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Local Legislation Act 1936

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Department of Internal Affairs.

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An Act to confer certain powers on certain public bodies and to validate certain transactions

1 Short Title

This Act may be cited as the Local Legislation Act 1936.

County Councils

2 Validating expenditure of unexpended balance of a loan of £50,000 by Thames County Council

Whereas the Thames County Council (hereinafter called the **Council**), pursuant to a poll of ratepayers held on 10 December 1919, was authorised to borrow a sum of 50,000 pounds for the purpose of forming, regrading, metalling, and tar grouting the main and subsidiary roads within part of the county, part of such loan being repayable by instalments over a period of 36 and a half years and part thereof over a period of 10 years:

And whereas the said sum of 50,000 pounds was allocated as follows:

(a) the sum of 21,000 pounds to the improvement of the main Thames–Paeroa Road from the boundary of the Borough of Thames to the Hikutaia Creek (the said road now being known as the Kopu–Hikutaia section of the Kopu–Raglan (No 17) Main Highway);

(b) the sum of 23,000 pounds to the erection of bridges on the said main highway, and the forming, regrading, and metalling of subsidiary roads; and

(c) the sum of 6,000 pounds for the purchase of the necessary plant and vehicles to carry out the various works:

And whereas the Council raised a sum of 36,000 pounds of the total amount authorised to be borrowed, and, at the request of the ratepayers in the special rating area, resolved not to raise the balance of the loan amounting to 14,000 pounds:

And whereas the Council expended the sum of 21,000 pounds on the purposes set out in allocation (a), the sum of 6,670 pounds 12 shillings and 7 pence on certain of the purposes set out in allocation (b), and the sum of 6,000 pounds on the purposes set out in allocation (c):

And whereas such expenditure left an unexpended balance of 2,323 pounds 7 shillings and 5 pence in the Loan Account:

And whereas the Council resolved to pay out of the said unexpended balance the premium payable on conversion of the Matatoki Quarry £10,000 Loan amounting to 516 pounds 5 shillings, leaving in hand the sum of 1,807 pounds 2 shillings and 5 pence:

And whereas the Council, having been called upon to re-form and tar-seal the said Kopu–Hikutaia section of the Kopu–Raglan (No 17) Main Highway, applied the said balance of 1,807 pounds 2 shillings and 5 pence towards meeting the cost of the said sealing works:

And whereas the diversion of the said sum of 1,807 pounds 2 shillings and 5 pence to the purposes aforesaid has been approved by the Local Government Loans Board subject to the passing of legislation validating the action of the Council in utilising the said sum towards such purposes:

And whereas it is desirable that the action of the Council should be validated:

Be it therefore enacted as follows:

The action of the Council in applying the said sum of 1,807 pounds 2 shillings and 5 pence towards meeting the cost of re-forming and tar-sealing the Kopu–Hikutaia section of the Kopu–Raglan (No 17) Main Highway is hereby validated.

3 Authorising Waipa County Council to rate on uniform scale over former Tuatuamoana Drainage District

Notwithstanding anything to the contrary in the Land Drainage Act 1908 or in any other Act, the Waipa County Council may from time to time make and levy rates on a uniform scale on all rateable property within the area comprised in the Tuatuamoana Drainage District immediately prior to the abolition of that district for the purpose of meeting the obligations of the Council pursuant to an award dated 15 August 1934, made under section 87 of the Land Drainage Act 1908, consequent upon the abolition of the said district.

4 Authorising Buller County Council to raise a special loan of £750

Whereas it became necessary for the Buller County Council (hereinafter called the **Council**) urgently to make provision for the erection of a dwelling for the occupation and use of the resident medical practitioner at Karamea:

And whereas the Council proposed to raise a loan of 750 pounds for that purpose under the powers contained in section 195 of the Counties Act 1920:

And whereas, prior to commencing to raise the said loan, the Council proceeded with the erection of the aforesaid dwelling and incurred certain expenditure in connection therewith:

And whereas the Council has now no power to raise a loan for the purpose hereinbefore set out:

And whereas it is desirable that the Council should be authorised to raise a loan of 750 pounds for the purpose of providing the moneys required for the erection of the aforesaid dwelling, and to repay to the General Account of the Council any moneys advanced therefrom for that purpose:

Be it therefore enacted as follows:

The Council is hereby authorised to borrow for the purpose of the erection of the aforesaid dwelling by way of special loan under the Local Bodies' Loans Act 1926, but without taking the steps prescribed by sections 9 to 13 of that Act, a sum not exceeding 750 pounds, and out of the proceeds of such loan to refund to the General Account of the Council all moneys now or hereafter advanced thereout on account of the cost of the erection of the said dwelling.

5 Provision respecting expenditure by Buller County Council on repair of earthquake and flood damage

[Repealed]

Section 5: repealed, on 16 September 1938, by section 4(5) of the Local Legislation Act 1938 (1938 No 18).

6 Making provision with respect to Bridge Rate Fund for Eketahuna County

(1) The polls taken by the Eketahuna County Council (hereinafter called the **Council**) on 12 April 1923 in each of the ridings of the County of Eketahuna (hereinafter called the **county**) for the purpose of obtaining the consent of the ratepayers of those ridings to the making and levying of a bridge rate in each of such ridings shall, for the purposes of section 24 of the Local Bodies' Loans Act 1926, be deemed to have been taken in accordance with the provisions of that section, and the proposals submitted at each of such polls shall be deemed to have been carried as 1 proposal submitted to the ratepayers of the whole county.

(2) The several bridge rates heretofore made and levied by the Council over all rateable property in the ridings of the county shall together be deemed to be one rate duly made and levied by the Council under the said section 24 over the whole of the rateable property in the county.

(3) The amounts remaining to the credit of each of the separate accounts into which the proceeds from each separate bridge rate have been paid shall forthwith be paid into a separate account, to be called "The Eketahuna County Bridge Fund Account", to be established in accordance with the provisions of subsection (3) of the said section 24.

7 Authorising Hutt County Council to make and levy a uniform charge with respect to special loan for construction of roads

[Repealed]

Section 7: repealed, on 1 July 2003, by section 138(1) of the Local Government (Rating) Act 2002 (2002 No 6).

8 Validating certain rates of Inglewood County Council and authorising refunds

Whereas certain special rates (hereinafter referred to as the **said rates**) levied by the Inglewood County Council (hereinafter called the **Council**) for the year ended on 31 March 1936 were levied so as to produce a greater amount than was lawfully required to provide for the payment of interest, or interest and sinking fund, or interest and principal, as the case may be, on the loans in respect of which the said rates were made and levied:

And whereas certain of the said rates have been paid by various ratepayers and certain of the said rates remain outstanding and unpaid:

And whereas it is desirable to validate the said rates and to authorise the Council to make certain refunds in manner hereinafter appearing:

Be it therefore enacted as follows:

(1) The said rates shall for all purposes be deemed to have been lawfully made, levied, and demanded by the Council.

(2) The Council may in respect of the said rates forthwith determine the sum which, in respect of each ratepayer, represents the difference between the amount that would have been levied in order to produce the amount lawfully required to provide for the payments hereinbefore specified and the amount which was in fact demanded.

(3) The Council may from its General Account refund such sum to any ratepayer who has paid the same or remit such sum in the case of any ratepayer who has not already paid the same.

(4) The power to refund or to remit such sum shall, where the circumstances require, include the power to refund or to remit, as the case may be, such part of the additional charge of 10% as was added to such rates pursuant to the provisions of section 76 of the Rating Act 1925.

9 Authorising Taranaki County Council to write off balances owing by certain ratepayers pursuant to agreements made with the Council

Whereas the Taranaki County Council (hereinafter called the **Council**) in pursuance of the provisions of section 26 and section 27 of the Finance Act (No 4) 1931 undertook, in relief of unemployment, the metalling of certain roads in the County of Taranaki—namely, Henwood, York, Croydon, and Carrington Roads—and applied the funds of the respective ridings in which the said roads are situated in payment of the works so undertaken, under agreements made

with a number of owners and occupiers of lands which derived benefit from the said works, for the repayment to the Council of the cost of such works by instalments over periods of years:

And whereas the Council expended in carrying out such works sums amounting in the aggregate to 1,058 pounds and 5 shillings, and has received from the said owners and occupiers towards repayment thereof sums amounting in the aggregate to 622 pounds 9 shillings and 3 pence, leaving a balance of 435 pounds 15 shillings and 9 pence still outstanding:

And whereas the Council, in exercise of the powers conferred on it in that behalf by Part 2 of the Local Authorities Interest Reduction and Loans Conversion Act 1932–33 and section 7 of the Local Authorities Interest Reduction and Loans Conversion Amendment Act 1934, respectively, has converted the whole of the loan indebtedness of the Taranaki County convertible thereunder, and as security therefor has made a consolidated special rate over all the rateable property in the said county on a differential basis over the various ridings of the said county and has also made and levied a similar rate to produce the annual charges payable in respect of all the non-convertible securities of the said county:

And whereas by reason of the operations aforesaid the said owners and occupiers are now liable for rates levied for the purposes of providing funds for the payment of the annual charges for loan moneys for which they were previously not liable, and they have obtained no relief in respect of their liability for payment of the said sum of 435 pounds 15 shillings and 9 pence:

And whereas it is just and equitable that they should be relieved from such liability:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to write off the said sum of 435 pounds 15 shillings and 9 pence, and to discharge the said owners and occupiers from liability for payment of any instalments henceforth to become due in respect thereof under the agreements hereinbefore referred to.

City and Borough Councils

10 Provision with respect to acquisition of land by Motueka Borough Council for aerodrome purposes

[Repealed]

Section 10: repealed, on 16 November 1937, by section 2(5) of the Motueka Borough Council Empowering Act 1937 (1937 No 3 (L)).

11 Section 22 of Local Legislation Act 1930 amended

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

12 Validating expenditure incurred by Patea Borough Council in the erection of certain shops

Notwithstanding the provisions of section 28 of the Local Legislation Act 1929 or of any other enactment, the expenditure by the Patea Borough Council of the sum of 325 pounds 17 shillings and 10 pence, being the proceeds derived from the sale of land under the authority of that section, in the erection of certain shops in replacement of other shops belonging to the Council but now demolished, is hereby validated and declared to have been lawfully made.

13 Authorising raising of a loan by Green Island Borough Council for purpose of making advances to property owners

The Green Island Borough Council may borrow moneys, not exceeding in the aggregate 5,000 pounds, by way of special loan under the Local Bodies' Loans Act 1926, by special order and without taking the steps prescribed by sections 9 to 13 of that Act, for the purpose of providing funds out of which advances may be made to owners of premises in the Borough of Green Island for the purpose of drainage or sanitary works under Part 19 of the Municipal Corporations Act 1933.

14 Validating expenditure by Green Island Borough Council in connection with jubilee celebrations

The expenditure by the Green Island Borough Council out of its District Fund Account of the sum of 50 pounds in connection with the expenses of the celebrations commemorating the 60th anniversary of the constitution of the Borough of Green Island is hereby validated and declared to have been lawfully made.

15 Authorising refund by Wellington City Council in respect of assessment of water rates

Whereas in respect of the period between 1 April 1929 and 31 March 1935, James Bell, of the City of Wellington, tailor, was assessed in respect of certain shops situated in Manners Street in the City of Wellington at full water rates on the assumption that such properties were shops and dwellings, and such full water rates have been paid by the said James Bell:

And whereas if the said premises had been assessed as shops they would have been liable only for one-half of the full water rates:

And whereas one-half of the said full water rates amounts to 520 pounds, and the Wellington City Council desires authority to refund the said sum of 520 pounds:

Be it therefore enacted as follows:

The Wellington City Council is hereby authorised to refund to the said James Bell the sum of 520 pounds, being part of the money so paid as water rates.

16 Authorising refund by Wellington City Council in respect of reassessment of water rates

Whereas James Whitson Jack of Wellington, accountant, acting on behalf of Henry John Jones, trustee in the estate of Thomas Raymond Jones of Wellington, contractor, by letter dated 21 February 1935, gave notice to the Valuer-General that certain dwellings in Courtenay Place, Wellington, had been converted into offices, and requested an adjustment in order to secure a reduction in water rates:

And whereas, owing to unavoidable delay, the said James Whitson Jack was compelled to pay the full water rates in respect of the said offices from 1 April 1935 to 31 March 1936:

And whereas if the said values had been amended before 1 April 1935, one-half of the said water rates would have been payable in respect of the said offices:

And whereas one-half of the said water rates amounts to 67 pounds 1 shilling, and the Wellington City Council desires authority to refund the said sum of 67 pounds 1 shilling:

Be it therefore enacted as follows:

The Wellington City Council is hereby authorised to refund to the said James Whitson Jack the sum of 67 pounds 1 shilling, being part of the money so paid as water rates.

17 Land in City of Wellington proclaimed as street adjoining Luke's Lane declared to be private way

Whereas by Proclamation published in the *Gazette* of 14 June 1928 and registered in the Land Transfer Office at Wellington under Number 1821, the pieces of land described in subsection (3) were proclaimed as a street in terms of section 12 of the Land Act 1924 for the purpose of widening the adjoining portion of Luke's Lane in the City of Wellington on the assumption that Luke's Lane was a street:

And whereas Luke's Lane was not in fact a street but a private way, and it is therefore expedient that the land so proclaimed as a street should be deemed part of a private way:

Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in the said Proclamation or in any Act, the pieces of land described in subsection (3) shall be and be deemed to be part of the private way in the City of Wellington known as Luke's Lane.

(2) The District Land Registrar at Wellington is hereby empowered and directed to do all things necessary to give effect on the Register to the provisions of this section.

(3) The descriptions and approximate areas of the pieces of land hereinbefore referred to are as follows: firstly, all that piece of land containing 1 perch and seven-hundredths of a perch, being part Lot 5, Te Aro Pa, and secondly, all that piece of land containing 1 perch and fifty-five hundredths of a perch, being part Lots 5, 6, and 43, Te Aro Pa, both of which pieces of land are situated in the City of Wellington (Town of Wellington Registration District) (SO 2336), in the Wellington Land District, and are more particularly delineated on a plan (a copy of which plan is deposited with the said Proclamation Number 1821) marked "PWD 72321", deposited in the office of the Minister of Public Works at Wellington, and thereon coloured sepia and violet respectively.

18 Suspension of annual appropriation of Renewal Fund in respect of tramways and power supply undertaking and electric light and power supply undertaking of Wellington City Council

(1) It shall not be necessary for the Wellington City Council, in respect of all or any of the financial years within the period commencing on 1 April 1936 and ending on 31 March 1938, to charge the annual appropriation prescribed by section 3 of the Wellington City Trading Departments Reserve and Renewal Funds Act 1917, as amended by section 3 of the Wellington City Empowering and Amendment Act 1922.

(2) This section is in substitution for section 27 of the Local Legislation Act 1933 and that section is hereby consequentially repealed.

19 Validating grant of £250 made by the Hastings Borough Council to the Mayor's Relief of Distress Fund

The expenditure incurred by the Hastings Borough Council during the financial year ended on 31 March 1936 of the sum of 250 pounds in contributing to a fund established by the Mayor of Hastings for the relief of distress is hereby validated and declared to have been lawfully incurred.

20 Section 9 of Local Legislation Act 1934 amended

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

21 Validating expenditure incurred by Auckland City Council in connection with distribution of milk to school children

(1) The expenditure incurred by the Auckland City Council (hereinafter called the **Council**) prior to the passing of this Act in supplying free milk to children attending schools within the City of Auckland is hereby validated and declared to have been lawfully made.

(2) The Council is hereby authorised and empowered to supply free milk to children attending schools within the City of Auckland for such period or periods during the year 1936 as it may determine, and to pay out of its District Fund the cost of so doing.

(3) Any grant or subsidy received by the Council from the Government in respect of supplying milk under this section shall be paid into the District Fund of the Council.

22 Authorising raising of a loan of £25,000 by Auckland City Council for repair of Grafton Bridge

(1) The Auckland City Council is hereby authorised and empowered by special order, and without taking the steps prescribed by sections 9 to 13 of the Local Bodies' Loans Act 1926, to raise a special loan, not exceeding in the aggregate 25,000 pounds, for the purpose of carrying out repairs (including the reconstruction or improvement of such portions thereof as may be necessary) to the Grafton Bridge within the City of Auckland and for providing the cost of investigations and reports preliminary to and in connection with the said work.

(2) The Council may out of the proceeds of such loan refund to its General Account all moneys now or hereafter advanced thereout on account of the cost of such works and of the investigations and reports in connection therewith.

23 Authorising Auckland City Council to raise a special loan of £10,400 for unemployment relief works

[Repealed]

Section 23: repealed, on 16 September 1938, by section 19(2) of the Local Legislation Act 1938 (1938 No 18).

24 Authorising Wanganui City Council to grant a renewal lease of certain land

Whereas by deed of lease (hereinafter referred to as the **said lease**) dated 21 July 1913 and made between the Mayor, Councillors, and Burgesses of the Borough of Wanganui of the one part and William Leam Carroll therein described of the other part, all that piece of land containing 1 rood, more or less, situate in the Town of Wanganui, being part of Reserve L, Wanganui Town Belt, and also being Lot 4 on a plan deposited in the Deeds Registration Office at Wellington as Number 334, was demised and leased by the Mayor, Councillors, and Burgesses of the Borough of Wanganui to the said William Leam Carroll for the term of 21 years from 5 November 1912, together with a right to the said William Leam Carroll to a renewal of the said lease for a further term of 21 years upon the expiration by effluxion of time of the term of the said lease, upon the giving of the notice required by the said lease, at a rent ascertainable as provided by the said lease:

And whereas such land became vested in John Alexander Paterson, of Wanganui, farmer:

And whereas the said John Alexander Paterson became bankrupt on 14 October 1931, and the Official Assignee in Bankruptcy of his estate disclaimed the said lease:

And whereas the said John Alexander Paterson on 7 August 1933 duly obtained his discharge from bankruptcy:

And whereas the said John Alexander Paterson inadvertently failed or neglected to take the steps entitling him to a renewal of the said lease:

And whereas, notwithstanding the failure or neglect to comply with the terms of the said lease entitling him to a renewal of the lease, the said John Alexander Paterson has continued to occupy the said lands and pay the rent reserved by the said lease:

And whereas it is just and equitable that a renewal of the said lease should be granted to the said John Alexander Paterson:

And whereas the Town of Wanganui in which the lands are situate has been declared a city, and the Wanganui City Council is willing to grant a renewal of the said lease:

And whereas the rights of no other parties will be adversely affected by granting the said renewal:

Be it therefore enacted as follows:

The Wanganui City Council is hereby authorised and empowered to grant a renewal of the said lease to John Alexander Paterson, of Wanganui, farmer, in terms of the right of renewal contained in the said lease, and to execute all necessary instruments and to do all other things necessary for the effectual granting of a renewal of the said lease to the said John Alexander Paterson.

25 Authorising Wanganui City Council to grant a renewal lease of certain land

Whereas by deed of lease (hereinafter referred to as the **said lease**), dated 15 August 1912 and made between the Mayor, Councillors, and Burgesses of the Borough of Wanganui of the one part, and George Williamson Allan therein described of the other part, all that piece of land containing 34 perches and four-tenths of a perch, more or less, situate in the Town of Wanganui, being part of Reserve L, Wanganui Town Belt, and being also Lot 7 on a plan deposited in the Deeds Register Office at Wellington as Number 304, was demised and leased by the Mayor, Councillors, and Burgesses of the Borough of Wanganui to the said George Williamson Allan for the term of 21 years from 4 June 1910 together with the right to a renewal of the said lease for a further term of 21 years upon the expiration by effluxion of time of the term of the said lease, upon giving the notice required by the said lease, at a rental ascertainable as provided by the said lease:

And whereas such land became vested in Mary Anna Priest, of Wanganui, widow:

And whereas the said Mary Anna Priest inadvertently failed or neglected to take the steps provided by the said lease to entitle her to a renewal:

And whereas the said Mary Anna Priest died on 6 April 1934 and probate of her will was granted out of the Supreme Court of New Zealand, Wanganui District, on 24 April 1934 to the executors in the will named Peter Melville Priest, of Ngaturi, farmer, and Jessie Ann MacDonald, wife of James Edward MacDonald, of Mangamutu, farmer (hereinafter called the **executors**):

And whereas, notwithstanding the failure or neglect to comply with the terms in the lease entitling her to a renewal of the said lease, the said Mary Anna Priest up to the date of her death, and thereafter the executors, continued to occupy the said lands and pay the rent reserved by the said lease:

And whereas it is just and equitable that a renewal of the said lease should be granted to the executors:

And whereas the Town of Wanganui in which the lands are situate has been declared a city, and the Wanganui City Council is willing to grant a renewal of the said lease:

And whereas the rights of no other persons will be adversely affected by granting the said renewal:

Be it therefore enacted as follows:

The Wanganui City Council is hereby authorised and empowered to grant a renewal of the said lease to the executors in terms of the right of renewal contained in the said lease, and to execute all necessary instruments and do all other things necessary for the effectual granting of a renewal of the said lease to the executors.

26 Validating certain expenditure incurred by Napier Borough Council in connection with jubilee celebrations

The expenditure by the Napier Borough Council during the financial year ended on 31 March 1936 of the sum of 42 pounds 12 shillings and 8 pence, being expenses incurred in connection with the celebration of the Diamond Jubilee of the Borough of Napier, is hereby validated and declared to have been lawfully made.

27 Provision with respect to disqualification of Councillor of Borough of Napier

Notwithstanding anything contained in the Local Authorities (Members' Contracts) Act 1934 or in any other Act, the payment by the Napier Borough Council of several sums totalling 40 pounds to the Napier–Wellington Daily Transport Company, Limited, in respect of services rendered by that company to the Council during the financial year ended on 31 March 1936, shall be deemed to have been lawfully made, and Thomas William Hercock, who is a shareholder in and the General Manager of the said company, shall not be disqualified or be deemed to have been disqualified for being a member of the said Council by reason of the payments of the said sums to the said company or by reason of his being concerned or interested in the contract or contracts

in respect of which the payments were made, nor shall he be deemed to have committed an offence by reason of having done any act as a member of the Council while concerned or interested in such contract or contracts.

28 Validating expenditure by Greymouth Borough Council in connection with relief of distress

The payment by the Greymouth Borough Council during the financial year ended on 31 March 1935 of the sum of 20 pounds 3 shillings and 11 pence to the Mayor's fund established for the relief of distress in the Borough of Greymouth is hereby validated and declared to have been lawfully made.

29 Validating expenditure by Gore Borough Council in connection with jubilee celebrations

The payment by the Gore Borough Council out of its District Fund Account of the sum of 54 pounds 19 shillings and 3 pence in connection with the expenses of the celebrations commemorating the 50th anniversary of the constitution of the Borough of Gore is hereby validated and declared to have been lawfully made.

30 Authorising Blenheim Borough Council to raise a special loan for completion of sewerage scheme

Whereas the Blenheim Borough Council (hereinafter called the **Council**) is installing a sewerage scheme for the Borough of Blenheim:

And whereas for the purpose of paying for such installation the Council raised a special loan of 45,000 pounds, but that sum, together with the additional sum raised under the authority of section 19 of the Local Bodies' Loans Act 1926, will not be sufficient for the purposes for which such sums were raised:

And whereas it is estimated that a further sum of 9,500 pounds will be required to complete the installation of the said sewerage scheme:

Be it therefore enacted as follows:

(1) The Blenheim Borough Council may for the purpose of completing the installation of the said sewerage scheme borrow money, not exceeding in the aggregate a sum of 9,500 pounds, by way of special loan under the Local Bodies' Loans Act 1926 by special order, and without taking the steps prescribed by sections 9 to 13 of that Act.

(2) The Council may out of the proceeds of such loan refund to its General Account all moneys now or hereafter advanced thereout on account of the cost of the installation of the said sewerage scheme.

31 Validating expenditure by Timaru Borough Council in connection with the supply of milk to school children

Whereas during the financial year ended on 31 March 1936 the Timaru Borough Council (hereinafter called the **Council**) expended the sum of 72 pounds 5 shillings in the purchase and supply of milk to the primary schools in Timaru:

And whereas prior to the passing of this Act, in respect of the financial year ending on 31 March 1937, the Council has similarly expended the sum of 34 pounds 2 shillings and 6 pence on the same purpose:

And whereas it is desired to validate such expenditure:

Be it therefore enacted as follows:

The payment by the Council of the aforesaid sums, amounting in all to 106 pounds 7 shillings and 6 pence, is hereby validated and declared to have been lawfully made.

32 Validating sale of reserve by Timaru Borough Council

Whereas the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Timaru is possessed of an estate in fee simple in the land described in subsection (4) for the purposes of a reserve:

And whereas the Timaru Borough Council (hereinafter called the **Council**) has sold the said land to Ruby Eileen Florizell Stewart at or for the price or sum of 25 pounds and has executed a memorandum of transfer of the said land which is dated 25 February 1936 and has been lodged for registration in the Land Transfer Office at Christchurch as Number 213329:

And whereas doubts have arisen as to the power of the Council to sell the said land, and the District Land Registrar at Christchurch aforesaid has refused to register the said memorandum of transfer:

And whereas it is desired that the said sale be validated and the District Land Registrar be empowered to register the said memorandum of transfer:

Be it therefore enacted as follows:

(1) Notwithstanding anything contained in any Act, the sale of the said land by the Council to the said Ruby Eileen Florizell Stewart is hereby validated.

(2) The proceeds of the said sale shall be held or applied by the Council for the purchase of other reserves or for the development or maintenance of reserves now or hereafter held by the Council.

(3) The District Land Registrar at Christchurch is hereby empowered to register the said memorandum of transfer.

(4) The land to which this section relates is particularly described as follows:

All that piece of land situated in the Borough of Timaru, containing 1 rood five and eight-tenths perches, be the same a little more or less, being Lot 8 on plan deposited in the Lands Registry Office at Christchurch as Number 8512, part

of Rural Section 1721, and being part of the land comprised and described in certificate of title, Volume 323, folio 141 (Canterbury Registry).

33 Transfer of drainage works and waterworks in Rotorua Borough from the Crown to the Corporation of the Borough of Rotorua

[Repealed]

Section 33: repealed, on 6 June 2026, by section 202 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

34 Authorising Rotorua Borough Council to raise a special loan of £1,000 for extension of aerodrome

Notwithstanding anything to the contrary in the Local Authorities Empowering (Aviation Encouragement) Act 1929 or any other Act, the Rotorua Borough Council may, for the purpose of acquiring additional land in order to extend the existing Rotorua Aerodrome, raise a special loan of 1,000 pounds by special order, and without taking the steps prescribed by sections 9 to 13 of the Local Bodies' Loans Act 1926.

35 Acquisition of land by New Plymouth Borough Council for aerodrome purposes

Notwithstanding any doubts which may exist by reason of the provisions of the New Plymouth Airport Act 1933 as to the power of the New Plymouth Borough Council to acquire land for aerodrome purposes under the provisions of the Local Authorities Empowering (Aviation Encouragement) Act 1929, the Council, in respect of the acquisition of land for the purpose of extending the existing New Plymouth Aerodrome, shall have and be deemed to have had as from the date of the passing of the New Plymouth Airport Act 1933, all the powers conferred on local authorities by the said Local Authorities Empowering (Aviation Encouragement) Act 1929.

36 Validating expenditure incurred by Palmerston North City Council on certain purposes

The expenditure incurred by the Palmerston North City Council during the financial year ended on 31 March 1936 of, firstly, the sum of 50 pounds as a grant to the McGregor National Appeal Fund, secondly, the sum of 42 pounds 16 shillings and 5 pence in connection with the opening ceremony of the Fitzherbert Bridge, and thirdly, the sum of 37 pounds 7 shillings and 3 pence in connection with the inauguration of the Trunk Air Service from Palmerston North to Dunedin, amounting in all to a sum of 130 pounds 3 shillings and 8 pence, is hereby validated and declared to have been lawfully incurred.

37 Authorising Dunedin City Council to make a grant towards erection of Children's Health Camp

The Dunedin City Council is hereby authorised and empowered to apply the whole or any part of a sum of 1,000 pounds for the purpose of the payment

of wages (in whole or in part) to workers employed by the Dunedin Methodist Central Mission Trustees in the erection of a Children's Health Camp at Company's Bay, Peninsula County.

Town Boards

38 Authorising Manurewa Town Board to contract with Papakura Town Board for the supply of water

(1) Notwithstanding anything to the contrary contained in section 256 of the Municipal Corporations Act 1933, the Manurewa Town Board is hereby authorised to contract with the Papakura Town Board for such supply of water as the Manurewa Town Board may require for all purposes for a period not exceeding 21 years.

(2) While any such contract is in force the provisions of subsection (3) of section 253 of the said Act shall not apply with respect to the supply of water in terms of such contract.

Harbour Boards

39 Authorising Auckland Harbour Board to borrow moneys in respect of purchase of tug

Whereas by the Auckland Harbour Board Empowering Act 1935 Schedule 1 of the Auckland Harbour Board Loan and Empowering Act 1924 (as amended by the Auckland Harbour Board Empowering Act 1926) was further amended so as to enable the Auckland Harbour Board (hereinafter called the **Board**) to borrow moneys to be expended in the purchase and fitting-out of a tug, and the expenses of any voyage necessary for delivery of the same to New Zealand:

And whereas the tug has been delivered to the Board, and the cost and expenses of fitting-out and the voyage to New Zealand have been paid out of the Harbour Fund of the Board:

And whereas the Board has not yet borrowed the moneys which it was so authorised to borrow:

And whereas the Board desires to borrow the moneys so authorised, and upon raising the said moneys to pay the same into the Harbour Fund of the Board so as to reimburse the Harbour Fund in respect of the moneys paid therefrom:

Be it therefore enacted as follows:

The Board is hereby empowered to borrow the moneys which it was so authorised to borrow and from the proceeds of such borrowing to refund to its Harbour Fund all moneys advanced out of the Fund on account of the cost of the purchase, fitting-out, and the voyage necessary for delivery of the aforesaid tug.

40 Authorising Auckland Harbour Board to contribute towards a Trust Fund for the purpose of endowing the School of Engineering at the Auckland University College

The Auckland Harbour Board is hereby empowered to contribute out of its Harbour Fund a sum not exceeding 500 pounds towards a Trust Fund established for the purpose of endowing the School of Engineering at the Auckland University College.

41 Validating expenditure incurred by the Auckland Harbour Board in connection with the visit of the Australian Squadron

The expenditure incurred by the Auckland Harbour Board during the financial year ended on 30 September 1935 of the sum of 136 pounds 6 shillings and 5 pence in the entertainment of the officers and men of the Australian Squadron while visiting Auckland is hereby validated and declared to have been lawfully incurred.

42 Authorising Auckland Harbour Board to make a grant to the Wilson Home Endowment Fund

The Auckland Harbour Board is hereby empowered to expend out of its Harbour Fund the sum of 100 pounds as a donation to the fund being raised by the Mayor of Auckland for the endowment of the Wilson Home for Crippled Children.

43 Making provision with respect to raising of a loan of £5,400 by Wanganui Harbour Board

(1) Notwithstanding anything to the contrary contained in the Wanganui Harbour District and Empowering Act 1913 (hereinafter referred to as the **said Act**), the Wanganui Harbour Board (hereinafter called the **Board**) is hereby empowered to borrow, with the consent of the Local Government Loans Board, the sum of 5,400 pounds mentioned in section 3 of the Wanganui Harbour District and Empowering Amendment Act 1935, upon terms of making the said sum, together with interest thereon, repayable by equal aggregate annual or half-yearly instalments extending over such term of years and at such rate of interest as may be determined by the Governor-General in Council in giving his consent to the raising of the said sum of 5,400 pounds.

(2) The provisions of the Local Government Loans Board Act 1926 shall apply to the said loan, provided that the sum borrowed, together with interest thereon, shall be repayable by equal annual or half-yearly instalments extending over the whole term of the loan.

(3) Upon the said sum of 5,400 pounds being raised, the Board shall in each year include in the estimate to be prepared under section 10 of the said Act the annual or half-yearly instalments payable by the said Board in each year in respect of the said money borrowed as though such instalments were expenditure required to be shown in such estimate.

44 Section 28 of Timaru Harbour Board Act 1876 repealed

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

Electric-power Boards

45 Authorising Auckland Electric-power Board to effect a change over from direct to alternating current

Whereas the Auckland Electric-power Board (hereinafter called the **Board**) is supplying electrical energy to some consumers on the direct current system of supply and to other consumers on the alternating current system of supply:

And whereas the Board proposes to cease supplying electrical energy to consumers on the direct current system and instead to supply only on the alternating current system:

And whereas it is expedient to lay down the conditions subject to which the Board may cease supplying on the direct current system:

Be it therefore enacted as follows:

(1) Subject to the provisions of this section, the Board is hereby authorised to discontinue at such time or times as it deems necessary the supply of direct current to any consumer.

(2) The Board shall not discontinue the supply of direct current to any consumer until such consumer has had sufficient notice of the date when such supply will be discontinued to enable him to adapt his installation to utilise alternating current or install other power, whichever he prefers, and until an adequate supply of alternating current is available to replace the direct current theretofore supplied to him.

(3) When the Board discontinues the supply of direct current to any consumer the Board shall compensate the consumer in respect of any electrical wiring or appliances in use on the consumer's premises to the extent of any loss of value of such wiring or appliances that may be due to the change in the system of supply.

(4) Where any dispute arises between the Board and any consumer as to the amount of compensation payable by the Board under the provisions of the last preceding subsection, such dispute shall be referred to an Appeal Committee, consisting of 1 representative appointed by the Board, 1 representative appointed by the consumer, and the senior Stipendiary Magistrate of the City of Auckland, who shall be Chairman, and the decision of such Committee shall be final.

46 Proclamation altering boundaries of Malvern and Springs-Ellesmere Electric-power Districts declared to have been validly issued

Whereas by a Proclamation (hereinafter referred to as the **said Proclamation**), dated 14 April 1930 and published in the *Gazette* of 17 April, the boundaries of

the Malvern and Springs-Ellesmere Electric-power Districts were declared to be altered by the exclusion of the area described in subsection (3) (hereinafter referred to as the **said area**) from the Malvern Electric-power District and the inclusion of the said area in the Springs-Ellesmere Electric-power District:

And whereas doubts have arisen as to the validity of the said Proclamation by reason of the fact that at the date of the said Proclamation the said area was not in fact within the Malvern Electric-power District:

And whereas the Springs-Ellesmere Electric-power Board (hereinafter called the **Board**) has constructed electric lines and other electric works, and made a special rate, and taken certain other actions in respect of the land comprised in the said area:

And whereas it is desirable to validate the said Proclamation and the actions of the Board as aforesaid:

Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary contained in the Electric-power Boards Act 1925, the said Proclamation is hereby validated and confirmed as from the date thereof, and shall be deemed to have had effect according to its tenor.

(2) All electric lines and other electric works at any time heretofore constructed, all rates made, and generally all things at any time heretofore done by the Board in respect of the said area shall be deemed to have been lawfully constructed, made, or done, as the case may be, and shall have effect as if at all such times the said area had been lawfully included within the Springs-Ellesmere Electric-power District.

(3) The area to which this section relates is particularly described as follows:

All that area in the Canterbury Land District: bounded by a line commencing from the centre of the intersection of the Burnham–Aylesbury Road and the Great South Road, and proceeding thence in a south-westerly direction along the middle of the Great South Road to the middle of the Selwyn River; thence in a south-easterly direction along the middle of the said river to the Main South Road to a point where the traffic-bridge crosses the said river; thence in a north-easterly direction along the Main South Road to the intersection of the Burnham Road and the Main South Road; from thence to the starting point: as the said area is more particularly delineated on the plan marked PWD 77921, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured blue.

River and Drainage Boards

47 Authorising Auckland and Suburban Drainage Board to raise a loan of £30,000

[Repealed]

Section 47: repealed, on 1 February 1945, by section 77(1) of the Auckland Metropolitan Drainage Act 1944 (1944 No 8 (L)).

48 Authorising Auckland and Suburban Drainage Board to raise a special loan of £4,500

[Repealed]

Section 48: repealed, on 1 February 1945, by section 77(1) of the Auckland Metropolitan Drainage Act 1944 (1944 No 8 (L)).

49 Provision with respect to raising of a loan of £104,000 by Auckland and Suburban Drainage Board

[Repealed]

Section 49: repealed, on 1 February 1945, by section 77(1) of the Auckland Metropolitan Drainage Act 1944 (1944 No 8 (L)).

50 Validating certain rates made and levied by Mangapu Drainage Board

Whereas the Mangapu Drainage Board (hereinafter called the **Board**) made and levied certain general rates for the years ended on 31 March 1928, 31 March 1929, 31 March 1931, 31 March 1933, 31 March 1934, 31 March 1935, and 31 March 1936:

And whereas a large percentage of such rates has been paid:

And whereas such rates were made and levied for a greater amount than the Board was authorised by law to make and levy:

And whereas it is advisable to validate the making and levying of such rates, and to authorise the Board to make and levy rates on the same basis for the year ending on 31 March 1937:

Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in the Rating Act 1925, the Land Drainage Act 1908, or any other Act, all general rates made and levied by the Board for the years ended on 31 March 1928, 31 March 1929, 31 March 1931, 31 March 1933, 31 March 1934, 31 March 1935, and 31 March 1936 are hereby validated and declared to have been lawfully made and levied.

(2) The Board is hereby authorised to make and levy for the year ending on 31 March 1937 a general rate, not exceeding 3 pence in the pound, on the land classified in accordance with section 33 of the Land Drainage Act 1908 as “A” lands; a general rate, not exceeding 2 pence in the pound, on lands so classified as “B” lands; and a general rate, not exceeding 1 penny in the pound, on lands so classified as “C” lands.

51 Authorising purchase of certain land by the Ellesmere Lands Drainage Board on the instalment system

Whereas the Ellesmere Lands Drainage Board (hereinafter called the **Board**) is desirous of purchasing all that parcel of land situated in Block V of the Halswell Survey District, containing 6 acres 3 roods and 10 perches, being part of Lot 3 on deposited plan Number 1597, part of Rural Section 1172, being the whole of the land comprised and described in certificate of title, Volume 192, folio 105 (Canterbury Registry), for the purpose of providing a residence and office for the Secretary of the Board, upon terms providing for payment of the purchase money by instalments over a period of 5 years and for payment of interest on the unpaid purchase money:

And whereas the Board proposes to pay the instalments of purchase money and interest out of its General Fund:

And whereas there is no statutory authority for the Board to purchase the said land by instalments and for the payment of the purchase money and interest thereon from its General Fund:

And whereas it is expedient that the Board shall be authorised to purchase the said land upon the aforesaid terms and to pay the purchase money and interest thereon from its General Fund:

Be it therefore enacted as follows:

(1) Subject to the prior approval of the Minister of Internal Affairs, the Board may purchase the land hereinbefore described for the purpose of providing a residence and office for the Secretary of the Board, upon terms providing for the payment of the purchase money to be made by instalments extending over a period of 5 years, and interest at such rate as the Minister approves, may be paid by the Board in respect of any portion of the purchase money that may for the time being be unpaid.

(2) The Board may from time to time pay the amount of the purchase money, together with interest as aforesaid, and the costs and expenses incidental to the purchase of the said land from its General Fund.

52 Authorising Lower Mangapiko Drainage Board to revert to former classification list for purpose of levying certain special rates

Whereas the Lower Mangapiko Drainage Board has raised the following loans,—

(a) the sum of 2,500 pounds, borrowed from the Public Trustee in the year 1919:

(b) the sum of 250 pounds, borrowed from the Public Trustee in the year 1921:

(c) the sum of 800 pounds, borrowed from the State Advances Superintendent in the year 1921:

(d) the sum of 2,500 pounds, borrowed from the State Advances Superintendent in the year 1923:

(e) the sum of 250 pounds, borrowed from the State Advances Superintendent in the year 1925:

(f) the sum of 1,000 pounds, borrowed from the Public Trustee in the year 1926,—

and as security for each of the said loans made and levied in accordance with the provisions of the Land Drainage Act 1908, certain special differential rates on the rateable value of the rateable properties in the district as classified in the year 1917:

And whereas in the year 1930 the Board adopted a new classification list in respect of the land in its district and has since that year been levying the said special differential rates on the basis of such new classification as required by law, but the rates levied on such basis are not sufficient to provide the amount of the annual charges on the said loans:

Be it therefore enacted as follows:

Notwithstanding anything contained in the Land Drainage Act 1908, the Rating Amendment Act 1935, or any other Act, the Lower Mangapiko Drainage Board shall so long as any moneys remain owing on any of the said loans levy the rates appropriated and pledged as security for such loans on the basis of the classification of the land in the Board's district made in the year 1917.

53 Validating proceedings in connection with Flood Damage Repairs Loan, 1934, of £12,000, raised by Waimakariri River Trust and making further provision with respect thereto

Whereas by Order in Council made on 3 December 1934, and published in the *Gazette* of 6 December 1934, His Excellency the Governor-General, in pursuance of the powers conferred upon him in that behalf, did consent to the raising by the Waimakariri River Trust (hereinafter called the **Trust**) of a loan of 12,000 pounds, to be known as Flood Damage Repairs Loan, 1934, at a rate of interest not exceeding 3.5% per annum, and one of the terms of such consent was that the said loan or any part thereof, together with interest, should be repaid by equal aggregate annual or half-yearly payments extending over the period of 7 years:

And whereas the Trust, being unable to borrow the moneys authorised on the exact terms set out in the said Order in Council, and not requiring the said sum of 12,000 pounds for immediate expenditure, arranged loans aggregating that amount on the terms set out in the debentures hereinafter referred to, and from time to time received progress payments on account of such loans, all of which loans are repayable with interest within the said period of 7 years:

And whereas the Trust has paid to the respective holders of the said debentures interest on the said loans at the same rates respectively as those set out in the

debentures hereinafter referred to up to the date on which the interest on the said debentures commenced to run:

And whereas the said Trust has executed 4 debentures as hereinafter mentioned, that is to say—

(a) a debenture dated 10 July 1935 in favour of bearer, for the sum of 6,857 pounds, repayable by 8 half-yearly payments of 857 pounds 2 shillings and 6 pence each, the last instalment being payable on 23 February 1939 and bearing interest at the rate of 3.25% per annum, such interest being payable half-yearly:

(b) a debenture dated 29 July 1935 in favour of bearer, for the sum of 2,572 pounds, repayable by 3 instalments of 857 pounds 6 shillings and 8 pence each on 23 August 1939, 23 February 1940, and 23 August 1940, and bearing interest at the rate of 3.25% per annum, such interest being payable half-yearly:

(c) a debenture dated 11 July 1935 in favour of bearer, for the sum of 2,271 pounds, repayable by one instalment of 557 pounds on 23 February 1941 and 2 instalments each of 857 pounds on 23 August 1941, and 3 December 1941, and bearing interest at the rate of 3.5% per annum, such interest being payable half-yearly:

(d) a debenture dated 11 July 1935 in favour of bearer, for the sum of 300 pounds, repayable in one sum on 23 February 1941, and bearing interest at the rate of 3.5% per annum, such interest being payable half-yearly:

And whereas the proceeds from the said loan were expended in the Waimakariri Special Loan Area (constituted and defined by the Trust on 11 December 1928) and it is just and equitable that all future instalments in repayment of the said loan and in payment of the interest thereon should be charged upon and be payable out of a special annually recurring rate upon the lands in the said Waimakariri Special Loan Area according to the classification thereof by the Trust which is in force for the purposes of the Waimakariri River Improvement Loan, 1928, and not by way of a uniform rate over the whole of the rateable lands in the said district:

Be it therefore enacted as follows:

(1) The borrowing of the said sums of 6,857 pounds, 2,572 pounds, 2,271 pounds, and 300 pounds, and the receipt of the said progress payments on account thereof, and the rearrangement of the said loans for the periods and upon the terms and conditions set out in the said debentures, and the execution of the said debentures and the payments of interest made by the Trust for the broken periods hereinbefore referred to, are hereby validated and declared to have been lawfully paid, done, and executed.

(2) The Trust is hereby authorised and empowered (without in any manner affecting or impairing the rights of the holders of the said debentures or the power of the Trust to pay the said instalments and interest out of its revenue or

out of any special rate which it may levy for the purpose over the whole of the rateable lands in the said district) to make, levy, and collect, or direct to be made, levied, and collected, on all rateable lands in the said Waimakariri Special Loan Area according to the said classification for the purpose of paying and securing the payment of all future instalments in repayment of the said loan and the payment of the interest thereon a special annually recurring rate of one-hundred-and-eighteen ten-thousandths of a penny in the pound on the capital value of all rateable lands in Class A in the said classification, of one-hundred-and-eighteen eleven-thousandths of a penny in the pound on the capital value of all rateable lands in Class B in the said classification, and of one-hundred-and-eighteen twelve-thousandths of a penny in the pound on the capital value of all rateable lands in Class C in the said classification.

54 Authorising Waimakariri River Trust to make and levy a special rate over a defined area of the Waimakariri River Trust District

Whereas the Waimakariri River Trust (hereinafter called the **Trust**) has obtained the necessary sanction and consents under section 7 of the Local Bodies' Finance Act 1921–22, and the Local Government Loans Board Act 1926, to raise a loan of 1,500 pounds, to be known as "the Flood Relief Loan, 1936" (hereinafter referred to as the **said loan**), for a period of 7 years, at a rate of interest not exceeding 3 pounds 10 shillings per centum per annum, for the purpose of repairing damage caused by floods in the Eyre and Cust Rivers within the Eyre-Cust Special Loan Area:

And whereas it is just and equitable that the instalments in repayment of the said loan and the interest thereon should be charged upon and be payable out of a special annually recurring rate, for a period of 7 years, levied upon all rateable lands in the Eyre-Cust Special Loan Area constituted and defined by the Trust on 18 January 1926 according to the classification by the Trust of such lands which is in force for the purposes of the Eyre-Cust special loan of 45,000 pounds, and not by way of a uniform rate over the whole of the rateable lands in the Waimakariri River Trust District:

Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in the Local Bodies' Finance Act 1921–22, the Trust is hereby authorised and empowered to make, levy, and collect, or direct to be made, levied, and collected, on all rateable lands in the said Eyre-Cust Special Loan Area for the purposes of paying and securing the repayment of the said loan and interest thereon, a special annually recurring rate of three-hundred-and-forty ten-thousandths of a penny in the pound on the capital value of all rateable lands in Class A in the said classification, of two-hundred-and-ninety-seven ten-thousandths of a penny in the pound on the capital value of all rateable lands in Class B in the said classification, and of two-hundred-and-fifty-five ten-thousandths of a penny in the pound on the capital value of all rateable lands in Class C in the said classification, but to the extent to which such special annually recurring rates may be insufficient for the

purposes aforesaid the amount of such deficiency shall be a charge upon and payable out of the general revenues of the Trust.

(2) The Trust is hereby authorised and empowered, out of the proceeds of the said loan, to repay to its General Fund all moneys, not exceeding a total of 1,500 pounds, which it may have or may hereafter pay or advance out of its General Fund for the purpose of repairing the said flood damage.

Fire Board

55 Authorising Dunedin Metropolitan Fire Board to pay a retiring allowance to the Superintendent of the Board

The Dunedin Metropolitan Fire Board is hereby empowered to pay out of its General Account the sum of 100 pounds to Joseph Jeremiah Salmon, formerly Superintendent of the Board, as a retiring allowance.

Affecting 2 or more classes of public bodies

56 Authorising certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service, Incorporated

The local authorities mentioned hereunder are authorised and empowered to pay to the New Zealand Free Ambulance Transport Service (Wellington District), Incorporated, in the year ending on 31 March 1937, such sums as they think fit, not exceeding in any case the respective amounts hereinafter specified—namely, the Wellington Hospital Board, 1,000 pounds; the Wellington Harbour Board, 300 pounds; the Hutt County Council, 150 pounds; and the Makara County Council, 86 pounds.

57 Provision with respect to payment of contributions by certain local authorities towards cost of construction of public highway

Whereas the Minister of Public Works has agreed to undertake the construction of a public highway in or along the Waitakere Ranges within the County of Waitemata:

And whereas such highway when completed will be for its greater part a scenic drive and it is anticipated will be used in great measure by the inhabitants of local districts outside the County of Waitemata:

And whereas the Minister agreed to construct the said highway on the condition that the local authorities of such districts contribute a total sum of 14,500 pounds towards the cost of constructing the said highway, the total cost of which is estimated at 93,000 pounds:

And whereas it is desirable to authorise the local authorities mentioned in subsection (7) to contribute towards such cost and to confer on them certain other powers to enable such contributions to be made:

And whereas the Auckland City Council has agreed with the Minister to pay to him the said sum of 14,500 pounds in anticipation of recovering from the other local authorities the contributions which they may agree to make towards the cost of the said highway:

Be it therefore enacted as follows:

(1) Each of the local authorities mentioned in subsection (7) is hereby authorised and empowered to pay as its contribution towards the cost of the construction of the said highway such amount as such local authority may agree upon.

(2) For the purpose of enabling such local authorities to pay their respective contributions towards the cost of the said highway each of such local authorities respectively is hereby authorised and empowered by special order and without taking the steps described in sections 9 to 13 of the Local Bodies' Loans Act 1926 to raise a special loan for a sum not exceeding the amount which such local authority has agreed to contribute towards the cost of the said highway.

(3) The Auckland City Council (hereinafter called the **Council**) may from time to time lend to any of the other local authorities mentioned in subsection (7), and such local authorities respectively may borrow from the Council by way of special loan, such respective sums of money as each local authority may desire to borrow and upon such terms and conditions as may be agreed upon for the purpose of enabling such local authorities to pay their respective contributions towards the cost of the construction of the said highway.

(4) The amount which the Council is authorised to raise by special loan under subsection (2) may be increased by the Council from time to time by the amount or amounts which it may from time to time agree to lend or advance to other local authorities under subsection (3), and also by such further amount as the Council may determine for the purpose of paying the costs of and incidental to the raising of such special loan.

(5) The Council shall pay to the credit of the Public Account the said sum of 14,500 pounds by 4 equal half-yearly payments of 3,625 pounds each, the first of such payments to be made within a period of 6 months from the passing of this Act or within such further period as the Minister may allow, and in the event of default in such payment shall pay interest on such sum, at a rate to be determined by the Minister, from the due date until the actual date of payment.

(6) The contributions agreed to be made by the local authorities herein referred to shall be payable to the Council.

(7) The local authorities to which this section refers are as follows: Auckland City Council, Birkenhead Borough Council, Devonport Borough Council, Mount Albert Borough Council, Mount Eden Borough Council, New Lynn Borough Council, Newmarket Borough Council, Northcote Borough Council, Onehunga Borough Council, One Tree Hill Borough Council, Otahuhu Borough Council, Takapuna Borough Council, Ellerslie Town Board, Glen Eden Town Board, Helensville Town Board, Henderson Town Board, Howick Town Board, Papa-

toetoe Town Board, Manukau County Council, Waitemata County Council, Mount Roskill Road Board, Mount Wellington Road Board, Panmure Township Road Board.

(8) Subject to the provisions of subsection (5), the powers conferred by this section may be exercised at any time and from time to time within 3 years from the passing of this Act, and not afterwards.

58 Vesting interest in certain land in the Corporation of the One Tree Hill Borough

Whereas the Corporation of the Borough of Onehunga and the Corporation of the Manukau Water-supply District were at the date of the passing of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917 and still are registered as proprietors of an estate in fee simple as tenants in common in equal shares in all that piece of land more particularly described in subsection (3):

And whereas by section 37 of that Act it was enacted, inter alia, that the Manukau Water-supply Board should, as from 30 November 1917, be dissolved and cease to exist, and that the assets and liabilities of the Manukau Water-supply Board should be transferred to and taken over by the One Tree Hill Road Board and the Auckland City Council in such shares as should be agreed upon between those 2 bodies, with power to sell or otherwise dispose of any of the said assets as may be agreed upon between them:

And whereas by Agreement bearing date 8 October 1917, and made between the Manukau Water-supply Board, the One Tree Hill Road Board, and the Auckland City Council it was agreed by and between the parties that the assets of the Manukau Water-supply Board comprised in the First Schedule of the Agreement should be transferred to the One Tree Hill Road Board and the assets comprised in the Second Schedule of the Agreement should be transferred to the Auckland City Council:

And whereas the estate or interest of the Corporation of the Manukau Water-supply District in the said land formed part of the assets comprised in the said First Schedule and was intended to be transferred to the Corporation of the One Tree Hill Road District in pursuance of the said Agreement:

And whereas the Manukau Water-supply Board was dissolved and ceased to exist as from 30 November 1917 without having executed a transfer to the Corporation of the One Tree Hill Road District of its estate in the said land:

And whereas by Proclamation dated 5 March 1930, and published in the *Gazette* of 13 March, the One Tree Hill Road District was constituted a borough on and from 1 April 1930 under the name of the Borough of One Tree Hill:

And whereas it is desired to vest the estate of the Corporation of the Manukau Water-supply District in the said land in the Corporation of the Borough of One Tree Hill:

Be it therefore enacted as follows:

(1) The estate of the Corporation of the Manukau Water-supply District in the land described in subsection (3) is hereby vested in the Corporation of the Borough of One Tree Hill.

(2) The District Land Registrar for the Auckland Land District is hereby directed, on the application in writing by the One Tree Hill Borough Council, to issue in the name of the Corporation of the Borough of Onehunga and the Corporation of the Borough of One Tree Hill as tenants in common in equal shares a certificate of title for the said land.

(3) The land to which this section relates is particularly described as follows:

All that piece or parcel of land, containing 8 acres 2 roods and 19 perches, more or less, being Section 100A of the Parish of Otau, and the balance of the land comprised in certificate of title, Volume 179, folio 194, Auckland Registry.

59 Wellington Harbour Board authorised to grant lease of certain land to Wellington City Council

[Repealed]

Section 59: repealed, on 22 December 1980, by section 10(3) of the Local Legislation Act 1980 (1980 No 160).

60 Authorising the Waitomo County Council to pay a certain sum to the Mangapu Drainage Board

Whereas in or about the year 1917 the Waitomo County Council obtained certain grants and subsidies for the purpose of clearing and poisoning willows in the Mangaokewa and Mangapu Streams:

And whereas of such grants and subsidies the sum of 70 pounds 12 shillings and 10 pence remains unspent:

And whereas the Mangapu Drainage Board is now engaged in the clearing and poisoning of the willows in the said streams, and it is desired by the Waitomo County Council to pay and transfer to the said Mangapu Drainage Board the said sum of 70 pounds 12 shillings and 10 pence:

Be it therefore enacted as follows:

The Waitomo County Council is hereby authorised and empowered to pay to the Mangapu Drainage Board the said sum of 70 pounds 12 shillings and 10 pence to be expended by the Board for the purpose of clearing and poisoning willows in the Mangaokewa and Mangapu Streams.

61 Varying annual contribution of Green Island Borough Council to Dunedin Metropolitan Fire Board

[Repealed]

Section 61: repealed, on 11 October 1949, by section 87 of the Fire Services Act 1949 (1949 No 18).

62 Authorising raising of loan of £51,000 for purchase of site of offices of Wellington Education Board and Technical School by Wellington City Council

Whereas by section 67 of the Local Legislation Act 1928 the Education Board of the District of Wellington (hereinafter called the **Board**) was authorised to sell the land described in subsection (6) of that section:

And whereas the Wellington City Council (hereinafter called the **Council**) has agreed to purchase from the Board and the Board has agreed to sell to the Council the said land for the sum of 51,000 pounds:

Be it therefore enacted as follows:

(1) The Council is hereby authorised to purchase the said land and to raise a special loan, not exceeding 51,000 pounds, by way of special order and without taking the steps prescribed by sections 9 to 13 of the Local Bodies' Loans Act 1926, to meet the purchase money payable in respect of such purchase.

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

63 Authorising Napier Borough Council to refund certain rates to Napier Harbour Board

The Napier Borough Council is hereby authorised to refund to the Napier Harbour Board the sum of 248 pounds 4 shillings and 3 pence, being a portion of the rates and the penalties on overdue rates paid by the Napier Harbour Board in respect of the period commencing on 1 April 1932 and ending on 31 March 1936, and levied in respect of the Port Ahuriri Lagoon Reserve, which includes the area known as the North Pond.

64 Provision for levying certain rates in Taieri County on previous valuations

Whereas the valuation rolls relating to lands in the Taieri County as at 31 March 1936 have been revised:

And whereas it is not expedient in respect of the year ending on 31 March 1937 to rate the lands in the Outram or in the Maungatua Ridings of the said county on the values appearing on the revised rolls:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, any rates levied by any local authority on any lands situated within the Outram or the Maungatua Ridings of the Taieri County shall, in so far as such rates are levied on a valuation basis, be levied in respect of the year ending on 31 March 1937, on the values appearing on 30 March 1936, on the valuation rolls relating to the lands in the said ridings, and any such rates that have been so levied before the passing of this Act shall be deemed to have been lawfully levied.

65 Authorising Thames Harbour Board to grant lease of certain land

Whereas the Thames Harbour Board, the Thames Borough Council, the Thames County Council, and the Hauraki Plains County Council have combined to establish an aerodrome pursuant to the provisions of the Local Authorities Empowering (Aviation Encouragement) Act 1929:

And whereas the Thames County Council, pursuant to the provisions of subsection (2) of section 8 of the said Act, has been appointed the local authority in which the aerodrome shall vest:

And whereas the Thames Harbour Board has granted a lease to the Thames County Council of the lands hereinafter described for the purpose of the establishment and maintenance of an aerodrome:

Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act, the Thames Harbour Board shall be deemed to have had power to grant the said lease, which shall be binding on the parties thereto and for all purposes have effect according to its tenor.

(2) The land to which this section relates is more particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 66 acres 3 roods and 28 perches, more or less, being part of Section 3, Block VII, Thames Survey District, as shown on plan No 26269, deposited in the office of the District Land Registrar at Auckland, and being part of the land comprised in certificate of title, Volume 179, folio 217 (Auckland Registry).

(3) The District Land Registrar at Auckland is hereby directed and empowered to register the said lease.

66 Certain local authorities authorised to contribute towards cost of Thorndon Overbridge

Whereas the Minister of Public Works proposes to erect a ramp or overbridge over the Government Railway in Wellington, connecting Waterloo Quay Extension with the Hutt Road, in the position shown on a plan deposited in the office of the Minister of Public Works at Wellington as PWD No 93605, and to construct the said work (including approaches and street works in connection therewith) in accordance with the said plan and with specifications prepared in conformity therewith:

And whereas the local authorities hereinafter mentioned have agreed to contribute towards the cost of the said works the respective amounts hereinafter specified:

And whereas it is necessary to authorise the said local authorities to contribute towards the cost of the said works and to raise special loans as hereinafter provided in connection with their contributions:

Be it therefore enacted as follows:

(1) On the completion by the Minister of Public Works of the works hereinbefore referred to there shall be payable to the Crown by each of the local authorities hereinafter mentioned, towards the cost of the said works, the respective amounts hereinafter specified, namely: by the Wellington City Council, the sum of 8,145 pounds; by the Petone Borough Council, the sum of 675 pounds; by the Lower Hutt Borough Council, the sum of 985 pounds; by the Upper Hutt Borough Council, the sum of 239 pounds; by the Eastbourne Borough Council, the sum of 141 pounds; by the Johnsonville Town Board, the sum of 107 pounds; by the Hutt County Council, the sum of 537 pounds; by the Makara County Council, the sum of 171 pounds.

(2) Each such amount shall constitute a debt payable by the local authority to the Crown, and shall be recoverable accordingly.

(3) Each of such local authorities may pay the amount specified or any part thereof out of its ordinary funds, or may, under the provisions of the Local Bodies' Loans Act 1926, by ordinary resolution, and without taking the steps prescribed by sections 9 to 13 of that Act, raise a special loan for the purpose of providing funds for the payment of such amount or any part thereof.

(4) Any moneys borrowed pursuant to this section shall, for the purposes of section 12 of the Local Government Loans Board Act 1926, be deemed to be moneys borrowed by the local authority for the purpose of meeting liabilities imposed by this section.

67 Validating agreement between Pongaroa Rabbit Board and Māori Trustee

Whereas by agreement, bearing date 8 July 1935, made between the Pongaroa Rabbit Board (hereinafter called the **Board**) and the Māori Trustee, the Board agreed to pay to the Māori Trustee out of its funds certain moneys to be applied by the Māori Trustee in the destruction of rabbits on certain Maori lands within the district of the Board:

And whereas it is doubtful whether the Board is empowered by law to make the said agreement:

And whereas it is desirable that the said agreement and all payments made by the Board thereunder should be validated:

Be it therefore enacted as follows:

The said agreement, bearing date 8 July 1935, made between the Board and the Māori Trustee is hereby validated and deemed to have had effect according to its tenor, and all payments heretofore made by the Board out of its funds in pursuance of the said agreement are hereby validated and declared to have been lawfully made.

Section 67 heading: amended, on 27 November 1947, pursuant to section 5(3) of the Maori Purposes Act 1947 (1947 No 59).

Section 67: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 67: amended, on 27 November 1947, pursuant to section 5(3) of the Maori Purposes Act 1947 (1947 No 59).

68 Validating refund of rates made by Waihopai Rabbit Board

Whereas the Waihopai Rabbit Board (hereinafter called the **Board**), by resolution dated 10 September 1934, made and levied for the year ended on 31 March 1935 a general rate varying in the different parts of the Board's District:

And whereas by an order of the Supreme Court the said rate was declared to be invalid and the Board was restrained from enforcing and collecting the same:

And whereas certain ratepayers in the Board's district had paid the said rate prior to the date of the said order:

And whereas the Board has refunded to the said ratepayers the amount of the rates so paid, and it is desirable to validate the action of the Board:

Be it therefore enacted as follows:

The payments made to the said ratepayers as a refund of the rates paid by them of sums amounting in all to 41 pounds 15 shillings are hereby validated and declared to have been lawfully made.

69 Authorising the Pigeon Bay Road Board to provide access to parts Rural Sections 25249 and 32152, Blocks IX and X, Pigeon Bay Survey District

Notwithstanding anything to the contrary in any Act, the Pigeon Bay Road Board is hereby authorised to expend during the financial year ending on 31 March 1937 a sum not exceeding 50 pounds, for the purposes of providing access to parts Rural Sections 25249 and 32152 owned by William Henry Ashworth, over part Rural Section 4388 occupied by Bernard Waghorn, and over parts Rural Sections 4388, 11295, and 36996 owned by David Norman Waghorn, all the said land being situated within Blocks IX and X, Pigeon Bay Survey District, Canterbury Land District.

70 Authorising Masterton Trust Lands Trustees to borrow sums amounting to £4,000 for certain purposes

[Repealed]

Section 70: repealed, on 4 September 1950, by section 39 of the Masterton Trust Lands Act 1950 (1950 No 5 (L)).

71 Authorising sale of site of Stokes Valley Public Hall by the Trustees thereof

Whereas Spensley Dickson Thomson and George Parker, both of Stokes Valley, in the County of Hutt, farmers, and Herbert Frederick Muir, of Stokes Valley, in the County of Hutt, builder, are registered as proprietors of all that piece of land situate in the County of Hutt, containing 1 rood, more or less, situate in the Town of Korau Extension Number 5, being part of Section 71, Hutt District, and being also Lot 232 on Deposited Plan 8382, and being all

the land comprised and described in certificate of title, Volume 381, folio 15 (Wellington Registry):

And whereas the said registered proprietors held such piece of land and the buildings thereon for the purposes of a public hall upon the trust contained in a certain Declaration of Trust, bearing date 12 September 1927:

And whereas the said Spensley Dickson Thomson died on or about 31 January 1936 and the said George Parker and Herbert Frederick Muir are the surviving Trustees under the said Declaration of Trust:

And whereas it is desirable in the interests of the inhabitants of Stokes Valley and surrounding district that the said piece of land should be acquired by the Hutt County Council (hereinafter called the **Council**) for the purposes of a public hall:

And whereas the said surviving Trustees are desirous of selling the said piece of land to the Council and the Council is desirous of purchasing the same:

And whereas doubts have arisen as to the power of the said surviving Trustees to sell such piece of land:

Be it therefore enacted as follows:

(1) It shall be lawful for the surviving Trustees under the aforesaid Declaration of Trust to sell the said piece of land to the Council for the purposes of a site for a public hall at such price and upon such terms and conditions as may be mutually agreed upon.

(2) Upon the exercise by the said surviving Trustees of the power of sale conferred upon them by the foregoing provisions of this section they shall cease to be Trustees of the said land, and thereupon the trust created by the aforesaid Declaration of Trust shall be deemed to be determined.

(3) All moneys received by the said surviving Trustees from the sale of the said piece of land shall be applied and paid in satisfaction of the liabilities existing in respect of the said piece of land as at the date of such sale.

Notes

1 General

This is a consolidation of the Local Legislation Act 1936 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26): section 202

Local Government (Rating) Act 2002 (2002 No 6): section 138(1)

Local Legislation Act 1980 (1980 No 160): section 10(3)

Masterton Trust Lands 1950 (1950 No 5 (L)): section 39

Fire Services Act 1949 (1949 No 18): section 87

Maori Purposes Act 1947 (1947 No 59): sections 2, 5(3)

Auckland Metropolitan Drainage Act 1944 (1944 No 8 (L)): section 77(1)

Local Legislation Act 1938 (1938 No 18): sections 4(5), 19(2)

Motueka Borough Council Empowering Act 1937 (1937 No 3 (L)): section 2(5)

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