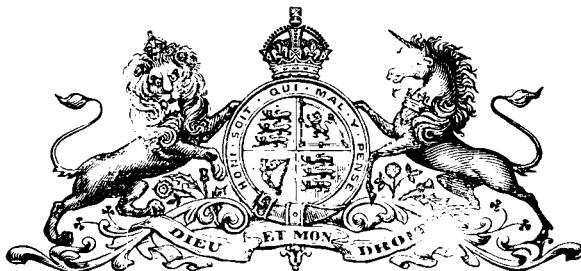


New South Wales.



ANNO SEPTIMO

EDWARDI VII REGIS.

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Act No. 1, 1907.

An Act to authorise certain borrowings by LOCAL GOVERNMENT (LOANS). Councils; to validate certain borrowings; to amend the Local Government Act, 1906; and for purposes consequent thereon or incidental thereto. [12th July, 1907.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Local Government (Loans) Short title. Act, 1907," and shall be construed with the Local Government Act, 1906, hereinafter referred to as the Principal Act. The expression "this Act" means the Principal Act as hereby amended.

2.

Local Government (Loans).

2. The following sections are inserted next after section one hundred and seventy of the Principal Act:—

Previous borrowing
not completed at
commencement of
Act.

170A. (1) Where, before the twenty-eighth day of December, one thousand nine hundred and six, the council of an existing municipality had obtained the sanction of the Governor under the Municipalities Act, 1897, to borrow money, and had entered into but not completed negotiations for such borrowing, or incurred liabilities which it was intended should be met by the proceeds of such borrowing, the council of the municipality constituted by this Act may, with the approval of the Governor, borrow such money under this Act, in which case the limitation of amount in subsection one of section one hundred and sixty-nine, and the provisions of section one hundred and seventy, shall not apply in respect of such borrowing.

Validation of
certain borrowing.

(2) Where, before the said date, any such council had obtained such sanction and had agreed for such borrowing, and the money was advanced after such date, and before the third day of July, one thousand nine hundred and seven, to the council constituted under this Act, such borrowing shall be deemed to have been and to be valid, and to have been the borrowing of the existing municipality made before the first-mentioned date.

Council of Lithgow
may on authority of
Governor borrow
£6,000.

170B. (1) The Governor may approve of the council of the municipality of Lithgow borrowing, and the said council may, in pursuance of this section, borrow the sum of six thousand pounds.

Section one hundred and fifty-six and subsections one, three, and four of section one hundred and sixty-nine, section one hundred and seventy, and section one hundred and seventy-five, shall not apply to such borrowing.

Application of
borrowed money.

(2) Notwithstanding anything to the contrary in this Act, the money so borrowed shall be applied to the following purposes:—

- (a) For or towards or incidental to the completion and carrying out of the erection of a garbage destructor and of extensions and additions to the gas-works of the municipality.
- (b) For the repayment to any fund of the council of all or any moneys expended out of that fund on or towards or incidental to the carrying out of the works or undertakings in the immediately preceding paragraph set out.
- (c) For the repayment of all or any moneys borrowed by the council without the approval of the Governor, and expended by the council for or towards or incidental to the carrying out of the works or undertakings in paragraph (a) of this subsection set out.

The provisions of subsection one of section one hundred and seventy-five shall not apply, or be deemed to have applied, to any borrowing for which repayment is provided in this subsection.

(3)

Gaming and Betting (Amendment).

(3) The council shall, in the year commencing on the first January next following after the borrowing of money under this section, and in each succeeding year until the loan is repaid, make and levy a loan rate which (at the option of the council) shall be on the unimproved or improved capital value of all ratable land in the area. Such loan rate shall not be less than sufficient to pay the interest falling due each year in respect of the loan, together with a sum amounting to not less than two and a half per centum on the principal sum of six thousand pounds to be carried to a sinking fund for the repayment of the sum borrowed.

(4) Nothing in this section shall be construed to empower the said council—

- (a) to borrow so that the amount so borrowed, together with any other amounts owing by the council in respect of loans, exceeds ten per centum of the unimproved capital value of all ratable lands in the municipality; or
- (b) to levy rates which, together with the rate leviable under this section, would exceed the total amount which is now leviable or may hereafter be made leviable under the provisions of this Act.

170c. Nothing in this Act shall be taken to repeal the Municipal Loans Authorisation and Validation Act, 1906, and any powers conferred by that Act upon an existing municipality may be exercised by the council of a municipality constituted by this Act.

Loan rate to be levied.

Limitation of amount borrowed and of lev. rates.

Not to affect Municipal Loans Authorisation and Validation Act.