

**Reprint
as at 1 July 2001**



**Auckland Regional Authority Act
1963**

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Contents

	Page
Title	4
1 Short Title	4
2 Interpretation	5
3 Auckland Regional District <i>[Repealed]</i>	8
4 Constitution of Authority <i>[Repealed]</i>	8
5 Members of Authority <i>[Repealed]</i>	8
6 Election of members <i>[Repealed]</i>	8
6A Conduct of elections in combined local districts <i>[Repealed]</i>	8
7 Cost of elections <i>[Repealed]</i>	8
8 New rolls not to be compiled for elections <i>[Repealed]</i>	9
9 Date of first election <i>[Repealed]</i>	9

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

10	Qualification of elected members <i>[Repealed]</i>	9
11	Appointment of members by local authorities <i>[Repealed]</i>	9
12	Coming into office of members <i>[Repealed]</i>	9
13	Vacancies <i>[Repealed]</i>	9
14	Ouster of office <i>[Repealed]</i>	9
15	Chairman and Deputy Chairman of Authority <i>[Repealed]</i>	9
16	Remuneration of Chairman and members <i>[Repealed]</i>	10
17	Committees <i>[Repealed]</i>	10
17A	Subcommittees <i>[Repealed]</i>	10
17B	Regional Water Board <i>[Repealed]</i>	10
18	Chairman of meetings <i>[Repealed]</i>	10
19	Quorum of Authority and committees <i>[Repealed]</i>	10
20	Questions to be decided by majority of votes <i>[Repealed]</i>	10
21	Proceedings not invalidated by irregularities, etc <i>[Repealed]</i>	10
22	Meetings of the Authority <i>[Repealed]</i>	11
23	Rules as to proceedings of Authority or committees, etc <i>[Repealed]</i>	11
24	Authority may provide offices, etc <i>[Repealed]</i>	11
25	Authority may appoint officers and servants <i>[Repealed]</i>	11
26	Acting officer <i>[Repealed]</i>	11
27	Salaried staff positions <i>[Repealed]</i>	11
28	Bylaws	11
29	Form of making bylaws	13
30	Contracts of Authority	13
31	Special orders <i>[Repealed]</i>	14
32	Powers of Authority	14
33	Civil defence <i>[Repealed]</i>	15
34	Power to declare regional roads <i>[Repealed]</i>	15
34A	Local authority may request Authority to declare regional road <i>[Repealed]</i>	16
34B	Objections and appeals by local authorities against declaration of regional roads <i>[Repealed]</i>	16
34C	Power to take lands <i>[Repealed]</i>	16
34D	Powers of Authority in relation to regional roads <i>[Repealed]</i>	16
34E	Objections to intention to commence formation construction or upgrading of regional road <i>[Repealed]</i>	16
34F	Power to delegate <i>[Repealed]</i>	16
34G	Cost of regional roads <i>[Repealed]</i>	16
34H	Revocation of a regional road <i>[Repealed]</i>	17
34I	Appeals <i>[Repealed]</i>	17

34J	Limited access roads <i>[Repealed]</i>	17
34K	Bylaws <i>[Repealed]</i>	17
34L	Highway improvement land <i>[Repealed]</i>	17
35	National roads <i>[Repealed]</i>	17
36	Regional motorways <i>[Repealed]</i>	17
37	Regional parks <i>[Repealed]</i>	17
38	Regional planning <i>[Repealed]</i>	18
39	Additional powers of Authority <i>[Repealed]</i>	18
40	Authority to become Airport Authority <i>[Repealed]</i>	18
41	Powers of Airport Authority <i>[Repealed]</i>	18
41A	Roads at Airport <i>[Repealed]</i>	18
41B	Cafeteria at Auckland International Airport <i>[Repealed]</i>	18
42	Authority to take over bulk water-supply undertaking of Auckland City	18
43	Authority to take over Auckland Metropolitan Drainage Board	21
44	Authority to take over Auckland Centennial Memorial Park <i>[Repealed]</i>	23
45	Authority to take over various bodies	23
45A	Power to acquire shares in companies operating passenger services	25
45B	Miscellaneous powers of Authority	29
45C	Authority may contribute to development of refuse landfills for public recreation	30
46	Books of accounts to be kept <i>[Repealed]</i>	30
47	Books to be open to inspection by members of Authority <i>[Repealed]</i>	30
48	Banking and investment of money <i>[Repealed]</i>	31
49	Audit Office requirements <i>[Repealed]</i>	31
50	Yearly balance sheets and statements <i>[Repealed]</i>	31
51	Audit of accounts <i>[Repealed]</i>	31
52	Abstract of accounts <i>[Repealed]</i>	31
53	Authority may establish Imprest Account <i>[Repealed]</i>	31
54	Superannuation and other benefits for employees	31
55	Unauthorised expenditure <i>[Repealed]</i>	32
56	Borrowing powers	32
56A	Deposit scheme	33
57	Security for loans	33
58	Annual estimate of Authority's income and expenditure <i>[Repealed]</i>	34
59	Levies and rates <i>[Repealed]</i>	34
60	Contributing authorities' annual assessments <i>[Repealed]</i>	35

61	How assessments to be calculated <i>[Repealed]</i>	35
61A	Apportionment of net urban transport expenditure <i>[Repealed]</i>	35
62	Appeal <i>[Repealed]</i>	35
63	Jurisdiction of a District Court <i>[Repealed]</i>	35
64	Production of documents to be prima facie evidence <i>[Repealed]</i>	35
65	When contributing authorities to pay their shares <i>[Repealed]</i>	35
66	Power of contributing authorities in regard to payment <i>[Repealed]</i>	35
66A	Differential rating by Manukau City Council or the Waitemata City Council <i>[Repealed]</i>	36
66B	Differential rating by Rodney County Council where assessments are calculated in respect of some only of ridings or communities <i>[Repealed]</i>	36
66C	Consolidated rating by Rodney County Council <i>[Repealed]</i>	36
67	Power of Authority to recover from contributing authorities in case of default <i>[Repealed]</i>	36
68	General rates <i>[Repealed]</i>	36
69	Separate rates <i>[Repealed]</i>	36
70	General, separate, and special rates <i>[Repealed]</i>	36
<i>Miscellaneous</i>		
71	Contributing authority may make advance for initial expenses <i>[Repealed]</i>	37
72	Reserves for replacements, renewals, etc <i>[Repealed]</i>	37
73	Insurance of Authority members <i>[Repealed]</i>	37
74	Governor-General may extend time	37
75	Government works not to be interfered with <i>[Repealed]</i>	37

An Act to provide for the establishment and powers of a Regional Authority for the Auckland Regional Area

1 Short Title

This Act may be cited as the Auckland Regional Authority Act 1963.

2 Interpretation

(1) In this Act, unless the context otherwise requires,—

Authority means the Auckland Regional Authority as constituted by this Act

cattle has the same meaning as in the Public Works Act 1928

contributing authority means any local authority which is required for the time being to contribute under this Act towards the loan charges, administration, or operation expenses of the Authority

district or **regional district** means the Auckland Regional District as constituted by this Act

financial year means a period of 12 months ending with 31 March

forest produce has the same meaning as in the Forests Act 1949

local authority means a territorial authority (within the meaning of the Local Government Act 1974) whose district is within the regional district

local district means the district of a territorial authority (as so defined) within the regional district

metropolitan area means all that area of land within the Auckland Regional District which is for the time being situated within—

(a) the inner area of the Auckland Metropolitan Drainage District constituted under the Auckland Metropolitan Drainage Act 1960; or

(b) the No 1 combined area constituted under section 3 of the North Shore Drainage Act 1963 and any other combined area or special area constituted under the said section 3 which is contiguous to the said No 1 combined area or which is contiguous to any combined area or special area which is itself contiguous to the said No 1 combined area

outer area means all that area of land within the Auckland Regional District which is for the time being not situated within the metropolitan area

passenger service means the business or activity of public passenger transport and any activity related thereto; but does

not include a goods service or a taxicab service within the meaning of the Transport Act 1962

public body means and includes a local authority and any person or body however designated that is authorised to undertake the construction or establishment of any public work under the provisions of the Public Works Act 1981, or that is declared by or under any enactment to be a local authority for the purposes of the said Act

public notice means a notice published in some newspaper circulating in the district; and **published** and **publicly notified** have corresponding meanings

regional motorway means a motorway which is for the time being a regional motorway under the provisions of section 36

regional park means any land or reserve which has been acquired by the Authority under the provisions of section 37; and includes a reserve as defined in the Reserves Act 1977 and a domain vested in or otherwise acquired, administered, or controlled by the Authority

regional road means a road which is for the time being a regional road under the provisions of the Local Government Act 1974; and includes a limited access road under that Act

regional service means a public service provided or authorised to be provided by a public body and which serves or is intended to serve more than 1 local district

road includes street

road improvement land means land declared to be required for regional road improvement under the provisions of the Local Government Act 1974

trading undertaking means any transport undertaking taken over from the Auckland Transport Board, any milk undertaking taken over from the Auckland Metropolitan Milk Board, any bulk water supply undertaking taken over from the Auckland City Council, any cafeteria conducted by the Authority under section 41B, and any other undertaking that may from time to time be declared by any other enactment or by the Governor-General in Council to be a trading undertaking for the purposes of this Act.

- (2) Where for the purposes of this Act it is necessary to ascertain or calculate the rateable capital value or population of any area, such value or population, as the case may be, shall, upon receipt of a written request from the Authority, be ascertained or calculated by the Valuer-General, or the Government Statistician, as the case may be, as at a date or dates as near as reasonably practicable to the date of the receipt of the request.
- (3) In any case where public notice has to be given of a document, a public notice setting forth the object, purpose, or general effect of the document shall in any case be sufficient notice of that document.

Section 2(1) **cattle**: inserted, on 20 October 1972, by section 2(a) of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

Section 2(1) **elector**: repealed, on 25 August 1978, by section 2(1)(a) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

Section 2(1) **financial year**: inserted, on 7 August 1970, by section 2(1) of the Auckland Regional Authority Amendment Act 1970 (1970 No 3 (L)).

Section 2(1) **forest produce**: inserted, on 20 October 1972, by section 2(b) of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

Section 2(1) **highway improvement land**: repealed, on 1 April 1977, by section 14(3) of the Local Government Amendment Act 1976 (1976 No 55).

Section 2(1) **limited access road**: repealed, on 25 August 1978, by section 2(1)(b) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

Section 2(1) **local authority**: substituted, on 1 April 1980, by section 8(3) of the Local Government Amendment Act 1979 (1979 No 59).

Section 2(1) **local district**: substituted, on 1 April 1980, by section 8(3) of the Local Government Amendment Act 1979 (1979 No 59).

Section 2(1) **metropolitan area**: inserted, on 9 August 1968, by section 2 of the Auckland Regional Authority Amendment Act 1968 (1968 No 3 (L)).

Section 2(1) **outer area**: inserted, on 9 August 1968, by section 2 of the Auckland Regional Authority Amendment Act 1968 (1968 No 3 (L)).

Section 2(1) **passenger service**: inserted, on 20 October 1972, by section 2(c) of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

Section 2(1) **public body**: amended, on 1 February 1982, pursuant to section 248(1) of the Public Works Act 1981 (1981 No 35).

Section 2(1) **regional park**: inserted, on 7 August 1970, by section 2(2) of the Auckland Regional Authority Amendment Act 1970 (1970 No 3 (L)).

Section 2(1) **regional park**: amended, on 1 April 1978, pursuant to section 124(1)(b) of the Reserves Act 1977 (1977 No 66).

Section 2(1) **regional reserve**: repealed, on 7 August 1970, by section 2(2) of the Auckland Regional Authority Amendment Act 1970 (1970 No 3 (L)).

Section 2(1) **regional road**: amended, on 25 August 1978, by section 2(1)(c) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

Section 2(1) **road improvement land**: inserted, on 25 August 1978, by section 2(1)(d) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

Section 2(1) **trading undertaking**: added, on 13 October 1964, by section 2(2) of the Auckland Regional Authority Amendment Act 1964 (1964 No 8 (L)).

Section 2(1) **trading undertaking**: amended, on 21 October 1966, by section 2(2) of the Auckland Regional Authority Amendment Act 1966 (1966 No 29 (L)).

3 Auckland Regional District

[Repealed]

Section 3: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

4 Constitution of Authority

[Repealed]

Section 4: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

5 Members of Authority

[Repealed]

Section 5: repealed, on 25 August 1978, by section 3(1) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

6 Election of members

[Repealed]

Section 6: repealed, on 25 August 1978, by section 3(1) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

6A Conduct of elections in combined local districts

[Repealed]

Section 6A: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

7 Cost of elections

[Repealed]

Section 7: repealed, on 18 June 1986, by section 7 of the Local Government Amendment Act (No 2) 1986 (1986 No 24).

8 New rolls not to be compiled for elections

[Repealed]

Section 8: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

9 Date of first election

[Repealed]

Section 9: repealed, on 3 December 1970, by section 9 of the Auckland Regional Authority Amendment Act (No 2) 1970 (1970 No 24 (L)).

10 Qualification of elected members

[Repealed]

Section 10: repealed, on 25 August 1978, by section 3(1) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

11 Appointment of members by local authorities

[Repealed]

Section 11: repealed, on 3 December 1970, by section 9 of the Auckland Regional Authority Amendment Act (No 2) 1970 (1970 No 24 (L)).

12 Coming into office of members

[Repealed]

Section 12: repealed, on 3 December 1970, by section 9 of the Auckland Regional Authority Amendment Act (No 2) 1970 (1970 No 24 (L)).

13 Vacancies

[Repealed]

Section 13: repealed, on 25 August 1978, by section 3(1) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

14 Ouster of office

[Repealed]

Section 14: repealed, on 25 August 1978, by section 3(1) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

15 Chairman and Deputy Chairman of Authority

[Repealed]

Section 15: repealed, on 14 August 1986, by section 4 of the Local Government Amendment Act (No 3) 1986 (1986 No 50).

16 Remuneration of Chairman and members*[Repealed]*

Section 16: repealed, on 1 April 1983, by section 27(2) of the Local Government Amendment Act (No 2) 1982 (1982 No 166).

17 Committees*[Repealed]*

Section 17: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

17A Subcommittees*[Repealed]*

Section 17A: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

17B Regional Water Board*[Repealed]*

Section 17B: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

18 Chairman of meetings*[Repealed]*

Section 18: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

19 Quorum of Authority and committees*[Repealed]*

Section 19: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

20 Questions to be decided by majority of votes*[Repealed]*

Section 20: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

21 Proceedings not invalidated by irregularities, etc*[Repealed]*

Section 21: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

22 Meetings of the Authority

[Repealed]

Section 22: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

23 Rules as to proceedings of Authority or committees, etc

[Repealed]

Section 23: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

24 Authority may provide offices, etc

[Repealed]

Section 24: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

25 Authority may appoint officers and servants

[Repealed]

Section 25: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

26 Acting officer

[Repealed]

Section 26: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

27 Salaried staff positions

[Repealed]

Section 27: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

28 Bylaws

- (1) The Authority may from time to time make such bylaws as it thinks fit for all or any of the following purposes:
- (a) the more effectual carrying out of any of the objects of this Act:
 - (b) regulating or controlling any of the subject-matters of this Act:
 - (ba) prohibiting any act, matter, or thing in relation to any subject matter concerning which the Authority is empowered by this or any other Act to make bylaws:

- (c) protecting from damage, injury, or misappropriation, any property, whether real or personal, belonging to the Authority or controlled by it, and whether situate within or beyond the district:
 - (d) any purpose for which the Authority is, by virtue of the provisions of any Act, authorised to make bylaws.
- (2) Every person who commits a breach of, or who (by virtue of section 86 of the Auckland Metropolitan Drainage Act 1960) is guilty of an offence under, any trade wastes bylaws made by the Authority under section 83 of that Act shall be liable to the penalties set out in section 493 of the Local Government Act 1974.
- (3) Every person who commits a breach of any other bylaw made by the Authority under this or any other Act shall be liable, in any case for which no penalty is provided elsewhere than in this subsection, to the penalties set out in section 683(1) of the Local Government Act 1974.
- (4) Where a person commits a continuing breach of any bylaw made by the Authority, then, notwithstanding anything in any other Act, a District Court may, on application by the Authority, grant an injunction restraining the further continuance of the breach by that person.
- (5) An injunction may be granted under subsection (4)—
 - (a) notwithstanding that proceedings for the offence constituted by the breach have not been taken; or
 - (b) where the person is convicted of such an offence, either—
 - (i) in the proceedings for the offence, in substitution for or in addition to any penalty awarded for the offence; or
 - (ii) in subsequent proceedings.
- (6) The continued existence of any work or thing in a state, or the intermittent repetition of any action, contrary to any bylaw shall be deemed to be a continuing breach for the purposes of this section.

Section 28(1)(ba): inserted, on 25 August 1978, by section 5 of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

Section 28(2): added, on 20 July 1987, by section 3(1) of the Auckland Regional Authority Amendment Act 1987 (1987 No 4 (L)).

Section 28(3): added, on 20 July 1987, by section 3(1) of the Auckland Regional Authority Amendment Act 1987 (1987 No 4 (L)).

Section 28(4): added, on 20 July 1987, by section 3(1) of the Auckland Regional Authority Amendment Act 1987 (1987 No 4 (L)).

Section 28(5): added, on 20 July 1987, by section 3(1) of the Auckland Regional Authority Amendment Act 1987 (1987 No 4 (L)).

Section 28(6): added, on 20 July 1987, by section 3(1) of the Auckland Regional Authority Amendment Act 1987 (1987 No 4 (L)).

29 Form of making bylaws

(1) Bylaws of the Authority shall be made only in the manner and subject to the conditions following:

(a) they shall be made only by special order:

provided that in publicly notifying the resolution making the order it shall not be necessary to set forth the whole of the proposed bylaw if the object or purpose of the bylaw is stated and if a copy of the proposed bylaw is deposited at the offices of the Authority or at some other place in the district which shall be specified in the notification and is open to the inspection of the public during office hours for at least 7 days immediately preceding the meeting at which the resolution is to be confirmed:

(b) *[Repealed]*

(c) they may be amended before confirmation of the special order making the same:

(d) they shall have the common seal of the Authority attached thereto:

(e) they shall come into force on a day to be fixed at the meeting last aforesaid, which day shall not be earlier than 7 clear days after the date of the meeting:

(f) any bylaw made by the Authority shall override any bylaws on the same subject made by any local authority.

(2) Any bylaw may in like manner be altered or revoked.

Section 29(1)(b): repealed, on 20 July 1987, by section 3(3)(a) of the Auckland Regional Authority Amendment Act 1987 (1987 No 4 (L)).

30 Contracts of Authority

The Authority may enter into any contract for any of the purposes of this Act.

31 Special orders*[Repealed]*

Section 31: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

32 Powers of Authority

- (1) Subject to the provisions of this Act and to the provisions of Part 7 of the Transport Act 1962, the Authority shall have within the district the right to undertake and operate the regional services authorised by this Act and any new regional services that may be required in the district. That right, except in the case of any road transport or harbour ferry service to which the provisions of the said Part 7 apply, shall be a sole and exclusive one in favour of the Authority alone.
- (2) The Authority, and any public body providing any regional service within the district, may enter into and carry out agreements for the purpose of ensuring or facilitating cooperation between them; any such agreement may provide for such control by, or cooperation with, the Authority, of the planning and policy of the public body in the conduct of its undertaking, and in the provision of finance for capital works as may be so agreed on.
- (3) The Authority may purchase from any local authority within the district any debentures or stock issued by such local authority in respect of the whole or part of a special loan which it is authorised to raise.
- (4) For the purposes of the exercise of its powers and functions and the performance of its duties and obligations under this Act in respect of the undertaking and operation of any regional service the Authority shall be deemed to be a local authority under the Health Act 1956; and, subject to the express provisions of this Act and the Auckland Metropolitan Drainage Act 1960, the provisions of the Health Act 1956 shall for those purposes extend and apply accordingly.
- (5) The Authority may prepare and publish handbooks, abstracts, or other publications containing information and matters of interest relative to the history, administration, and affairs of the Authority or the district, purchase publications containing photographic views of the district, and prepare

and disseminate information that is designed to educate and instruct the public concerning local government activities in the district or that has for its object the advancement or development of the district.

- (6) The Authority may make grants of money to the trustees or other governing authority of any body (whether incorporated or not) which is not conducted for private profit and the object or principal object of which is to promote the advancement or development of the district or of any area or areas whose advancement or development would or might tend to benefit the district, or to educate or instruct the public concerning the activities of the district or of any such area or areas.
- (7) All money expended in pursuance of subsection (5) or subsection (6) shall, if the expenditure relates exclusively to any particular undertaking, service, or activity, be charged to the account referred to in subsection (2) of section 61 which relates to such undertaking, service, or activity but, if the expenditure does not so relate, shall be charged to the account referred to in paragraph (j) of that subsection.

Section 32(5): added, on 24 October 1969, by section 3 of the Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L)).

Section 32(6): added, on 24 October 1969, by section 3 of the Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L)).

Section 32(7): added, on 24 October 1969, by section 3 of the Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L)).

33 Civil defence

[Repealed]

Section 33: repealed, on 25 August 1978, by section 3(1) of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

34 Power to declare regional roads

[Repealed]

Section 34: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34A Local authority may request Authority to declare regional road*[Repealed]*

Section 34A: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34B Objections and appeals by local authorities against declaration of regional roads*[Repealed]*

Section 34B: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34C Power to take lands*[Repealed]*

Section 34C: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34D Powers of Authority in relation to regional roads*[Repealed]*

Section 34D: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34E Objections to intention to commence formation construction or upgrading of regional road*[Repealed]*

Section 34E: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34F Power to delegate*[Repealed]*

Section 34F: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34G Cost of regional roads*[Repealed]*

Section 34G: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34H Revocation of a regional road

[Repealed]

Section 34H: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34I Appeals

[Repealed]

Section 34I: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34J Limited access roads

[Repealed]

Section 34J: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34K Bylaws

[Repealed]

Section 34K: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

34L Highway improvement land

[Repealed]

Section 34L: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

35 National roads

[Repealed]

Section 35: repealed, on 1 April 1977, by section 14(2) of the Local Government Amendment Act 1976 (1976 No 55).

36 Regional motorways

[Repealed]

Section 36: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

37 Regional parks

[Repealed]

Section 37: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

38 Regional planning*[Repealed]*

Section 38: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

39 Additional powers of Authority*[Repealed]*

Section 39: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

40 Authority to become Airport Authority*[Repealed]*

Section 40: repealed, on 1 April 1988, by section 16(a) of the Auckland Airport Act 1987 (1987 No 195).

41 Powers of Airport Authority*[Repealed]*

Section 41: repealed, on 1 April 1988, by section 16(a) of the Auckland Airport Act 1987 (1987 No 195).

41A Roads at Airport*[Repealed]*

Section 41A: repealed, on 1 April 1988, by section 16(a) of the Auckland Airport Act 1987 (1987 No 195).

41B Cafeteria at Auckland International Airport*[Repealed]*

Section 41B: repealed, on 1 April 1988, by section 16(a) of the Auckland Airport Act 1987 (1987 No 195).

42 Authority to take over bulk water-supply undertaking of Auckland City

- (1) On a date to be arranged between the Authority and the Auckland City Council, but, if so required by the Authority, not later than 3 months after the first meeting of the Authority (in this section referred to as the agreed date), the Authority shall take over as a going concern the bulk water-supply undertaking of the said City Council with all its assets and liabilities with the benefit and subject to the obligations of all contracts made by the said City Council in relation to the said

undertaking, including contracts for the sale of bulk water to local authorities and contracts of employment.

- (2) The Authority shall indemnify the said City Council in respect of all its liabilities in connection with the said undertaking, and shall if so required by it issue and give to the City Council debentures or stock properly secured for the total amount of the special loan indebtedness of the City Council in relation to the said undertaking, such debentures or stock to be identical in their terms with the respective series of debentures or stock issued by the City Council and then subsisting in respect of the said undertaking so that the City Council shall be entitled to receive from the Authority, by virtue of the said debentures or stock, all principal, interest, and other moneys which it is liable to pay in connection with its said loan indebtedness, at the times, and in the manner, at and in which the City Council is liable to pay the same respectively.
- (3) Should there be any dispute between the Authority and the City Council as to—
 - (a) what are assets or liabilities of the City Council in relation to the said undertaking:
 - (b) the method of adjustment of accounts as at the date of transfer:
 - (c) whether the City Council shall continue to administer the said undertaking on behalf of the Authority for a period after the agreed date and if so for what period and on what terms:
 - (d) the terms upon which the City Council is to receive bulk water supply from the Authority:
 - (e) what costs (if any) incurred by the City Council in installing meters or altering its reticulation in any way that may be rendered necessary by the transfer of the undertaking should be borne by the Authority,—then such dispute shall be referred to the Local Government Commission for determination. The said Commission shall hear and determine any such dispute, and its decision thereon shall be final.
- (4) No compensation shall be payable by the Authority to the City Council or to any other local authority on account of the transfer of the said undertaking to the Authority.

- (5) No stamp duty shall be payable on any transfer or other document executed for the purpose of vesting in the Authority the whole or any part of the assets of the said undertaking, and on the production of a statutory declaration by the secretary of the Authority purporting to set out or to exhibit a copy of the agreement of the Authority and the City Council, or a copy of the determination of the Local Government Commission, as the case may be, as to what lands of the City Council are to be vested in the Authority pursuant to the provisions of this section, together with such plans and documents as the appropriate District Land Registrar may require, an entry of the title of the Authority to the lands described in such agreement or determination of the Local Government Commission, as the case may be, shall be made by the appropriate District Land Registrar on the relevant certificates of title or other instrument of title.
- (6) All costs and expenses of the said transfer shall be borne and paid by the Authority.
- (7) Subject to the provisions of this Act, the Authority, on taking over the bulk water-supply undertaking of the City Council, shall have and may exercise all the powers in relation to waterworks conferred on borough councils by the Local Government Act 1974, or by any other Act, so far as the same relate to waterworks or to bulk water-supply, as if the Authority were a borough council and the regional district a borough, and the provisions of the Local Government Act 1974 and of any other relevant Act as aforesaid, shall, with the necessary modifications, extend and apply accordingly: provided also that the Authority shall not commence to supply water direct to any new consumer (other than a local authority) without the prior consent of the local authority in whose local district the said supply is to be given.
- (7A) Where any land the fee simple of which is vested in the Authority and which is used for the purposes of its waterworks or bulk water supply undertaking is situated in the district of a local authority where the system of rating on the capital value or on the annual value is in force in respect of any rate to which the land is liable, the amount of rates payable by the Authority in respect of that land shall be equal to the

amount that would be payable if the system of rating on the unimproved value were in force in respect of all rates made and levied by that local authority.

(7B) Any waterworks or bulk water supply undertaking the property of the Authority which are situated on any land that is not vested in the Authority in fee simple shall be deemed not to be rateable property for the purposes of the Rating Act 1967.

(8) *[Repealed]*

(9) The existing staff regulations of the City Council shall be deemed to have been adopted by the Authority as the staff regulations for the Waterworks Committee or Division of the Authority, and shall be in force during the first term of the Authority and thereafter pending any general coordination of conditions of employment by the Authority.

Section 42(5): amended, on 1 September 1965, by section 9 of the Auckland Regional Authority Amendment Act 1965 (1965 No 10 (L)).

Section 42(7): substituted, on 21 October 1966, by section 7 of the Auckland Regional Authority Amendment Act 1966 (1966 No 29 (L)).

Section 42(7): amended, on 1 April 1980, pursuant to section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

Section 42(7): amended, on 1 April 1968, by section 176(1) of the Rating Act 1967 (1967 No 123).

Section 42(7) first proviso: repealed, on 1 April 1968, by section 176(1) of the Rating Act 1967 (1967 No 123).

Section 42(7A): inserted, on 1 April 1968, by section 176(1) of the Rating Act 1967 (1967 No 123).

Section 42(7B): inserted, on 1 April 1968, by section 176(1) of the Rating Act 1967 (1967 No 123).

Section 42(8): repealed, on 20 October 1972, by section 11(1)(f) of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

43 Authority to take over Auckland Metropolitan Drainage Board

(1) The Authority shall, on a date to be arranged between the Authority and the Auckland Metropolitan Drainage Board, but if so required by the Authority not later than 3 months from the date of the first meeting of the Authority (in this section referred to as the agreed date), take over as a going concern the undertaking, assets, and liabilities of the Auckland Metropolitan Drainage Board constituted under the Auckland

- Metropolitan Drainage Act 1960, with all lands, buildings, plant, and other assets vested in or controlled by the said Board, subject to all charges, encumbrances, estates, and interests affecting the same, and with the benefit and subject to the burden of all contracts and obligations of the said Board.
- (2) As from the agreed date the said undertaking is hereby vested absolutely in the Authority, and on the production of a statutory declaration by the secretary of the Authority that any land of the said Board has become vested in the Authority, together with such plans and documents as the appropriate District Land Registrar may require, an entry of the title of the Authority to the land shall be made by the appropriate District Land Registrar on the relevant certificates of title.
 - (3) All debentures and other securities issued or executed by the said Board shall be deemed to have been issued or executed by the Authority, and the provisions of this Act shall, with the necessary modifications and subject to the express provisions thereof, apply to those debentures and securities as if they had been issued or executed by the Authority under this Act, and the Auckland Metropolitan Drainage Board Sinking Fund Commissioners and the Authority shall respectively have the same rights, powers, and obligations as if the Commissioners had been appointed by the Authority.
 - (4) Upon taking over the said undertaking the Authority shall be entitled to exercise all the powers, authorities, and discretions vested in the said Board, and shall be subject to all the duties, obligations, and limitations imposed on the said Board by the Auckland Metropolitan Drainage Act 1960; and the provisions of that Act, whether as to the constitution and alteration of the drainage district and the inner and outer areas thereof, the relative rights and obligations of the local authorities within those areas, the assessment and making of levies upon local authorities in manner prescribed by that Act, or otherwise, shall with the necessary modifications continue to apply to the said undertaking and to the Authority in its conduct thereof as if the Authority in respect of its drainage undertaking were the Board.

- (5) *[Repealed]*
- (6) The existing staff regulations of the said Board shall be deemed to have been adopted by the Authority as the staff regulations of the Authority for the main Drainage Committee or Division of the Authority, and shall be in force during the first term of the Authority and thereafter pending any general coordination of conditions of employment by the Authority.
- (7) *[Repealed]*
- (8) Any difference or dispute or matter needing to be agreed on and arising out of the transfer of the said undertaking to the Authority shall be determined by the Local Government Commission on the application in that behalf of the Auckland Metropolitan Drainage Board and the Authority or either of them.
- (9) Sections 9 to 24 of the Auckland Metropolitan Drainage Act 1960 are hereby repealed on the agreed date.
- (10) All matters and proceedings commenced under the Auckland Metropolitan Drainage Act 1960 and pending or in progress on the taking over of the said undertaking may be continued by or against the Authority and enforced under this Act.

Section 43(5): repealed, on 20 October 1972, by section 11(1)(g) of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

Section 43(7): repealed, on 20 October 1972, by section 11(1)(g) of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

44 Authority to take over Auckland Centennial Memorial Park

[Repealed]

Section 44: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

45 Authority to take over various bodies

- (1) The Authority shall take over as going concerns and assume the functions, assets, and liabilities of the bodies mentioned in this section (in this section referred to as transferring bodies).
- (2) The transfer shall take place in each case on a date to be arranged between the Authority and each transferring body (in this section referred to as the agreed date) but the agreed date shall not, if so required by the Authority, be later than

3 months after the first meeting of the Authority, and the transfer shall take effect as from 1 April preceding the agreed date, from which former date the transferring body shall be deemed to have been carrying on its undertaking for and on behalf of the Authority.

- (3) As from the agreed date each transferring body shall cease to exist and its undertaking is hereby vested absolutely in the Authority, with all lands, buildings, plant, and other assets vested in or controlled by such transferring body, subject to all charges, encumbrances, estates, and interests affecting the same, and with the benefit, and subject to the burden, of all contracts and obligations of such transferring body, including contracts of employment and loan indebtedness. On the production of a statutory declaration by the secretary of the Authority that any land of a transferring body has become vested in the Authority under this Act, together with such plans and other documents as the appropriate District Land Registrar may require, an entry of the title of the Authority shall be made by the appropriate District Land Registrar on the relevant certificates of title.
- (4) All debentures and other securities issued or executed by any transferring body shall be deemed to have been issued or executed by the Authority under this Act, and the Sinking Fund Commissioners appointed by any transferring body shall be deemed to have been appointed by the Authority.
- (5) As from the agreed date the Authority shall be entitled to exercise all powers, authorities, and discretions vested in or exercisable by any transferring body by virtue of any Acts or other documents, and the provisions thereof (except the provisions of subsection (2) of section 21 of the Milk Act 1944) shall, subject to the provisions of this Act, and with the necessary modifications, continue to apply to the undertaking of such transferring body, and to the Authority in its conduct thereof.
- (6) *[Repealed]*
- (7) The Authority shall take over and continue the employment of all members of the staff of each transferring body, and no person shall have his or her employment terminated or salary

reduced by reason only of the formation of the Authority or of the transfer to it of any such undertaking.

- (8) The existing staff regulations of any transferring body shall be deemed to have been adopted as the staff regulations of the Authority for the undertaking taken over from that transferring body, and shall be in force during the first term of the Authority and thereafter pending any general coordination of conditions of employment by the Authority.
- (9) The bodies to which this section applies are—
the Auckland Transport Board;
the Auckland Metropolitan Milk Board.
- (10) For the purpose of stimulating or developing the traffic or patronage of any public passenger transport service which the Authority operates or proposes to operate, the Authority may conduct such promotional campaigns and activities as it may from time to time think fit, subject to the provisions of any enactment applying to any such campaign or activity.

Section 45(5): amended, on 1 September 1965, by section 10 of the Auckland Regional Authority Amendment Act 1965 (1965 No 10 (L)).

Section 45(6): repealed, on 20 October 1972, by section 11(1)(i) of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

Section 45(10): added, on 25 August 1978, by section 7 of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

45A Power to acquire shares in companies operating passenger services

- (1) Subject to the provisions of this section and of Part 7 of the Transport Act 1962, the Authority shall have, and shall be deemed always to have had, the power to purchase, acquire, hold, and dispose of the shares and other rights in any company within the meaning of the Companies Act 1955 carrying on or providing a passenger service within the district or any part thereof or partly within and partly without the district and, while the Authority holds such shares or rights, the following provisions of this subsection shall, notwithstanding anything to the contrary in any Act or rule of law, apply and shall be deemed always to have applied:
- (a) in the case of a private company 1 share, and in the case of a company which is not a private company 6 shares,

shall be held in trust for the Authority, by officers of the Authority nominated by it, on such terms and conditions as it thinks fit, and all remaining shares in the capital of such company shall be held by the Authority in its own name:

- (b) the memorandum of association of any such company shall be deemed to authorise the company to do such things as the Authority may do in connection with passenger services whether pursuant to the provisions of this Act or of the Auckland Transport Board Act 1928 or of any other Act, to dispose of any real or personal property, to pay dividends to the Authority (which dividends shall be included in the accounts referred to in paragraph (i)), and to do such other things as are authorised by this section, but not to carry on any other business, undertaking, or activity, whatsoever:
provided that if anything done by the company would, if done by the Authority, be subject to an objection or appeal under this or any other Act, the same rights of objection or appeal may be exercised in all respects as if that thing had been done by the Authority:
- (c) the Authority may exercise all the rights, powers, and remedies vested in shareholders by the Companies Act 1955 or by the memorandum of association or the articles of association of any such company for the purpose of conducting the business and affairs of the company in accordance with and subject to the provisions of this section and of disposing of such shares or rights and of winding up such company, but not for any other purpose:
- (d) only elected members of the Authority shall be capable of being appointed as and remaining directors of any such company, and for all purposes the Board of Directors shall be deemed to be a committee of the Authority and each meeting of directors shall be deemed to be a meeting of such a committee:
- (e) the Authority shall have, and shall be deemed always to have had, the power to borrow money as authorised by section 56 for the purpose of acquiring or taking up

any such shares or rights or paying any calls or other payments on or in respect of any such shares or rights, or of making loans or other payments, and the costs of raising, and the incidental costs of, such loan and the interest payments and principal repayments in respect thereof shall be included in the accounts referred to in paragraph (i):

- (f) no such company shall be empowered to borrow money otherwise than from the Authority as herein provided, but nothing in this Act shall affect any borrowing lawfully made or done by the company before the specified date which shall be the date of the commencement of this section or the date on which the Authority purchases or acquires such shares or rights, whichever is the later:
- (g) the Authority may advance to any such company, out of money held or lawfully borrowed by the Authority, such sum or sums as the Authority may from time to time consider necessary or expedient for the conduct of the business of the company under this section or for the due and proper winding up of the company or disposal of the assets of the company; and such advances shall be included in the accounts referred to in paragraph (i):
- (h) for the purposes of calculating the amounts which the Authority may from time to time lawfully borrow, but for no other purpose, the income and expenditure and the estimated income and expenditure of every such company may be taken into account as if it were the income and expenditure of the Authority:
- (i) the value of any subsidy or other assistance given by the Authority to any such company pursuant to the Auckland Transport Board Act 1928 or the Auckland Transport Board Empowering Act 1934 shall be included in the accounts kept by the Authority in respect of its passenger services pursuant to section 61, and all sums of money included in such accounts pursuant to the provisions of this section shall be taken into account in the estimate required by section 58:

- (j) notwithstanding anything in the Companies Act 1955, the accounts of every such company shall be audited by the Auditor-General, which for that purpose shall have and may exercise all such powers as it has under the Public Audit Act 2001 in respect of public money and public stores and the audit of local authorities' accounts; and sections 46 to 52 shall apply to every such company as if references in those sections to the Authority were references to the company.
- (2) Except as is expressly provided in subsection (1), nothing in that subsection shall authorise—
- (a) any company to which that subsection applies to do anything which the Authority is not authorised to do; or
- (b) the Authority to do anything as a shareholder, except for the purpose of winding up the company, which it would not otherwise be entitled to do.
- (3) Notwithstanding anything in subsection (1), the Authority shall take all such steps as may be necessary to ensure that every company to which this section applies is wound up within 6 months after the commencement of this section or within 1 year after the date on which the Authority acquired the shares in the company, whichever is the later, or within such longer period as the Minister of Local Government may in any case allow.

Section 45A: inserted, on 20 October 1972, by section 6 of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

Section 45A(1): amended, on 23 November 1973, by section 4(1)(a) of the Auckland Regional Authority Amendment Act 1973 (1973 No 9 (L)).

Section 45A(1): amended, on 23 November 1973, by section 4(1)(b) of the Auckland Regional Authority Amendment Act 1973 (1973 No 9 (L)).

Section 45A(1)(j): amended, on 1 July 2001, pursuant to section 52 of the Public Audit Act 2001 (2001 No 10).

Section 45A(1)(j): amended, on 1 July 2001, pursuant to section 54(1)(a) of the Public Audit Act 2001 (2001 No 10).

Section 45A(2): amended, on 23 November 1973, by section 4(2) of the Auckland Regional Authority Amendment Act 1973 (1973 No 9 (L)).

Section 45A(3): amended, on 23 November 1973, by section 4(3) of the Auckland Regional Authority Amendment Act 1973 (1973 No 9 (L)).

45B Miscellaneous powers of Authority

- (1) On any land or part thereof vested in or controlled by the Authority (other than land subject to the Reserves Act 1977 but including land vested in the Authority under that Act in trust for aerodrome purposes) the Authority may—
- (a) make provision for the establishment, culture, growth, protection, maintenance, management, and utilisation of forests and for purposes incidental thereto, and sell or otherwise dispose of any forest produce at such prices or at such rates and subject to such conditions as may be determined by the Authority:
 - (b) plant and tend shrubs and other plants and expend money in any manner for encouraging such planting:
 - (c) run and manage cattle and other livestock and grow and sell crops:
provided that such powers shall be exercised only if the Authority or a committee thereof considers it desirable so to do for the purpose of keeping the land in good heart or otherwise in the interests of good husbandry, or for the purpose of establishing or preserving a rural character or atmosphere on and in the vicinity of the land.
- (2) The exercise of the powers conferred on the Authority by this section shall for all purposes be deemed to form part of the Authority's powers and functions in relation to the particular undertaking, service, or activity of the Authority in connection with which the land concerned in each case is vested in or controlled by the Authority; and the income and expenditure in connection with the exercise of the powers conferred by this section shall be brought into account accordingly.

Section 45B: inserted, on 20 October 1972, by section 7 of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

Section 45B(1): amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

45C Authority may contribute to development of refuse landfills for public recreation

- (1) This section applies to every refuse disposal landfill operated by the Authority and intended, on completion of the landfill, to be used principally for public recreation purposes.
- (2) The Authority may contribute towards the development of any landfill to which this section applies.
- (3) The Authority may at any time enter into an agreement with the local authority in whose district any landfill to which this section applies is situated and, if appropriate, with any other person having a direct proprietary interest in the landfill site, which provides—
 - (a) subject to any other Act, for the nature of final development of the landfill for public recreation purposes; and
 - (b) for the nature and value of the Authority's contribution to that development.
- (4) Any agreement entered into under subsection (3) may provide for the contributions of the Authority to be made or paid—
 - (a) progressively during the course of landfill operations; or
 - (b) on or at any time after completion of landfill operations; or
 - (c) both.
- (5) For the purpose of providing funds to enable it to make contributions under this section, the Authority may charge to its refuse disposal account such sums as it thinks fit.

Section 45C: inserted, on 20 July 1987, by section 2(1) of the Auckland Regional Authority Amendment Act 1987 (1987 No 4 (L)).

46 Books of accounts to be kept

[Repealed]

Section 46: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

47 Books to be open to inspection by members of Authority

[Repealed]

Section 47: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

48 Banking and investment of money

[Repealed]

Section 48: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

49 Audit Office requirements

[Repealed]

Section 49: repealed, on 1 April 1971, by section 4(1) of the Auckland Regional Authority Amendment Act 1970 (1970 No 3 (L)).

50 Yearly balance sheets and statements

[Repealed]

Section 50: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

51 Audit of accounts

[Repealed]

Section 51: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

52 Abstract of accounts

[Repealed]

Section 52: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

53 Authority may establish Imprest Account

[Repealed]

Section 53: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

54 Superannuation and other benefits for employees

- (1) The Authority shall be deemed to be a local authority for the purposes of the National Provident Fund Act 1950 (as continued in certain respects by the National Provident Fund Restructuring Act 1990), and section 6 of the Finance Act (No 2) 1941.
- (2) The Authority may from time to time pay by way of subsidy such sums as it thinks fit to the funds of the sick, death, or funeral benefit society, or other like institution established by

its employees or any section of them, the benefits of which are confined to its present employees and former employees and their dependants.

- (3) For the purposes of section 6 of the Finance Act (No 2) 1941 in its application to the Authority, any person, firm, company, or other body corporate, or government department, whose functions or any of whose functions have been transferred to or taken over by the Authority shall be deemed to be a local authority which is the predecessor of the Authority.

Section 54(1): substituted, on 1 April 1991, by section 80 of the National Provident Fund Restructuring Act 1990 (1990 No 126).

Section 54(3): added (with effect from 1 April 1972), on 23 November 1973, by section 5(1) of the Auckland Regional Authority Amendment Act 1973 (1973 No 9 (L)).

55 Unauthorised expenditure

[Repealed]

Section 55: repealed, on 1 April 1978, by section 8(1) of the Local Government Amendment Act (No 3) 1977 (1977 No 122).

56 Borrowing powers

- (1) The Authority may from time to time borrow by way of special loan such sums as are necessary for carrying out the purposes of this Act.
- (2) Special loans may be raised by the Authority under the Local Authorities Loans Act 1956 and, notwithstanding anything in section 34 of that Act, without the prior consent of the ratepayers.
- (3) A copy of the special order of the Authority authorising the raising of a special loan purporting to be sealed with the seal of the Authority shall be published in the *Gazette* and 3 times in a daily newspaper or daily newspapers circulating in the district, and shall be conclusive evidence that all proceedings and things under this Act in relation thereto and in the making of such special order have been lawfully taken and done.

- (4) *[Repealed]*

Section 56(4): repealed, on 1 October 1988, by section 16(1) of the Trustee Amendment Act 1988 (1988 No 119).

56A Deposit scheme

- (1) Notwithstanding anything in section 56 or in the Local Authorities Loans Act 1956 or in any other Act, the Authority may accept money on deposit in accordance with this section in such minimum amounts and for such minimum terms as it may from time to time determine.
- (2) All money accepted by the Authority under this section shall—
 - (a) be separately recorded; and
 - (b) be deposited with any registered bank within the meaning of the Reserve Bank of New Zealand Act 1989.
- (3) The Authority may pay interest on money accepted by it under this section at a rate not exceeding 0.5% per annum less than the rate for the time being payable to the Authority on the deposits made by the Authority in respect of that money.
- (4) Deposits accepted by the Authority under this section shall be deemed to be securities of the Authority for the purposes of section 56(4).
- (5) Deposits accepted by the Authority under this section shall be deemed to be loans raised by the Authority for the purposes of section 57(1).

Section 56A: inserted, on 25 August 1978, by section 6 of the Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L)).

Section 56A(2)(b): substituted, on 1 April 1991, by section 80 of the National Provident Fund Restructuring Act 1990 (1990 No 126).

Section 56A(3): substituted, on 1 April 1991, by section 80 of the National Provident Fund Restructuring Act 1990 (1990 No 126).

57 Security for loans

- (1) Every loan raised or deemed to have been raised by the Authority, whether before or after the commencement of this section, shall be, and to the extent of the money not yet repaid shall be deemed always to have been, secured by the Authority—
 - (a) appropriating and pledging as security therefor that portion of the contributions of each contributing authority, from time to time paid or payable, which relates to the loan by reason of being included in the estimates from time to time prepared in accordance with section 58 as permanent appropriations for payment of interest and

- the creation of a sinking fund or for periodical repayments on account of the loan; and
- (b) pledging as security therefor, subject to the provisions of section 46 and the proviso to paragraph (c) of subsection (1) of section 45 of the Local Authorities Loans Act 1956, all other revenues received or receivable by the Authority in respect of the undertaking, service, or activity for which the loan was raised or deemed to have been raised which the Authority may legally pledge as security for the loan.
- (2) Any debenture or other security given, issued, or executed or deemed to have been given, issued, or executed by the Authority to secure any loan or loans raised or deemed to have been raised by the Authority before the commencement of this section shall continue in full force and effect as if this section had not been passed, but the holders of any such debenture or other security shall not exercise any of their rights or remedies thereunder unless or until they shall first have exhausted their rights and remedies under the security conferred by subsection (1).
- (3) For the purposes of this section the Authority shall be deemed to have raised every loan secured by any debenture or other security which, in accordance with the provisions of this Act, it is deemed to have issued or executed.

Section 57: substituted, on 24 October 1969, by section 6(1) of the Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L)).

58 Annual estimate of Authority's income and expenditure
[Repealed]

Section 58: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

59 Levies and rates
[Repealed]

Section 59: repealed, on 24 October 1969, by section 7(a) of the Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L)).

60 Contributing authorities' annual assessments

[Repealed]

Section 60: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

61 How assessments to be calculated

[Repealed]

Section 61: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

61A Apportionment of net urban transport expenditure

[Repealed]

Section 61A: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

62 Appeal

[Repealed]

Section 62: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

63 Jurisdiction of a District Court

[Repealed]

Section 63: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

64 Production of documents to be prima facie evidence

[Repealed]

Section 64: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

65 When contributing authorities to pay their shares

[Repealed]

Section 65: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

66 Power of contributing authorities in regard to payment

[Repealed]

Section 66: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

66A Differential rating by Manukau City Council or the Waitemata City Council*[Repealed]*

Section 66A: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

66B Differential rating by Rodney County Council where assessments are calculated in respect of some only of ridings or communities*[Repealed]*

Section 66B: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

66C Consolidated rating by Rodney County Council*[Repealed]*

Section 66C: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

67 Power of Authority to recover from contributing authorities in case of default*[Repealed]*

Section 67: repealed, on 1 July 1992, by section 78 of the Local Government Amendment Act 1992 (1992 No 42).

68 General rates*[Repealed]*

Section 68: repealed, on 24 October 1969, by section 7(a) of the Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L)).

69 Separate rates*[Repealed]*

Section 69: repealed, on 24 October 1969, by section 7(a) of the Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L)).

70 General, separate, and special rates*[Repealed]*

Section 70: repealed, on 24 October 1969, by section 7(a) of the Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L)).

Miscellaneous

71 Contributing authority may make advance for initial expenses

[Repealed]

Section 71: repealed, on 20 October 1972, by section 11(1)(j) of the Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L)).

72 Reserves for replacements, renewals, etc

[Repealed]

Section 72: repealed, on 27 July 1996, by section 11(1) of the Local Government Amendment Act (No 3) 1996 (1996 No 83).

73 Insurance of Authority members

[Repealed]

Section 73: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

74 Governor-General may extend time

At any time before or after the day appointed for the holding of any meeting of the Authority or for the doing of any act, matter, or thing by this Act required to be done on or before a day certain, it shall be lawful for the Governor-General to extend the time allowed or to fix a later day for the holding of such meeting or for the doing of any such act, matter, or thing as aforesaid, notwithstanding the day may have passed on which the same ought to have been held or done, and to adopt or cause to be adopted such measures as may be necessary to remove any obstacle of a technical or formal nature by which the carrying out of the provisions of this Act may be impeded, and to supply any deficiency which may be required to be supplied in order to enable the said provisions to be carried out.

75 Government works not to be interfered with

[Repealed]

Section 75: repealed, on 1 April 1980, by section 9(1) of the Local Government Amendment Act 1979 (1979 No 59).

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 *General***

This is a reprint of the Auckland Regional Authority Act 1963. The reprint incorporates all the amendments to the Act as at 1 July 2001, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted.

For a detailed list of the editorial conventions, *see* <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Public Audit Act 2001 (2001 No 10): sections 52, 54(1)(a)
Local Government Amendment Act (No 3) 1996 (1996 No 83): section 11(1)
Companies Act Repeal Act 1993 (1993 No 126): section 2(1)
Local Government Amendment Act 1992 (1992 No 42): section 78
National Provident Fund Restructuring Act 1990 (1990 No 126): section 80
Trustee Amendment Act 1988 (1988 No 119): section 16(1)
Auckland Airport Act 1987 (1987 No 195): section 16(a)
Auckland Regional Authority Amendment Act 1987 (1987 No 4 (L))
Local Government Amendment Act (No 3) 1986 (1986 No 50): section 4
Local Government Amendment Act (No 2) 1986 (1986 No 24): section 7
Local Government Amendment Act (No 2) 1982 (1982 No 166): section 27(2)
Public Works Act 1981 (1981 No 35): section 248(1)

Local Government Amendment Act 1979 (1979 No 59): sections 8(3), 9(1)
Auckland Regional Authority Amendment Act 1978 (1978 No 8 (L))
Local Government Amendment Act (No 3) 1977 (1977 No 122): section 8(1)
Reserves Act 1977 (1977 No 66): sections 124(1)(b), 125(1)
Local Government Amendment Act 1976 (1976 No 55): section 14(2), (3)
Auckland Regional Authority Amendment Act 1973 (1973 No 9 (L))
Auckland Regional Authority Amendment Act 1972 (1972 No 12 (L))
Auckland Regional Authority Amendment Act (No 2) 1970 (1970 No 24 (L))
Auckland Regional Authority Amendment Act 1970 (1970 No 3 (L))
Auckland Regional Authority Amendment Act 1969 (1969 No 8 (L))
Auckland Regional Authority Amendment Act 1968 (1968 No 3 (L))
Rating Act 1967 (1967 No 123): section 176(1)
Auckland Regional Authority Amendment Act 1966 (1966 No 29 (L))
Auckland Regional Authority Amendment Act 1965 (1965 No 10 (L))
Auckland Regional Authority Amendment Act 1964 (1964 No 8 (L))
