

New Zealand.



ANALYSIS.

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| <p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Authorizing Auckland City Council to remit drainage and water rates in certain cases.</p> <p>3. Power to remit portion of general rate when no separate drainage rate struck.</p> | <p>4. Power to transfer land to Auckland University College Council.</p> <p>5. Power to apply Watson Art Gallery bequest towards provision of statuary group.</p> <p>Schedule.</p> |
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1939, No. 10.—*Local and Personal.*

AN ACT to empower the Auckland City Council to refund or remit Drainage and Water Rates, or Part thereof, in respect of certain Properties in the City of Auckland; to empower the said Council to transfer certain Land adjoining the Site of the Auckland University College to the College Council; and to empower the said Council to expend Part of the Bequest made to it as Controlling Body of the Auckland Art Gallery under the Will of the late Alexander Richardson Dickey Watson towards the Cost of the Provision of a Group of Statuary in Albert Park, Auckland. [22nd September, 1939.]

WHEREAS the Auckland City Council has heretofore in pursuance of section fifty-six of the Auckland and Suburban Drainage Act, 1908, levied a drainage rate within the City of Auckland for the purpose of paying the said Council's contribution to the said Board, and in the future may continue to levy such drainage rate

or may pay its said contribution out of the proceeds of a general rate as authorized by the above-mentioned section fifty-six: And whereas the said Council also levies water rates on properties within the City of Auckland: And whereas there are many properties in the City of Auckland with buildings erected thereon which cannot conveniently be connected to any public drain or sewer, and it is considered inequitable that such properties should be fully rated in respect of water-supply and drainage, and it is desirable that the said Council should be authorized and empowered to grant remissions or refunds of rates in respect of such properties: And whereas the said Council desires to transfer, subject to the leases now affecting the same, the land described in the Schedule hereto (which land is adjacent to the site of the Auckland University College buildings and is held by the Corporation of the City of Auckland under the provisions of the Auckland Improvement (Albert Barrack Reserves) Act, 1872, and the Auckland Improvement Commissioners' Transfer of Powers Act, 1879) to the Auckland University College Council for the purposes of extension of the site of the college buildings, subject to the reservation to the said Corporation of the benefit of the income arising from the said land until the same is utilized for the erection of buildings for college purposes: And whereas it is desirable that the said Corporation should be empowered to transfer the said land as aforesaid: And whereas under the last will and testament of the late Alexander Richardson Dickey Watson who died on the fifth day of October, nineteen hundred and seventeen, and probate of whose will was granted by the Supreme Court of New Zealand at Auckland on the twelfth day of November, nineteen hundred and seventeen, the Auckland City Council became entitled to a one twenty-sixth share in the residuary estate of the said deceased to be set apart in or towards the purchase of public statuary for the City of Auckland: And whereas the said Council under such will did also become entitled to a further one twenty-sixth share in such residuary estate as the controlling body of the Auckland Art Gallery: And whereas the said Council desires to erect a group

of statuary in Albert Park, Auckland, but the moneys received by it under the said will and thereby directed to be set apart in or towards the purchase of public statuary for the City of Auckland are insufficient to enable such erection to be made: And whereas it is desirable that the said Council should be empowered to utilize for the purpose of erecting the said group of statuary such part of the moneys received by it under the said will, as controlling body of the Auckland Art Gallery, as may be requisite to make up a sufficient sum to pay for the said group of statuary:

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

1. This Act may be cited as the Auckland City Empowering Act, 1939. Short Title.

2. The Auckland City Council (hereinafter referred to as the City Council) may, if it thinks fit, from time to time refund or remit the drainage rates and any part of the water rates made and levied by it for the year commencing on the first day of June, nineteen hundred and thirty-eight, or which may be made and levied by it for any subsequent rating year and which may be paid or payable by any ratepayer in respect of any property situate in the City of Auckland on which a building is erected and which has not been, and in the opinion of the City Council cannot conveniently be, connected with the drainage system of the city. Authorizing
Auckland City
Council to
remit drainage
and water
rates in
certain cases.

3. In respect of any year for which the City Council may meet the contribution payable by it to the Auckland and Suburban Drainage Board pursuant to the provisions of the Auckland and Suburban Drainage Act, 1908, or any then subsisting statutory modification thereof, out of its ordinary revenue or funds in lieu of striking a separate drainage rate to provide for the same, the power to refund or remit drainage rates hereinbefore conferred shall be deemed to extend and be applicable to such portion of the general rate levied by the City Council for that year as the City Council may determine to be equivalent to the drainage rate which would have been levied had such contribution been provided for by a separate drainage rate. Power to
remit portion
of general
rate when no
separate
drainage rate
struck.

Power to
transfer land
to Auckland
University
College
Council.

4. The Corporation of the City of Auckland is hereby empowered to transfer to the Auckland University College Council the land described in the Schedule hereto, to be held by the said Auckland University College Council for the purposes of the Auckland University College free of any statutory trust imposed upon the said land and subject to such conditions, reservations, and limitations as the City Council may fix by resolution passed upon or prior to the execution by it of the instrument of transfer thereof.

Power to
apply Watson
Art Gallery
bequest
towards
provision of
statuary
group.

5. (1) The City Council is hereby empowered to expend such part as it may think fit of the moneys received by it under the will of Alexander Richardson Dickey Watson, deceased, as controlling body of the Auckland Art Gallery, towards the cost of providing and erecting a group of statuary in Albert Park in the City of Auckland.

(2) The said group of statuary shall be known as the "Watson Bequest Group," and shall have inscribed thereon on the eastern face the figures 1840-1940 and on the western face the words—

Watson Bequest
This Gift to the Citizens of Auckland
was made by
Alexander Richardson Dickey Watson
who was born in and for many Years was
a Resident of this City.

Schedule.

SCHEDULE.

ALL those pieces or parcels of land, being Allotments 3 to 10 (inclusive) of Subsection 2 of Section 13 of the City of Auckland, which said pieces of land are comprised in Volume 5, folios 19 to 26 (inclusive), of the Provisional Register Book in the Land Transfer Office at Auckland: as the same are shown coloured pink on a plan deposited in the office of the Chief Surveyor, Auckland, numbered 30409.