



ANALYSIS

Title	1. Short Title 2. Proof of water races
-------	---

1957, No. 76

An Act to amend the Water Supply Act 1908

[24 October 1957]

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 Water Supply Amendment Act 1957, and shall be read together with and deemed part of the Water Supply Act 1908 (hereinafter referred to as the principal Act).

2. Proof of water races—Section thirty-one of the principal Act is hereby amended by adding the following subsection:

“(5) In any proceedings for an offence against this Act or any bylaws under this Act commenced by or under the authority of the Council or by any officer of the Council—

“(a) It shall not be necessary for any map referred to in this section to be produced or proved, and the Court may decide, on such evidence as it thinks fit, that any water race or portion of a water race is a water race within the meaning of this Act;

- “(b) If the Court is satisfied that any water race or portion of a water race is or has been or is capable of being supplied with water from any source constructed by or under the control of the Council or is in fact part of a system of water races, the Court may decide that the water race or portion thereof is a water race within the meaning of this Act and is vested in the Corporation of the county as if it were shown on a map referred to in this section; and
- “(c) It shall not be necessary to prove that any such water race or portion of water race was constructed by or under the authority of the Council, nor, if any such water race or portion of water race is constructed in, upon, or through any private land, that it was so constructed with the permission of the owner of the land.”
-