



CHAPTER 96.

1953 (2nd Sess.), c. 41.

An Act to amend the "Greater Nanaimo Water District Act."*[Assented to 15th March, 1955.]*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the "Greater Nanaimo Water District Act Amendment Act, 1955."

Amends s. 7.

2. Section 7 of the "Greater Nanaimo Water District Act," being chapter 41 of the Statutes of 1953 (Second Session), is amended by striking out clauses (b) to (e), and substituting the following:—

"(b) Harewood Improvement District:

"(c) The Chase River Fire Protection District:

"(d) Departure Bay Waterworks District:

"(e) Northfield Fire Protection District:

"(f) Such other communities as may from time to time be added to the Greater Nanaimo Water District under this Act.

Harewood Improvement District shall be deemed to have been a part of the district since the fifth day of October, 1954. The Departure Bay Waterworks District and the Northfield Fire Protection District shall be deemed to have been a part of the district since the fourteenth day of April, 1954."

Amends s. 11.

3. Section 11 is amended by striking out subsection (1), and substituting the following:—

"(1) The powers and functions of the Corporation shall be exercised and discharged by an Administration Board of five members, which shall consist of three representatives appointed by resolution of the Council

of the City of Nanaimo, one representative appointed by the Harewood Improvement District, and one representative appointed jointly by the trustees or other governing bodies of the other communities forming the Board in the manner hereinafter provided. The representatives appointed from time to time by the Council of the City of Nanaimo shall be appointed for such terms respectively that no two of such terms shall expire in any calendar year, and no such term shall exceed three years. The representatives to be appointed jointly (unless the trustees or governing bodies of the communities affected unanimously agree otherwise) shall be appointed in rotation from each community jointly represented in accordance with the alphabetical listing of the district name of each community. The trustees or other governing body of the community from which a representative is to be appointed for that year shall be responsible for calling the meeting for the purpose of making such appointment, of which each community shall be given reasonable notice in writing, and the appointment shall be decided by a majority vote of those attending; and in the event that no decision can be arrived at, the trustees or governing body of the community from which a representative is to be appointed for that year shall make the appointment of the joint representative for that year. Every appointment of a representative shall be made before the sixteenth day of April in the year in which his term is to commence: Provided that after the expiration of five years from the date this Act comes into operation, on petition of any member of the Corporation, the method of appointing representatives prescribed by this subsection shall be reconsidered by the Legislature."

Amends s. 39.

4. Section 39 is amended by striking out subsection (2).

Amends s. 50.

5. Section 50 is amended by striking out the words "first and in priority to all other uses except debt charges" in the fourteenth and fifteenth lines of subsection (7).

Re-enacts s. 82.

6. Section 82 is repealed, and the following is substituted:—

"82. No action may be brought against any member of the Board or of the Commission for anything done or left undone by him in good faith in the performance or intended performance of his duties under this Act."

Amends s. 85.

7. Section 85 is amended by striking out subsection (2), and substituting the following:—

"(2) Before any such agreement becomes effective to add any municipality or village municipality to the district, a by-law authorizing the same shall be submitted to and receive the assent of the electors of the municipality or village municipality in the manner and subject to the provisions required by law in respect of the submission of matters requiring the assent of the electors of that municipality or village municipality.

"(3) Before any such agreement becomes effective to add any improvement district under the 'Water Act' to the district, a by-law authorizing the making of the agreement shall be passed by the trustees of the improvement district and registered as required under the 'Water Act.'

"(4) Subsection (3) shall be retroactive in effect and shall be deemed to have been enacted on the seventeenth day of October, 1953."

Enacts s. 95.

8. Said chapter 41 is amended by adding the following as section 95:—

"95. The 'Public Utilities Act' shall not apply to the Greater Nanaimo Water District or to anything authorized by this Act, except in respect of the distribution of water by the Corporation in the area outside the district."

VICTORIA, B. C.

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