

New Zealand.

ANALYSIS.

Title.

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| <ol style="list-style-type: none"> 1. Short Title. Commencement. 2. Altering date of next general election of members of Trust. 3. Allowances to members of Trust. 4. Section 7 of principal Act amended. Third Schedule to principal Act amended. 5. Ashley River Trust declared to be a River Board within the meaning of River Boards Act, 1908. | <ol style="list-style-type: none"> 6. Lands of Trust, unless let for term exceeding six months, not deemed rateable property. 7. Trust may vary special rates made by local authorities by direction of Trust. 8. Provision for claims for damage caused to works of Trust by stock trespassing thereon. |
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1937, No. 18.—*Local and Personal.*

AN ACT to amend the Ashley River Improvement Act, 1925. Title.
[15th March, 1938.]

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

1. (1) This Act may be cited as the Ashley River Improvement Amendment Act, 1937, and shall be read together with and deemed part of the Ashley River Improvement Act, 1925 (hereinafter referred to as the principal Act). Short Title.

(2) This Act shall come into force on the first day of April, nineteen hundred and thirty-eight. Commencement.

Altering
date of
next general
election of
members of
Trust.

2. (1) The next general election of members of the Trust shall be held on the second Wednesday in the month of May in the year nineteen hundred and thirty-eight, and subsequent general elections of members shall be held on the second Wednesday in the month of May in every third year thereafter.

(2) Section four of the Ashley River Improvement Amendment Act, 1927, is hereby amended by omitting from subsection three the words "until the next general election of Commissioners to be held pursuant to section twenty-seven of the River Boards Act, 1908", and substituting the words "until the date on which their successors come into office".

Allowances
to members
of Trust.

3. The Trust may, out of its funds, pay to any of its members such remuneration as it may deem reasonable, not exceeding ten shillings and sixpence per diem, for every day on which he may be engaged on the business of the Trust either in attending meetings of the Trust or any Committee of the Trust, or on business at the request of the Trust, but the amount payable to any member under this section shall not exceed the sum of twelve pounds twelve shillings in any period of twelve months.

Section 7 of
principal Act
amended.

4. (1) Section seven of the principal Act is hereby amended by inserting, after the words "Third Schedule hereto", the words "as from time to time in force, together with all enactments hereafter passed in amendment thereof or in substitution therefor and from time to time in force".

Third Schedule
to principal
Act amended.

(2) The Third Schedule to the principal Act is hereby amended by inserting therein a reference to section sixty-two of the Land Drainage Act, 1908, as amended by section seven of the Land Drainage Amendment Act, 1913.

Ashley River
Trust declared
to be a River
Board within
the meaning
of River
Boards
Act, 1908.

5. The Ashley River Trust is hereby declared to be a River Board within the meaning of the River Boards Act, 1908, with the special powers and subject to the limitations conferred and imposed by the principal Act.

Lands of
Trust, unless
let for term
exceeding
six months,
not deemed
rateable
property.

6. Lands belonging to or vested in the Trust for river conservation or protection or for drainage purposes, and which are either occupied by the Trust or let by it to a tenant for not more than six months, shall be deemed not to be rateable property within the meaning of the Rating Act, 1925.

7. (1) The power conferred on the Trust by section twenty-three of the Local Bodies' Loans Act, 1926, is hereby extended to enable the Trust, with the approval of the Audit Office, from time to time, by resolution, to direct any local authority to amend any special rate made and levied by it by direction of the Trust.

Trust may vary special rates made by local authorities by direction of Trust.

(2) A copy of such resolution under the seal of the Trust and of the approval of the Audit Office shall be transmitted to the local authority, which shall thereupon amend such rate according to the tenor of such resolution.

8. Notwithstanding anything contained in the Fencing Act, 1908, the Impounding Act, 1908, or any other Act, and notwithstanding that such lands, works, plantations, or trees may not be fenced by a fence within the meaning of the Fencing Act, 1908, or the Impounding Act, 1908, the Trust may claim and recover in any Court of competent jurisdiction from the owner of any cattle (as defined by the Impounding Act, 1908) trespassing on any lands vested in or under the control or management of the Trust full satisfaction for any actual damage sustained by the Trust in consequence of such trespass, or caused by such cattle to such lands or the works, plantations, or trees thereon.

Provision for claims for damage caused to works of Trust by stock trespassing thereon.