

**Reprint
as at 1 October 1948**



**Canterbury Public Library Act
1948**

Local Act 1948 No 9
Date of assent 30 September 1948
Commencement see section 1(2)

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

An Act to transfer the Canterbury Public Library from the Canterbury University College to the Corporation of the City of Christchurch

Preamble

Whereas the Canterbury Public Library is controlled by the Canterbury University College, and the assets of the library are vested in the college:

And whereas it is now anticipated that considerable expenditure will be involved in the proper development of the library, and it has been agreed by and between the Canterbury University College Council and the Christchurch City Council that it is desirable that the library as a whole be transferred to the Corporation of the City of Christchurch.

1 Short Title and commencement

- (1) This Act may be cited as the Canterbury Public Library Act 1948.
- (2) This Act shall come into force on 1 October 1948.

2 Vesting of library site

- (1) On 1 October 1948 the vesting in the Canterbury University College of all that parcel of land containing 2 roods, or thereabouts, situated in the City of Christchurch, being Town Sections 405 and 406, and being all the land comprised and described in certificate of title, Volume 364, folio 261, Canterbury Registry, shall be deemed to be cancelled, and the said land shall, as on and from that day, be deemed to be vested in the Corporation of the City of Christchurch.
- (2) The District Land Registrar for the Land Registration District of Canterbury is hereby empowered and directed to make such entries in the registers and generally to do all such things as may be necessary to give full effect to the provisions of this section, and to transfer the title to the said land into the name of the Mayor, Councillors, and Citizens of the City of Christchurch.

3 Transfer of other assets

All other assets of the Canterbury Public Library as shown in the balance sheet of the public library appearing in the accounts of the Canterbury University College as at 30 September 1948 shall, by virtue of this Act, vest on 1 October 1948 in the Corporation of the City of Christchurch.

4 Trusts and purposes affecting library

All the land and other assets referred to in sections 2 and 3 shall be held by the Corporation of the City of Christchurch upon the trusts and for the specific purposes contemplated in respect of a library by the Canterbury Museum and Library Ordinance 1870 and by a certain deed dated 15 December 1873, whereby the said land and then-existing assets of the library were conveyed by the trustees of the Christchurch Literary Institute to the Superintendent of Canterbury, and subject to any special trusts affecting any of such assets.

5 Transfer of obligations, etc

- (1) All obligations, engagements, and liabilities of the Canterbury University College in respect of the public library shall, by virtue of this Act, be obligations, engagements, and liabilities of the Corporation of the City of Christchurch:
provided that nothing in this Act shall be so construed as to affect in any way the rights of any creditor.
- (2) The Corporation of the City of Christchurch shall indemnify the Canterbury University College against all its liabilities in respect of the public library.

6 Transfer of functions and powers and authority to City Council to make bylaws

All the functions, powers, and authorities prior to the coming into force of this Act vested in the Canterbury University College or which might lawfully be exercised by the Canterbury University College Council in relation to the Canterbury Public Library shall, by virtue of this Act, be vested in the Corporation of the City of Christchurch and may be lawfully exercised by the Christchurch City Council.

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- 7 Contribution by Canterbury University College Council**
The Canterbury University College Council shall annually pay to the Christchurch City Council for the purposes of the public library one-fifth of the net income available from its Museum, Library, and School of Technical Science Endowment.
- 8 Payments from Gammack Trust**
The trustees for the time being of the will of James Gammack, late of Springston, farmer, deceased, shall from time to time pay to the Christchurch City Council, to be applied for the benefit of the circulating department of the public library, all moneys which would be payable to the Canterbury University College Council for such purposes if this Act had not been passed, and the receipt of the Treasurer of the Christchurch City Council shall be a complete discharge to the trustees for all moneys so paid.
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Notes

1 *General*

This is a reprint of the Canterbury Public Library Act 1948. The reprint incorporates all the amendments to the Act as at 1 October 1948, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
