



# **Local Government (Auckland Council) Amendment Act 2016**

Public Act    2016 No 19  
Date of assent    9 May 2016  
Commencement    see section 2

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**The Parliament of New Zealand enacts as follows:**

### **1    Title**

This Act is the Local Government (Auckland Council) Amendment Act 2016.

**2 Commencement**

This Act comes into force on the day after the date on which it receives the Royal assent.

**3 Principal Act**

This Act amends the Local Government (Auckland Council) Act 2009 (the **principal Act**).

**4 New section 4A inserted (Transitional, savings, and related provisions)**

After section 4, insert:

**4A Transitional, savings, and related provisions**

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

**5 Section 11 amended (Membership of local boards)**

In section 11(2)(a), after “accordance with” insert “this Act and”.

**6 New sections 11AA to 11AAD inserted**

After section 11, insert:

**11AA Prohibition on membership of more than 1 local board**

No person may be a member of more than 1 local board at the same time.

**11AAB Nominations for more than 1 local board**

- (1) This section applies if the electoral officer has accepted a candidate’s nomination for election to a local board.
- (2) The electoral officer must not accept a nomination of that candidate for election to another local board unless that candidate has complied with the provisions of subsection (3).
- (3) The candidate must, by written notice to the electoral officer,—
  - (a) specify all local boards to which he or she is seeking election; and
  - (b) for the purposes of section 11AAC(2), rank each local board specified under paragraph (a) in order of the priority that will apply if the candidate is declared to be elected to more than 1 local board (the **rankings**).
- (4) If subsection (3) applies, the candidate must—
  - (a) submit a candidate profile statement for each local board election; and
  - (b) state in each candidate profile statement the rankings he or she had made under subsection (3).
- (5) The information required under subsection (4)(b) does not count for the purposes of the word limit under section 61(2)(a) of the Local Electoral Act 2001.

- (6) In this section, **candidate profile statement** means a statement made in accordance with section 61 of the Local Electoral Act 2001.

**11AAC What happens if a person is elected to more than 1 local board**

- (1) This section applies if—
- (a) section 11AAB(3) applies; and
  - (b) a person is declared to be elected to more than 1 local board (and remains so elected despite any recount under section 92 of the Local Electoral Act 2001 or petition under section 93 of that Act).
- (2) The person declared to be elected must be treated as having vacated office as a member of any local board that is ranked lower, in the notice given under section 11AAB(3), than another local board to which he or she is declared elected.
- (3) Sections 88B to 88E of the Local Electoral Act 2001 apply, with any necessary modifications, to any office treated as vacated under subsection (2) as if that office were treated as vacated under section 88A(2) of that Act.

Compare: 2001 No 35 s 88A

**11AAD Prohibition on candidacy for local board**

- (1) No member of a local board (**LB1**) may be a candidate for election as a member of another local board (**LB2**).
- (2) Subsection (1) does not apply if a general election of members of LB1 is to be held at the same time as an election of members of LB2.

Compare: 2001 No 35 s 58AA

**7 New Schedule 1AA inserted**

Before Schedule 1, insert the Schedule 1AA set out in the Schedule of this Act.

**Schedule**  
**New Schedule 1AA inserted**

s 7

**Schedule 1AA**  
**Transitional, savings, and related provisions**

s 4A

**Existing membership of local boards not affected**

Nothing in section 11AA affects the current membership of any person who is a member of more than 1 local board at the commencement of the Local Government (Auckland Council) Amendment Act 2016.

**Legislative history**

20 February 2014	Introduction (Bill 190–1)
24 June 2015	First reading and referral to Local Government and Environment Committee
17 December 2015	Reported from Local Government and Environment Committee (Bill 190–2)
16 March 2016	Second reading
6 April 2016	Committee of the whole House
4 May 2016	Third reading
9 May 2016	Royal assent

This Act is administered by the Department of Internal Affairs.