

Appointing Members of the First and Second Divisions of the Court of Appeal

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 9th day of November, 1949

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS by section five of the Judicature Amendment Act, 1913, it is enacted that the Court of Appeal shall consist of two divisions, to be called respectively the First Division and the Second Division of the Court of Appeal; and that each division shall consist of five Judges of the Supreme Court, to be appointed to that division by the Governor-General in Council:

And whereas the power conferred by the said Act upon the Governor-General in Council of appointing Judges as members of either division, or revoking any such appointment, shall be exercisable on the recommendation of not less than three Judges of the Supreme Court (of whom the Chief Justice shall be one), and not otherwise:

And whereas the Right Honourable the Chief Justice, the Honourable Mr. Justice Gresson, the Honourable Mr. Justice Hutchison, and the Honourable Mr. Justice Hay have recommended that the two divisions of the Court of Appeal for the year one thousand nine hundred and fifty shall be constituted as shown hereafter:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in exercise of the powers conferred by the said Act, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby appoint

The Right Honourable Sir Humphrey Francis O'Leary, K.C.M.G., Chief Justice,

The Honourable Sir Erima Harvey Northcroft, Kt., Judge,

The Honourable George Pantan Finlay, Judge,

The Honourable Kenneth Macfarlane Gresson, Judge, and

The Honourable James Douglas Hutchison, Judge,

to be the members of the First Division of the Court of Appeal; and

The Honourable Sir Robert Kennedy, Kt., Judge,

The Honourable John Bartholomew Callan, Judge,

The Honourable Henry Havelock Cornish, Judge,

The Honourable Joseph Stanton, Judge, and

The Honourable Ernst Peterson Hay, Judge,

to be the members of the Second Division of the Court of Appeal for the year one thousand nine hundred and fifty.

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

Consenting to the Raising of a Loan of £1,500 by the Northcote Borough Council and Prescribing the Conditions Thereof

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 9th day of November, 1949

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS the Northcote Borough Council (hereinafter called the said local authority), proposes, pursuant to the provisions of section three of the Main Highways Amendment Act, 1928, to borrow the sum of one thousand five hundred pounds (£1,500) by a loan to be known as "Main Highways Loan, 1949" (hereinafter called the said loan), for the purpose of providing the Council's share of the cost of reconstruction of portion of the Northcote Road Main Highway:

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 consent to the raising by the said local authority of the said loan for the said purpose up to the amount of one thousand five hundred pounds (£1,500), and in giving such consent doth hereby determine as follows:—

(1) The term for which the said loan or any part thereof may be raised shall be three (3) years.

(2) The rate of interest that may be paid in respect of the said loan or any part thereof shall be such as shall not produce to the lender a rate exceeding three pounds ten shillings (£3 10s.) per centum per annum.

(3) The said loan or any part thereof, together with interest thereon, shall be repaid by equal aggregate annual instalments extending over the term as determined in (1) above.

(4) No moneys shall be borrowed under this consent after the expiration of two years from the date hereof.

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

(T. 49/187.)

Consenting to the Raising of a Loan of £50,000 by the Springs-Ellesmere Electric-power Board and Prescribing the Conditions Thereof

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 9th day of November, 1949

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS the Springs-Ellesmere Electric-power Board (hereinafter called the said local authority), being desirous of raising a loan of fifty thousand pounds (£50,000), to be known as "No. 8 Reticulation Loan, 1949" (hereinafter called the said loan), for the purpose of providing for further reticulation of the Springs-Ellesmere Electric-power District, in respect of which works guarantees as described in clause 21-43 of the Electrical Supply Regulations 1935, have first been given in favour of the Board for payments amounting in each of not less than eight consecutive years from the completion of such works to at least 15 per centum of the estimated capital cost of such works, except that such guarantees may be reduced to the extent of any subsidy granted by the Rural Electrical Reticulation Council, has 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 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 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 said local authority of the said loan for the said purpose up to the amount of fifty thousand pounds (£50,000), and in giving such consent doth hereby determine as follows:—

(1) The term for which the said loan or any part thereof may be raised shall not exceed twenty-five (25) years.

(2) The rate of interest that may be paid in respect of the said loan or any part thereof shall be such as shall not produce to the lender or lenders a rate or rates exceeding three pounds five shillings (£3 5s.) per centum per annum.

(3) The said local authority shall, before raising the said loan or any part thereof, make provision for the repayment thereof by establishing a sinking fund under the Local Bodies' Loans Act, 1926, or under such other statutory enactment as may be applicable and shall thereafter make payments to such sinking fund at intervals of not more than one year at a rate or rates per centum which shall be not less than two pounds fourteen shillings and tenpence (£2 14s. 10d.), such payments to be made in respect of every part of the said loan for the time being so borrowed and not repaid, the first such payment to be made not later than one year after the first day from which interest to the lender or lenders is computed on the said loan or any part thereof so raised.

(4) The payment of interest and the repayment of principal in respect of the said loan shall be made in New Zealand.

(5) No amount payable as either interest or sinking fund in respect of the said loan shall be paid out of loan-money.

(6) The rate payable for brokerage, underwriting, and pro-curation fees in respect of the raising of the said loan or any part thereof shall not in the aggregate exceed one-half per centum of any amount raised.

(7) No moneys shall be borrowed under this consent after the expiration of two years from the date hereof.

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

(T. 49/282/13.)

Consenting to the Raising of a Loan of £18,500 by the Manukau County Council and Prescribing the Conditions Thereof

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 9th day of November, 1949

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS by Order in Council made on the twenty-second day of October, one thousand nine hundred and forty-seven (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 of the Manukau County Council