

**Reprint
as at 1 September 1965**



Taranaki Harbours Board Empowering Act 1951

Local Act 1951 No 9
Date of assent 9 November 1951
Commencement 9 November 1951

Act name: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

Contents

	Page
Title	2
1 Short Title	2
2 Special Act	2
3 Interpretation	2
4 Power to borrow	3
5 Local Authorities Loans Act may be applied	3
6 Expenses may be paid out of borrowed money	3
7 Security for loan	3
8 Returning officer <i>[Repealed]</i>	4
9 Ratepayers' roll <i>[Repealed]</i>	4
10 Estimate of revenue and expenditure	4
11 Levy of special rate	4
12 Prior securities not affected	5

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.

Schedule 1	6
Taranaki harbour district	
<i>[Repealed]</i>	
Schedule 2	6
Works for which moneys may be borrowed	
Schedule 3	7
Rating Area No 1	
<i>[Repealed]</i>	
Schedule 4	7
Rating Area No 2	
<i>[Repealed]</i>	
Schedule 5	7
Rating Area No 3	
<i>[Repealed]</i>	

An Act to authorise the Taranaki Harbours Board to raise a loan

Title: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

1 Short Title

This Act may be cited as the Taranaki Harbours Board Empowering Act 1951.

Section 1: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

2 Special Act

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

3 Interpretation

In this Act, unless the context otherwise requires,—

Board means the Taranaki Harbours Board

harbours district means the area described in Schedule 4 of the Taranaki Harbours Board Act 1954.

Section 3 **Board**: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

Section 3 **harbours district**: replaced, on 21 October 1955, by section 10(1) of the Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)).

Section 3 **harbours district**: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

4 Power to borrow

In addition to the authorities conferred on the Board by the Taranaki Harbours Board Empowering Act 1908, the Taranaki Harbours Board Empowering Act 1918, and the Taranaki Harbours Board Empowering Act 1924, it shall be lawful for the Board, from time to time as it may require, to borrow, subject to the provisions of the Harbours Act 1950 and the Local Authorities Loans Act 1956, such sum or sums not exceeding in the whole the sum of 485,000 pounds for the purpose of carrying out, subject to the Harbours Act 1950, the works specified in Schedule 2.

Section 4: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

Section 4: amended, on 1 April 1957, pursuant to section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

Section 4: amended, on 22 October 1952, by section 2 of the Taranaki Harbours Board Empowering Amendment Act 1952 (1952 No 23 (L)).

5 Local Authorities Loans Act may be applied

The Board may by resolution decide to raise such loan as aforesaid under the Local Authorities Loans Act 1956, in which case the Board may from time to time raise the moneys in accordance with the provisions of Part 1 of that Act, and the provisions of that Act shall apply as if the Board were a local authority, the harbours district were a district, and the said works were public works within the meaning of that Act:

provided that, for the purposes of the poll to be taken under that Act, a majority of the total valid votes recorded shall suffice to carry the proposal.

Section 5 heading: amended, on 1 April 1957, pursuant to section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

Section 5: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

Section 5: amended, on 1 April 1957, pursuant to section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

6 Expenses may be paid out of borrowed money

The Board may out of moneys borrowed pursuant to the authority conferred by this Act repay to any account any sum or sums, or any portion of any sum or sums, advanced therefrom and applied before the passing of this Act to the purposes for which such moneys are authorised to be borrowed.

7 Security for loan

In addition to the charge on the Harbour Fund created by the Harbours Act 1950, the Board may, if the loan is being or has been raised in accordance with the provisions of the Local Authorities Loans Act 1956, make and levy as further security for the moneys authorised to be borrowed under this Act a special rate on all rateable property in the harbours district.

Section 7: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

Section 7: amended, on 1 April 1957, pursuant to section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

8 Returning officer

[Repealed]

Section 8: repealed, on 21 October 1955, by section 10(1) of the Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)).

9 Ratepayers' roll

[Repealed]

Section 9: repealed, on 21 October 1955, by section 10(1) of the Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)).

10 Estimate of revenue and expenditure

- (1) If the loan is being or has been raised in accordance with the provisions of the Local Authorities Loans Act 1956, 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 moneys 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 levy or direct the levy, in accordance with the Harbours Act 1950, in each year of such part of the said special rate as is sufficient to provide for the deficiency.
- (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.

Section 10(1): amended, on 1 April 1957, pursuant to section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

11 Levy of special rate

The special rate that may be levied under the authority of this Act shall not exceed 1 penny in the pound upon the capital value of all rateable property in the area described in Schedule 1 of the Taranaki Harbours Board Empowering Act 1955 (which area shall be known as Rating Area No 1), and shall not exceed two-thirds of a penny in the pound upon the capital value of all rateable property in the area described in Schedule 2 of the Taranaki Harbours Board Empow-

ering Act 1955 (which area shall be known as Rating Area No 2), and shall not exceed one-third of a penny in the pound upon the capital value of all rateable property in the area described in Schedule 3 of the Taranaki Harbours Board Empowering Act 1955 (which area shall be known as Rating Area No 3); and all rates levied by the Board hereunder shall be levied in the like proportions.

Section 11: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

Section 11: amended, on 21 October 1955, by section 10(1) of the Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)).

12 Prior securities not affected

Nothing in this Act or in any debentures issued in pursuance thereof shall affect or prejudice the rights of the holders of any debentures heretofore executed or issued by the Board pursuant to the provisions of the Taranaki Harbours Board Empowering Act 1908, the Taranaki Harbours Board Empowering Act 1918, or the Taranaki Harbours Board Empowering Act 1924.

Section 12: amended, on 1 September 1965, pursuant to section 15(2) of the Taranaki Harbours Act 1965 (1965 No 4).

Schedule 1
Taranaki harbour district

[Repealed]

Schedule 1: repealed, on 21 October 1955, by section 10(1) of the Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)).

Schedule 2
Works for which moneys may be borrowed

Schedule 2: replaced, on 22 October 1952, by section 4 of the Taranaki Harbours Board Empowering Amendment Act 1952 (1952 No 23 (L)).

The demolition of the Board's existing Moturoa Wharf and the construction of a new wharf in its place, also the widening of the Board's existing Newton King Wharf on its eastern side as shown on the plan marked MD 9343, deposited in the office of the Marine Department, Wellington, and including the dredging of each site and the approaches thereto and the provision of necessary plant and equipment.

Schedule 3
Rating Area No 1

[Repealed]

Schedule 3: repealed, on 21 October 1955, by section 10(1) of the Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)).

Schedule 4
Rating Area No 2

[Repealed]

Schedule 4: repealed, on 21 October 1955, by section 10(1) of the Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)).

Schedule 5
Rating Area No 3

[Repealed]

Schedule 5: repealed, on 21 October 1955, by section 10(1) of the Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)).

Contents

- 1 General
- 2 Status of reprints
- 3 How reprints are prepared
- 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
- 5 List of amendments incorporated in this reprint (most recent first)

Notes**1 General**

This is a reprint of the Taranaki Harbours Board Empowering Act 1951. The reprint incorporates all the amendments to the Act as at 1 September 1965, 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)*

Taranaki Harbours Act 1965 (1965 No 4): section 15(2)

Local Authorities Loans Act 1956 (1956 No 63): section 135(1)

Taranaki Harbours Board Empowering Act 1955 (1955 No 7 (L)): section 10(1)

Taranaki Harbours Board Empowering Amendment Act 1952 (1952 No 23 (L))