

Opunake Harbour Amendment Act 1909

Local Act 1909 No 27
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An Act to amend the Opunake Harbour Act, 1908.

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 Opunake Harbour Amendment Act, 1909, and shall be read with and form part of the Opunake Harbour Act, 1908 (hereinafter referred to as the said Act).

2 Public Trustee deemed to be occupier of certain lands.

The Public Trustee shall be deemed to be the occupier within the meaning of the Rating Act, 1908, of any lands in the district vested in him as statutory

owner in fee-simple under the West Coast Settlement Reserves Act, 1892, and not leased by him to any person.

3 Amount so paid to be charged to beneficiaries of land.

Upon payment by the Public Trustee of any rates payable by reason of the last preceding section, he shall have power to charge the amount thereof to or against the account of the beneficiaries of the land in respect of which the rates were paid.

4 Special rate.

- (1.) The Board may, if a poll in favour of the proposal to raise a loan is carried, make and levy a special rate not exceeding threepence in the pound on the capital value of all rateable property in that part of the district being the Opunake Town District, and one penny in the pound on the capital value of all rateable property in the other part of the district. And all rates made or levied by the Board shall in each of the said parts of the district be in the like proportion as in this section mentioned.
- (2.) Section ten of the said Act is hereby repealed.

5 Rate so levied not invalidated or to be set aside.

No rate made or levied by the Board under the provisions of this Act shall be set aside or quashed in or by any proceedings in any Court or otherwise; and no defect in the same or the making thereof, or in any direction for levy, shall be set up as a defence to any action which may be brought to recover the same.

6 Payment of costs of raising loan.

The Board may, out of any loan-moneys or out of its Harbour Fund Account, pay to the promoters of the said Act and this Act the costs, charges, and expenses of promoting the same, and also the first year's interest on any loan.

7 District to be divided into five wards.

For the purposes of the first election for members of the Board the Governor in Council shall have power to divide the district into five wards, such wards to be as nearly as possible of equal valuation.

8 Section 9 of the principal Act amended.

Section nine of the said Act is hereby amended by omitting the word "forty," and substituting the word "fifty."

9 Section 12 of said Act amended.

Section twelve of the said Act is hereby amended as follows:—

- (a.) By omitting the words "upon lands outside the harbour district," and substituting the words "outside and brought into the harbour district for persons residing outside the harbour district":

- (b.) By inserting, after the words “manufactured within,” the words “or brought into”:
- (c.) By inserting, at the end of the section, the words “until a grading depot shall be established at Opunake.”