

# **Tauranga Harbour Board Loan and Empowering Act 1962**

Local Act    1962 No 14  
Date of assent    2 November 1962

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## **An Act to confer certain powers on the Tauranga Harbour 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 Tauranga Harbour Board Loan and Empowering Act 1962.

**2 Interpretation**

In this Act, unless the context otherwise requires, the term “Board” means the Tauranga Harbour Board.

**3 Special Act**

This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1950.

**4 Power to borrow**

It shall be lawful for the Board from time to time to borrow, in addition to the sums authorised by any previous Acts, subject to the provisions of the Harbours Act 1950 and of this Act and of the Local Authorities Loans Act 1956, any sum or sums not exceeding in the aggregate the sum of two hundred and fifty thousand pounds to be applied and expended, subject to the provisions of the Harbours Act 1950, in the construction of the harbour works and for the other purposes specified in the Schedule to this Act.

**5 Security for loan**

In addition to the charge on the Harbour Fund created by the Harbours Act 1950, the Board may, subject to the provisions of section 6 of this Act, make and levy as further security for the money authorised to be borrowed under this Act a special rate not exceeding one-twentieth of a penny in the pound on the capital value of all rateable property in the harbour district.

**6 Estimate of revenue and expenditure**

- (1) The Board shall in each year cause an estimate to be prepared, in such manner and according to such principle and method as the Board approves, of the anticipated revenue of the year (exclusive of any rate to be levied under this Act) and the anticipated expenditure of the year (including the annual payment or payments to be made, including interest, with respect to the money borrowed under the authority of this Act, but exclusive of capital expenditure on any loan account) and shall upon such estimate determine the deficiency of the revenue to meet the expenditure.
- (2) Any credit or debit balance of the Board’s General Account at the close of each year shall be carried forward to the account of the next succeeding year for the purpose of the estimate of that succeeding year and the determination of the deficiency of the revenue of that succeeding year to meet the expenditure thereof.
- (3) The Board may in each year, in accordance with the Harbours Act 1950, levy or direct the levy of such part of the said special rate as is sufficient to provide for the deficiency:

Provided that, if the deficiency exceeds the amount of the annual charges for that year in respect of the money borrowed under this Act, the Board may levy

or direct the levy of such part only of the special rate as is sufficient to provide for those annual charges.

- (4) The Board may, for the purposes of the levy, or of such direction and levy, adopt some convenient fraction of a penny, notwithstanding that the sum produced thereby may exceed the said deficiency.

**7 Regulating and controlling the allocation of berthage and storage**

Notwithstanding anything in the Harbours Act 1950, and without prejudice to any of the powers contained in or any rights granted under section 8 of the Tauranga Harbour Board Loan and Empowering Act 1959, the Board is hereby authorised, when congestion occurs or is likely to occur in handling cargoes at the port, to regulate and control the allocation of berthage and storage and to grant prior rights thereto during construction of the additional berthage referred to in the Schedule to this Act.

**8 Amendment to Schedule of Tauranga Harbour Board Loan and Empowering Act 1959**

The Schedule to the Tauranga Harbour Board Loan and Empowering Act 1959 is hereby amended by inserting, after the word “dredging” in the first item, the words “and part construction of an additional berth”.

**Schedule**  
**Harbour Works**

Completion of an additional berth, ancillary works, loan expenses and contingencies	£250,000
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