

AMENDED: SEE ACT. 1923 NO. 45

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Local authority may raise loan for benefit of defined part of district, whether proposed work within that defined part or not. 3. Amendment of provisions as to disputed polls. 4. Procedure in regard to loans for public works for part of a district only. | <ol style="list-style-type: none"> 5. Increasing authority of County Councils to levy "bridge rate" to meet interest and charges on loans for bridges. 6. Local authorities may, without taking poll of ratepayers, borrow money for purpose of providing relief works for unemployed. 7. Loan raised to extinguish antecedent liability may include cost of raising loan. 8. For purposes of Local Bodies' Finance Act, 1921-22, County Council may raise loan charged on defined area. |
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Refer: 1926 Index

1922, No. 4.

Title.

AN ACT to amend the Local Bodies' Loans Act, 1913.

[23rd August, 1922.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Local Bodies' Loans Amendment Act, 1922, and shall be read together with and deemed part of the Local Bodies' Loans Act, 1913 (hereinafter referred to as the principal Act).

Local authority may raise loan for benefit of defined part of district, whether proposed work within that defined part or not.

Amendment of provisions as to disputed polls.

2. Section three of the principal Act is hereby amended by omitting from subsection three the words "in and" before the words "for the benefit of."

3. (1.) Section twelve of the principal Act is hereby amended by inserting in subsection three, after the words "the notice thereof so published in the *Gazette* shall," the words "subject to the provisions of the next succeeding section as to disputed polls."

(2.) Section thirteen of the principal Act is hereby amended by inserting, after the words "in the manner," where those words first occur, the words "and within the time."

(3.) For the purposes of section thirteen of the principal Act as amended by this section the period of fourteen days after the declaration of the result of a poll prescribed by section forty-five of

the Local Elections and Polls Act, 1908, shall be deemed to be the period of fourteen days after the date of the *Gazette* in which is published the notice of the result of the poll.

4. Section seventeen of the principal Act is hereby amended by inserting, after the words "under the authority of," the words "paragraph (d) or"; and by omitting the words "under the said paragraph (e) of section sixteen," and substituting therefor the words "under either of the said paragraphs."

Procedure in regard to loans for public works for part of a district only.

5. Section twenty-three of the principal Act is hereby amended by omitting from subsection one the words "one farthing," and substituting the words "one halfpenny."

REPEALED: VIDE INSET

Increasing authority of County Councils to levy "bridge rate" to meet interest and charges on loans for bridges.

6. (1.) Any local authority may, by special order, and without taking the steps described in sections eight to twelve of the principal Act, borrow such moneys as may be required for any public work undertaken, or proposed to be undertaken, by that local authority for the relief of unemployment.

Local authorities may, without taking poll of ratepayers, borrow money for purpose of providing relief works for unemployed.

(2.) The Governor-General in Council shall not give his consent, as required by section twenty of the Finance Act, 1919, to the borrowing of any moneys under this section unless he is satisfied that in undertaking the works for which such moneys are proposed to be borrowed the object of the local authority is primarily to provide employment for men who would otherwise be without employment or without sufficient employment to enable them to maintain themselves and their families in a reasonable condition of comfort.

Cf. 1917, No. 21, sec. 22.

(3.) Any moneys authorized to be borrowed by a local authority under this section may be borrowed by that local authority from the Superintendent of the State Advances Office, notwithstanding that the works for which such moneys are so borrowed may not be public works of any of the classes enumerated in section sixty of the principal Act.

(4.) The Superintendent of the State Advances Office is hereby empowered to make advances to local authorities, for the purposes of any works to be undertaken pursuant to this section, out of moneys for the time being available for the purposes of the Local Authorities Branch of that office.

(5.) No moneys shall be borrowed under the authority of this section after the thirty-first day of December, nineteen hundred and twenty-three.

7. In addition to the moneys which a local authority may borrow pursuant to section six of the Local Bodies' Finance Act, 1921-22, in respect of its antecedent liability within the meaning of that Act, any local authority that has heretofore raised or hereafter proposes to raise such loan out of New Zealand may, with the precedent consent of the Minister of Finance, borrow such amount as that Minister may approve to be applied towards the cost of raising the loan.

Loan raised to extinguish antecedent liability may include cost of raising loan.

8. (1.) The power to borrow money for the extinction in whole or in part of any antecedent liability, conferred on local authorities by subsection one of section six of the Local Bodies' Finance Act, 1921-22, shall, in the case of County Councils, but of no other class of local authority, include, and be deemed at all times to have

For purposes of Local Bodies' Finance Act, 1921-22, County Council may raise loan charged on defined area.

included, subject to the provisions of this section, the power to constitute a defined part of its district (herein referred to as a special district) as the special-rating area over which shall be made the special rate to secure the repayment of the loan and of the interest thereon.

(2.) The power conferred by section six aforesaid of the Local Bodies' Finance Act, 1921-1922, and by this section to borrow money and to constitute a special district may be exercised to borrow portions of the antecedent liability separately, and to constitute separate special districts in respect of the several loans, or any loan raised by a County Council for the purposes of section six aforesaid may be apportioned among several special districts.

(3.) The power to constitute a special district shall be exercised only if the antecedent liability, or portion thereof, as the case may be, is in respect of expenditure incurred for the special benefit of the special district. If any dispute arises as to whether any expenditure has been so incurred, it shall be submitted to the Audit Office, and the decision of the Audit Office shall be final and conclusive.