

**Reprint  
as at 1 July 2013**



**Wellington City (Cuba Street Mall)  
Empowering Act 1967**

Local Act 1967 No 1  
Date of assent 23 June 1967  
Commencement 23 June 1967

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**An Act to enable the Wellington City Council to set aside part of  
Cuba Street, Wellington, as a pedestrian mall**

**Preamble**

Whereas it is expedient to enable the Wellington City Council  
to set aside part of Cuba Street, Wellington, as a pedestrian

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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.

mall and to exclude vehicles therefrom so far as necessary for that purpose.

**1 Short Title**

This Act may be cited as the Wellington City (Cuba Street Mall) Empowering Act 1967.

**2 Interpretation**

In this Act, unless the context otherwise requires,—

**parking** means the standing of a vehicle for any period exceeding 5 minutes; and **park** has a correspondent meaning  
**vehicle** shall have the meaning given to it by section 2 of the Transport Act 1962.

**3 Council may exclude vehicles from Cuba Street**

- (1) Notwithstanding the provisions of any other enactment, the Wellington City Council may by special order prohibit or restrict either generally or during particular hours and subject to such exceptions and conditions as to occasional user or otherwise as may be specified in the order the driving or parking of any vehicle on that part of Cuba Street, Wellington, lying between the southern boundary of its intersection with Dixon Street and the northern boundary of its intersection with Ghuznee Street.
- (2) The first public notice of any resolution under subsection (1) shall, in addition to any other particulars required to be given therein, contain a statement to the effect that any person likely to be affected by the proposal contained in the resolution may, by writing under his hand delivered to the Town Clerk and received at the office of the Council not later than 14 days after publication of the notice, object to the proposal and that any such person will be given the opportunity of being heard by the Council.
- (3) Where any person objects to the proposal in accordance with subsection (2), the Council shall appoint a day for considering the objection and shall give notice to the objector of the time when and place where the objection is to be heard. Any such

time shall be not earlier than 7 days after the date on which the notice of objection was received by the clerk.

- (4) The Council, at the time and place stated in the notice referred to in subsection (3), shall consider the objection and, after hearing any submissions made by or on behalf of the objector, may either dismiss the objection or make such modifications to the proposal to which the objection relates as it thinks fit. The hearing of any such objection may be adjourned from time to time and from place to place.
- (5) Where any proposal is modified under subsection (4), the modified proposal shall, for the purposes of the special order, be deemed to be contained in the original resolution and may be confirmed at a subsequent meeting of the Council in accordance with the Municipal Corporations Act 1954 without any further notification of the original resolution as modified: provided that where there are more objectors than 1, the Council shall, as far as practicable, hear all objections together and give each objector an opportunity of considering and being heard in respect of all other objections.
- (6) No resolution under this section shall be confirmed until the Council has considered all objections of which notice has been given in accordance with this section.

#### **4 Offences**

Any person who drives or parks any vehicle or causes or permits any vehicle to be driven or parked in contravention of an order made under section 3 commits an offence and shall be liable on conviction to a fine not exceeding 10 pounds.

Section 4: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

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**Notes****1 General**

This is a reprint of the Wellington City (Cuba Street Mall) Empowering Act 1967. The reprint incorporates all the amendments to the Act as at 1 July 2013, 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)*

Criminal Procedure Act 2011 (2011 No 81): section 413

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