

Auckland Regional Authority Amendment Act 1975

Local Act 1975 No 10
Date of assent 19 September 1975

Contents

	Page
Title	1
1 Short Title	1
2 Auckland Regional District	1
3 Consequential amendments	2
4 Regional Water Board	2
5 Unauthorised expenditure	2
Schedule	3
Amendments to Principal Act	

An Act to amend the Auckland Regional Authority Act 1963

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 Auckland Regional Authority Amendment Act 1975, and shall be read together with and deemed part of the Auckland Regional Authority Act 1963 (hereinafter referred to as the principal Act).

2 Auckland Regional District

Section 3 of the principal Act is hereby amended—

- (a) By omitting from paragraph (a) (as amended by section 3(1) of the Auckland Regional Authority Amendment Act 1968) the words “, and

Papatoetoe”, and substituting the words “East Coast Bays, Papakura, Papatoetoe, and Waitemata”:

- (b) By omitting from paragraph (b) the words “East Coast Bays,”, and also the word “Papakura,”:
- (c) By omitting from paragraph (c) the word “Waitemata,”.

3 Consequential amendments

- (1) The principal Act is hereby further amended in the manner indicated in the Schedule to this Act.
- (2) This section and the Schedule to this Act shall be deemed to have come into force on the 1st day of August 1974.

4 Regional Water Board

- (1) Section 17b(3) of the principal Act (as inserted by section 2 of the Auckland Regional Authority Amendment Act 1969) is hereby amended by adding the following proviso:

“Provided that the persons to be appointed to any such committee by the Ministers of the Crown and the Board mentioned in subsection (2) of this section may be appointed by name or those Ministers by writing under their hand and that Board by resolution, may from time to time direct that the person who is the holder for the time being of a specified office in the Public Service (in the case of those Ministers) or in the service of the Board (in the case of that Board) shall be the appointed member of such Minister or Board, and the person who is for the time being the holder of the specified office shall, until such direction is revoked, continue to be the appointee of such Minister or Board without any appointment or reappointment under the said subsection (2).”

- (2) The said section 17b (as so inserted) is hereby further amended by adding the following subsection:

“(4) The quorum of any such committee to which any of such functions, rights, powers, and duties are so delegated shall be determined in accordance with the provisions of this Act as if all the members thereof had been appointed by the Authority.”

- (3) This section shall be deemed to have come into force on the 2nd day of April 1973.

5 Unauthorised expenditure

- (1) The principal Act is hereby further amended by repealing section 55, and substituting the following section:

“55

Notwithstanding the provisions of section 101(1) of the Local Government Act 1974, section 132 of that Act shall apply to the Authority as if it were a council for the purposes of Part IV of that Act.”

- (2) Section 4 of the Auckland Regional Authority Amendment Act 1971 is hereby consequentially repealed.

Schedule Amendments to Principal Act

Section 3

Section Amended	Amendment
Section 61(7)(d)	By omitting the words “Waitemata County”, and substituting the words “Waitemata City”.
Section 61	<p>By adding the following subsection:</p> <p>“(9) Notwithstanding anything in this section, where—</p> <p style="padding-left: 2em;">“(a) Any area is added to or amalgamated with the district of any Council named in paragraphs (a) and (d) of subsection (7) of this section (which Council is for the purposes of this subsection referred to as the exempted Council); and</p> <p style="padding-left: 2em;">“(b) The Council of the district of which, before such amalgamation, the said area formed part (which Council is for the purposes of this subsection referred to as the former Council) was liable, whether by agreement made under this section or otherwise, to be charged and assessed by the Authority in respect of the said area—</p> <p style="padding-left: 2em;">the exempted Council shall be liable to be charged and assessed by the Authority in respect of the said area in the same way as the former Council would have been if the addition or amalgamation had not taken place, and in respect of the said area the exempted Council shall have and may exercise any powers which the former Council had in respect of the said area to enter into agreements with the Authority under the provisions of paragraphs (a) and (d) of subsection (7) of this section:</p> <p style="padding-left: 2em;">“Provided that nothing in this subsection shall render the exempted Council liable to be charged or assessed by the Authority pursuant to section 7 of this Act, which relates to the cost of elections.”</p>
Section 66a (as inserted by section 10 of the Auckland Regional Authority Amendment Act 1969 and amended by section 8(1)(a) of the	By omitting the words “Waitemata County” where they first occur, and substituting the words “Waitemata City”.

Section Amended	Amendment
Auckland Regional Authority Amendment Act (No. 2) 1970	By omitting the words “may”, and the Waitemata County Council shall”, and substituting the words “and the Waitemata City Council may”.
Section 66b(1) and (2) (as inserted by section 12 of the Auckland Regional Authority Amendment Act 1972)	By omitting the word “Waitemata” wherever it occurs, and substituting in each case the word “Rodney”.
Section 66b(1) (as so inserted)	By omitting the words “county town or county towns” wherever they occur, and substituting in each case the words “community or communities”.
Section 66b(3) (as so inserted)	By omitting the words “county towns”, and substituting the words “communities”.
Section 66b (as so inserted)	By adding the following subsection: “(4) In this section and in section 66c of this Act, ‘community’ means a community within the jurisdiction of a community council.”
Section 66c (as so inserted)	By omitting the word “Waitemata” wherever it occurs, and substituting in each case the word “Rodney”. By omitting the words “county town or county towns” wherever they occur, and substituting in each case the words “community or communities”.