

**Reprint  
as at 27 August 1981**



**Clutha County Council (Port  
Molyneux Reserve) Empowering  
Act 1981**

Local Act 1981 No 3  
Date of assent 26 August 1981  
Commencement 26 August 1981

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

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**Schedule 2**  
**Otago Land District—Clutha County**

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**An Act to validate past and to authorise intended future  
utilisation of endowment land administered by the Clutha  
County Council and to prescribe a formula for the appropriation  
of profit derived from that land**

**Preamble**

Whereas by virtue of section 22 of the Reserves and Other Lands Disposal Act 1939 the land more particularly described in Schedule 1 was vested in the Clutha County Council (hereinafter referred to as the Council) with power to lease the same: And whereas the Council has planted trees and carried out a programme of afforestation on part of the said land: And whereas revenue derived from the said land has hitherto been applied in the manner prescribed by section 22 of the Reserves and Other Lands Disposal Act 1939: And whereas excess revenue derived from the said land amounting to \$1,550.14 is now held by the Council in an account in its name styled the Port Molyneux Reserve Account: And whereas agreement has now been reached between the Council and the Minister of Lands as to the appropriation of the aforesaid funds on hand and as to the appropriation of future profit derived from the said land: And whereas it is desired to validate the Council's utilisation of part of the said land for forestry purposes and to authorise the future utilisation of that part of the said land for forestry purposes and to prescribe a formula for the appropriation of profit derived from the said land.

**1 Short Title**

This Act may be cited as the Clutha County Council (Port Molyneux Reserve) Empowering Act 1981.

**2 Validation and authorisation**

- (1) The action of the Council in using the land described in Schedule 2 (being part of the land described in Schedule 1) for

forestry purposes is hereby validated and declared to have been lawful.

- (2) The Council is hereby authorised to continue to use the land described in Schedule 2 for forestry purposes subject to and in accordance with Part 33 of the Local Government Act 1974.

**3 Application for reserve purposes of part of profit derived from leasing**

The Council shall apply, for the purposes set out in section 80 of the Reserves Act 1977, not less than 20% of the net profit derived in each financial year from the leasing of those parts of the land described in Schedule 1 not being used for forestry purposes under section 2.

**4 Application of balance of profit derived from leasing**

Any other enactment to the contrary notwithstanding, the Council is hereby authorised in each financial year to transfer the balance of the net profit derived from leasing left after the expenditure referred to in section 3 to the general revenues of the Council's district.

**5 Application of profit derived from forestry**

The Council is hereby authorised to apply all profits derived from forestry operations carried out under section 2 to the general revenues of its district.

**6 Repeal**

*Amendment(s) incorporated in the Act(s).*

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**Schedule 1**

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**Otago Land District—Clutha County**

All those parcels of land in the Otago Land District, containing by ad-measurement 226.3887 hectares, more or less, being Lots 1 to 6 (inclusive) on Deposited Plan Number 3084, and being Section 1205R and part of Sections 2 and 3, Block IV, Sections 1, 2, and 4 and part of Section 3, Block VI, and Section 1204R, Blocks IV and VI, Clutha District, and Sections 1206R and 1207R and part of Sections 8, 9, and 10, Block I, Sections 8 to 12 (inclusive), 1199R and part of Section 7, Block III, South Molyneux District, and being all the land comprised in certificate of title, Volume 298, folio 71. Otago Registry.

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**Schedule 2**

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**Otago Land District—Clutha County**

All that piece of land containing 17.4650 hectares, more or less, being Lot 3, DP 3084, being Sections 1206R and 1207R, and part Sections 9 and 10, Block I, and part Sections 7, 9, and 1199R, Block III, South Molyneux Survey District, and being more particularly marked E on Survey Office Plan 19806.

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## **Notes**

### **1 *General***

This is a reprint of the Clutha County Council (Port Molyneux Reserve) Empowering Act 1981. The reprint incorporates all the amendments to the Act as at 27 August 1981, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

### **2 *Status of reprints***

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### **3 *How reprints are prepared***

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5** *List of amendments incorporated in this reprint  
(most recent first)*

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