

Local Legislation Act 1966

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An Act to confer certain powers on certain public bodies and to validate certain transactions

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1 Short Title

This Act may be cited as the Local Legislation Act 1966.

County councils

2 Validating refunds by Otamatea County Council to County Fund Account from loan money

Whereas, after the Otamatea County Council (in this section referred to as the Council) had been authorised to raise a loan of forty thousand dollars to be known as the Bridge Rate Loan 1961 (in this section referred to as the first loan), but before the first loan had been raised, the Council expended out of its County Fund Account for certain purposes for which the first loan was to be raised money amounting in the aggregate to the sum of eleven thousand nine hundred dollars and fifty-five and five-sixth cents: And whereas after the first loan had been raised the Council refunded the said sum of eleven thousand nine hundred dollars and fifty-five and five-sixth cents to its County Fund Account out of the proceeds of the first loan: And whereas after the Council had been authorised to raise a loan of twenty thousand dollars to be known as the Staff Housing Loan 1960 (in this section referred to as the second loan), but before the second loan had been raised, the Council expended out of its County Fund Account for certain purposes for which the second loan was to be raised money amounting in the aggregate to the sum of twelve thousand nine hundred and twenty-eight dollars and eighty-five cents: And whereas after the second loan had been raised the Council refunded the said sum of twelve thousand nine hundred and twenty-eight dollars and eighty-five cents to its County Fund Account out of the proceeds of the second loan: And whereas, contrary to the provisions of section 30 of the Local Authorities Loans Act 1956, the two refunds were made more than two years after the said sums had been expended without the prior consent of the

Local Authorities Loans Board: And whereas it is desirable to validate the two refunds: Be it therefore enacted as follows:

The actions of the Council in refunding the sum of eleven thousand nine hundred dollars and fifty-five and five-sixth cents and the sum of twelve thousand nine hundred and twenty-eight dollars and eighty-five cents to its County Fund Account out of the proceeds of the first loan and the second loan respectively, more than two years after those sums had been expended, without the prior consent of the Local Authorities Loans Board, are hereby validated and declared to have been lawful.

The references to “forty thousand dollars”, “eleven thousand nine hundred dollars and fifty-five and five-sixth cents”, “twenty thousand dollars”, and “twelve thousand nine hundred and twenty-eight dollars and eighty-five cents” were substituted, as from 10 July 1967, for references to “twenty thousand pounds”, “five thousand nine hundred and fifty pounds five shillings and sevenpence”, “ten thousand pounds”, and “six thousand four hundred and sixty-four pounds eight shillings and sixpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

3 Validating refunds by Whakatane County Council to County Fund Account from loan money

Whereas, before the Whakatane County Council (in this section referred to as the Council) obtained authority to raise a loan of thirty-six thousand dollars to be known as the Tanea-tua Township Water Supply Loan 1964 (in this section referred to as the first loan), the Council expended out of its County Fund Account for certain purposes for which the first loan was to be raised money amounting in the aggregate to the sum of seven thousand six hundred and sixty dollars: And whereas when that authority had been obtained and the first loan raised the Council refunded to its County Fund Account out of the proceeds of the first loan the sum of seven thousand six hundred and sixty dollars, but had no authority to do so: And whereas, before the Council obtained authority to raise a loan of twenty-eight thousand dollars to be known as the Te Teko Water Supply Loan 1963 (in this section referred to as the second loan), the Council expended out of its County Fund Account for certain purposes for which the second loan was to be raised money amounting in the aggregate to the sum of sixteen thousand two hundred and eighteen dollars and fifty-three and a third cents: And whereas when that authority had been ob-

tained and the second loan raised the Council refunded to its County Fund Account out of the proceeds of the second loan the sum of sixteen thousand two hundred and eighteen dollars and fifty-three and a third cents, but had no authority to do so: And whereas it is desirable to validate the said refunds: Be it therefore enacted as follows:

The actions of the Council in refunding the sum of seven thousand six hundred and sixty dollars and the sum of sixteen thousand two hundred and eighteen dollars and fifty-three and a third cents to its County Fund Account out of the proceeds of the first loan and the second loan respectively, are hereby validated and declared to have been lawful.

The references to “thirty-six thousand dollars”, “seven thousand six hundred and sixty dollars”, “twenty-eight thousand dollars”, and “sixteen thousand two hundred and eighteen dollars and fifty-three and a third cents” were substituted, as from 10 July 1967, for a references to “eighteen thousand pounds”, “three thousand eight hundred and thirty pounds”, “fourteen thousand pounds”, and “eight thousand one hundred and nine pounds five shillings and fourpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

4 Authorising refund by Tauranga County Council to County Fund Account from loan money

Whereas, before the Tauranga County Council (in this section referred to as the Council) obtained authority to raise a loan of twelve thousand dollars to be known as the Matakana Island Roding Loan 1965 (in this section referred to as the loan), the Council expended out of its County Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of one thousand seven hundred and eighty-eight dollars and forty-three and a third cents: And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund the said sum so expended to its County Fund Account out of the proceeds of the loan: Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of one thousand seven hundred and eighty-eight dollars and forty-three and a third cents to its County Fund Account out of the proceeds of the loan.

The references to “twelve thousand dollars”, and “one thousand seven hundred and eighty-eight dollars and forty-three and a third cents” were substituted, as from 10 July 1967, for references to “six thousand pounds”, and “eight hun-

dred and ninety-four pounds four shillings and fourpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

5 Authorising refund by Tauranga County Council to County Fund Account from loan money

Whereas, before the Tauranga County Council (in this section referred to as the Council) obtained authority to raise a loan of fifty thousand dollars to be known as the Bridges Loan 1964 (in this section referred to as the loan), the Council expended out of its County Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of two thousand eight hundred and fifty-five dollars and thirty-two and a half cents: And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund the said sum so expended to its County Fund Account out of the proceeds of the loan: Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of two thousand eight hundred and fifty-five dollars and thirty-two and a half cents to its County Fund Account out of the proceeds of the loan.

The references to “fifty thousand dollars”, and “two thousand eight hundred and fifty-five dollars and thirty-two and a half cents” were substituted, as from 10 July 1967, for references to “twenty-five thousand pounds”, and “one thousand four hundred and twenty-seven pounds thirteen shillings and threepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

6 Provision with respect to dissolution of Darfield Memorial Hall Incorporated and transfer of hall to Malvern County Council

Whereas the Darfield Memorial Hall Society Incorporated (in this section referred to as the Society) owns and operates a community hall at Darfield and is desirous of winding up its affairs and transferring the said hall and all other assets of the Society, after payment of all liabilities, to the Chairman, Councillors, and Inhabitants of the County of Malvern (in this section referred to as the Corporation) without consideration: And whereas the Corporation has agreed to accept a transfer to it of the assets of the Society and to hold the hall as a public reserve subject to the Reserves Act 1977 for the benefit of the community of Darfield and surrounding districts and to apply the

other assets of the Society transferred for the general purposes of the hall: And whereas the Society has no authority to make such a transfer: And whereas it is desirable to authorise the transfer of the said assets of the Society to the Corporation as aforesaid: Be it therefore enacted as follows:

- (1) The Society is hereby authorised upon the passing by it of a resolution to that effect to transfer to the Corporation without consideration the land described in subsection (7) of this section as a site for a public hall together with the buildings erected thereon and all other assets of the Society of any kind whatsoever after payment thereof of all liabilities of the Society and all other costs and expenses.
- (2) The said land shall be held by the Corporation as a public reserve subject to the Reserves Act 1977 as a site for a public hall for the benefit of the community of Darfield and its surrounding districts; and all other assets of the Society transferred to the Corporation pursuant to subsection (1) of this section shall be held by the Corporation for the general purposes of the hall for the time being erected on the said land or of any hall which may be erected in its place.
- (3) The Corporation shall indemnify and keep indemnified the Society against all claims whatsoever against the Society that may arise at any time after the transfer of the assets of the Society to the Corporation pursuant to subsection (1) of this section.
- (4) The Corporation and the Society shall, notwithstanding any provisions in the rules of the Society, be under no liability whatsoever to the members of the Society for the payment of any money or the distribution of any of the assets of the Society upon the winding up of the Society.
- (5) The District Land Registrar for the Canterbury Land Registration District is hereby authorised and directed to accept such documents for registration and to make such entries in the Register books and do all such other things as may be necessary to give effect to this section.
- (6) After the transfer of the said land and other assets by the Society to the Corporation and upon receipt of advice from an officer of the Society that the Society is no longer carrying on

its operations, the Registrar of Incorporated Societies is hereby authorised to take the necessary steps for the dissolution of the Society.

- (7) The land to which this section relates is more particularly described as follows:

All that piece or parcel of land containing one rood, more or less, being Section 4, Block IV, Town of Darfield (formerly Lot 4, Block IV, Horndon Township), as the same is more particularly shown on SO Plan 859L deposited in the office of the Chief Surveyor at Christchurch, and being all the land comprised and described in certificate of title, Volume 397, folio 102, Canterbury Registry.

The Reserves and Domains Act 1953 (1953 No 69) was substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

7 Authorising Vincent County Council to discontinue the levying of a separate rate and to utilise the proceeds thereof in connection with the Clyde water supply

Whereas the Vincent County Council (in this section referred to as the Council) on the twenty-ninth day of March, nineteen hundred and sixty-two, by special order made a separate rate (in this section referred to as the said rate) pursuant to the provisions of the Counties Act 1956, to be levied over the Clyde Water Supply Area for the purpose of providing an additional water-storage reservoir for the Clyde water supply: And whereas the Council has levied the said rate for the years ending the thirty-first day of March in each of the years nineteen hundred and sixty-three, nineteen hundred and sixty-four, nineteen hundred and sixty-five and nineteen hundred and sixty-six: And whereas it has since been shown to the Council that the proposed undertaking is not in the best interests of the ratepayers of the Clyde Water Supply Area: And whereas it is desirable to authorise the Council to discontinue the levying of the said rate and to utilise the proceeds of the said rate for other works of improvement, augmentation, or extension of the Clyde water supply: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to discontinue the levying of the said rate over the Clyde Water Supply Area on and after the first day of April, nineteen hundred and sixty-six, and to utilise the existing proceeds of the said rate for other works of improvement, augmentation, or extension of the Clyde water supply.

- 8 Authorising Vincent County Council to raise special loan**
- Whereas on the twenty-eighth day of October, nineteen hundred and sixty-four, the Vincent County Council (in this section referred to as the Council) made application to the Local Authorities Loans Board (in this section referred to as the Board) for its sanction to the raising of a loan to be known as the Bridge Renewal Loan 1964 of twenty thousand dollars: And whereas at the time of the said application the Council had expended the sum of twelve thousand seven hundred and ninety-six dollars out of its County Fund Account for certain purposes for which the loan was to be raised: And whereas on the ninth day of February, nineteen hundred and sixty-five, the Board sanctioned the raising of a loan of seven thousand two hundred dollars being the amount unexpended by the Council on bridge renewal: And whereas the Council has expended the said sum of seven thousand two hundred dollars out of its County Fund Account before obtaining the precedent consent of the Governor-General in Council to the raising of the loan of seven thousand two hundred dollars: And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of twenty thousand dollars for the purpose of recouping its County Fund Account in respect of the sums expended from that account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding twenty thousand dollars for the purpose of refunding to its County Fund Account the sums expended from that account as aforesaid.

The references to “twenty thousand dollars”, “twelve thousand seven hundred and ninety-six dollars”, and “seven thousand two hundred dollars” were substituted, as from 10 July 1967, for references to “ten thousand pounds”, “six thousand three hundred and ninety-eight pounds”, and “seven thousand two

hundred dollars” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

9 Provision with respect to dissolution of Springston Hall Company Limited and transfer of hall to Ellesmere County Council

Whereas the Springston Hall Company Limited (in this section referred to as the Company) owns and operates a community hall and is desirous of winding up its affairs and transferring the said hall and all other assets of the Company, after payment of all liabilities, to the Corporation of the Chairman, Councillors, and Inhabitants of the County of Ellesmere (in this section referred to as the Corporation) without consideration: And whereas the Corporation has agreed to accept the transfer to it of the assets of the Company and to hold the hall for the benefit of the community of Springston and surrounding districts and to apply the other assets of the Company transferred for the general purposes of the hall: And whereas the Company has no authority to make such a transfer: And whereas it is desirable to authorise the transfer of the said assets of the Company to the Corporation as aforesaid: Be it therefore enacted as follows:

- (1) The Company is hereby authorised to transfer to the Corporation without consideration the land described in subsection (4) of this section as a site for a public hall and all other assets of the Company of any kind whatsoever after payment thereof of all liabilities of the Company and all other costs and expenses.
- (2) The said land shall be held by the Corporation as a site for a public hall for the benefit of the community of Springston and surrounding districts, and all other assets of the Company transferred to the Corporation pursuant to subsection (1) of this section shall be held by the Corporation for the general purpose of the hall erected on the said land.
- (3) The Corporation shall indemnify and keep indemnified the Company and the Directors thereof against all claims whatsoever against the Company that may arise at any time after the transfer of the assets of the Company to the Corporation pursuant to subsection (1) of this section.
- (4) The land to which this section relates is more particularly described as follows:

All that area of land situated in Block VIII of the Leeston Survey District, containing 3 roods 26 perches, more or less, being part Rural Section 2800, and being the whole of the land comprised and described in certificate of title, Volume 364, folio 233, Canterbury Registry (limited as to parcels).

10 Authorising Taranaki County Council to refund to County Fund Account from loan money

Whereas before the Taranaki County Council (in this section referred to as the Council) obtained authority to raise a loan of fifty thousand dollars to be known as the Okato Water Supply Area Loan 1966 (in this section referred to as the loan) the Council expended out of its County Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of one thousand three hundred and thirty-four dollars and eight and a third cents: And whereas authority to raise the loan has since been obtained: And whereas the Council is desirous of refunding to its County Fund Account out of the proceeds of the loan the sum of one thousand three hundred and thirty-four dollars and eight and a third cents but has no authority to do so: Be it therefore enacted as follows:

The Council is hereby authorised to refund to its County Fund Account out of the proceeds of the loan the sum of one thousand three hundred and thirty-four dollars and eight and a third cents.

The references to “fifty thousand dollars”, and “one thousand three hundred and thirty-four dollars and eight and a third cents” were substituted, as from 10 July 1967, for references to “twenty-five thousand pounds”, and “six hundred and sixty-seven pounds and tenpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

11 Authorising Rodney County Council to raise special loan

Whereas the Rodney County Council (in this section referred to as the Council), before obtaining authority to raise a loan of fifty thousand dollars known as the Roads Sealing Loan 1965, expended from its County Fund Account the sum of twenty thousand dollars for certain purposes for which the loan was to be used: And whereas the Local Authorities Loans Board has no authority to sanction the raising by the Council of a

special loan for the purpose of refunding to its County Fund Account money previously expended therefrom: And whereas it is desirable that the Council be empowered to raise a special loan of the said sum of twenty thousand dollars for the purpose of refunding that sum to its County Fund Account: Be it therefore enacted as follows:

The Council is hereby authorised to borrow, by way of special loan under the Local Authorities Loans Act 1956, the sum of twenty thousand dollars and to refund that sum when raised to its County Fund Account.

The references to “fifty thousand dollars”, and “twenty thousand dollars” were substituted, as from 10 July 1967, for references to “twenty-five thousand pounds”, and “ten thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

12 Authorising Hauraki Plains County Council to adopt classification of land fixed by Hauraki Catchment Board

Whereas it has been the function of the Hauraki Catchment Board (in this section referred to as the Board) to undertake the control and management of land drainage works in the Pouarua-Patetonga Special Drainage Area (in this section referred to as the Drainage Area) which is wholly within the Hauraki Plains County: And whereas on the thirteenth day of October, nineteen hundred and sixty-one, the Board classified the Drainage Area for drainage rating purposes in accordance with section 102 of the Soil Conservation and Rivers Control Act 1941 (in this section referred to as the classification) and adopted the acreage system of rating pursuant to section 106B of that Act: And whereas the classification has continuously been in use since the first day of April, nineteen hundred and sixty-two: And whereas it is expedient that the control and management of land drainage works in the Drainage Area should become the function of the Hauraki Plains County Council (in this section referred to as the Council): And whereas the Council has by special order made under section 227 of the Counties Act 1956 declared the Drainage Area to be a drainage district in terms of that section and has assigned to it the name Hauraki Plains Drainage District (in this section referred to as the Drainage District) and fixed the first day of September, nineteen hundred and sixty-five, as

the day on which the Drainage District was constituted: And whereas it is desirable that the Council be empowered to adopt the classification for the purpose of levying drainage rates in the Drainage District: And whereas the Board holds the sum of seven thousand five hundred and eighty-nine dollars and forty-two and a half cents, being the balance of the unexpended rates and other money at credit for the Drainage Area, and it is desirable that this sum be paid to the Council for the purposes of the Drainage District: And whereas, pursuant to sections 86 and 95 of the Soil Conservation and Rivers Control Act 1941, the Board has directed the Council to make and levy a separate rate in the Drainage Area for the year ending with the thirty-first day of March, nineteen hundred and sixty-seven, and it is desirable that the proceeds of this rate should be retained by the Council for the purposes of the Drainage District: And whereas there are certain arrears of rates made and levied by the Council by direction of the Board pursuant to the said sections 86 and 95 remaining uncollected and it is desirable that the Council should collect and retain these uncollected arrears of rates for the purposes of the Drainage District: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, regulation, or rule of law, it shall be lawful—

- (a) For the Council to adopt, by resolution, the classification and the proportions fixed in relation thereto, and to continue to levy the separate rate in the Drainage District on the acreage system of rating for such period as it thinks fit, being a period expiring not later than the thirty-first day of March, nineteen hundred and seventy-three:
- (b) For the Board to pay to the Council, and the Council to accept, all unexpended rates and other money amounting to seven thousand five hundred and eighty-nine dollars and forty-two and a half cents for the purposes of the Drainage District:
- (c) For the Council to retain all rates which have been made, levied, and collected, or which may hereafter be collected by it on behalf of the Board, for the purposes of the Drainage District:

- (d) For the Council to assume liability as from the first day of April, nineteen hundred and sixty-six, for all land drainage works in the Drainage District and for all expenditure in connection therewith under Part 16 of the Counties Act 1956.

The reference to “seven thousand five hundred and eighty-nine dollars and forty-two and a half cents” was substituted, as from 10 July 1967, for a reference to “three thousand seven hundred and ninety-four pounds fourteen shillings and threepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

13 Authorising Featherston County Council to incur expenditure in respect of Lake Ferry Hotel

Whereas the land described in subsection (4) of this section (in this section referred to as the land) is vested in the Chairman, Councilors, and Inhabitants of the County of Featherston as a reserve for ferry purposes: And whereas the licensed premises known as the Lake Ferry Hotel (in this section referred to as the hotel) are situated on the land: And whereas the Featherston County Council (in this section referred to as the Council) is, by virtue of section 32 of the Sale of Liquor Amendment Act 1964, the holder of a provisional hotel premises licence issued under section 304 of the Sale of Liquor Act 1962 in respect of the hotel: And whereas the Council desires to have vested in it the land and the hotel freed and discharged from the reservation for ferry purposes to enable the Council either to sell the same together with the said provisional hotel premises licence, or to expend such money on the hotel as may be necessary to comply with the requirements of the Licensing Control Commission before that Commission will grant a hotel premises licence in substitution for the said provisional licence and then to sell the land and the hotel together with any hotel premises licence so granted in substitution: And whereas, when the reservation for ferry purposes is revoked, the land will become Crown land subject to the Land Act 1948 and it will be necessary for the Council to purchase the land and the hotel before the Council is able to sell the same as aforesaid: And whereas the Council has no authority to expend money from its County Fund Account for the purpose of such a purchase and it is desirable that it should have such authority: Be it therefore enacted as follows:

- (1) The Council may expend out of its County Fund Account a sum not exceeding four thousand four hundred and sixty dollars in purchasing the land from the Crown, together with such

additional sums as may be lawfully incurred for survey and legal costs in respect of the said purchase.

- (2) In addition to the sum authorised to be expended by subsection (1) of this section, the Council may expend out of its County Fund Account such sums as may be necessary to comply with the requirements of the Licensing Control Commission that have to be met before that Commission will grant a hotel premises licence in respect of the hotel.
- (3) On any sale by the Council of the land and the hotel together with either the said provisional hotel premises licence or any hotel premises licence granted in substitution therefor, the purchase money received in respect of the sale shall be paid into the County Fund Account.
- (4) The land to which this section relates is more particularly described as follows:

All that area in the Wellington Land District situated in Block VIII, Onoke Survey District, containing approximately one acre two roods, being part Section 96, Turanganui District and part closed road, and being also part Lot 45, Deposited Plan 12843, and being part of the land comprised and described in certificate of title, Volume 519, folio 198, Wellington Registry; as more particularly shown on the plan marked L and S 6/9/67F deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon edged red.

The reference to “four thousand four hundred and sixty dollars” was substituted, as from 10 July 1967, for a reference to “two thousand two hundred and thirty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

City and borough councils

14 Providing for expenditure by Alexandra Borough Council in respect of 1967 centennial celebrations

Whereas in the year nineteen hundred and sixty-seven the Alexandra Borough Council (in this section referred to as the Council) proposes to expend money in respect of the celebration and commemoration of the centennial of the founding of the Borough of Alexandra: And whereas it is necessary to make special provisions for that purpose: Be it therefore enacted as follows:

- (1) The actions of the Council in establishing a separate bank account known as the Centennial Fund Account (in this section referred to as the Fund), and in paying into the Fund, during the financial year ended on the thirty-first day of March, nineteen hundred and sixty-six, the sum of two hundred dollars, are hereby validated and declared to have been lawful.
- (2) The Council is hereby authorised to pay into the Fund, during each of the financial years ending on the thirty-first day of March, nineteen hundred and sixty-seven, and the thirty-first day of March, nineteen hundred and sixty-eight, a sum not exceeding two hundred dollars.
- (3) The money in the Fund shall be expended by the Council solely in respect of the celebration and commemoration of the centennial of the founding of the Borough of Alexandra and any sum remaining in the Fund after all such expenditure has been made shall be transferred to the Council's District Fund Account to the credit of the General Account.

The reference to "two hundred dollars" was substituted, as from 10 July 1967, for a reference to "one hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

15 Authorising Thames Borough Council to raise special loan

Whereas, by Orders in Council made on the twenty-first day of January, nineteen hundred and sixty-four, and the fifteenth day of July, nineteen hundred and sixty-four, consent was given to the raising by the Thames Borough Council (in this section referred to as the Council) of loans of twenty thousand dollars and nine thousand dollars to be known respectively as the Pensioner Flats Loan 1963 and the Pensioners' Flats Additional Loan 1964 (in this section referred to as the loans) for the purpose of purchasing land and erecting flats for pensioners: And whereas after expending the amount of the loans the Council expended out of its District Fund Account the sum of two thousand six hundred and ninety-one dollars and thirty-two and a half cents in completing the work: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to re-fund the said two thousand six hundred and ninety-one dollars and thirty-two and a half cents to its District Fund Account:

And whereas it is desirable to authorise the Council to raise a special loan not exceeding two thousand six hundred and ninety-one dollars and thirty-two and a half cents for the purpose of recouping its District Fund Account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding two thousand six hundred and ninety-one dollars and thirty-two and a half cents for the purpose of refunding to its District Fund Account the sum expended from that account as aforesaid.

The references to “twenty thousand dollars”, “nine thousand dollars”, and “two thousand six hundred and ninety-one dollars and thirty-two and a half cents” were substituted, as from 10 July 1967, for references to “ten thousand pounds”, “four thousand five hundred pounds”, and “one thousand three hundred and forty-five pounds thirteen shillings and threepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

16 Vesting certain land in the Corporation of the City of Nelson

Whereas certain land in the City of Nelson is vested in the Nelson Harbour Board as an endowment: And whereas the Nelson City Council is desirous of constructing and maintaining an electricity substation on the land: And whereas it is desired to vest the land in the Mayor, Councillors, and Citizens of the City of Nelson (in this section referred to as the Corporation) for that purpose: Be it therefore enacted as follows:

- (1) The land described in subsection (2) of this section is hereby vested in the Corporation for an estate in fee simple as a site for an electricity substation, freed and discharged from all trusts, reservations, and restrictions affecting the same immediately before the commencement of this Act.
- (2) The land to which this section relates is more particularly described as follows:

All that parcel of land containing one and five-tenths perches, more or less, being Lot 1 on Deposited Plan 6965, being part of Section 1223, City of Nelson and part Nelson Harbour Board Endowment, and being also part of the land comprised and described in certificate of title, Volume 2A, folio 782, Nelson Registry.

17 Validating certain expenditure incurred by Lower Hutt City Council

The expenditure by the Lower Hutt City Council, during the financial year ended on the thirty-first day of March, nineteen hundred and sixty-six, of the sum of three thousand two hundred and fifty-nine dollars and thirty and five-sixth cents, and, during the financial year ending on the thirty-first day of March, nineteen hundred and sixty-seven, of the sum of two thousand eight hundred and seventy-three dollars and forty-three and a third cents, in connection with the celebration of the seventy-fifth anniversary of the city, is hereby validated and declared to have been lawfully incurred.

The references to “three thousand two hundred and fifty-nine dollars and thirty and five-sixth cents”, and “two thousand eight hundred and seventy-three dollars and forty-three and a third cents” were substituted, as from 10 July 1967, for references to “one thousand six hundred and twenty-nine pounds thirteen shillings and one penny”, and “one thousand four hundred and thirty-six pounds four shillings and fourpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

18 Validating a loan raised by Oamaru Borough Council

Whereas on the eighth day of May, nineteen hundred and sixty-two, the Local Authorities Loans Board sanctioned the raising by the Oamaru Borough Council (in this section referred to as the Council) of a loan of fifty thousand dollars to be known as the Redcastle Reserve Development Loan 1962 (in this section referred to as the loan): And whereas the Council raised the loan without the precedent consent of the Governor-General in Council: And whereas the Council also raised part of the loan, namely, the sum of forty thousand dollars, after the expiration of the period specified by the Local Authorities Loans Board for the raising of the loan: And whereas it is desirable that the actions of the Council be validated: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Authorities Loans Act 1956, the actions of the Council in raising the loan without the precedent consent of the Governor-General in Council and in raising part of the loan, namely, the sum of forty thousand dollars, after the expiration of the period specified by the Local Authorities Loans Board for the raising of the loan are hereby validated and declared to have been lawful,

and all debentures and stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to their tenor.

The references to “fifty thousand pounds”, and “forty thousand pounds” were substituted, as from 10 July 1967, for a reference to “twenty-five thousand pounds”, and “twenty thousand dollars” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

19 Repealing Invercargill City Fire and Accident Insurance Fund Empowering Act 1930, and providing for application of Fund

Whereas pursuant to the powers in that behalf conferred on it by the Invercargill City Fire and Accident Insurance Fund Empowering Act 1930 the Invercargill City Council (in this section referred to as the Council) established a Fire and Accident Insurance Fund (in this section referred to as the said Fund) and has from time to time paid money into the said Fund for the purposes of the said Fund: And whereas the need for the said Fund no longer exists and it is expedient that provision be made for the disposal of all sums of money now standing to the credit of the said Fund: Be it therefore enacted as follows:

- (1) The following enactments are hereby repealed:
 - (a) The Invercargill City Fire and Accident Insurance Fund Empowering Act 1930:
 - (b) The Invercargill City Fire and Accident Insurance Fund Empowering Amendment Act 1952.
- (2) The Council shall pay into its Civic Administration Building Fund Account all money held by it in the said Fund at the passing of this Act, and shall apply the same in or towards the erection of a civic administration building for the purposes of the Council.

20 Validating sale of endowment land by Invercargill City Council

Whereas the Corporation of the City of Invercargill (in this section referred to as the Corporation) was formerly seised of an estate in fee simple in the land described in subsection (3) of this section in trust as an endowment for the improvement and benefit of the City of Invercargill: And whereas the said land being no longer required

for the purposes for which it had been acquired the Corporation, by memorandum of transfer bearing date the thirteenth day of September, nineteen hundred and sixty-three, sold and transferred the said land to Geoffrey Hemmingsen and Vera Hemmingsen and paid the proceeds of the sale into its Civic Administration Building Fund Account: And whereas the Corporation had no power to sell the said land except with the prior consent of the Minister of Internal Affairs pursuant to section 150(4) of the Municipal Corporations Act 1954, which consent the Corporation did not obtain: And whereas it is desirable that the actions of the Corporation be validated: Be it therefore enacted as follows:

- (1) The action of the Corporation in selling the land described in subsection (3) of this section shall be deemed to have been lawful, and the memorandum of transfer executed by the Corporation giving effect to the sale shall be deemed to have been lawfully executed and shall have full force and effect according to its tenor.
- (2) The action of the Corporation in paying the proceeds of the sale into its Civic Administration Building Fund Account is hereby validated and declared to have been lawful.
- (3) The land to which this section relates is more particularly described as follows:

All that piece of land situated in the City of Invercargill containing one rood, more or less, being Section 20, Block XL, on the Public Map of the Town of Invercargill, and being all the land comprised and described in certificate of title, Volume 32, folio 203, Southland Registry.

21 Authorising Taradale Borough Council to raise special loan

Whereas the Taradale Borough Council (in this section referred to as the Council) is proceeding to raise a loan of twenty-nine thousand two hundred dollars to be known as the Town Planning Loan No 1, 1966 (in this section referred to as the loan): And whereas the Council has expended out of its District Fund Account for certain purposes for which the loan is to be raised money amounting in the aggregate to the sum of four thousand eight hundred dollars: And whereas the Local Authorities Loans Board has no authority to sanction the rais-

ing of a loan for the purpose of enabling the Council to refund the said sum of four thousand eight hundred dollars to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding four thousand eight hundred dollars for the purposes of recouping its District Fund Account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding four thousand eight hundred dollars for the purpose of refunding to its District Fund Account the sum expended from the account as aforesaid.

The references to “twenty-nine thousand two hundred dollars”, and “four thousand eight hundred dollars” were substituted, as from 10 July 1967, for references to “fourteen thousand six hundred pounds”, and “two thousand four hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

22 Validating *ex gratia* payment by Taradale Borough Council in respect of a contract

Whereas by an agreement dated the twenty-fifth day of May, nineteen hundred and sixty-five, made between the Taradale Borough Council (in this section referred to as the Council) and Bowsie and Raitt, of Napier, contractors (in this section referred to as the contractor), the contractor agreed to undertake certain works for the Council amounting in the aggregate to the sum of twenty-two thousand one hundred and nine dollars and twenty-cents upon the terms and conditions contained in the said agreement: And whereas in the execution of the said works the contractor encountered certain unforeseen difficulties and suffered loss: And whereas the Council, having regard to these difficulties and to the hardship which the contractor would otherwise suffer, agreed to pay and has paid to the contractor the sum of seven hundred and twenty dollars in addition to the amount payable under the contract, and it is desirable to validate that payment: Be it therefore enacted as follows:

The payment by the Council of the sum of seven hundred and twenty dollars to the contractor in respect of the loss suffered

in the performance of the contract is hereby validated and declared to have been lawfully made.

The references to “twenty-two thousand one hundred and nine dollars and twenty cents”, and “seven hundred and twenty dollars” were substituted, as from 10 July 1967, for references to “eleven thousand and fifty-four dollars and twelve shillings”, and “three hundred and sixty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

23 Validating certain actions purported to have been taken by Matamata Borough Council in its capacity as Matamata Urban Fire Authority

Whereas the Matamata Urban Fire Authority purported to obtain approval to raise a loan of seventeen thousand two hundred dollars to be known as the Fire Station Improvement Loan 1965 (in this section referred to as the loan): And whereas the Matamata Urban Fire Committee passed all necessary resolutions for the raising of the said loan, but had no authority to do so: And whereas the Matamata Borough Council (in this section referred to as the Council) expended out of its District Fund Account for certain purposes for which the loan was authorised money amounting in the aggregate to the sum of nine thousand seven hundred and thirty-six dollars: And whereas the contract for the erection of the extensions and improvements to the fire station situated in Matamata and purporting to be made between the Matamata Urban Fire Authority and C and M McKenzie Limited as contractor has been found to be invalid: And whereas the Council had no authority to make the aforesaid payments: And whereas it is desirable to validate the authority for the raising of the loan and to authorise the refund by the Council out of the loan to its District Fund Account of the said sum of nine thousand seven hundred and thirty-six dollars and to validate the said contract and to declare that Colin Arthur McKenzie, a shareholder of the said C and M McKenzie Limited, is not disqualified from holding office as a member of the Matamata Borough Council: Be it therefore enacted as follows:

- (1) The sanction granted by the Local Authorities Loans Board and the consent given by the Governor-General in Council for the raising of the loan shall for all purposes be deemed to have been lawfully given to the Council in its capacity as the Matamata Urban Fire Authority.

- (2) The Council is hereby authorised and entitled to refund the sum of nine thousand seven hundred and thirty-six dollars to its District Fund Account out of the proceeds of the loan.
- (3) The action of the Council in making payments totalling in the aggregate the sum of nine thousand seven hundred and thirty-six dollars during the months of June, July, and August, nineteen hundred and sixty-six, to C and M McKenzie Limited is hereby validated and declared to have been lawful.
- (4) The contract dated the ninth day of March, nineteen hundred and sixty-six, and purporting to be made between the Matamata Urban Fire Authority and C and M McKenzie Limited for the erection of extensions and improvements to the Matamata fire station is hereby deemed to have been lawfully made between the Council in its capacity as Matamata Urban Fire Authority and C and M McKenzie Limited.
- (5) The said Colin Arthur McKenzie, of Matamata, company director, is hereby declared not to be and never to have been disqualified from holding office as a member of the Matamata Borough Council by the operation of the Local Authorities (Members' Interests) Act 1968 as a consequence of the said C and M McKenzie Limited entering into the contract referred to in subsection (4) of this section.

The references to "seventeen thousand two hundred dollars", and "nine thousand seven hundred and thirty-six dollars" were substituted, as from 10 July 1967, for references to "eight thousand six hundred pounds", and "four thousand eight hundred and sixty-eight pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The Local Authorities (Members' Contracts) Act 1954 was repealed, as from 18 December 1968, by section 9(1) Local Authorities (Members' Interests) Act 1968 (1968 No 147).

24 Authorising Corporation of Auckland City to let or lease Auckland Town Hall building

Notwithstanding anything in the Auckland City Endowments and Reserves Act 1875, the Auckland Reserves Exchange and Change of Trust Act 1881, or in any other Act, the Corporation of the City of Auckland shall have, in respect of the Auckland Town Hall Building erected on part of the land described in Schedule 3 to the Auckland Reserves Exchange and Change of Trust Act 1881, that is Lot 57 of Section 29, City of Auckland,

all such powers of leasing and disposition as it has under the provisions of the said Acts and also as it has in respect of its general and ordinary endowments.

25 Authorising Otorohanga Borough Council to raise a special loan

Whereas the Otorohanga Borough Council (in this section referred to as the Council) has expended out of its District Fund Account the sum of twelve thousand dollars in payment of the cost of renovating and improving the Otorohanga Town Hall: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan of not more than twelve thousand dollars for the purpose of refunding to its District Fund Account the sum expended from that Account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding twelve thousand dollars, and to apply that sum when raised for the purpose of refunding to its District Fund Account the sum expended from that Account as aforesaid.

The reference to “twelve thousand dollars” was substituted, as from 10 July 1967, for a reference to “six thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

26 Authorising Helensville Borough Council to raise special loan

Whereas the Helensville Borough Council (in this section referred to as the Council) obtained authority to raise a loan of twenty-four thousand dollars known as the Water Supply Improvement Loan No 3, 1962 (in this section referred to as the loan) for the purpose of constructing a dam and effecting other improvements to the borough water supply (in this section referred to as the works): And whereas the Council has expended on the works, in addition to the amount of the loan, the sum of two thousand four hundred dollars out of its Dis-

trict Fund Account: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said two thousand four hundred dollars to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding two thousand four hundred dollars for the purpose of recouping its District Fund Account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding two thousand four hundred dollars for the purpose of refunding to its District Fund Account the sum expended from that account as aforesaid.

The references to “twenty-four thousand dollars”, and “two thousand four hundred dollars” were substituted, as from 10 July 1967, for a reference to “twelve thousand pounds”, and “one thousand two hundred dollars” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

27 Authorising Hamilton City Council to raise special loan

Whereas the Hamilton City Council (in this section referred to as the Council) has expended out of its District Fund Account certain sums totalling fifty-four thousand four hundred dollars in repayment of portions of three loans which matured on the first day of August, nineteen hundred and sixty-six, namely, the sum of twenty thousand dollars in respect of the Hamilton City Council Streets Loan 1959, the sum of five thousand eight hundred dollars in respect of the Hamilton City Council Sewer Loan 1957, and the sum of twenty-eight thousand six hundred dollars in respect of the Hamilton City Council Stormwater Drainage and Ulster Street Culvert Loan 1956: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of fifty-four thousand four hundred dollars to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan of not more than fifty-four thousand four hundred dollars for the purpose of recouping its District Fund Account in respect of the said sums expended from that account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding fifty-four thousand four hundred dollars for the purpose of refunding to its District Fund Account the sums expended from that account as aforesaid and, notwithstanding anything in section 34 of that Act, without the prior consent of the ratepayers.

The references to “fifty-four thousand four hundred dollars”, “twenty thousand dollars”, “five thousand eight hundred dollars”, and “twenty-eight thousand six hundred dollars” were substituted, as from 10 July 1967, for references to “twenty-seven thousand two hundred pounds”, “ten thousand pounds”, “two thousand nine hundred pounds”, and “fourteen thousand three hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

28 Validating certain expenditure incurred by the Takapuna City Council

Whereas, before obtaining the necessary sanction of the Minister of Transport, the Takapuna City Council (in this section referred to as the Council) constructed and carried out certain works on tidal lands at Castor Bay: And whereas the Council, before obtaining that sanction and without the requisite authority, did, during the financial years that ended with the thirty-first day of March in the years nineteen hundred and sixty-five and nineteen hundred and sixty-six, expend the aggregate sum of one thousand nine hundred and sixteen dollars and sixty cents in constructing and carrying out those works: And whereas the required sanction has now been obtained, and it is desirable that the expenditure be validated: Be it therefore enacted as follows:

The expenditure by the Council of the said sum of one thousand nine hundred and sixteen dollars and sixty cents in connection with the said works is hereby validated and declared to have been lawfully incurred.

The reference to “one thousand nine hundred and sixteen dollars and sixty cents” was substituted, as from 10 July 1967, for a reference to “nine hundred and fifty-eight pounds six shillings” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The reference to the “Minister of Transport” was substituted for a reference to the “Minister of Marine” by section 6(2)(a) Ministry of Transport Amendment Act 1972.

29 Amending section 24 of the Local Legislation Act 1961

Section 24 of the Local Legislation Act 1961 is hereby amended by omitting from subsection (3) the words “five years”, and substituting the words “ten years”.

30 Authorising Putaruru Borough Council to raise special loan

Whereas the Putaruru Borough Council (in this section referred to as the Council) has expended out of its District Fund Account the sum of five thousand dollars to repay the balance outstanding in respect of the Baths Filtration Plant and Fencing Loan 1955: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of five thousand dollars to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan of not more than five thousand dollars for the purpose of recouping its District Fund Account in respect of the sum expended from that account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding five thousand dollars for the purpose of refunding to its District Fund Account the sum expended from that account as aforesaid and, notwithstanding anything in section 34 of that Act, without the prior consent of the ratepayers.

The reference to “five thousand dollars” was substituted, as from 10 July 1967, for a reference to “two thousand five hundred dollars” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

31 Authorising Birkenhead Borough Council to raise special loan

Whereas the Birkenhead Borough Council (in this section referred to as the Council) has expended out of its District Fund Account the sum of sixty thousand dollars for the purchase of land for the provision of off-street parking: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to re-

fund the said sum of sixty thousand dollars to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan not exceeding sixty thousand dollars for the purpose of recouping its District Fund Account in respect of the sum expended from that account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding sixty thousand dollars for the purpose of refunding to its District Fund Account the sum expended from that account as aforesaid.

The reference to “sixty thousand dollars” was substituted, as from 10 July 1967, for a reference to “thirty thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Harbour boards

32 Validating certain expenditure incurred by Half-moon and Horseshoe Bays Harbour Board

The expenditure by the Half-moon and Horseshoe Bays Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and sixty-five, of the sum of four hundred dollars, in connection with the erection of public conveniences at Half-moon Bay, is hereby validated and declared to have been lawfully incurred.

The reference to “four hundred dollars” was substituted, as from 10 July 1967, for a reference to “two hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

33 Amending Lyttelton Harbour Board Loan and Empowering Act 1962 and authorising Lyttelton Harbour Board to refund to Harbour Fund Account from loan money

- (1) The Lyttelton Harbour Board Loan and Empowering Act 1962 (in this section referred to as the Act) is hereby amended by repealing the Schedule, and substituting the following Schedule:

Schedule”

THE demolition, widening, and strengthening of wharves; the construction of transit sheds on wharves; the provision of facilities (including cranes) for drive-on/drive-off vessels; the construction of a terminal building on No 2 Wharf; the provision of cargo-handling plant; the purchase and development of land for cargo assembly areas; the provision of facilities for cargo operation; the provision, development, and improvement of road access to the Port; the provision of mechanical meat-loading equipment; the provision of berthing and other facilities for fishing boats; and the construction of a harbour for small boats £2,500,000

- (2) Section 4 of the Act is hereby amended by repealing the proviso.
- (3) The Lyttelton Harbour Board is hereby authorised to refund to its Harbour Fund Account out of the proceeds of any loan raised under the authority of section 4 of the Act, the total sum expended from that Account before the passing of this section on any works referred to in the Schedule to the Act (as substituted by subsection (1) of this section).

34 Validating certain expenditure incurred by Northland Harbour Board

The expenditure by the Northland Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and sixty-six, of the sum of seven thousand three hundred and two dollars and five-sixth of a cent, in connection with the 1966 Annual Conference of the New Zealand Harbours Association, is hereby validated and declared to have been lawfully incurred.

The reference to “seven thousand three hundred and two dollars and five sixth of a cent” was substituted, as from 10 July 1967, for a reference to “three thousand

six hundred and fifty-one pounds and one penny” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Miscellaneous provisions

35 Authorising Bay of Plenty Electric Power Board to refund to Power Fund Account from loan money

Whereas, before the Bay of Plenty Electric Power Board (in this section referred to as the Board) obtained authority to raise a loan of four hundred thousand dollars to be known as the Reticulation Extension Loan 1966 (in this section referred to as the loan), the Board expended out of its Power Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of one hundred and two thousand two hundred dollars: And whereas authority to raise the loan has since been obtained: And whereas the Board is desirous of refunding to its Power Fund Account out of the proceeds of the loan the sum of one hundred and two thousand two hundred dollars, but has no authority to do so: Be it therefore enacted as follows:

The Board is hereby authorised to refund to its Power Fund Account out of the proceeds of the loan the sum of one hundred and two thousand two hundred dollars.

The references to “four hundred thousand dollars”, and “one hundred and two thousand two hundred dollars” was substituted, as from 10 July 1967, for a reference to “two hundred thousand pounds”, and “fifty-one thousand one hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

36 Authorising Ohai Railway Board to donate two locomotives

Whereas the Ohai Railway Board constituted under the Local Railways Act 1914 (in this section referred to as the Board) is the owner of two steam locomotives which are surplus to its requirements and which are of no further use for the purposes of the Board: And whereas the Board wishes to donate the locomotives to the New Zealand Railway and Locomotive Society Incorporated for the purposes of their maintenance and preservation as historical articles: And whereas the Board has no authority to make such a donation: Be it therefore enacted as follows:

- (1) The Board is hereby authorised and empowered to donate, without consideration, to the New Zealand Railway and Locomotive Society Incorporated two steam locomotives for the purposes of their maintenance and preservation as historical articles in accordance with such terms and conditions as may be agreed by the Board and the said Society.
- (2) The locomotives to which this section relates are—
 - (a) Steam locomotive No X442 manufactured in or about the year nineteen hundred and eight:
 - (b) Steam locomotive Wab 794.

37 Authorising Ohai Railway Board to incur certain expenditure in connection with official celebration of its fiftieth anniversary

The Ohai Railway Board is hereby authorised and empowered to expend, during the financial year ending on the thirty-first day of March, nineteen hundred and sixty-seven, a sum not exceeding six hundred dollars in connection with the official celebration of the Board's fiftieth anniversary.

The reference to "six hundred dollars" was substituted, as from 10 July 1967, for a reference to "three hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

38 Validating operation of kiosk by Auckland Regional Authority

Whereas the Auckland Regional Authority constituted under the Auckland Regional Authority Act 1963 (in this section referred to as the Authority) owns certain land situated within the Waiwera Survey District which it acquired for the purposes of a regional reserve and which is used as a reserve known as the Wenderholm Regional Reserve: And whereas during the period commencing on the eighteenth day of December, nineteen hundred and sixty-five, and ending with the thirty-first day of May, nineteen hundred and sixty-six, the Authority operated a kiosk on the reserve in order to provide a service for the sale of refreshments and other articles and commodities to members of the public using the reserve: And whereas the Authority had no express authority in law to operate the said kiosk: And whereas it is desirable that the action of the Au-

thority in operating the said kiosk be validated: Be it therefore enacted as follows:

The action of the Authority in operating the said kiosk at the Wenderholm Regional Reserve during the aforesaid period is hereby validated, and the operation of the said kiosk during that period shall be deemed to have been lawfully carried on.

39 Excluding operation of section 22 of the Public Works Act 1928 in relation to acquisition of land by Auckland Regional Authority

Whereas pursuant to the powers vested in it by the Auckland Metropolitan Drainage Act 1960 the Auckland Metropolitan Drainage Board by agreement with the Howick Borough Council and with the consent of the Minister of Transport has constructed a pumping station partly on land vested in the Corporation of the Borough of Howick (in this section referred to as the Corporation) and partly on land below mean high-water mark: And whereas the land vested in the Corporation formed part of a larger block which was subdivided into numerous lots: And whereas that portion of the land on which the pumping station has been erected is subject to rights of way created by various conveyances and these easements have on the disposal of the numerous lots affected automatically passed to the purchasers thereof: And whereas the Auckland Regional Authority (in this section referred to as the Authority) was duly constituted under the Auckland Regional Authority Act 1963 and by section 43 of that Act all the assets and all the rights and powers of the Auckland Metropolitan Drainage Board have become vested in the Authority: And whereas the Authority proposes to acquire under the Public Works Act 1928 the title to that portion of the land on which the pumping station is erected and an easement for access thereto over a strip of land also vested in the Corporation and to acquire and extinguish the easements above-mentioned in so far as they affect the said site, but it is impracticable to trace and give notices in accordance with the requirements of section 22 of the Public Works Act 1928 to the many persons having an interest of some kind in the various lots affected and consequently in those easements or

to insert upon the survey plan the names of the owners and occupiers of such lands: Be it therefore enacted as follows:

The provisions of section 22 of the Public Works Act 1928 requiring the names of the owners and occupiers of the land to which the above-mentioned easements are appurtenant to be inserted upon the said survey plan and requiring copies of the notice and description referred to in the said section 22 to be served upon the said owners and occupiers and upon all persons having an interest in the lands to which the said easements are appurtenant shall have no application to the proposed acquisition by the Authority under the Public Works Act 1928 of the said land and the acquisition and extinguishing of the easements above-mentioned.

The reference to the “Minister of Transport” were substituted for references to the “Minister of Marine” by section 6(2)(a) Ministry of Transport Amendment Act 1972.

40 Amending the Auckland War Memorial Museum Maintenance Act 1928

Whereas the former Manukau County Council and the former Manurewa Borough Council are named as contributing authorities in the Schedule to the Auckland War Memorial Museum Maintenance Act 1928 (as substituted by section 3 of the Auckland War Memorial Museum Maintenance Amendment Act 1963) and in Schedule 2 to the last-mentioned Act: And whereas on the third day of September, nineteen hundred and sixty-five, the County of Manukau and the Borough of Manurewa were abolished and the Councils of that county and that borough were dissolved and the area comprised in that county and that borough was constituted a borough known as the City of Manukau: And whereas it is expedient that the said Acts be consequentially amended: And whereas a differential factor of 0.922 in respect of Manukau City Council would produce the same amount by way of levy as the total of the separate amounts that would have been levied on the former Manukau County Council and the former Manurewa Borough Council if those Councils had not been dissolved as aforesaid: Be it therefore enacted as follows:

- (1) Schedule 1 to the Auckland War Memorial Museum Maintenance Act 1928 (as so substituted) is hereby amended—

- (a) By omitting so much thereof as relates to the Manukau County Council and the Manurewa Borough Council:
- (b) By inserting, after the reference to the Papakura Borough Council, in the appropriate columns thereof, the following words:

Manukau City Council 0.922.

- (2) Schedule 2 to the Auckland War Memorial Museum Maintenance Amendment Act 1963 is hereby amended—
 - (a) By omitting the words “Manukau County Council” and also the words “Manurewa Borough Council”:
 - (b) By inserting, after the words “Howick Borough Council”, the words “Manukau City Council”.

41 Validating borrowing by Oamaru Licensing Trust

Whereas on the twenty-seventh day of May, nineteen hundred and sixty-six, the Minister of Finance gave his consent pursuant to section 37 (2) of the Licensing Trusts Act 1949, to the borrowing by way of mortgage by the Oamaru Licensing Trust (in this section referred to as the Trust) of the sum of one hundred and eighty thousand dollars for the purpose of financing the establishment by the Trust of taverns at Waikouaiti and Hampden: And whereas before that date and in anticipation of that consent the Trust borrowed the sum of seventy-three thousand dollars for the purpose of financing the tavern at Waikouaiti and the sum of forty-one thousand seven hundred dollars for the purpose of financing the tavern at Hampden (in this section referred to as the said loans): And whereas the Trust has executed mortgages of its property at Waikouaiti and Hampden for the purpose of securing the repayment of the said loans: And whereas it is expedient that the borrowing of the said loans and the giving of the mortgages to secure the repayment thereof be validated: Be it therefore enacted as follows:

- (1) The borrowing of the said money by the Trust without the consent of the Minister of Finance is hereby validated and declared to have been lawful.
- (2) All mortgages executed by the Trust for the purpose of securing the repayment of the said loans which would have been valid if the consent of the Minister of Finance to the borrowing of the said money and to the mortgaging of the property

of the Trust had been given before the execution of the mortgages by the Trust are hereby declared to have been lawfully executed and shall have full force and effect according to their tenor.

The references to “one hundred and eighty thousand dollars”, “seventy-three thousand dollars”, and “forty-one thousand seven hundred dollars” were substituted, as from 10 July 1967, for references to “ninety thousand pounds”, “thirty-six thousand five hundred pounds”, and “twenty thousand eight hundred and fifty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

42 Validating agreements between the Wairarapa Catchment Board and owners of certain lands within the district of the Board

Whereas the Wairarapa Catchment Board (in this section referred to as the Board) proposes to undertake land drainage, stream and river control works, the construction of defences against water, and reclamation of lands on the shores of Lake Wairarapa, Lake Onoke, and the Ruamahanga River and on marginal lands adjacent thereto in pursuance of a scheme prepared by the Board and styled the Lower Wairarapa Valley Development Scheme (in this section referred to as the Scheme): And whereas the carrying out of the Scheme is likely to increase the value of certain marginal lands held in private ownership: And whereas the Board, pursuant to the powers conferred on it by the Soil Conservation and Rivers Control Act 1941, has completed a classification of all the rateable property affected by the Scheme, including the said marginal lands held in private ownership: And whereas it is considered that the classification into Class A or Class B of the said marginal lands, because of the relationship of the potential benefit and the present valuation of the said marginal lands which benefit, cannot operate equitably: And whereas it is considered that it would be just and equitable that the owners of all or part of the said marginal lands held in private ownership and classified into Class A or Class B receiving the increment in value should contribute proportionately towards the cost of the Scheme in addition to such other rates and payments as may be lawfully demanded by the Board: And whereas the Board has, by agreements dated the twenty-ninth day of March, nineteen hundred and sixty-five, the second day of September, nineteen hundred and sixty-five, and the first day of November, nineteen hundred and sixty-five, entered into with

the owners of the said marginal lands, namely with Lawrence George Moran, of Featherston, farmer, the New Zealand Insurance Company Limited, Clifford Ulric Plimmer, of Wellington, company director, the Maori Trustee, Gordon Regis Colman, of Martinborough, farmer, Ben Robert Lysaght Atkinson, of Featherston, farmer, Nancy Rose Adams, of Dannevirke, married woman, and Russell Winston Hume, of Pirinoa, farmer (in this section referred to as the owners) reached agreement with the owners as to the terms and method of payment of such additional contribution: And whereas the Board has no power to enter into the said agreements or to compel payment of such additional contribution from the owners: And whereas it is desirable that the said agreements should be validated: Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Soil Conservation and Rivers Control Act 1941, the said agreements are hereby validated and confirmed, and the Board shall be deemed to have been at all times authorised and empowered to enter into and execute the said agreements, which shall be binding on the parties thereto and shall for all purposes, without further authority than this section, be effective according to their tenor.
- (2) The contributions payable under the said agreements by the owners shall be paid to the Board, and shall be applied by the Board in the carrying out of the works under the Scheme.
- (3) Subject to the provisions of the Rating Powers Act 1988, the Board from time to time may in any Court of competent jurisdiction recover the amount of those contributions from the owners of the lands affected by the said agreements for the time being as debts due by the respective owners to the Board, in the same manner as if the payment due were a rate levied under the provisions of the Rating Powers Act 1988.

The Rating Act 1925 (1925 No 30) was substituted, as from 1 April 1968, by a reference to the Rating Act 1967 pursuant to section 177(1) Rating Act 1967 (1967 No 123). That reference was in turn substituted, as from 28 June 1988, by a reference to the Rating Powers Act 1988 pursuant to section 209(1) Rating Powers Act 1988 (1988 No 97).

43 Validating agreement between Eastbourne Urban Fire Authority and Hutt Valley and Bays Fire Board

Whereas by Order in Council made on the eighth day of September, nineteen hundred and sixty-five, and published in the *Gazette* on the ninth day of September, nineteen hundred and sixty-five, at page 1502, the area of land described in the First Schedule to the said Order in Council was excluded from the Hutt Valley and Bays United Urban Fire District and included in the Eastbourne Urban Fire District: And whereas by an agreement dated the twenty-second day of September, nineteen hundred and sixty-six (in this section referred to as the agreement), made between the Eastbourne Urban Fire Authority (in this section referred to as the Authority) and the Hutt Valley and Bays Fire Board (in this section referred to as the Board), it has been agreed that the Board will, within the said area of land described in the First Schedule to the said Order in Council, exercise and perform all the rights, duties, and obligations conferred and imposed on the Authority by the Fire Service Act 1975: And whereas doubts have arisen as to the authority of the Authority and the Board to enter into the agreement and as to the validity of the agreement and it is desirable to validate the same: Be it therefore enacted as follows:

The Authority and the Board shall be deemed to have been authorised and empowered to enter into the agreement and the same is declared to have been lawfully made and shall have effect according to its tenor.

The Fire Services Act 1949 (1949 No 18) was repealed, as from 1 April 1976, by section 93(1) Fire Service Act 1975 (1975 No 42).