

Tokoroa Town Empowering Act 1966

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An Act to make further provision for the administration of the County Town of Tokoroa

Whereas, having regard to the extensive area comprised in the County Town of Tokoroa and the large and increasing population therein (the said population being in excess of 10,000 persons) it is expedient to provide for the constitution of a Tokoroa County Borough Committee, to provide for the election of a Mayor, and to make provision for the payment of an annual allowance to the Mayor:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1 Short Title

This Act may be cited as the Tokoroa Town Empowering Act 1966.

2 Interpretation

In this Act, unless the context otherwise requires,—

“Council” means the Matamata County Council:

“Committee” means the Tokoroa County Borough Committee constituted under this Act:

“Principal Act” means the Counties Act 1956:

“Town” means the Town of Tokoroa.

3 Constitution of Committee

- (1) Notwithstanding anything to the contrary in the principal Act, as from the date of commencement of this Act, the Committee for the Town of Tokoroa shall be known as the Tokoroa County Borough Committee, and shall be constituted in accordance with this Act.
- (2) The Committee shall consist of—
 - (a) The Mayor, who shall be a riding member for the Tokoroa Riding of the Matamata County:
 - (b) Such other riding member or members of the Tokoroa Riding of the Matamata County elected pursuant to the provisions of the principal Act:
 - (c) Three members to be appointed by a resolution of the Board of Directors of N.Z. Forest Products Limited who shall at all times have a ratepayers qualification in respect of property within the town or a residential qualification in respect of an address within the town and who shall hold office at the pleasure of the said Board until the triennial elections to be held in October, nineteen hundred and sixty-eight:
 - (d) Such further number of members (not exceeding the number that would bring the membership of the Committee to twelve) who shall be elected by the electors having a ratepayers qualification in respect of property within the town or a residential qualification in respect of an address within the town.
- (3) For the purposes of every such election, the provisions of the Local Elections and Polls Act 1953 and the provisions of the principal Act, shall apply as if the election were a general election of the members of the Council.
- (4) The secretary of the said company shall, forthwith after the appointment of members of the Committee under this section, send to the Council a certified copy of the resolution of the Board of Directors making the appointment.

- (5) On the occurrence from any cause of a vacancy in respect of an elected member of the Committee, the vacancy shall be filled in accordance with the provisions of the principal Act, relating to the election of Councillors.

4 Office of Mayor

- (1) At every triennial election of Councillors there shall be an election for the office of Mayor of the town who shall by virtue of his office be a Councillor for the Riding of Tokoroa of the Matamata County Council.
- (2) At every meeting of the Committee the Mayor, if present, or in his absence the Deputy Mayor (if any) shall be Chairman.
- (3) The Mayor shall, unless he sooner vacates office as provided in section 5 of this Act, continue in office until his successor comes into office.
- (4) The Mayor, not being the holder of any licence or manager's certificate under the Sale of Liquor Act 1962, shall be a Justice of the Peace during the time he holds the office of Mayor.
- (5) The provisions of this section shall apply notwithstanding anything contained in section 72 of the principal Act.
- (6) Unless otherwise provided in this Act, the Mayor shall have none of the powers and authorities conferred on Mayors by the Municipal Corporations Act 1954.

5 Vacation of office by Mayor

- (1) The Mayor may resign his office by writing under his hand delivered to the Council; and in such case, or in case of the death, incapacity, or absence of the Mayor without leave of the Committee from four consecutive meetings thereof, his office shall become vacant and the vacancy shall be deemed to be an extraordinary vacancy.
- (2) If such a vacancy occurs his successor shall be elected in accordance with the provisions of the principal Act, relating to the election of Councillors.

6 Mayor to preside at meetings

- (1) At every meeting of the Committee the Mayor, if present, shall preside.
- (2) If the Mayor is absent from any meeting the Deputy Mayor (if any) shall preside, but if no Deputy Mayor has been appointed, or if the Mayor and Deputy Mayor are both absent, the members of the Committee then present shall elect one of their number to be Chairman of that meeting.

7 Chairman to have casting vote

The Chairman of any meeting of the Committee shall have a deliberative vote, and, in case of equality of votes, shall also have a casting vote.

8 Annual allowance to Mayor

The Mayor may be paid an annual allowance, not exceeding one-half of the authorised allowance for the Chairman of the Matamata County, as the Council from time to time fixes. Any allowance so paid to the Mayor shall be in addition to the allowance payable to the said Chairman but no alteration in the amount of that allowance shall take effect during the term of office of any Mayor:

Provided that while the offices of Mayor of the town and Chairman of the said county are held by the one person the holder of such offices shall be entitled to receive one allowance only.

9 Appointment of Deputy Mayor

The Committee may, if it thinks fit, elect one of its members to be Deputy Mayor who, with the consent of the Mayor, or, in the event of the Mayor becoming incapable of acting, without that consent, shall until the Mayor resumes his duties or a new Mayor comes into office, have all the authority of the Mayor except the authority to act as a Justice of the Peace by virtue of his office.

10 Appointment of first Mayor and Committee

The persons comprising the Tokoroa County Town Committee at the date of commencement of this Act shall become members of the Committee constituted under this Act, subject in all respect to the provisions of this Act. The first Mayor of the town shall be the riding member for the Tokoroa Riding of the Matamata County who shall at the date of commencement of this Act be the Chairman of the said Tokoroa County Town Committee.

11 Appointment to special bodies

The members of the Committee, including the Mayor, shall be eligible for and may be appointed to any board, committee, tribunal, or other organisation to which any member of the Council may be appointed.

12 Travelling expenses of Mayor and members of Committee

The Council may pay to the Mayor and to each member of the Committee, travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951 and the provisions of that Act shall apply accordingly as if the Committee were a statutory Board within the meaning of that Act.