

Hawke's Bay Rivers Amendment Act 1934

Local Act 1934 No 3
Date of assent 18 September 1934

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An Act to alter the Dates for the Election of Members and Chairman of the Hawke's Bay Rivers Board and to confer Additional Powers on the said Board.

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 Hawke's Bay Rivers Amendment Act, 1934, and shall be read together with and deemed part of the Hawke's Bay Rivers Act, 1919.

2 Interpretation.

In this Act, if not inconsistent with the context, "Board" means the Hawke's Bay Rivers Board.

3 Altering date for election of members.

Subsection one of section nine of the Hawke's Bay Rivers Amendment Act, 1930, is hereby amended by omitting the words "third Wednesday in May", and substituting the words "same day".

4 Election of Chairman.

Section forty-seven of the River Boards Act, 1908, shall not apply to the Board, but the Board at its first meeting held after the second Wednesday in May in every year shall elect one of its members to be Chairman.

5 Purchase from member of Board.

Notwithstanding anything contained in the River Boards Act, 1908, the Public Contracts and Local Bodies' Contractors Act, 1908, or any other Act, the Board may contract to purchase and may purchase from Lewis Edward Harris, a member of the Board, a parcel of land belonging to the said Lewis Edward Harris, containing approximately sixteen acres two roods, being part of the Waikahu Block, or any portion thereof, which land is required by the Board for the purposes of the diversion of the Tutaekuri River, the price thereof to be determined by arbitration in accordance with the provisions of the Arbitration Act, 1908; and the said Lewis Edward Harris shall be entitled to payment of the said price, and shall not be disqualified as a member of the Board by reason of such contract, purchase, or payment, and no member of the Board shall be liable to any penalty by reason of such contract, purchase, or payment.

6 Power to lease certain lands.

Notwithstanding the provisions of subsection four of section eight of the Public Bodies' Leases Act, 1908, or any other Act, the Board may, if it thinks fit, lease for any term not exceeding seven years, the whole or any portion or portions of the following lands, that is to say: the lands lying between the stop-banks of the rivers under the jurisdiction or control of the Board, the lands comprising the overflow channels set apart or designed in connection with any of such rivers, the said river stop-banks and the stop-banks of such overflow channels.

7 Balance of £10,000 loan raised by Clive River Board to be paid out of general rates.

- (1) Notwithstanding anything to the contrary in any Act, payment of the amount of every annual instalment of principal and interest hereafter payable by the Board in respect of a loan of ten thousand pounds raised from the New Zealand Government by the River Board of the Clive River District, which loan, by virtue of section nine of the Hawke's Bay Rivers Act, 1910, became a liability

of the Board, shall be made out of the proceeds of the general rates of the Board in all respects as if such payment were for a general purpose of the Board under the River Boards Act, 1908.

- (2) While payments of such instalments are made as aforesaid the Board shall not levy the special rate made as security for the said loan.
- (3) Nothing in this section shall in any way prejudice the security of the said special rate or any of the rights of the New Zealand Government in respect of the payment of interest on and repayment of the said loan.

8 Section 7 of Hawke's Bay Rivers Amendment Act, 1933, amended.

Section seven of the Hawke's Bay Rivers Amendment Act, 1933, is hereby amended as from the passing of that Act by inserting before the word "Board" the words "Napier Harbour".