

Otago Museum Trust Board Amendment Act 1973

Local Act 1973 No 5
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An Act to amend the Otago Museum Trust Board Act 1955

BE IT 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 Otago Museum Trust Board Amendment Act 1973, and shall be read together with and deemed part of the Otago Museum Trust Board Act 1955 (hereinafter referred to as the principal Act).

2 Levies on local authorities for year commencing 1 April 1973

The principal Act is hereby amended by repealing section 15 (as substituted by section 3 of the Otago Museum Trust Board Amendment Act 1968), and substituting the following section:

“15. The Board may, in the year commencing on the 1st day of April 1973, for the purposes of the management, maintenance, support, and development of the museum make a levy against the Councils of the City of Dunedin and the boroughs and counties mentioned in column 1 of the First Schedule to this Act (hereinafter referred to as the contributing authorities) of the sum of \$95,290, being the amount of a budget for such purposes for the said year.”

3 Budgetary Committee

Section 15a of the principal Act (as so substituted) is hereby amended by omitting from subsection (2) the words “Within two months after the coming into operation of each five yearly budget”, and substituting the words “Within 2 months after the triennial general elections of members of Councils of boroughs and counties are held under the Local Elections and Polls Act 1966 in the year 1974, and after each subsequent triennial general election”.

4 Levies on local authorities from year commencing 1 April 1974

The principal Act is hereby further amended by repealing section 15b (as so substituted), and substituting the following section:

“15b

- “(1) Not later than the 30th day of September in the financial year commencing on the 1st day of April 1973, and in each subsequent year, the Board shall prepare a budget of the annual amount required for the management, maintenance, support, and development of the museum during the following financial year and a list setting out opposite the name of each of the contributing authorities the annual amount apportioned as hereinafter provided to be levied against such contributing authority in respect of such budget during such financial year, and shall refer such budget and list to the Budgetary Committee which may approve such budget and list or refer them back to the Board for reconsideration.
- “(2) The Board shall forward a copy of the budget and list when approved by the Budgetary Committee to each of the contributing authorities.
- “(3) If within 3 months after the budget and list have first been referred to it, the Budgetary Committee has not approved the same, the Board may forward a copy of such budget and list to each of the contributing authorities without such approval.
- “(4) If more than one-half of the contributing authorities give notice in writing to the Board under their respective seals within 6 weeks after a copy of the said budget and list has been forwarded to them that they are dissatisfied with such budget and list, stating in detail the grounds of their dissatisfaction, the Board shall prepare a new budget and list, but otherwise the said budget and list shall be deemed to be approved by all contributing authorities and shall be binding on them, and the Board may in such following financial year make a levy against each of the contributing authorities of the amount shown opposite

the name of such contributing authority on the list. The provisions of this subsection shall also apply in respect of every such new budget and list.

- “(5) For the purpose of apportioning levies the population of the district of each contributing authority shall be the number of persons in that district as at the 1st day of April in the financial year in which the budget and list are prepared, according to figures obtained from the Department of Statistics, but the Board in its absolute discretion may adjust such number by reason of there being groups of persons temporarily or for a special purpose in any district at that date.
- “(6) For the purposes of apportioning levies the capital value of rateable property shall be the capital value thereof as at the 1st day of April in the financial year in which the budget and list are prepared such value being determined under the Valuation of Land Act 1951, equalised in accordance with Part IX of the Rating Act 1967, and certified as correct by the Valuer-General.
- “(7) An adjusted population of the district of each contributing authority shall be computed by multiplying the population of such district by the differential factor appropriate to that contributing authority shown in column 2 of the First Schedule to this Act opposite the name of such contributing authority.
- “(8) An adjusted capital value of all rateable property in the district of each contributing authority shall be computed by multiplying the capital value of all rateable property in such district by the said differential factor.
- “(9) The adjusted population computed as provided for in subsection (7) of this section and the adjusted capital value computed as provided for in subsection (8) of this section shall be calculated as a percentage of the total adjusted population and the total adjusted capital value of all rateable property in the districts of all contributing authorities.
- “(10) The levy made in each financial year against each contributing authority shall be an amount equal to the mean of the percentages calculated as provided for in subsection (9) of this section in respect of such contributing authority, of the total amount of the levy.
- “(11) The levy made under section 15 of this Act shall be apportioned among the contributing authorities as heretofore provided on population and capital values as at the 1st day of April 1973.”

5 Payment of contributions

Section 16 of the principal Act (as substituted by section 4 of the Otago Museum Trust Board Amendment Act 1968) is hereby amended—

- (a) By omitting from subsection (1) the words “nineteen hundred and sixty-nine”, and substituting the expression “1973”;
- (b) By repealing subsection (2), and substituting the following subsection.

- “(2) If the Board is unable for any reason to prepare and obtain approval of a budget and list of contributions as hereinbefore provided on or before the 31st day of

July in the year to which they are to apply, each contributing authority shall pay to the Board on the 31st day of July in that year, and half-yearly thereafter, an amount equal to the half-yearly contribution payable by it for the previous year until such budget and list of contributions has been prepared and approved, and on the following half-yearly date each contributing authority shall pay to the Board the difference between the amounts paid and the total amount levied up to such half-yearly date.”

6 New First Schedule substituted and saving

- (1) The principal Act is hereby further amended by repealing the First Schedule (as substituted by section 6(1) of the Otago Museum Trust Board Amendment Act 1968), and substituting the First Schedule set out in the Schedule to this Act.
- (2) The Otago Museum Trust Board Amendment Act 1968 is hereby consequentially amended by repealing subsection (1) of section 6 and the First Schedule.
- (3) Notwithstanding the provisions of this Act, the Board may continue to levy and receive contributions from the contributing authorities in accordance with the provisions hereby amended until the 31st day of March 1973.

Schedule New First Schedule to Principal Act

Section 6(1)

“FIRST SCHEDULE

The contributing authorities shall be those named in column 1 hereof and the differential factor appropriate to each contributing authority shall be that set opposite its name in column 2 hereof.

Column 1 Name of Authority	Column 2 Differential Factor
Dunedin City	1.0
Boroughs—	
First:	
St. Kilda	1.0
Green Island	0.9
Port Chalmers	0.9
Mosgiel	0.9
Secondly:	
Kaitangata	0.5
Balclutha	0.5
Lawrence	0.5
Milton	0.5
Oamaru	0.3
Tapanul	0.3

Column 1	Column 2
Name of Authority	Differential Factor
Naseby	0.2
Roxburgh	0.2
Alexandra	0.2
Cromwell	0.2
Counties—	
Waikouaiti	0.5
Taieri	0.5
Bruce	0.4
Waihemo	0.4
Clutha	0.3
Tuapeka	0.3
Waitaki	0.2
Maniototo	0.2
Vincent	0.1”