

**Reprint  
as at 1 July 2003**



**Local Legislation Act 1940**

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**Note**

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

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

**This Act is administered by the Department of Internal Affairs.**

*City and borough councils*

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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 1940.

*County Councils*

**2 Further extending period of appointment of Commissioner for County of Matakaoa**

*[Repealed]*

Section 2: repealed, on 25 August 1943, by section 3(2) of the Local Legislation Act 1943 (1943 No 17).

**3 Validating proceedings in connection with portion of a loan of £26,000 raised by Awatere County Council**

Whereas the Awatere County Council (hereinafter called the **Council**) was authorised by Order in Council made on 19 August 1936, pursuant to section 11 of the Local Government Loans Board Act 1926, to raise a loan of 26,000 pounds known as the Awatere Water-supply Loan, 1936, for the purpose of providing a high pressure water supply for parts of the County of Awatere upon certain terms and conditions, one of such conditions being that no money should be borrowed under such authority after the expiration of 2 years from the date thereof:

And whereas the Council by resolution made on 7 April 1938 resolved to raise the said loan and, pursuant to such resolution, arranged to raise the said loan by instalments as required:

And whereas the authority conferred by the said Order in Council expired on 19 August 1938:

And whereas by Order in Council made on 13 September 1939 a fresh consent was issued authorising the Council to raise the balance then outstanding:

And whereas after 19 August 1938 but before 13 September 1939 the Council received instalments amounting to 10,900 pounds in respect of the said loan:

And whereas it appears that the Council had no authority to receive the said instalments amounting to 10,900 pounds, and

it is desirable that the raising of such amount of 10,900 pounds by the Council as aforesaid should be validated:

Be it therefore enacted as follows:

The action of the Council in raising the said sum of 10,900 pounds of the Awatere Water-supply Loan, 1936 is hereby validated, and the said moneys shall be deemed to have been lawfully borrowed and the securities given in respect thereof to have been lawfully issued.

**4 Provision with respect to moneys advanced by Southland County Council for certain works in the Waimumu Stream Drainage District**

*[Repealed]*

Section 4: repealed, on 1 July 2003, by section 138(1) of the Local Government (Rating) Act 2002 (2002 No 6).

**5 Authorising the Awatere County Council to raise a loan**

Whereas the Awatere County Council (hereinafter called the **Council**) was authorised by Order in Council made on 19 August 1936, pursuant to section 11 of the Local Government Loans Board Act 1926, to raise a loan of 26,000 pounds, known as the Awatere Water-supply Loan, 1936, for the purpose of providing a high pressure water supply for parts of the County of Awatere:

And whereas, owing to necessary alterations in the said scheme and to increased costs in connection therewith, it has been found necessary to raise further moneys for the completion of the supply scheme and for paying incidental expenses in connection therewith, and it is desirable that the Council be authorised to raise such amount without taking a poll of ratepayers:

Be it therefore enacted as follows:

- (1) The Council is hereby authorised to raise a loan of 7,000 pounds to be known as the Awatere Water-supply Loan, 1940, 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 the completion of the Awatere water supply scheme aforesaid and for

paying the balance of the costs thereof and incidental expenses in connection therewith, such loan to be in substitution for the supplementary loan which the Council is authorised to raise under subsection (1) of section 19 of the said Act.

- (2) The Council is hereby authorised to repay to the County Fund from the said loan moneys any moneys advanced from that Fund, whether before or after the passing of this Act, in respect of the purposes for which the special loan referred to in the last preceding subsection may be raised.

**6 Provision with respect to transfer of moneys between riding accounts and the levying of rates by the Waitotara County Council**

Whereas by reason of extensive flood damage exceptional expenditure has been incurred in repairing and reinstating roads and bridges within the Tokomaru Riding of the Waitotara County and the expenditure in respect of such work was debited against the separate account of the said riding:

And whereas, by reason of reductions of the valuations of the rateable property within such riding, the rates which can lawfully be levied on land in that riding do not produce a greater sum than is required for essential maintenance works within the said riding, with the consequence that the separate account of the said riding is in debit:

And whereas it is deemed expedient, and the Waitotara County Council (hereinafter called the **Council**) has approved, that such exceptional expenditure should be apportioned among the separate accounts of certain other ridings as well as the said Tokomaru Riding as hereinafter provided, and that rates for the year ending on 31 March 1941 should be made and levied having regard to the apportionment of such expenditure:

Be it therefore enacted as follows:

- (1) The Council is hereby authorised to credit the separate account of the Tokomaru Riding with the sum of 1,620 pounds and to debit 700 pounds of such sum to the separate account of the Brunswick-Westmere Riding, 911 pounds of such sum to the separate account of the Waitotara Riding, and 9 pounds of such sum to the separate account of the Mosston Riding.

- (2) The Council is hereby further authorised to include in its estimates of expenditure for the year ending on 31 March 1941, as an amount required to cover the debit balance of the separate account of the Tokomaru Riding, the sum of 700 pounds in respect of the Brunswick-Westmere Riding, the sum of 911 pounds in respect of the Waitotara Riding, and the sum of 9 pounds in respect of the Mosston Riding; and no rate made and levied by the Council for the year ending on 31 March 1941 shall be invalidated on the ground that such rate was made and levied on the basis of such estimates of expenditure.

**7 Validating raising of loan and levying of rates by Awatere County Council**

Whereas the Awatere County Council (hereinafter called the **Council**) formed a special rating area, known as the Awatere Water-supply Special-rating Area:

And whereas the Council on 23 July 1936 took a poll of the ratepayers in the said district on a proposal to borrow the sum of 26,000 pounds for the purpose of constructing a high pressure water supply for the said Awatere Water-supply Special-rating Area:

And whereas by Order in Council dated 23 April 1937 and made under section 182 of the Counties Act 1920 the provisions relating to water supply contained in the Municipal Corporations Act 1933 were made to apply to the county:

And whereas doubts have arisen as to the validity of the said poll and the special rate made and levied as security for the said loan of 26,000 pounds:

And whereas it is desirable that such doubts should be resolved:

Be it therefore enacted as follows:

The poll of the ratepayers of the Awatere Water-supply Special-rating Area taken on 23 July 1936 on a proposal to raise the sum of 26,000 pounds as aforesaid is hereby declared to have been lawfully taken, and the special rate made and levied and to be levied by the Council for the repayment of

the moneys borrowed in pursuance thereof shall be deemed to be duly made and is hereby validated accordingly.

*City and borough councils*

**8 Making special provision with respect to land taken for widening Glenmore Street in the City of Wellington**

Whereas by a Proclamation dated 28 March 1929 all that piece of land situate in the City of Wellington containing 2 perches and six-tenths of a perch, more or less, being part of Lot 307 on Deposited Plan 1087, part Section 29, Karori District, being part of the land comprised in certificate of title, Volume 177, folio 137 (as the same is delineated on the plan marked PWD 74758, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured neutral), was taken for street-widening purposes and vested in the Mayor, Councillors, and Citizens of the City of Wellington (hereinafter called the **Corporation**) as from 16 April 1929:

And whereas the owner of the fee simple of the said land, Ellen Louisa Hunt, wife of Albert Henry Hunt, of Wellington, Railway Officer, has failed to make a claim for compensation within the period limited in that behalf by the Public Works Act 1928, and all her right and title to any compensation in respect of such land or for damage arising out of the street works for which such land was taken has absolutely ceased by reason of the provisions of that Act:

And whereas an agreement has been made between the said Ellen Louisa Hunt and the Corporation that the Wellington City Council shall on the passing of this Act pay to the said Ellen Louisa Hunt the sum of 108 pounds, and that the Corporation shall be freed and discharged from all actions, suits, proceedings, claims, and demands in respect of the said taking:

Be it therefore enacted as follows:

- (1) The Wellington City Council is hereby directed and empowered to pay to the said Ellen Louisa Hunt the said sum of 108 pounds.

- (2) The Corporation is hereby freed and discharged from all actions, suits, proceedings, claims, and demands whatsoever in respect of the taking of the said piece of land.

**9 Validating grant of £50 made by the Huntly Borough Council to the Glen Afton Relief Fund**

The expenditure by the Huntly Borough Council during the financial year ended on 31 March 1940 of the sum of 50 pounds in contributing to a fund established for the relief of dependants of persons killed in an accident at the Glen Afton Collieries is hereby validated and declared to have been lawfully made.

**10 Validating lease of certain land by Cambridge Borough Council**

Whereas that piece of land containing 9 acres 1 rood and eight and seven-tenths perches, more or less, being Lots 1 and 3 on Deposited Plan Number 11949, being Allotments 186, 186A, 187, 187A, 188, 188A, 189, 189A, 190, 190A, 191, 191A, 192, 193, 193A, 195, and 195A and part of Allotments 192A, 194, and 194A of the Town of Cambridge East, and part of the land comprised in certificate of title, Volume 48, folio 27, Auckland Registry, is vested in the Corporation of the Borough of Cambridge (hereinafter called the **Corporation**) as an endowment in aid of the borough funds:

And whereas by memorandum of lease dated 28 September 1917, and registered in the said Registry under Number 8386, the Corporation leased to the New Zealand Loan and Mercantile Agency Company, Limited, the Farmers' Co-operative Auctioneering Company, Limited, and Dalgety and Company, Limited (hereinafter called the **lessees**) all the said land for the term of 21 years commencing 1 July 1917, with a right of renewal for a further period of 21 years:

And whereas, relying on such right of renewal, the lessees made certain permanent improvements to the said land:

And whereas, in pursuance of such right of renewal, the Corporation, by memorandum of lease dated 11 March 1940, gave to the lessees a new lease of the said land for a further term of 21 years commencing on 1 July 1938:

And whereas doubts have arisen as to the validity of the said right of renewal and the validity of the said lease dated 11 March 1940:

Be it therefore enacted as follows:

The memorandum of lease dated 11 March 1940 made between the Corporation as lessor and the lessees affecting the said land is hereby validated.

**11 Authorising transfer of certain credit balances to the General Account of Cromwell Borough Council**

Whereas the statement of balances of the Cromwell Borough Council (hereinafter called the **Council**) as at 31 March 1938 disclosed that the Borough of Cromwell was indebted in respect of 3 loans—namely, No 1 Loan, known as the Water Works Loan, raised under the Local Bodies' Loans Act 1908, and inscribed on 1 February 1909; No 2 Loan, known as the Water Works Loan, raised under the Local Bodies' Loans Act 1913, for a term of 42 years from 21 December 1916; No 3 Loan, known as the Water Works Loan, raised under the Local Bodies' Loans Act 1913, for a term of thirty-six and one-half years from 25 July 1921:

And whereas the special rate collected by the said borough up to 31 March 1939 in respect of the said loans had provided funds in excess of the amounts required for principal and interest in respect of the said loans to the following extent—namely, No 1 Loan, 2,022 pounds and 1 penny; No 2 Loan, 6 pounds 2 shillings and 10 pence; No 3 Loan, 688 pounds 17 shillings:

And whereas such excess collections were shown in the books of the Council as credit balances in the interest accounts of the respective loans:

And whereas No 1 Loan has been repaid in full and No 2 Loan and No 3 Loan have been converted by means of a conversion loan of 1,740 pounds from the State Advances Corporation for a term of 20 years from 15 December 1938, and such repayment and conversion respectively were completed prior to 31 March 1939:

And whereas the balances hereinbefore recited of special rates in respect of the said loans are now no longer required for the service of the said loans:

Be it therefore enacted as follows:

It shall be lawful for the credit balances of No 1 Loan Interest Account, No 2 Loan Interest Account, and No 3 Loan Interest Account, together with any further additions thereto which may accrue in the future through collection of arrears of rates, to be transferred to the General Account of the Council.

**12 Validation of lease of portion of Rongotai Aerodrome to the De Havilland Aircraft Co. of New Zealand, Ltd, and authorisation of new lease**

- (1) The lease dated 27 November 1939, registered under number 22181 in the Land Transfer Office at Wellington from the Mayor, Councillors, and Citizens of the City of Wellington to the De Havilland Aircraft Company of New Zealand, Limited, of the land described in subsection (3), a copy of which lease is deposited in the office of the Minister of Internal Affairs at Wellington, under No IA 105/80, is hereby validated.
- (2) The Wellington City Council is hereby authorised to lease to the De Havilland Aircraft Company of New Zealand, Limited, the land described in subsection (4) for a term of 20 years, with a right of renewal for one period of 21 years, at a rental of 74 pounds per annum for the first term of 20 years, but otherwise on the same terms and conditions as the lease mentioned in subsection (1).
- (3) The land referred to in subsection (1) is more particularly described as follows:

All that piece of land situate in the City of Wellington, containing 2 roods 12 perches and fifty-six one-hundredths of a perch, be the same a little more or less, being part of Lot 1 on Deposited Plan Number 2481, being part Section 13, Watts Peninsula District, being also part of the land comprised in certificate of title, Volume 428, folio 268, as the said piece of land is delineated on the plan deposited in the office of the Chief Surveyor at Wellington (SO 20339), and being thereon coloured red.

- (4) The land referred to in subsection (2) is more particularly described as follows:

All that piece of land situate in the City of Wellington, containing 1 rood 14 perches and thirty-six one-hundredths of a perch, be the same a little more or less, being part of Lot 1 on Deposited Plan Number 2481, being parts Sections 13 and 14, Watts Peninsula District, being also part of the land comprised in certificate of title, Volume 428, folio 268, as the said piece of land is delineated on a plan deposited in the office of the Chief Surveyor at Wellington (SO No 20339), and being thereon coloured neutral.

**13 Validating certain expenditure incurred by Newmarket Borough Council**

The expenditure by the Newmarket Borough Council, out of its General Fund, of the sum of 114 pounds 19 shillings and 9 pence in connection with the official opening of the Olympic Swimming Pool at Newmarket is hereby validated and declared to have been lawfully incurred.

**14 Authorising Invercargill City Council to set aside certain land as a site for a museum and art gallery**

Whereas by conveyance dated 25 January 1880, and registered as number 14805 in the office of the Registrar of Deeds at Invercargill, Her Majesty the Queen conveyed to the Mayor, Councillors, and Burgesses of the Borough of Invercargill (hereinafter called the **Corporation**) all that parcel of land containing 195 acres 3 roods 6 perches, more or less, being Section 22, Block I, Invercargill Hundred, and being the land usually known as Queen's Park, to be held by the Corporation in trust as a public park:

And whereas the Town of Invercargill has been declared a city, and the Invercargill City Council (hereinafter called the **Council**) desires to set apart portion of the said lands as a site for a public museum and art gallery:

And whereas doubts have arisen as to the power of the Council to use the said lands for this purpose:

Be it therefore enacted as follows:

The Council is hereby empowered to set aside and use as a site for a museum and art gallery all that parcel of land containing 1 rood thirty-nine and forty-three hundredths of a perch, more or less, being that portion of the said Section 22, Block I, Invercargill Hundred: commencing at a point 886 links east and 76.5 links north from the south-western corner of said Section 22; and bounded thence on the south by other part of the said Section 22 in a line running due east for a distance of 252 links; bounded thence on the east by other portion of the said Section 22 in a line running north for a distance of 197 links; thence on the north by other portion of the said Section 22 in a line running west for a distance of 252 links; and thence again on the west by other part of the said Section 22 in a line running due south a distance of 197 links to the point of commencement.

**15 Authorising remission of rates by Gisborne Borough Council**

Whereas the Gisborne Borough Council (hereinafter called the **Council**) is desirous of obtaining authority to remit arrears of rates amounting to 45 pounds 5 shillings and 5 pence, being the rates for the year ended on 31 March 1939, and also rates amounting to 40 pounds 19 shillings and 5 pence, being the rates for the year ended on 31 March 1940 (hereinafter collectively referred to as the **said rates**), the said rates being levied by the Council and being due and payable by the Gisborne and East Coast Young Men's Christian Association, Incorporated, in respect of that piece of land situated in the Borough of Gisborne, containing 1 rood 36 perches, being Lot 1, DP 3003, of 6A Fitzherbert Street, situated in Fitzherbert Street, in the Borough of Gisborne, and numbered 3228 on the district valuation roll for that borough:

And whereas the Council has no legal authority to make such remission:

Be it therefore enacted as follows:

The Council is hereby authorised to remit the sum of 86 pounds 4 shillings and 10 pence, being the total amount of the said rates, and to absolve the said association and the said lands from liability in respect thereof.

**16 Authorising diversion of certain moneys by Gisborne Borough Council**

Whereas the Gisborne Borough Council (hereinafter called the **Council**) holds sums of money amounting to 76 pounds 15 shillings and 3 pence (hereinafter referred to as the **said moneys**) in trust for the purpose of the relief of distress occasioned by earthquake in 1931:

And whereas the said moneys are not now required for the purpose for which they were received:

And whereas the several donors of the said moneys cannot now be ascertained and it is impracticable to make refunds to such donors:

And whereas it is expedient that the Council should be authorised to expend the said moneys for a purpose other than that for which the said moneys are held in trust:

Be it therefore enacted as follows:

The existing trust for which the said moneys are held by the Council is hereby discharged and the Council is authorised to expend the said moneys in or towards such purposes as the Council may deem fit relating to any scheme or schemes in connection with the taking of emergency precautions by the Council.

**17 Authorising Westport Borough Council to raise a special loan of £3,000**

Whereas the Westport Borough Council (hereinafter called the **Council**) has raised by way of special loan the sum of 11,500 pounds, together with a further sum of 1,150 pounds (being an additional 10% of the original loan) for the purpose of providing for the erection of a new Town Hall and Municipal Offices for the use of the Corporation of the Borough of Westport and the purchase of a certain piece of land being Section 1003, Town of Westport, adjoining the site of the said new Town Hall and Municipal Offices and to enlarge such site:

And whereas it is found that the total of the hereinbefore-mentioned sums of 11,500 pounds and 1,150 pounds will not be sufficient to enable the Council to complete the works for which the said loans were raised:

Be it therefore enacted as follows:

The Council is hereby authorised to raise a further special loan not exceeding 3,000 pounds 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 meeting the cost of completing the erection of a new Town Hall and Municipal Offices, and furnishing of same, and the purchase of Section 1003 adjoining the present Town Hall site.

**18 Authorising the proceeds of the sale or lease of certain lands in the Borough of Hamilton to be credited to the account of the Hamilton Borough Council Garden Place Loan, 1938**

Whereas under the powers conferred on it by the Municipal Corporations Act 1933, and the Hamilton Borough Council Empowering Act 1935, the Hamilton Borough Council (hereinafter called the **Council**) has carried out the work of levelling and forming the street known as Garden Place in the Borough of Hamilton, and the levelling of certain lands adjacent thereto:

And whereas there was included in such adjacent lands an area of closed street being originally portion of Garden Place:

And whereas under the aforementioned powers the Council acquired certain adjacent lands with dwellings and other buildings thereon, and removed and re-erected such buildings and dwellings on other lands vested in the Corporation of Hamilton, and otherwise improved such other lands:

And whereas the Council intends to close certain portions of Garden Place and to dedicate in lieu thereof other portions of the adjacent lands acquired as aforesaid:

And whereas the whole of the cost of the above-mentioned work has been paid out of the account of the Hamilton Borough Council Garden Place Loan, 1938:

And whereas it is just and expedient that the proceeds of the sale or the rents received from the lease of the area of closed street above mentioned, and of the portions of street intended to be closed, should be used for the purpose of reimbursing the said loan account or to meet the interest and sinking fund charges on the said loan:

And whereas it is also just and expedient that the revenues to be derived from the dwellings and other buildings removed and re-erected as aforesaid should be used to meet the interest and sinking fund charges in respect of the said loan account:

And whereas doubts have arisen as to the powers of the Council to use the moneys derived as aforesaid to reimburse the said loan account or to meet the interest and sinking fund charges thereon:

Be it therefore enacted as follows:

- (1) The Council is hereby empowered and authorised to sell or to lease in the manner provided by the Municipal Corporations Act 1933, or the Public Bodies' Leases Act 1908, such portions of the street known as Garden Place, heretofore closed or hereafter closed, and to pay the proceeds of such sale to the credit of the account of the Garden Place Loan, 1938, and to pay the rents received from the leasing of such portions of closed street to the credit of the Garden Place Loan 1938 Interest Account.
- (2) The Council is hereby empowered and authorised to pay the revenue heretofore or hereafter received in respect of the dwellings and other buildings removed from the lands adjacent to Garden Place and re-erected on other lands the property of the Corporation as aforesaid to the Garden Place Loan 1938 Interest Account, and all such payments heretofore made are hereby validated.

**19 Authorising Levin Borough Council to raise a loan of £16,000 for extending water supply system**

For the purpose of developing, improving, and extending the water supply system of the Levin Borough Council and extending the water mains thereto, the Levin Borough Council is hereby authorised to borrow an amount or amounts not exceeding in the aggregate a sum of 16,000 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.

**20 Authorising diversion of moneys received in respect of taking of land by Wanganui City Council**

Whereas all that piece or parcel of land situate in the City of Wanganui and being part of Reserve L, Town of Wanganui, Block V, Westmere Survey District, and part of the land comprised and described in certificate of title, Volume 463, folio 187 (Wellington Registry), and containing 2 acres 2 roods and ninety-four hundredths of a perch, more or less, forming part of the Town Belt of the City of Wanganui, is being taken by the Crown for housing purposes.

And whereas the said land is held by the Corporation of the City of Wanganui in trust for municipal purposes:

And whereas by section 156 of the Municipal Corporations Act 1933 it is provided that where land is vested in a Municipal Corporation in trust for any particular purpose or purposes, whether by or pursuant to any Act or any deed of trust or otherwise howsoever, all moneys paid on the sale of such land and received as the purchase money thereof must be applied in or towards the purchase of other lands to be held for the same purposes as affected the land taken or sold:

And whereas the Corporation is desirous of expending the whole or part or parts of the purchase money in respect of the said land, amounting to the sum of 800 pounds paid or payable in respect of the said land, for various purposes in and about the City of Wanganui and for the improvement thereof, and not wholly in acquiring other lands for municipal purposes as provided by the said Act:

And whereas it is desired that certain powers in respect of the application of the purchase money of the said lands should be given to the Corporation:

Be it therefore enacted as follows:

Notwithstanding the provisions of any Act, the Wanganui City Council may expend the whole or such part or parts of the purchase money paid on the taking of the said land in such of the following ways as the Council shall by resolution determine:

- (a) in the purchase or acquisition of lands for municipal purposes:

- (b) in the purchase or acquisition of recreation grounds, sports grounds, and playgrounds in addition to or in extension or enlargement of recreation grounds, sports grounds, or playgrounds at present existing in the City of Wanganui:
- (c) in the purchase of public gardens, ornamental or other grounds in addition to or in enlargement or extension of public gardens, ornamental or other grounds at present existing in the City of Wanganui:
- (d) in the purchase of grounds or lands for public reserves, domains, or national parks pursuant to the provisions of the Public Reserves, Domains, and National Parks Act 1928, in addition to or in extension or enlargement of any public domains, reserves, or national parks now existing in the City of Wanganui:
- (e) in the erecting, constructing, and completely furnishing of pavilions, hutments, grandstands, dressing sheds, shelter sheds, appointments, lighting appliances, or other conveniences on any lands now held by the Corporation for recreation, enjoyment, or sport, and whether held by the Corporation under the Public Reserves, Domains, and National Parks Act 1928, or otherwise howsoever.

**21 Special provision with respect to agreement made between the Westport Borough Council and the Westport Coal Company, Limited, for the supply of electricity**

Whereas the Westport Borough Council (hereinafter called the **Council**) has entered into a certain agreement bearing date 25 July 1940 with the Westport Coal Company, Limited (hereinafter called the **company**), a copy of which agreement is recorded in the office of the Department of Internal Affairs at Wellington under No IA 105/155:

And whereas the said agreement provides for the supply of electrical energy by the company to the Council upon the terms and conditions therein set forth:

And whereas, pursuant to the said agreement, the company is to erect a power transmission line from Denniston to Westport at a cost not exceeding 11,150 pounds:

And whereas it is provided by the said agreement that the cost of the said power transmission line and of certain other equipment, with interest thereon at the rate of 4 pounds 5 shillings per centum per annum computed with half-yearly rests, shall be repaid by the Council to the company by 30 equal half-yearly payments over the period of 15 years:

And whereas it is provided by the said agreement that on completion of the payments aforesaid the said power transmission line and equipment shall become the property of the Council:

And whereas it is further provided by the said agreement that the cost of the said power transmission line and equipment, with interest thereon at the rate aforesaid, shall be secured to the company by a series of debentures issued by the Council and a special rate to be pledged for the purpose:

And whereas it is desirable to make provision in manner hereinafter appearing:

Be it therefore enacted as follows:

- (1) The action of the Council in entering into the said agreement is hereby validated and declared to have been lawful.
- (2) The action of the Council in incurring the liability not exceeding the sum of 11,150 pounds and interest thereon as aforesaid is hereby validated, and the said moneys shall for all purposes be deemed to have been lawfully borrowed and owing by the Council.
- (3) All payments heretofore made or hereafter to be made by the Council in pursuance of the said agreement are hereby declared to be valid and within the powers of the Council.
- (4) The Council is hereby authorised to borrow for the purpose of meeting its obligations under the said agreement 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 11,150 pounds in accordance with the provisions of the said agreement.
- (5) Notwithstanding anything to the contrary contained in any Act, the Council is hereby authorised and empowered to issue a series of debentures for an amount not exceeding the sum of 11,150 pounds and interest thereon at 4 pounds 5 shillings per centum per annum and repayable by 30 equal half-yearly

instalments over a period of 15 years for the purpose of securing to the company the payment of the moneys aforesaid, and to make and levy a special rate as security for the said debentures.

Section 21: amended, on 26 October 1942, by section 19 of the Local Legislation Act 1942 (1942 No 17).

Section 21(2): amended, on 26 October 1942, by section 19 of the Local Legislation Act 1942 (1942 No 17).

Section 21(4): amended, on 26 October 1942, by section 19 of the Local Legislation Act 1942 (1942 No 17).

Section 21(5): amended, on 26 October 1942, by section 19 of the Local Legislation Act 1942 (1942 No 17).

**22 Authorising payment of compassionate allowance by Lyttelton Borough Council**

The Lyttelton Borough Council is hereby authorised and empowered to expend the sum of 100 pounds in payment of a compassionate allowance to the widow of the late Hugh Henry Joseph Barnard, formerly engineer of the Council.

**23 Validating sale of land by Patea Borough Council**

Notwithstanding anything to the contrary in any Act, it shall be deemed to have been lawful for the Patea Borough Council to sell all that land, being Section 16, Block XL, Borough of Patea, being part of the land contained in Crown grant, Volume 68, folio 116, in the Taranaki Registry, and to dispose of the proceeds of such sale in the manner provided in subsection (2) of section 4 of the Patea Borough Council Empowering Act 1930.

**24 Authorising Whakatane Borough Council to transfer certain land**

Whereas the Whakatane Borough Council (hereinafter called the **Council**) is seised of an estate in fee simple as a site for workers' dwellings under the provisions of Part 27 of the Municipal Corporations Act 1933 of certain lands situated within the Borough of Whakatane being all that parcel of land containing 3 acres, more or less, and being Lot Number 2 and Part Lot Number 6 on a plan deposited in the Land Registry Office

at Auckland under Number 9758, which said parcel of land is portion of Allotment Number 288, Parish of Waimana:

And whereas the Council has offered to transfer such land without consideration to the Crown for the purposes of the Housing Act 1919 and the Crown has accepted such offer and has entered into possession of the said land:

And whereas it is expedient that the Council be authorised to transfer the said land to the Crown for the purposes aforesaid:

Be it therefore enacted as follows:

- (1) The Council is hereby empowered to transfer to His Majesty the King the whole of the land hereinbefore described without consideration for the purposes of the Housing Act 1919.
- (2) No duty, fee, or charge payable under any Act shall be payable in respect of such transfer.

#### *Town Board*

#### **25 Provision with respect to overdraft incurred by Nightcaps Town Board**

Whereas the Nightcaps Town Board (hereinafter called the **Board**) having raised, under the provisions of the Local Bodies' Loans Act 1926, a loan of 800 pounds for the purpose of providing the Board's share of the cost of sealing main highways in the Board's district and constructing a concrete bridge over the Wairio Stream and a loan of 1,000 pounds for the purpose of making extensions and improvements to the Coronation Hall, Nightcaps, found that each of such loans was insufficient for carrying out the purpose thereof:

And whereas it is necessary for the Board to provide in the meantime and until payments are made to it by the Main Highways Board the whole of the cost of the sealing of such main highways:

And whereas as a consequence of the foregoing the Board, during its financial year ended on 31 March 1940, borrowed by way of overdraft an amount in excess of that authorised by section 3 of the Local Bodies' Finance Act 1921–22, with the result that the Board at the end of such financial year owed to its bankers the sum of 1,360 pounds 14 shillings and 11 pence,

being 416 pounds 14 shillings and 11 pence in excess of the amount authorised by the said Act to be then owing:

And whereas it is expedient that such excess borrowing should be validated, and that the Board should be empowered to borrow by way of overdraft such further moneys as are required for the purpose of completing the work of sealing such main highways, and that, until the Board is enabled by receiving from the Main Highways Board the share payable by that Board of the cost of such work and from its ordinary revenues, to reduce its overdraft to an amount within the limits prescribed by the Local Bodies' Finance Act 1921–22, the Board should be authorised to owe to its bankers by way of overdraft an amount in excess of the limit prescribed by that Act:

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in the Local Bodies' Finance Act 1921–22 or in any other Act—
  - (a) the excess overdraft incurred by the Board during the financial year ended on 31 March 1940, and during the period from the end of that financial year to the passing of this Act, shall be deemed to have been at all times lawfully incurred, and the action of the Board in incurring such excess overdraft is hereby validated:
  - (b) the Board shall be deemed to have been authorised to owe at the end of the financial year ended on 31 March 1940 to its said bankers by way of overdraft the sum of 1,360 pounds 14 shillings and 11 pence.
- (2) The Board is hereby authorised during the remainder of the financial year ending on 31 March 1941, and during any of the financial years ending on 31 March 1942 and 31 March 1943 respectively, to borrow from its bankers by way of overdraft and to owe to its bankers an amount in excess of that authorised by section 3 of the Local Bodies' Finance Act 1921–22:  
provided that the amount owing by the Board to its bankers under the authority of this section shall at no time exceed the amount authorised by the said Act from time to time to be borrowed or owing by the Board on overdraft by more than 1,700 pounds.

- (3) The Board shall repay any moneys owing or borrowed by it under the authority of this section on or before 31 March 1943.
- (4) Any excess overdraft authorised by this section shall not at any time heretofore be deemed to have been taken into account, nor shall any amount at any time lawfully owing under this section hereafter be taken into account, in determining the amount that may be borrowed or that may be owed by the Board pursuant to section 3 of the Local Bodies' Finance Act 1921–22.

### *Road Boards*

#### **26 Authorising Mount Roskill Road Board to borrow for erection of buildings**

Whereas the Mount Roskill Road Board (hereinafter called the **Board**) desires to erect within the Mount Roskill Road District a municipal building and to include therein suitable office accommodation for the purposes of the Board and its officers, a public hall, and shops, offices, and business premises:

And whereas doubts have arisen as to the extent of the powers conferred upon the Board by sections 96 and 198 of the Counties Act 1920:

And whereas it is desirable that the Board should have the powers hereinafter set forth:

Be it therefore enacted as follows:

The Board is hereby empowered and authorised—

- (a) to erect, construct, provide, and maintain within its district a municipal building and to provide therein—
  - (i) public offices with suitable furniture for the same for holding the meetings and transacting the business of the Board, and for the use of its officers:
  - (ii) a public hall adapted for cinematograph requirements, public amusements, and meetings, together with suitable furniture therefor:
  - (iii) shops, offices, and other suitable business premises, with all necessary fittings and fixtures as the Board shall think fit:

provided that this section shall not be deemed to authorise the Board to erect, construct, and provide shops, offices, and business premises to such an extent as to ren-

der the said building less suitable for the requirements of the Board and its officers or otherwise to make its principal purpose the provision of shops, offices, and business premises.

- (b) to let or lease the aforesaid public hall and the aforesaid shops, offices, and business premises, or any of them, at such rental for such term or terms upon such conditions and to such person or persons as it thinks fit.
- (c) with the consent of the ratepayers, to raise a special loan or loans under the Local Bodies' Loans Act 1926 for such amount or amounts as the Board shall think fit, and to expend the money so raised in the erection and construction of such building and in providing all necessary fittings, fixtures, and furniture therefor.
- (d) to make bylaws from time to time as it thinks fit governing the control, use, and management of the said building.

**27 Validating certain expenditure incurred by Mount Roskill Road Board**

The expenditure by the Mount Roskill Road Board of the sum of 10 pounds, being membership subscription to the Municipal Association of New Zealand, Incorporated, in respect of the financial year ended on 31 March 1939, and of the sum of 39 pounds 13 shillings and 3 pence on account of the expenses of the representatives of the Board in attending the annual conference of such association in the month of March 1939, is hereby validated and declared to have been lawfully made.

*Harbour Boards*

**28 Validating payment of compassionate allowance by Lyttelton Harbour Board**

The payment made by the Lyttelton Harbour Board of the sum of 50 pounds to John Kenneth McAlpine, a member of the said Board, as a compassionate allowance for injuries received by him as a result of a motor accident which occurred on 5 April 1939 while travelling from Craigieburn to Christchurch to attend a meeting of the Board is hereby validated and declared to have been lawfully made.

**29 Validating certain expenditure incurred by Auckland Harbour Board**

The expenditure of the sum of 129 pounds 10 shillings incurred by the Auckland Harbour Board during the financial year ending on 30 September 1940 in providing a luncheon to commemorate the inauguration of the Empire and Pan-American Airways Services to Auckland is hereby validated and declared to have been lawfully incurred.

**30 Authorising Oamaru Harbour Board to grant certain leases**

Whereas the Oamaru Harbour Board (hereinafter called the **Board**) is the registered proprietor of the lands described in subsection (3):

And whereas leases of the said lands have been heretofore granted or agreed to be granted or may hereafter be granted by the Board:

And whereas portion of the said lands has no frontage to a public street, but has a frontage to land used for access purposes and called Harbour Street, the fee simple to which is vested in the Board:

And whereas doubts have arisen as to whether such leases and agreements are valid, and it is desirable that such doubts be removed:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Works Act 1928, or in any other Act, the Board may lease the said lands to any person for any period not exceeding 21 years, notwithstanding any portion of the said land has no frontage to a public street.
- (2) The District Land Registrar of the District of Otago shall accept for registration any lease authorised by this section of the said lands or part thereof.
- (3) The lands to which this section relates are particularly described as follows:

All that parcel of land containing 3 acres 1 rood and 37 perches, more or less, being allotments numbered 1 to 29, both inclusive, and Harbour Street and 2 ways as delineated

on the plan deposited in the said Lands Registry Office at Dunedin as Number 88, the said land being the whole of the land comprised and described in certificates of title, Volume 294, folio 243, and Volume 295, folio 33, and part of the land comprised and described in certificate of title, Volume 181, folio 298, Otago Registry.

**31 Authorising Napier Harbour Board to sell certain land**

Whereas by virtue of section 2 of the Napier Harbour Board Act 1878 the lands described in subsection (2) of this section were vested in the Napier Harbour Board (hereinafter called the **Board**) for the use and benefit of the Harbour of Napier:

And whereas in or about the month of March 1927 the Board contracted and agreed with the Mayor, Councillors, and Burgesses of the Borough of Napier (hereinafter called the **Corporation**) for the sale to the Corporation of, inter alia, the said parcel of land for the sum of 1,900 pounds:

And whereas the said purchase money has been paid by the Napier Borough Council to the Board:

And whereas doubts have since arisen as to whether the said parcel of land is included in the area of land over which by virtue of section 4 of the Napier Harbour Board Amendment and Endowment Improvement Act 1899 the Board has power of sale:

And whereas it is expedient that such doubts should be removed and the Board be given such power of sale as is hereinafter contained:

Be it therefore enacted as follows:

- (1) The Board may sell and the Corporation may purchase the parcel of land described in subsection (2) at the price already agreed upon and paid by the said Council to the Board.
- (2) The land to which the last preceding subsection relates is more particularly described as follows:

All that parcel of land situated in the Provincial District of Hawke's Bay, containing by admeasurement 1 acre 6 perches, more or less, part of the Inner Harbour (Ahuriri Lagoon Reserve), in the Town of Napier, being also part of Lot 1 on Deposited Plan Number 2219, and being all the land in certificate

of title, HB Volume 87, folio 243 (Hawke's Bay Registry), as shown edged in green on plan marked MD 8010, and deposited in the office of the Marine Department at Wellington.

**32 Provision with respect to disposal of certain lands by Napier Harbour Board**

Whereas by virtue of section 4 of the Napier Harbour Board Empowering Act 1932–33 (hereinafter referred to as the **said Act**), the Napier Harbour Board (hereinafter called the **Board**) is empowered to sell, inter alia, portion of the lands secondly described in Schedule 1 of the said Act and to apply the purchase moneys arising from any such sale for the purposes in the said Act more particularly set forth:

And whereas upon development of the said lands for the purposes of sale or lease it has been found expedient to exclude from the aforesaid power of sale certain lands having an area of 38 acres 3 roods and six-tenths of a perch, being the lands more particularly described in subsection (3), and to include in the said power of sale certain adjoining lands having an area of 25 acres not now included therein, being the lands more particularly described in subsection (4):

Be it therefore enacted as follows:

- (1) There shall be excluded from the power of sale conferred upon the Board by section 4 of the Napier Harbour Board Empowering Act 1932–33 all that parcel of land more particularly described in subsection (3).
- (2) There shall be included within the power of sale conferred upon the Board by section 4 of the said Act all that parcel of land more particularly described in subsection (4).
- (3) The lands to which subsection (1) relate are more particularly described as follows:

Firstly, the whole of that area within the Napier Borough, being part of the Te Whare-o-Maraenui Block, and being Lot 209 on Deposited Plan Numbered 6598, and containing 2 acres and one and six-tenths of a perch, shown in blue on plan marked MD 8009, and deposited in the office of the Marine Department at Wellington.

Secondly, all that area within the Napier Borough, being part of the Te Whare-o-Maraenui Block, and being the whole of that part of Lot 210 on Deposited Plan Numbered 6598 as is comprised within the boundaries of Lot 2 on Deposited Plan Numbered 6187, and containing 17 acres and 3 roods, more or less, shown in blue on plan marked MD 8009 and deposited in the office of the Marine Department at Wellington.

Thirdly, all that piece or parcel of land situated in the Borough of Napier, and being Lot 4 and part of the Lot Numbered 2 on Deposited Plan Numbered 6187, containing 19 acres, more or less, and bounded as follows: Commencing at the southernmost corner of the said Lot 2 on Deposited Plan Numbered 6187; thence towards the south-west by the south-western boundary of the said Lot 2 to the intersection with the south-eastern boundary of Lot 246 on Deposited Plan Numbered 6421; thence towards the north-west by a right line to the easternmost corner of Lot 233 on the said Deposited Plan 6421; thence towards the south-west by the north-eastern boundary of the said Lot 233, and by that line extended across Kennedy Road, and by the north-eastern boundaries of Lots 25 and 68 on Deposited Plans 6391 and 6598 respectively, and by that line extended to the north-western side of Higgins Street; thence towards the north-west by that side of that street and by a right line, being that side extended to the north-eastern boundary of the said Lot 2 on Deposited Plan Numbered 6187; and thence towards the north-east and south-east by the north-eastern and south-eastern boundaries of the said Lot 2 to the commencing point, shown in blue on plan marked MD 8009 and deposited in the office of the Marine Department at Wellington.

- (4) The land to which subsection (2) relates is more particularly described as follows:

All that piece or parcel of land situated in the Napier Borough, and being parts of Lot 3 on Deposited Plan Numbered 6187 and parts of Sections 10R and 13R, Block IV, Heretaunga Survey District, containing 25 acres, more or less, and bounded as follows: Commencing at the westernmost corner of the said Lot 3 on Deposited Plan Numbered 6187; thence towards the north-west by the north-western boundary of the said Lot 3

to the westernmost corner of Lot 2 on Deposited Plan Numbered 6187; thence towards the north-east by the south-western boundary of the said Lot 2 to its intersection with the south-western boundary of Lot 210 on Deposited Plan Numbered 6598, thence again towards the north-east by that boundary of the said Lot 210 to the north-western side of Herrick Street; thence towards the north-west by that side of that street to the south-western boundary of the said Lot 2 on Deposited Plan Numbered 6187; thence towards the north-east by that boundary of the said Lot 2 to the south-eastern boundary of Lot 246 on Deposited Plan Numbered 6421; thence towards the south-east by the south-eastern boundaries of that lot and Lots 247 and 248 on Deposited Plan Numbered 6421, by that line extended across a road reserve, and by the south-eastern boundaries of Lots 249–250, 251, 252, and 253 on Deposited Plan Numbered 6421 to the southernmost corner of Lot 253; thence towards the south-west by the south-western boundary of the said Lot 253 and by a right line across Kennedy Road to the southernmost corner of Lot 47 on Deposited Plan Numbered 6391; thence towards the south-east by the north-western side of Kennedy Road to the boundary of the said Lot 5 on Deposited Plan Numbered 6187; and thence towards the south-west by the north-western boundary of that lot to the commencing point, as shown edged in green on plan marked MD 8009 and deposited in the office of the Marine Department at Wellington.

*Electric-power Board*  
*[Repealed]*

Heading: repealed, on 25 October 1960, pursuant to section 37(2) of the Local Legislation Act 1960 (1960 No 107).

**33 Authorising Bay of Plenty Electric-power Board to  
establish public offices outside the district**  
*[Repealed]*

Section 33: repealed, on 25 October 1960, by section 37(2) of the Local Legislation Act 1960 (1960 No 107).

*River and drainage boards***34 Authorising purchase of land by Manawatu-Oroua River Board on the instalment system**

Whereas the Manawatu-Oroua River Board (hereinafter called the **Board**), constituted under the Manawatu-Oroua River District Act 1923, is desirous of purchasing that parcel of land containing 130 acres, more or less, being Part Lots 3 and 5, Deposited Plan Number 6290, Part Aratangata Number 4, Part Ohinekakeao Number 2, and Parekauwau Blocks, Block X, Mount Robinson Survey District, for the purpose of effecting drainage works, river works, and river protection works in the Board's area upon terms providing for payment of the purchase money by instalments over a period not exceeding 7 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 it is expedient that the Board should 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 is hereby authorised to purchase the land hereinbefore described for the purpose of its drainage works, river works, and river protection works upon terms providing for the payment of the purchase money by instalments extending over a period not exceeding 7 years, and to pay interest at such rate as the Minister approves 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 purchase money amounting in all to 2,275 pounds, together with interest as aforesaid and the costs and expenses incidental to the purchase of the said land, from its General Fund.

**35 Authorising Waipa Drainage Board to capitalise arrears of interest**

Whereas the Waipa Drainage Board (hereinafter called the **Board**) is indebted to the State Advances Corporation of New Zealand in respect of certain loans amounting to 5,000 pounds, and also for certain arrears of interest owing in respect of those loans:

And whereas the Board is desirous, in pursuance of the Local Authorities Interest Reduction and Loans Conversion Act 1932–33, of issuing new securities in conversion of the existing securities issued in respect of the said loans and of compounding the arrears of interest now owing and including the arrears in the principal sum secured by the new securities, but no authority in law exists for compounding the arrears of interest:

And whereas it is expedient to authorise the compounding of the said arrears of interest:

Be it therefore enacted as follows:

The Board may in issuing new securities in conversion of the existing securities above referred to, with the consent of the holder of such securities, compound the arrears of interest owing in respect of the existing securities and include the arrears in the principal sum secured by the new securities.

*Hospital Boards*

**36 Authorising payment of compassionate allowance by Waikato Hospital Board**

The Waikato Hospital Board is hereby empowered and authorised to pay out of its General Fund during the financial year ending on 31 March 1941 the sum of 600 pounds as a compassionate allowance to Martha Killock Hockin, widow of Munro May Hockin, formerly Medical Superintendent of the Waikato Hospital.

**37 Authorising Wellington Hospital Board to grant rights of way over certain land**

Whereas by a Proclamation of 15 April 1939, and published in the *Gazette* of 20 April 1939, the lands therein described were

taken under the provisions of the Public Works Act 1928 for the purposes of a hospital and became vested in the Wellington Hospital Board (hereinafter called the **Board**):

And whereas it is expedient that the Board should be enabled to grant rights of way over the said land in satisfaction or part satisfaction or mitigation of any claims for compensation in respect of the same:

Be it therefore enacted as follows:

Notwithstanding anything contained in section 41 of the Public Works Act 1928 it shall be lawful for the Board, in satisfaction or part satisfaction or mitigation of any claims for compensation in respect of the lands so taken, to grant irrevocable rights of way over the said lands.

*Affecting 2 or more classes of public bodies*

**38 Authorising certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service, Inc**

All the local authorities mentioned hereunder are authorised to pay to the New Zealand Free Ambulance Transport Service (Wellington District), Incorporated, in the year ending on 31 March 1941, such sums as they think fit, not exceeding in any case the respective amounts hereinafter specified, namely:

the Wellington Hospital Board, 1,600 pounds;  
the Wellington Harbour Board, 300 pounds;  
the Hutt County Council, 150 pounds; and  
the Makara County Council, 86 pounds.

**39 Authorising Opunake Borough Council to lease certain land to Egmont County Council**

- (1) Notwithstanding anything to the contrary in any Act, the Mayor, Councillors, and Burgesses of the Borough of Opunake may lease for a term of 21 years from 1 March 1940, to the Chairman, Councillors, and Inhabitants of the County of Egmont for the purpose of a depot site or other use by the Council of the County in the exercise of its public functions the land vested in the Corporation of the Borough, being all that parcel of land situate in the Provincial District of

Taranaki, containing by admeasurement 6 acres, be the same a little more or less, being Section 31, Block IX, Town of Opunake, and part of the land comprised and described in certificate of title, Volume 81, folio 200 (Taranaki Registry), and may grant to the Corporation of the County such rights, easements, or privileges as they think fit affecting the land hereinbefore described, or any portion of the said land.

- (2) The Corporation of the Borough of Opunake may accept a surrender of memorandum of lease, registered under number 12189, affecting the said land.
  - (3) Any lease granted under this section may contain such provisions for right of renewal for further terms, not exceeding 21 years at any one time, as shall be agreed upon between the parties hereto, and shall be at such rental (whether nominal or otherwise) and upon such terms and conditions as shall be agreed upon between the parties.
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**Notes****1 *General***

This is a reprint of the Local Legislation Act 1940. The reprint incorporates all the amendments to the Act as at 1 July 2003, 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)*

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

Local Legislation Act 1960 (1960 No 107): section 37(2)

Local Legislation Act 1943 (1943 No 17): section 3(2)

Local Legislation Act 1942 (1942 No 17): section 19

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