

New Zealand.



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1926, No. 2.—*Local and Personal.*

AN ACT validating the Expenditure by the Auckland City Council of certain Sums of Money, and authorizing the Expenditure of Further Sums of Money for the Purchase and Maintenance of Motor-omnibuses out of a Special Loan raised for the Benefit of the Tramways Department of the said Council, and validating or authorizing certain Arrangements made or proposed to be made by the said Council for the Laying of Pipe-lines for conveying Oil and like Products in certain Streets in the City of Auckland.

[31st August, 1926.]

WHEREAS on the twenty-eighth day of November, nineteen hundred and twenty-three, a poll of ratepayers of the City of Auckland was taken on a proposal to raise a special loan of two hundred and eighty thousand pounds for the provision of additional plant, accessories, and buildings for and further extension and development of the Auckland City Tramways: And whereas such proposal was duly carried, and the special loan was raised by the Auckland City Council: And whereas portion of the said loan-moneys was expended by the said Council in the acquisition of and in connection with motor-omnibuses under the control of and for the benefit of the Tramways Department of the said Council: And whereas doubts have been raised as to the legality of such expenditure, and it is desirable that such expenditure should be expressly validated, and that the said Council should be empowered to expend further moneys from the same loan in like manner and for like purposes: And whereas certain companies dealing in petrol, motor-spirit, benzine, oil, petroleum, and petroleum products have applied to the said Council for authority to lay pipes or mains in

certain public streets within the City of Auckland for the purpose of conveying such products from the Auckland Harbour Board's wharves to the bulk storage depots of the said companies : And whereas doubts have been expressed as to the power of the said Council to grant such authority : And whereas further such applications may hereafter be made to the said Council, and it is desirable that the Council should be empowered to permit the laying and maintenance of such pipes and mains :

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

Short Title.

1. This Act may be cited as the Auckland City Council Empowering Act, 1926.

Interpretation.

2. In this Act the expression "the Council" means the Auckland City Council.

Validating expenditure out of loan-moneys for the acquisition of motor-omnibuses, garage accommodation, &c.

3. It shall be and shall be deemed to have been lawful for the Council, out of the hereinbefore-recited special loan raised by it for the provision of additional plant, accessories, and buildings for and further extension and development of the Auckland City Tramways, to expend moneys for the acquisition of motor-omnibuses and for the provision of garage and other accommodation and facilities therefor as if such omnibuses, accommodation, and facilities respectively had been expressly mentioned and provided for on the raising of the said special loan.

Licenses may be granted for laying down and maintaining pipes for conveyance of petrol, &c., along or across any street.

4. (1.) The Council may, by special resolution, grant to any person, firm, or company a right or easement, for such period not exceeding fifty years and on such terms and conditions as the Council may think fit, authorizing such person, firm, or company to lay conduit-pipes for petroleum in the City of Auckland under or along any street or other public highway, or (with the consent of the owners) along any private way ; but no such grant shall be to the exclusion of like grants to any other person, firm, or company.

(2.) The grant of any such right or easement shall be subject to the payment of such rent, and to the observance of such conditions as to size, construction, repair, and maintenance of such conduit-pipes, and as to repair of any street, public highway, or private way under or along which they are laid, as the Council thinks fit.

Validating granting of licenses issued prior to passing of this Act.

5. All or any licenses granted by the Council prior to the commencement of this Act for the laying, construction, or maintenance of pipes or mains for the conveyance of petrol, motor-spirit, benzine, oil, petroleum, or petroleum products under or along streets in the City of Auckland shall be deemed to be valid and effectual in all respects as though the last preceding section of this Act had been in force prior to the execution of every such license.