

Reprint  
as at 1 July 1998



## Taranaki Harbours Board Empowering Act 1976

Local Act	1976 No 8
Date of assent	11 December 1976
Commencement	11 December 1976

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### An Act to authorise the Taranaki Harbours Board to sell certain land

#### 1 Short Title

This Act may be cited as the Taranaki Harbours Board Empowering Act 1976.

#### 2 Interpretation

In this Act, unless the context otherwise requires, **Board** means the Taranaki Harbours Board incorporated under the provisions of the Harbours Act 1950.

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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.

### 3 Land may be sold to lessees

- (1) The Board is hereby empowered to sell and transfer the fee simple of the land comprised in the lease of any of the land described in the Schedule to the lessees thereof for cash at the current unimproved value at the time of the sale as determined by a registered valuer together with the value as so determined of any improvements on the land effected or owned by the Board and not previously purchased by the lessee or any previous lessee, and otherwise on such terms as shall from time to time be decided by the Board.
- (2) Whether or not such sale is completed to the lessee, the cost of the abovementioned valuation and the Board's legal expenses shall be borne by the lessee.
- (3) On the completion of any such sale and transfer the land affected thereby shall be freed from all trusts theretofore affecting it.
- (4) In subsection (1), the terms **unimproved value** and **improvements** shall have the same meanings as they had in the Valuation of Land Act 1951 immediately before the commencement of the Valuation of Land Amendment Act (No 2) 1970, and in particular, in respect of unimproved value, shall mean the value of the land as if free of the lease registered against it.
- (5) Nothing in this section shall in any way affect the rights of lessees under leases of the said land in existence immediately before the passing of this Act.

Section 3(1): amended, on 1 July 1998, by section 54(1) of the Rating Valuations Act 1998 (1998 No 69).

### 4 Application of purchase money

Where the fee simple of land is sold to the lessee under section 3, the purchase money shall be paid by the Board to a special account within the Harbour Fund of the Board and—

- (a) the money or any part thereof shall be applied by the Board as it may from time to time think fit in the purchase of land and any improvements thereon, such land to be acquired in the name of the Board as an endowment to replace the endowments so sold or in improving or developing land so purchased or held by the Board as an existing endowment:
- (b) pending the application of any such money in accordance with paragraph (a), the Board may invest the money pursuant to section 53 of the Harbours Act 1950:
- (c) the income from any investment made under paragraph (b) shall be applied in the same manner in which income from existing endowments is applied:

provided that if the income in any year exceeds the income which the Board would normally expect to receive from the lease of the endowment so sold at the date of sale, such excess income shall be applied in accordance with paragraph (a) or paragraph (b).

## Schedule

All those pieces of land situated in the Land Registration District of Taranaki containing:

- 1 1.4282 hectares, more or less, being Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, and 22, Deposited Plan 2926, and Lots 1 and 2, Deposited Plan 8485, and being all the land in certificate of title, Volume 138 folio 170.
- 2 1.0156 hectares more or less being Lots 5, 8, 25, 26, 27, and 28, Deposited Plan 2926, Lots 1 and 2, Deposited Plan 5953, and Lots 1 and 2, Deposited Plan 9825, and being part of the land in certificate of title B1/1328.
- 3 878 square metres, more or less, being Lot 13, Deposited Plan 9392, and being all the land in certificate of title C1/143.
- 4 994 square metres, more or less, being Lot 14, Deposited Plan 9392, and being all the land in certificate of title C1/144.
- 5 994 square metres, more or less, being Lot 15, Deposited Plan 9392, and being all the land in certificate of title C1/145.
- 6 1 085 square metres, more or less, being Lot 16, Deposited Plan 9392, and being all the land in certificate of title C1/146.
- 7 1 034 square metres, more or less, being Lot 17, Deposited Plan 9392, and being all the land in certificate of title C1/147.
- 8 954 square metres, more or less, being Lot 18, Deposited Plan 9392, and being all the land in certificate of title C1/148.
- 9 1 040 square metres, more or less, being Lot 19, Deposited Plan 9392, and being all the land in certificate of title C1/149.
- 10 1 024 square metres, more or less, being Lot 20, Deposited Plan 9392, and being all the land in certificate of title C1/150.
- 11 4 036 square metres, more or less, being Lots 21, 22, 24, and 25, Deposited Plan 9392, and being part of the land in certificate of title A2/964.
- 12 46.5388 hectares, more or less, being Lot 8, Deposited Plan 141, and being all the land in certificate of title, Volume 140, folio 26.

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**Notes****1 General**

This is a reprint of the Taranaki Harbours Board Empowering Act 1976. The reprint incorporates all the amendments to the Act as at 1 July 1998, 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)*

Rating Valuations Act 1998 (1998 No 69): section 54(1)