

**Reprint
as at 3 June 2017**



Auckland Harbour Bridge Authority Dissolution Act 1983

Public Act 1983 No 153
Date of assent 16 December 1983
Commencement see section 1(2), (3)

Auckland Harbour Bridge Authority Dissolution Act 1983: repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Transport.

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Schedule 9

North Auckland Land Registration District

An Act to abolish tolls for use of the Auckland Harbour Bridge and to dissolve the Auckland Harbour Bridge Authority

1 Short Title and commencement

- (1) This Act may be cited as the Auckland Harbour Bridge Authority Dissolution Act 1983.
- (2) Sections 14 and 15 shall come into force on the day on which this Act receives the Governor-General's assent.
- (3) Except as provided in subsection (2), this Act shall come into force on 1 April 1984.

2 Interpretation

In this Act, unless the context otherwise requires,—

Authority means the Auckland Harbour Bridge Authority established under section 3 of the Auckland Harbour Bridge Act 1950

Board means the National Roads Board constituted under the National Roads Act 1953

bridge means the Auckland Harbour Bridge constructed under the authority of the Auckland Harbour Bridge Act 1950 and shown on plan No 1/26/25/1104/1 deposited in the office of Works and Development Services Corporation (NZ) Limited at Wellington and thereon coloured red; and includes all road approaches and on-ramps and off-ramps shown coloured red on that plan; but does not include—

- (a) any land or water over which the bridge passes on a structure where there is air space between the land or water and the structure;
- (b) any building, structure, or other work not forming part of the bridge, or not forming part of such road approaches, on-ramps, or off-ramps.

Section 2 **bridge**: amended, on 1 April 1988, by section 2 of the Auckland Harbour Bridge Authority Dissolution Amendment Act 1988 (1988 No 52).

3 Dissolution of Authority and abolition of tolls

- (1) The Auckland Harbour Bridge Authority is hereby dissolved.

- (2) All tolls prescribed in respect of the use of the Auckland Harbour Bridge are hereby abolished.

4 Vesting of assets and liabilities of Authority in Crown

- (1) On the commencement of this section—
- (a) all real property (including the bridge) belonging to the Authority, and all rights and obligations attaching thereto, shall be vested in the Crown:
 - (b) all other assets, and debts, loan charges, liabilities, and obligations of any nature (other than under contracts of employment), whether present or contingent, belonging to or subsisting immediately before the date of commencement of this Act in the name of or on behalf of the Authority shall become the assets, debts, loan charges, liabilities, and obligations of the Crown.
- (2) The land described in the Schedule shall be deemed to be held by the Crown under the Public Works Act 1981 for a harbour bridge works depot.
- (3) All land vested in the Crown under subsection (1)(a) which does not form part of the bridge and which is not referred to in the Schedule shall be deemed to be held by the Crown for motorway purposes under the Public Works Act 1981.
- (4) On receiving a written request from the Minister of Lands incorporating a reference to this section and on the presentation or deposit of such plans as the Registrar may require, the Registrar for the North Auckland Land Registration District shall without fee make such entries in his registers and on any outstanding documents of title and generally do all such things as may be necessary to give effect to the provisions of subsections (1) to (3) in respect of land and interests in land specified in the request.
- (5) All references to the Authority in any security or other document whatever which is subsisting immediately before the date of commencement of this section, or in any notice or other communication served, given, or sent before, on, or after that date in relation to any such security or other document shall, unless the context otherwise requires, be read as references to the Crown.

Section 4(2): amended, on 1 April 1988, by section 3(a) of the Auckland Harbour Bridge Authority Dissolution Amendment Act 1988 (1988 No 52).

Section 4(4): amended, on 1 June 2002, pursuant to section 38(2) of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11).

Section 4(4): amended, on 1 April 1988, by section 3(b) of the Auckland Harbour Bridge Authority Dissolution Amendment Act 1988 (1988 No 52).

5 Continuance of proceedings

- (1) All proceedings pending by or against the Authority on the date of commencement of this Act in respect of its undertaking or functions may be carried on, completed, and enforced by or against the Crown.

- (2) Any proceedings resulting from any matter arising before the date of commencement of this Act but not commenced before that date may be commenced, carried on, completed, and enforced by or against the Crown.

6 Bridge declared motorway

- (1) The bridge is hereby declared to be a motorway within the meaning of the Public Works Act 1981; and the provisions of that Act and of any other Act and of any regulations relating to motorways shall accordingly apply to the bridge.
- (2) On receiving a written request from the Minister of Lands incorporating a reference to this section and on the presentation to him of such plans as he may require, the Registrar for the North Auckland Land Registration District shall without fee note the provisions of subsection (1) on the appropriate folio of the proper register.

Section 6(2): amended, on 1 June 2002, pursuant to section 38(2) of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11).

Section 6(2): amended, on 1 April 1988, by section 4 of the Auckland Harbour Bridge Authority Dissolution Amendment Act 1988 (1988 No 52).

7 Saving of bylaws and bylaw-making powers

- (1) Notwithstanding the repeal of the Auckland Harbour Bridge Act 1950 but subject to section 3(2) of this Act, all bylaws made by the Authority under the Auckland Harbour Bridge Act 1950 shall become bylaws of the Board, and may be revoked or altered by the Board as if they had been made under section 22AB of the Land Transport Act 1998, but until so revoked every such bylaw shall remain in force.
- (2) In addition to any powers to make bylaws that the Board may have under any other Act, the Board may from time to time, in respect of the bridge, make, revoke, or alter any bylaw as it thinks fit for all or any of the following purposes:
- (a) protecting any property belonging to the Crown, or controlled by the Crown, from damage or injury:
 - (b) conserving public health, safety, and convenience, and preventing and abating nuisances on the bridge:
 - (c) regulating and preventing the taking on to or over the bridge of any noxious or dangerous goods or any thing which may cause pollution in the Waitemata Harbour:
 - (d) regulating the speed, times, and manner at or in which vehicles or any class of vehicles may be driven on to, over, or off the bridge:
 - (e) classifying traffic and regulating or prohibiting the use of the bridge by any class or classes of traffic:
 - (f) regulating the speed of traffic crossing the bridge:
 - (g) regulating the weights of vehicles which may use the bridge:
 - (h) regulating or prohibiting the sale of goods on the bridge:

- (i) the preservation of order and public safety on the bridge:
 - (j) generally for regulating the travelling upon, the using of, and the proper and efficient control and management of the bridge.
- (3) The making, revocation, or alteration of any such bylaw shall be by resolution of the Board and be done in the same manner as the Board may make, revoke, and alter bylaws under section 22AB of the Land Transport Act 1998.
- (4) Before making any bylaw that is likely to affect, or altering any bylaw in such a way that it is likely to affect, the navigation or control of the Waitemata Harbour, the Board shall consult, and take into account the views of, the Auckland Harbour Board.
- (5) For the purposes of the Land Transport Act 1998, any bylaw made under this section is to be treated as being made under section 22AB of the Land Transport Act 1998.
- (6) Every person who acts in contravention of or fails to comply with any bylaw for the time being in force under this section commits an offence and shall be liable on conviction to a fine not exceeding \$500 and, if the offence is a continuing one, to a further fine not exceeding \$50 for every day or part of a day during which the offence has continued.

Section 7(1): amended, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Section 7(3): amended, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Section 7(5): substituted, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Section 7(6): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

8 Rights of navigation, etc

Except as provided in section 7, neither this Act nor the repeal by section 18 of the enactments specified in that section shall authorise the Board or any other person to prevent, hinder, or in any way interfere with the control and jurisdiction of the Auckland Harbour Board over the Waitemata Harbour or with the passage or repassage of any ship or vessel under the bridge.

9 Bridge to be properly lighted

The Board shall at all times ensure that the bridge is adequately lighted so as to provide for the safety of ships and aircraft in the vicinity of the bridge.

10 Installation of services on bridge

- (1) No person or body shall provide, instal, maintain, or repair any water main, gas pipe, or other pipe, or any power or telecommunications line, wire, or cable on the bridge without the consent of the Board, which may be given subject to such conditions as the Board considers necessary for the protection and safety of the bridge and of traffic using the bridge.

- (2) The person or body responsible for any such installation on the bridge shall pay to the Board such annual amount for the use of the bridge as may be agreed upon by the Board and the person or body.

11 Advertising matter prohibited

No advertising matter of any description shall be placed or fixed on any part of the bridge.

12 Minister of Works and Development to be designating authority

For the purposes of the Town and Country Planning Act 1977, the Minister of Works and Development shall be deemed to have financial responsibility for any designations relating to the bridge or any buildings, structures, or works of the Auckland Harbour Bridge Authority in the district schemes of the Auckland City Council and the Northcote Borough Council.

13 Redemption of toll tickets

Complete unused toll tickets shall be redeemable by the Crown if presented for redemption at the office of the District Commissioner of Works in Auckland before 30 September 1984.

14 Redundancy compensation not payable in respect of continuing employment

Notwithstanding anything in—

- (a) any award or collective agreement; or
- (b) any other agreement or arrangement made between—
 - (i) 1 or more persons employed by the Authority; or
 - (ii) a union or society of workers; or
 - (iii) an association of workers—and the Authority; or
- (c) any decision or administrative practice of the Authority—

no person shall be regarded as redundant or entitled to compensation for redundancy if, on or before 22 March 1984, he is offered employment in or with the Ministry of Works and Development or the Ministry of Transport similar to that which he held with the Authority and at an ordinary time rate of salary or wages approximately equivalent to the rate he was receiving as at 14 December 1983 in respect of his employment with the Authority.

15 Redundancy compensation

- (1) Notwithstanding any agreement to the contrary, any person employed by the Authority who is not offered employment in accordance with section 14, and who becomes redundant, shall be paid by the Authority only—

- (a) compensation for redundancy in accordance with the redundancy provisions set out in the Auckland Harbour Bridge Authority “Memorandum to Staff: Service Bonus, Long Service, Sick, Compassionate and Special Leave and Retiring Gratuities” dated 1 September 1975 and the “Memorandum of Understanding between the Auckland Harbour Bridge Authority and the Auckland Provincial District Local Authorities Officers’ Industrial Union of Workers” dated 19 August 1975; and
 - (b) such remuneration as the Authority would have been required to pay if the redundancy had occurred before 1 November 1983.
- (2) Except with the concurrence of the Minister of State Services, no employee of the Authority shall be declared redundant or regarded as redundant or be paid any compensation for redundancy before 22 March 1984.

16 Amending Trustee Act 1956

[Repealed]

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

17 Consequential amendments to other Acts

- (1) *Amendment(s) incorporated in the Act(s).*
- (2) *[Repealed]*

Section 17(2): repealed, on 1 April 1988, by section 84(6)(a) of the Public Works Amendment Act 1988 (1988 No 43).

18 Repeals

The following enactments are hereby repealed:

- (a) the Auckland Harbour Bridge Act 1950:
- (b) the Auckland Harbour Bridge Amendment Act 1954:
- (c) the Auckland Harbour Bridge Amendment Act 1956:
- (d) the Auckland Harbour Bridge Amendment Act 1957:
- (e) the Auckland Harbour Bridge Amendment Act 1958:
- (f) so much of Part 2 of Schedule 1 of the Public Bodies Contracts Act 1959 as relates to the Auckland Harbour Bridge Authority and to the Christchurch-Lyttelton Road Tunnel Authority, and so much of Schedule 2 of that Act as relates to the Auckland Harbour Bridge Act 1950 and to the Christchurch-Lyttelton Road Tunnel Act 1956:
- (g) the Auckland Harbour Bridge Amendment Act 1962:
- (h) *[Repealed]*
- (i) the Auckland Harbour Bridge Amendment Act 1963:
- (j) the Auckland Harbour Bridge Amendment Act 1965:

- (k) so much of Part 2 of Schedule 1 of the Local Authorities (Members' Interests) Act 1968 as relates to the Auckland Harbour Bridge Authority and to the Christchurch-Lyttelton Road Tunnel Authority:
- (l) the Auckland Harbour Bridge Amendment Act 1971:
- (m) so much of Part 3 of Schedule 1 of the Local Government Act 1974 (as substituted by section 2(1) of the Local Government Amendment Act 1976) as relates to the Auckland Harbour Bridge Authority and to the Christchurch-Lyttelton Road Tunnel Authority:
- (n) the Auckland Harbour Bridge Amendment Act 1979:
- (o) so much of Part 3 of Schedule 3 of the Local Government Amendment Act 1979 as relates to the Auckland Harbour Bridge Act 1950:
- (p) the Auckland Harbour Bridge Amendment Act 1980.

Section 18(h): repealed, on 1 March 1988, by section 58(1) of the Local Government Official Information and Meetings Act 1987 (1987 No 174).

Schedule
North Auckland Land Registration District

s 4(2)

- 1 All that piece of land containing 4 743 square metres, more or less, being Allotment 527, Parish of Takapuna, and being all of the land comprised and described in certificate of title 14D/335.
- 2 All that piece of land containing 7 252 square metres, more or less, being Lot 1, DP 55110, and Lots 5, 6, 7, 8, 113, and 114 and part Lot 112, DP 1216, and being all of the land comprised and described in certificate of title 7B/584.
- 3 All that piece of land containing 1 502 square metres, more or less, being Lot 1, DP 58407, and being all of the land comprised and described in certificate of title 13D/1369.
- 4 All that piece of land containing 731 square metres, more or less, being Lot 21, DP 1216, and being all of the land comprised and described in certificate of title 152/43.
- 5 All that piece of land containing 604 square metres, more or less, being Lot 2, DP 58407, and being all of the land comprised and described in certificate of title 13D/1368.

Reprints notes

1 *General*

This is a reprint of the Auckland Harbour Bridge Authority Dissolution Act 1983 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Statutes Repeal Act 2017 (2017 No 23): section 3(1)

Criminal Procedure Act 2011 (2011 No 81): section 413

Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13): section 100(3)

Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11): section 38(2)

Trustee Amendment Act 1988 (1988 No 119): section 16(1)

Auckland Harbour Bridge Authority Dissolution Amendment Act 1988 (1988 No 52)

Public Works Amendment Act 1988 (1988 No 43): section 84(6)(a)

Local Government Official Information and Meetings Act 1987 (1987 No 174): section 58(1)