

# Christchurch City Empowering Act 1946

Local Act 1946 No 5  
Date of assent 26 September 1946

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**An Act to require the Christchurch City Council, on transferring any Surplus Moneys from any Trading Undertaking to the General Account, to transfer the Moneys subject to the Payment of Interest and to the Retransfer of the Moneys on Terms and Conditions approved by the Local Government Loans 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 Christchurch City Empowering Act, 1946.

**2 Definitions.**

In this Act, unless the context otherwise requires,—  
“Board” means the Local Government Loans Board:  
“Council” means the Christchurch City Council.

**3 Transfer of moneys of any trading undertaking subject to the terms, conditions, and provisions approved by the Local Government Loans Board.**

- (1) Notwithstanding anything to the contrary in section one hundred and twenty-nine of the Municipal Corporations Act, 1933, the Council shall, in making a transfer of any surplus remaining to the credit of the account of any trading undertaking of the Council to the General Account, by resolution prescribe that the transfer shall be made subject to such terms and conditions and provisions as to retransfer, whether in one sum or by instalments, as the Board shall approve, and also subject until the retransfer to such payment of interest (if any) on moneys not retransferred as the Board shall approve.
- (2) No terms, conditions, or provisions approved by the Board shall be varied except with the express approval of the Board.

**4 Offences.**

If the Council at any time refuses or fails to observe or carry out any term, condition, or provision approved by the Board as aforesaid, every member of the Council who consents thereto commits an offence and shall be liable on summary conviction to a penalty not exceeding fifty pounds.

**5 Audit Office to enforce resolutions.**

It shall be the duty of the Audit Office to see that the terms, conditions, and provisions of any resolution passed by the Council and approved by the Board are observed and performed by the Council, and to institute proceedings for offences under this Act.