

Auckland Harbour Act 1874

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An Act to enable the Auckland Harbour Board to construct a Dock and other Harbour Works, and to raise Money to defray the Cost thereof.

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

1 Short Title

The Short Title of this Act shall be The Auckland Harbour Act 1874.

2 Interpretation

In the construction of this Act, the words following shall have the meanings hereby assigned to them, that is to say, —

Plan in the fourth, fifth, and sixth sections means the plan authenticated for the purposes of this Act by the signatures of the Speakers of the Legislative Council and House of Representatives respectively, and deposited in the office of the Minister for Public Works at Wellington.

Debenture shall mean a debenture made and issued under this Act.

Rents shall include income profit and proceeds of all kinds.

Rates shall include tolls dues and charges of all kinds.

Wharf shall include pier jetty quay and every other construction for facilitating the shipping and landing of passengers and goods.

3 Repeal of The Auckland Harbour Docks Act 1871

The Auckland Harbour Docks Act 1871, is hereby repealed.

Auckland and Waikato Railway.

4 Certain lands vested in Her Majesty for railway, etc

[Repealed]

Sections 4 and 5 were repealed, as from 13 September 1882, by section 2 Auckland Railway-station Act 1882 (1882 No 4(L)).

5 Governor may cause railway to be constructed north of Custom House Street

[Repealed]

Sections 4 and 5 were repealed, as from 13 September 1882, by section 2 Auckland Railway-station Act 1882 (1882 No 4(L)).

Docks and harbour works.

6 Harbour Board to construct docks and other works

It shall be lawful for the Auckland Harbour Board (hereinafter called **the Board**) to construct the dock and other harbour works specified in Schedule 1 to this Act on the several sites

delineated for the same on the said plan, and the Board may construct an hydraulic lift on any or either of the said sites.

Compensation—

All persons being owners of or having any lesser estate or interest in any lands which may be deprived of water frontage or be injuriously affected by the construction of the said dock or harbour works shall be entitled to receive from the said Board compensation for such deprivation of water frontage or injury, the amount whereof shall be ascertained in the manner set forth in The Lands Clauses Consolidation Act 1863, *[Repealed]* and The Lands Clauses Consolidation Act Amendment Act 1866, *[Repealed]* which are hereby incorporated in this Act.

7 Plans etc to be approved of by Governor

Before the said dock lift or other works are commenced, detailed plans and specifications shall be submitted to and approved of by the Governor, and when so approved of shall be constructed in conformity with such plans and specifications with all convenient speed.

8 Railway Wharf to be first commenced

The first of the said works to be commenced and undertaken shall be the Railway Wharf and Breastwork, and the same shall be completed within two years from the passing of this Act.

Debentures.

9 Money may be raised by debentures

In order to raise money for the purpose of constructing such dock lift and other works, it shall be lawful for the Board from time to time to issue debentures for any sums of money not exceeding in the aggregate the sum of three hundred thousand dollars, bearing interest after a rate to be therein fixed, not exceeding six per cent per annum, payable half-yearly.

The expression “three hundred thousand dollars” was substituted, as from 10 July 1967, for the expression “one hundred and fifty thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

10 Form of debentures

Every debenture shall be in the form or to the effect set forth in Schedule 2 to this Act, and shall be sealed with the common seal of the Board, and shall be signed by the Chairman of the Board.

11 Debentures to be numbered consecutively, and have coupons attached

The debentures shall be numbered consecutively, commencing with number one, and shall have coupons attached thereto for every half-year's interest, payable to bearer.

12 Board may make arrangement for places of payment

The Board may from time to time make such arrangements as it may think fit for the payment of any of the debentures or coupons at any office or bank in Auckland or elsewhere, as to the Board may seem desirable.

13 Debentures, where to be sold

Debentures issued under this Act may be sold in New Zealand or elsewhere as the Board may think fit, and shall be sold by public tender at a price not being less than a minimum to be from time to time fixed by the Board.

14 No preference between debenture-holders

The holder of any debenture shall not have any preference over any other holder by reason of any priority of date or otherwise, but all debenture-holders shall rank alike and be entitled to equal rights.

15 Agents may be appointed to raise loan

It shall be lawful for the Board, under their common seal, from time to time to appoint an Agent or Agents for the purpose of raising and managing the loan by this Act authorized to be raised; and such Agent or Agents shall have power to do all the acts and exercise the functions mentioned in this Act that may be specified in the instrument by which such appointment is made.