ninth day of October, one thousand nine hundred and forty-seven, the Honourable David Stanley Smith, Judge (latterly the Honourable Sir David Stanley Smith, Kt., Judge), was appointed a member of the First Division of the Court of Appeal for the year one thousand nine hundred and forty-eight:

And whereas His Excellency the Governor-General was pleased to accept the resignation by the said the Honourable Sir David Stanley Smith, Kt., of his office as a Judge of the Supreme Court of New Zealand as from the thirty-first day of May, one thousand nine hundred and forty-eight, and it is thus expedient for the purposes of the business of the said Division as on and from the sixth day of September, one thousand nine hundred and forty-eight, to appoint another Judge as a member of the said Division:

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 that Dominion, and in exercise of the authority conferred upon him by the Judicature Amendment Act, 1913, and in pursuance of the recommendation of the Right Honourable the Chief Justice, the Honourable Mr. Justice Fair, and the Honourable Mr. Justice Gresson, doth appoint the Honourable James Douglas Hutchison, Judge, as on and from the sixth day of September, one thousand nine hundred and forty-eight, to be a member of the said First Division of the Court of Appeal.

T. J. SHERRARD, Clerk of the Executive Council.