

**Reprint
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Local Legislation Act 1973

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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.

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**New Schedules 1 and 2 of Auckland Harbour Board
(Half Moon Bay) Vesting and Empowering Act 1968**

**An Act to confer certain powers on certain public bodies and to
authorise and validate certain transactions and other matters**

1 Short Title

This Act may be cited as the Local Legislation Act 1973.

City and borough councils

**2 Authorising Hawera Borough Council to raise a special
loan**

Whereas the Hawera Borough Council (in this section referred to as the **Council**) has expended out of its District Fund Account the sum of \$4,400 in part payment for the work done in constructing pensioner flats:

And whereas it is desirable to authorise the Council to raise a special loan not exceeding \$4,400 for the purpose of refunding to its District Fund Account the sum so expended:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding \$4,400 for the purpose of refunding to its District Fund Account the sum so expended from it; and, notwithstanding section 34 of that Act, the special loan may be raised without the prior consent of the ratepayers.

**3 Authorising refund by Takapuna City Council to District
Fund Account from loan money**

Whereas before the Takapuna City Council (in this section referred to as the **Council**) obtained authority to raise a loan of \$205,000 known as the Property Purchase Loan 1971 (in this section referred to as the **loan**) the Council expended the sum of \$20,000 out of its District Fund Account for certain purposes for which the loan was to be raised:

And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund that sum to its District Fund Account out of the proceeds of the loan:

Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$20,000 to its District Fund Account out of the proceeds of the loan.

4 Validating certain expenditure by Mount Roskill Borough Council

Whereas the Mount Roskill Borough Council (in this section referred to as the **Council**) during its financial year ended with 31 March 1973 expended the sum of \$4,574 for purposes connected with certain celebrations held to mark the 25th anniversary of the constitution of Mount Roskill as a borough:

And whereas the Council had no authority to expend that sum for those purposes:

And whereas it is desirable to validate the expenditure of that sum:

Be it therefore enacted as follows:

The action of the Council in expending the sum of \$4,574 during its financial year ended with 31 March 1973 for purposes connected with certain celebrations held to mark the 25th anniversary of Mount Roskill Borough is hereby validated and declared to be lawful.

5 Authorising refund by Marton Borough Council to District Fund Account from loan money

Whereas before the Marton Borough Council (in this section referred to as the **Council**) obtained authority to raise a loan of \$15,000 known as the Olympic Baths Completion Loan 1972 (in this section referred to as the **loan**) the Council expended the sum of \$5,358 out of its District Fund Account for certain purposes for which the loan was to be raised:

And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund that sum to its District Fund Account out of the proceeds of the loan:

Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$5,358 to its District Fund Account out of the proceeds of the loan.

6 Authorising Tauranga City Council to raise a special loan (No 1)

Whereas the Tauranga City Council (in this section referred to as the **Council**) was authorised to raise a loan of \$12,000 to be known as the Airport Terminal Building Loan 1967 for the purpose of constructing a terminal building and associated roading and parking facilities at Tauranga Airport:

And whereas the amount of that loan was insufficient to enable the completion of that work:

And whereas the Council expended out of its District Fund Account the sum of \$7,000 to complete the work:

And whereas it is desirable to authorise the raising of a loan to enable the Council to refund that sum to its District Fund Account:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding \$7,000 for the purpose of refunding to its District Fund Account the sum so expended from it.

7 Authorising Tauranga City Council to raise a special loan (No 2)

Whereas the Tauranga City Council (in this section referred to as the **Council**) was authorised to raise a loan of \$75,000 to be known as the Vehicle Testing Station Loan 1970 for the purpose of constructing a vehicle testing station:

And whereas the amount of that loan was insufficient to enable the completion of that work:

And whereas the Council expended out of its District Fund Account the sum of \$26,500 to complete the work:

And whereas it is desirable to authorise the raising of a loan to enable the Council to refund that sum to its District Fund Account:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding \$26,500 for the purpose of refunding to its District Fund Account the sum so expended from it.

8 Authorising Balclutha Borough Council to raise a special loan

Whereas the Balclutha Borough Council (in this section referred to as the **Council**) has expended out of its District Fund Account the sum of \$9,600 to repay part of the principal maturing in respect of the War Memorial Loan 1961 of \$28,800—portion of \$16,000:

And whereas it is desirable to authorise the Council to raise a loan of not more than \$9,600 for the purpose of refunding that sum to its District Fund Account:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding \$9,600 for the purpose of refunding that sum to its District Fund Account; and, notwithstanding section 34 of that Act, the special loan may be raised without the prior consent of the ratepayers.

9 Provision with respect to certain land in Eketahuna Borough

Whereas the land described in subsection (4) is vested in Gustav Bengsten:

And whereas no descendants of Gustav Bengsten can be traced:

And whereas the Corporation consisting of the Eketahuna Borough Council has, since 1878, regarded itself as being in possession of the land for street purposes if so required, but no street has ever been formed or public money spent on the land:

And whereas the Eketahuna Borough Council has resolved to transfer the land to its occupier, Annie May Clout, but has no authority to do so:

Be it therefore enacted as follows:

- (1) The land described in subsection (4) is hereby vested in the Corporation freed and discharged from any trusts affecting it.
- (2) The Corporation is hereby authorised to execute a memorandum of transfer of the land to Annie May Clout.
- (3) The Registrar for the Wellington Land Registration District is hereby authorised and directed to register a memorandum of transfer executed pursuant to subsection (2) (without having the relevant certificate of title produced to him) when any requisitions he may make have been satisfied.
- (4) The land to which this section relates is described as follows:
All that parcel of land containing 505 square metres, more or less, being part Section 13, Eketahuna Settlement, in Block V, Mangaone Survey District, and being part of the land comprised and described in certificate of title Volume 37, folio 83, Wellington Land Registry; and also being the land shown edged in red on the plan deposited with the Secretary for Local Government, Head Office, Department of Internal Affairs, Wellington.

Section 9: amended, on 1 April 1978, pursuant to section 9(6) of the Local Government Amendment Act (No 3) 1977 (1977 No 122).

Section 9(3): amended, on 1 June 2002, pursuant to section 38(2) of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11).

10 Authorising the Northcote Borough Council to make contributions towards the North Shore Young Men's Christian Association Community Sports and Recreation Centre, and authorising refund to District Fund Account for contributions already made

Whereas the Northcote Borough Council (in this section referred to as the **Council**) desires to grant the sum of \$4,500 by 3 annual payments of \$1,500 each from its Reserves Contributions Account towards the costs of constructing and equipping a community sports and recreation centre being built by the North Shore Young Men's Christian Association (in this section referred to as the **Association**):

And whereas the community centre is situated outside the boundary of Northcote Borough, being on land which is to be

vested in the Takapuna City Council under the Reserves and Domains Act 1953 as a reserve forming part of the Orewa Domain, but being leased to the Association for a term of 33 years with rights of renewal for 2 further terms of 33 years each:

And whereas any such grant by the Council from its Reserves Contributions Account would be contrary to section 351C of the Municipal Corporations Act 1954:

And whereas the Council had, during the financial year ended with 31 March 1973, granted to the Takapuna City Council on behalf of the Association the first payment of \$1,500:

And whereas that payment was made from the Council's District Fund Account:

And whereas it is desirable to authorise the Council to refund a sum of \$1,500 to its District Fund Account from its Reserves Contributions Account, and to authorise the payment of the balance of the proposed grant from that account:

Be it therefore enacted as follows:

- (1) Notwithstanding section 351C of the Municipal Corporations Act 1954, the Council is hereby authorised to grant from its Reserves Contributions Account, to the Takapuna City Council on behalf of the Association, the sum of \$1,500 during each of the financial years ending with 31 March in 1974 and in 1975 for the purpose of assisting in the construction and equipping of a community sports and recreation centre on the land leased by the Association in the Orewa Domain.
- (2) The grant of \$1,500 by the Council from its District Fund Account to the Takapuna City Council on behalf of the Association during the financial year ended with 31 March 1973 is hereby validated.
- (3) The Council is hereby authorised to refund to its District Fund Account the sum of \$1,500 from its Reserves Contributions Account.

Section 10: amended, on 1 April 1978, pursuant to section 9(6) of the Local Government Amendment Act (No 3) 1977 (1977 No 122).

11 Provision with respect to certain land vested in Whangarei City Corporation for a street

Whereas the land described in subsection (3) is vested in the Whangarei City Council (in this section referred to as the **Corporation**) for the purpose of a street:

And whereas the land is no longer required for this purpose and it is desired to vest the land in the Corporation for general municipal purposes:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is declared to be held by the Corporation as an estate in fee simple for general municipal purposes but freed and discharged from all other reservations and restrictions.
- (2) The Registrar of the North Auckland Land Registration District is hereby authorised and directed, without any fee being payable, to make such entries in his register and do all such other acts or things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is described as follows:
All that parcel of land containing 890.3 square metres, more or less, situated in the Borough of Whangarei, being part of Allotment 2, Parish of Whangarei, situated in Block VIII, Purua Survey District, and being all the land comprised and described in certificate of title Volume 1029, folio 142, North Auckland Land Registry.

Section 11: amended, on 1 April 1978, pursuant to section 9(6) of the Local Government Amendment Act (No 3) 1977 (1977 No 122).

Section 11(2): amended, on 1 June 2002, pursuant to section 38(2) of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11).

12 Varying date on which farmland roll of Upper Hutt City Council comes into force

Whereas on 1 April 1973 the Rimutaka Riding of Hutt County was amalgamated within the boundaries of the City of Upper Hutt:

And whereas following that amalgamation application was made to the Upper Hutt City Council (in this section referred

to as the **Council**) for it to prepare a farmland roll for rating purposes:

And whereas any such roll would, under section 133 of the Rating Act 1967, come into force on 1 April 1974:

And whereas it is desirable that the farmland roll come into force on 1 April 1973:

Be it therefore enacted as follows:

- (1) Notwithstanding section 133 of the Rating Act 1967, the farmland roll prepared by the Council following the amalgamation of the Rimutaka Riding of Hutt County within the boundaries of the City of Upper Hutt shall be deemed to have come into force on 1 April 1973.
- (2) The Council is hereby authorised and empowered to refund to the persons entitled any rates found to be overpaid as a consequence of subsection (1).

13 Validating purchase of land by the Invercargill City Council on a system of time payment

Whereas the Invercargill City Council (in this section referred to as the **Council**) on 16 March 1972 entered into an agreement for sale and purchase with the Invercargill Licensing Trust (in this section referred to as the **Trust**) whereby the Trust agreed to sell and the Council agreed to purchase the land described in subsection (3):

And whereas the Council agreed to pay the purchase price of \$40,000 by a deposit of \$1,000 on 20 March 1972, a sum of \$18,000 on 1 April 1972, and the balance of \$21,000 (together with interest on all unpaid purchase money from 20 March 1972 at the rate of 6% per annum) on or before 31 March 1974:

And whereas the approval of the Minister of Local Government to the transaction as required by section 165 of the Municipal Corporations Act 1954 was not obtained:

And whereas it is desirable to validate the actions of the Council:

Be it therefore enacted as follows:

- (1) The action of the Council in agreeing with the Trust to purchase from it the land described in subsection (3) on the terms and conditions set out in an agreement for sale and purchase

dated 16 March 1972 is hereby validated and declared to be lawful, and the agreement is hereby confirmed and declared to have full force and effect according to its tenor.

- (2) The actions of the Council in making payments to the Trust of any instalments of purchase price and interest due under the said agreement are hereby validated and declared to be lawful.
- (3) The land to which this section relates is described as follows:

First: All that piece of land situated in the City of Invercargill containing 1012 square metres, more or less, being Section 5, Block X, Town of Invercargill, and being all the land comprised and described in certificate of title Volume B3, folio 934, Southland Registry, subject as to part to a right of way (limited as to user) created by memorandum of transfer 200138, the right of way being subject to section 351E(1)(a) of the Municipal Corporations Act 1954:

Secondly: All that piece of land situated in the City of Invercargill containing 303 square metres, more or less, being Lot 2 on Deposited Plan 6483, and being also part of Section 6, Block X, Town of Invercargill, and being all the land comprised and described in certificate of title Volume B1, folio 1336, Southland Registry, subject as to part to a right of way created by memorandum of transfer 200138, the right of way being subject to section 351E(1)(a) of the Municipal Corporations Act 1954.

14 Authorising and empowering the Cambridge Borough Corporation to grant a lease on special terms

Whereas pursuant to the Public Works Act 1928 and the Municipal Corporations Act 1954, the Cambridge Borough Council (in this section referred to as the **Corporation**) constructed reservoirs on certain land vested in the Corporation and on the land described in subsection (5) (in this section referred to as the **described land**):

And whereas the described land is vested in Crows' Nest Properties Limited a company duly incorporated under the Companies Act 1955 and having its registered office in Cambridge (in this section referred to as the **Company**):

And whereas the Company has agreed to transfer the described land to the Corporation in consideration of the Corporation granting to the Company a lease in perpetuity of certain land for grazing purposes free of rent, and of also granting to the Company and to the Trustees of the Leslie Waite Family Trust (in this section referred to as the **Trustees**) a free supply of water in perpetuity, in both cases under the terms and conditions contained in an agreement in writing made between the Corporation and the Company on 20 December 1966 as varied by an agreement in writing made between the Corporation, the Company, and the Trustees on 29 August 1973, copies of both agreements being deposited with the Secretary for Local Government, Head Office, Department of Internal Affairs, Wellington:

And whereas the Corporation has no legal authority to do any of the things it has agreed to do:

Be it therefore enacted as follows:

- (1) The actions of the Corporation in entering into the agreement dated 20 December 1966 with the Company, and of entering into the agreement dated 29 August 1973 with the Company and the Trustees, are hereby validated and declared to be lawful.
- (2) Subject to the terms and conditions of the agreements, the Corporation is hereby authorised and empowered to—
 - (a) grant in perpetuity a lease for the purposes of grazing livestock free of rent and an easement for a free supply of water sufficient for all reasonable domestic purposes and for all farming purposes (except irrigation) to the Company and its successors or assigns, the grant in each case being in respect of all those parcels of land containing together 37.8995 hectares, more or less, being part Lot 1 on Deposited Plan 19889, being Allotment 164 and Part Allotments 227 and 234, Parish of Pukekura, situated in Block XIV, Cambridge Survey District, subject to a water easement created by memorandum of transfer S 190308 over the said part Lot 1 and to a right of way created by memorandum of transfer S 189149 over the said part Lot 1 and part Allotment 227, and being the land comprised and described in certificate of

- title Volume 8, folio 65, and part certificates of title Volume 602, folio 19, and Volume 1746, folio 14, South Auckland Land Registry; and
- (b) grant in perpetuity an easement for a free supply of water sufficient for all reasonable domestic purposes and for all farming purposes (except irrigation) to the Trustees and their successors or assigns in respect of all that parcel of land containing 35.4833 hectares, more or less, being Lot 2 on Deposited Plan 25322, being part Allotments 148, 149, and 150, Parish of Pukekura, situated in Blocks X and XIV, Cambridge Survey District, and being the land comprised and described in certificate of title Volume 740, folio 15, South Auckland Land Registry.
- (3) The form of any instrument executed pursuant to subsection (2) shall be agreed with the Registrar for the South Auckland Land Registration District and, for the purposes of the Land Transfer Act 1952, any such instrument shall be deemed to be registrable.
- (4) For the purposes of the Land Transfer Act 1952 the interests in any lease or water easement granted under this section shall be deemed to be within the meaning of the expression “estate or interest” as defined in section 2 of that Act.
- (5) The described land to which this section relates is described as follows:
- All that parcel of land containing 6,214 square metres, more or less, being Lot 1 on Deposited Plan S 9154, being part Allotments 227 and 234, Parish of Pukekura, situated in Block XIV, Cambridge Survey District, subject to a right of way appurtenant to Lot 2 on Deposited Plan 19889 as created by memorandum of transfer S 189149, and also subject to a water easement in gross created by memorandum of transfer S 190308, and being part of the land comprised and described in certificates of title Volume 1746, folio 14, and Volume 602, folio 19, South Auckland Land Registry.

Section 14: amended, on 1 April 1978, pursuant to section 9(6) of the Local Government Amendment Act (No 3) 1977 (1977 No 122).

Section 14(3): amended, on 1 June 2002, pursuant to section 38(2) of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11).

15 Amending the Manukau City Empowering (Rates Remission) Act 1969

[Repealed]

Section 15: repealed, on 1 April 1974, by section 4(1) of the Manukau City Empowering (Drainage and Sewerage Rates Remission) Act 1974 (1974 No 9 (L)).

County councils

16 Authorising Taranaki County Council to make a grant to the Taranaki Education Board

Whereas the Taranaki County Council (in this section referred to as the **Council**) desires to grant the sum of \$1,000 to the Taranaki Education Board (in this section referred to as the **Board**) to assist in the construction of a hall at the Fitzroy School to be used for public as well as for school purposes:

And whereas the Fitzroy School is situated outside the boundary of Taranaki County:

And whereas any such grant would be made from reserves contribution money to which section 28(8) of the Counties Amendment Act 1961 applies:

And whereas the Council has no power to make such a grant from such money:

Be it therefore enacted as follows:

Notwithstanding the Counties Amendment Act 1961 or any other Act, the Council is hereby authorised and empowered to grant to the Board the sum of \$1,000 from reserves contribution money for the purpose of assisting in the construction of a hall at the Fitzroy School.

17 Validating rates levied by Eltham County Council

Whereas, on 20 August 1971, the Eltham County Council (in this section referred to as the **Council**) delivered or made available for delivery to the occupiers of land in the Kaponga Riding of Eltham County rate assessment notices calculated

on the basis of a rate of 2.07 cents in the dollar on the unimproved value of all rateable land within that Riding:

And whereas the Council in accordance with sections 52 and 53 of the Rating Act 1967 had, by resolution duly confirmed and publicly advertised, made and levied a rate of 1.88 cents in the dollar on the unimproved value of all rateable land in the Kaponga Riding:

And whereas it was the intention of the Council that a rate of 2.07 cents in the dollar on the unimproved value of all rateable land in that Riding should have been made and levied:

Be it therefore enacted as follows:

- (1) Notwithstanding sections 52 and 53 of the Rating Act 1967, the action of the Council in assessing and collecting rates in the Kaponga Riding of Eltham County calculated on the basis of a rate of 2.07 cents in the dollar on the unimproved value of all rateable land within that Riding is hereby validated and declared to be lawful.
- (2) All money received by the Council in payment of such rates shall be deemed to have been lawfully paid to and received by the Council; and any such rates not yet paid shall be lawfully payable to the Council.

18 Validating refund by Franklin County Council to County Fund Account from loan money

Whereas, before the Franklin County Council (in this section referred to as the **Council**) obtained authority to raise a loan of \$100,000 known as the Bridges Loan 1972 (in this section referred to as the **loan**) the Council expended the sum of \$13,183.27 out of its County Fund Account for certain purposes for which the loan was to be raised:

And whereas authority to raise the loan has since been obtained and the Council has refunded that sum to its County Fund Account out of the proceeds of the loan but had no authority to do so:

And whereas it is desirable to validate the refund:

Be it therefore enacted as follows:

The action of the Council in refunding the sum of \$13,183.27 to its County Fund Account out of the proceeds of the loan is hereby validated and declared to be lawful.

19 Validating certain payments made by the Waitotara County Council for premiums on endowment assurance policies for its employees

Whereas between 4 June 1964 and 9 February 1973 the Waitotara County Council (in this section referred to as the **Council**) made payments amounting to \$5,401.27 for premiums on endowment assurance policies in the names of individual employees of the Council taken out by the Council with the Provident Life Assurance Company Limited as a superannuation scheme for those employees:

And whereas the scheme was not established as a superannuation scheme under section 25 of the Finance Act (No 2) 1942 and was therefore without authority of law:

And whereas the Council has not paid any further premiums:

And whereas it is desirable that the payments already made by the Council be validated:

Be it therefore enacted as follows:

The payments amounting to \$5,401.27 made by the Council between 4 June 1964 and 9 February 1973 for premiums on endowment assurance policies taken out by the Council with the Provident Life Assurance Company Limited in the names of individual employees of the Council are hereby validated.

20 Authorising Otorohanga County Council to raise a special loan

Whereas the Otorohanga County Council (in this section referred to as the **Council**) expended out of its County Fund Account sums totalling \$51,000 to repay part of the balance outstanding in respect of the Flood Protection Loan 1961:

And whereas it is desirable to authorise the raising of a loan for the purpose of enabling the Council to refund those sums to its County Fund Account:

Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding \$51,000 for the purpose of re-funding to its County Fund Account the sums so expended from it; and, notwithstanding section 34 of that Act, the special loan may be raised without the prior consent of the ratepayers.

21 Authorising the Whangaroa County Corporation to purchase land on a system of time payment

Whereas William John Cameron Bond and George Ernest John Hutcherson, both of Kaeo, company directors (in this section referred to as the **vendors**) have offered to sell to the Whangaroa County Council (in this section referred to as the **Corporation**) their interests in the land described in subsection (7) on a system of payment over a period of time longer than that which may be approved under section 185 of the Counties Act 1956 by the Minister of Local Government:

And whereas it is desirable that the Corporation be authorised and empowered to accept the offer and to purchase the land:

Be it therefore enacted as follows:

- (1) The Corporation is hereby authorised and empowered to purchase the land described in subsection (7) from the vendors and to execute a memorandum of mortgage of that land as mortgagor in favour of the vendors as mortgagees to secure the purchase price.
- (2) Notwithstanding section 185 of the Counties Act 1956 or section 3 of the Local Authorities Loans Act 1956, the Corporation is hereby authorised to pay as the purchase price for the said land the sum of \$125,757.23 (which sum includes capitalised interest at a rate of 6% on a principal sum of \$52,550, computed from 1 January 1973 for a period of 35 years with half-yearly rests) by successive half-yearly payments each of \$1,800 until the expiry of a period of 35 years, or until the death of the last to survive of the vendors and Mary Froude Bond, whichever event be the sooner.
- (3) The payments of purchase money shall be made to the vendors in equal shares and, on the death of one of the vendors, to the surviving vendor.

- (4) For the purposes of subsection (3), the payments of purchase money shall, from the date of death of William John Cameron Bond, be made to Mary Froude Bond (if she is then living) to the same extent as if she were a vendor instead of the said William John Cameron Bond.
- (5) Where any memorandum of mortgage is executed pursuant to subsection (1) and is registered, and where the payments of the purchase price for the land cease before the expiry of a period of 35 years as is provided in subsection (2), then, on giving proof to the satisfaction of the Registrar of the land registration district in which the mortgage is registered that the vendors and, as the case may require, Mary Froude Bond, are deceased, the Corporation may execute a release of the mortgage and that Registrar shall register that release as if it were executed by the mortgagees.
- (6) The Corporation is hereby further authorised to pay to the respective personal representatives of the vendors and Mary Froude Bond the amount (if any) by which estate or other duties assessed in respect of the dutiable estate of each of the vendors and Mary Froude Bond shall be increased by virtue of the terms of the sale of the land.
- (7) The land to which this section relates is described as follows:
All that parcel of land containing 2.2602 hectares, more or less, being part Lot 1 on Deposited Plan 54531, being part Allotment 2, Parish of Mahinepua, and being all the land comprised and described in certificate of title Volume 26B, folio 334, North Auckland Land Registry.

Section 21: amended, on 1 April 1978, pursuant to section 9(7) of the Local Government Amendment Act (No 3) 1977 (1977 No 122).

Section 21(5): amended, on 1 June 2002, pursuant to section 38(2) of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11).

Miscellaneous provisions

- 22 Abolition of Hutt Valley Joint Transit Housing Committee**
Whereas the Hutt Valley Joint Transit Housing Committee (in this section referred to as the **Committee**) was duly constituted under section 36 of the Local Legislation Act 1949:

And whereas the functions of the Committee have now ceased owing to the completion of the transit housing scheme described in subsection (9) of that section:

Be it therefore enacted as follows:

- (1) The Committee is hereby abolished.
- (2) Section 36 of the Local Legislation Act 1949 is hereby repealed.
- (3) The Local Authorities (Members' Interests) Act 1968 is hereby amended by repealing so much of Part 2 of Schedule 1 as relates to the Committee.

23 Validating rates levied by Kaikoura Pest Destruction Board

Whereas the Kaikoura Pest Destruction District was constituted by the Union of Conway, Kekerengu, Ohau, and Marlborough Coast Pest Destruction Districts Order 1971 as published in the *Gazette* dated 7 April 1971 at page 618:

And whereas it is declared in that order that the basis on which the Board for the said district shall first levy its general rate shall be the acreage of the land occupied by the ratepayer:

And whereas the Board for the said district has continued to levy rates in respect of the land formerly comprising the Conway Pest Destruction District on a capital value basis instead of on the acreage basis prescribed by the order in compliance with section 26(1) of the Agricultural Pests Destruction Act 1967:

Be it therefore enacted as follows:

Notwithstanding the Union of Conway, Kekerengu, Ohau, and Marlborough Coast Pest Destruction Districts Order 1971, the action of the Kaikoura Pest Destruction Board in levying its general rate in respect of the land formerly comprising the Conway Pest Destruction District on a capital value basis for the rating years ended with 31 March 1972 and 31 March 1973 is hereby validated.

24 Validating rates levied by Eltham Drainage Board

Whereas on 11 December 1972 the Eltham Drainage Board (in this section referred to as the **Board**) delivered or made avail-

able for delivery to the occupiers of the land in that part of the Board's district that is within Eltham County rate assessment notices showing a rate calculated on the land value of land as classified by the Board and as set out in subsection (3):

And whereas that rate, not being on a graduated scale according to the classification of the rateable land, was assessed contrary to the Land Drainage Act 1908 and was unlawful:

Be it therefore enacted as follows:

- (1) Notwithstanding section 3(1) of the Land Drainage Amendment Act 1913, the action of the Board in assessing and collecting rates for its financial year ended with 31 March 1973 in that part of the Board's district that is within Eltham County on the basis of the classification and rate set out in subsection (3) is hereby validated and declared to be lawful.
- (2) All money received by the Board in payment of such rates shall be deemed to have been lawfully paid to and received by the Board; and any such rates not yet paid shall be lawfully payable to the Board.
- (3) The land classification and rate to which this section apply are—

Land classified by board	Rate on land value
<i>General rate</i>	
Class A	0.12 cents in the dollar
Class B	0.08 cents in the dollar
Class C	0.08 cents in the dollar
<i>Main drain improvement loan rate</i>	
Class A	0.18 cents in the dollar
Class B	0.11 cents in the dollar
Class C	0.11 cents in the dollar

25 Amending the Auckland Harbour Board (Half Moon Bay) Vesting and Empowering Act 1968

The Auckland Harbour Board (Half Moon Bay) Vesting and Empowering Act 1968 is hereby amended by repealing Schedules 1 and 2, and substituting the new Schedules 1 and 2 set out in the Schedule.

Schedule

s 25

**New Schedules 1 and 2 of Auckland
Harbour Board (Half Moon Bay) Vesting
and Empowering Act 1968**

Schedule 1

Land vested

All that piece of land containing by admeasurement 22.5612 hectares (55 acres 3 roods), more or less, being the land situated below mean high-water mark in the Tamaki River, and being the land situated in Block X, Rangitoto and Block III, Otahuhu Survey Districts, and being the land shown edged in red on Survey Office Plan 47308.

Schedule 2**Land to be reclaimed by board**

All that piece of land containing by admeasurement 7.4361 hectares (18 acres 1 rood 20 perches), more or less, being the land situated below mean high-water mark in the Tamaki River, and being the land situated in Block X, Rangitoto and Block III, Otahuhu Survey Districts, and being the land shown edged in red on Survey Office Plan 47308.

Contents

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Notes

1 *General*

This is a reprint of the Local Legislation Act 1973. The reprint incorporates all the amendments to the Act as at 1 June 2002, 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)*

Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11): section 38(2)

Local Government Amendment Act (No 3) 1977 (1977 No 122): section 9(6), (7)

Manukau City Empowering (Drainage and Sewerage Rates Remission) Act 1974 (1974 No 9 (L)): section 4(1)