

Canterbury Rivers Act 1870 Amendment Act 1880

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An Act to alter the Constitution of the Board of Conservators of the South Waimakariri River District.

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.

The Short Title of this Act is “The Canterbury Rivers Act 1870 Amendment Act, 1880;” and it shall be deemed to be incorporated with “The Canterbury Rivers Act, 1870” (hereinafter called “the said Act”).

2 Reconstitution of the South Waimakariri District.

Section four of the said Act is hereby repealed; but this repeal shall not affect the past operation of the said Act.

The members of the Board of Conservators of the South Waimakariri District in office at the time of the passing of this Act shall continue in office until the new Board constituted under this Act comes into office.

Sections nine to eighteen, both inclusive, of the said Act shall not be deemed to apply to the constitution of the Board of Conservators of the South Waimakariri District.

3 District subdivided into nine subdivisions.

As soon as conveniently may be after the passing of this Act, the Governor shall, by Proclamation, divide the aforesaid district into nine subdivisions, each of which shall be a subdistrict: Provided that the districts constituted under “The Christchurch District Drainage Act, 1875,” as amended by “The Christchurch District Drainage Act 1875 Amendment Act, 1880,” named respectively the North-East Christchurch District, the South-East Christchurch District, the North-West Christchurch District, the South-West Christchurch District, and the Sydenham District, shall be subdistricts under this Act.

The remainder of the district shall be subdivided into four subdistricts, whose respective areas shall be such as nearly as may be to comprise an equal amount in value of rateable property.

4 Board of Conservators.

The Board of Conservators shall consist of nine members, one for each subdistrict, to be elected in manner provided by “The Regulation of Local Elections Act, 1876,” which is hereby incorporated with this Act.

5 Electors.

The electors for members of the Board shall be the persons who have during the year immediately preceding the election been rated for municipal or road board purposes in respect of property situated within the subdistrict in respect

of which a claim to vote is made, and have paid all rates due from them at the time of the election.

An elector, being a ratepayer in any subdistrict, shall be eligible as a member of the Board for any part of the district.

6 Votes.

Each elector shall vote according to the following scale, that is to say:— If the property in respect of which he is entitled to vote be rated upon a rateable value of less than fifty pounds, he shall have one vote.

If such rateable value amount to fifty pounds and be less than one hundred pounds, he shall have two votes.

If it amount to one hundred pounds and be less than two hundred pounds, he shall have three votes.

If it amount to two hundred pounds and be less than three hundred pounds, he shall have four votes.

If it amount to or exceed three hundred pounds, he shall have five votes.

7 Governor to regulate first elections.

The Governor in the Proclamation defining the subdistricts shall appoint some day, not exceeding thirty days after the date thereof, for the election of the members of the first Board; and also shall appoint the day for the first meeting of the Board; and by warrant under his hand shall appoint some fit person as Returning Officer to conduct the said election.

8 Polling-day.

On the day so appointed the electors within each subdistrict shall respectively elect some duly qualified person to be the member of the Board for such subdistrict.

9 Duration of office of members of Board.

The first members of the Board shall vacate their offices on the first Tuesday in the month of January, in the year of our Lord one thousand eight hundred and eighty-three, and the members of every Board succeeding the first Board shall hold their offices for three years, and shall vacate the same on the first Tuesday in the month of January in every third year, and the offices of vacating members shall be filled up by an equal number of qualified persons to be elected as herein mentioned.

10 Election of members of the Board.

In each of the several subdistricts, the ratepayers aforesaid of such districts respectively shall, for their several and respective subdistricts, on the first Tuesday in January in the year of our Lord one thousand eight hundred and eighty-three, and the first Tuesday in January in every succeeding third year,

elect from the ratepayers aforesaid of the subdistrict one person to be a member of the Board.

11 Members of Board re-eligible.

Every member of the Board going out of office shall be re-eligible.

12 Casual vacancies.

Any casual vacancy occurring in the Board for any of the subdistricts shall be filled up by the Board by a duly-qualified person, but any person so chosen shall retain his office so long only as the vacating member would have retained the same if no vacancy had occurred.

13 Vacancies not to affect proceedings.

During any vacancy in the Board, the continuing members shall act as if such vacancy had not occurred, and no act of the Board shall be invalid on account of any such vacancy.

14 Extraordinary vacancies.

If a member of the Board is adjudged bankrupt, or applies to take the benefit of any Act for the relief or protection of insolvent debtors, or compounds with his creditors, such person shall cease to be a member of the Board, and his office shall thereupon become vacant.

15 Penalty for acting as a member, being incapacitated.

Any person who acts as a member of the Board without being duly qualified, or after he has become disqualified, shall incur a penalty not exceeding fifty pounds sterling, and in any proceeding for the recovery of such penalty the burden of proving qualification shall be upon the person against whom such proceeding is taken.

16 Validity of proceedings not to be affected by irregularities.

All acts done by any meeting of the Board, of any committee of the Board, or by any person acting as a member of the Board, shall, notwithstanding it may be afterwards discovered that there was some defect in the election or appointment of any such Board or persons acting as aforesaid, or that they or any of them were or was disqualified, be as valid as if every such person had been duly elected or appointed and was qualified to be a member.

17 Conduct of business.

The Board shall have an office wherein to hold their meetings and transact business in some convenient place within their jurisdiction; and shall cause proper minutes to be taken and kept of the proceedings of each meeting.

All books and accounts of the Board shall at all reasonable times be open to the inspection of any elector, or of any holder of the debentures of the Board,

and any person refusing or obstructing any such inspection shall be liable to a penalty not exceeding five pounds.

18 Annual election of Chairman.

The Board shall hold its first meeting after election at a time and place to be fixed by the Mayor of the City of Christchurch; and at such first meeting, and afterwards annually in the month of January in each year, the Board shall appoint one of their number to be Chairman of the Board for the year following such choice.