

House of Representatives
Supplementary Order Paper

Wednesday, 4 December 2013

**Kaipara District Council (Validation of Rates and
Other Matters) Bill**

Proposed amendment

Andrew Williams, in Committee, to move the following amendment:

New clause 15

After *clause 14* (after line 2 on page 27), insert:

15 Savings

Nothing in this Act prevents the Court granting relief in the proceedings between the Mangawhai Ratepayers' and Residents' Association Incorporated and the Kaipara District Council (being the High Court proceeding CIV-2013-488-152 and any appeals) for the benefit of those who were members of the Mangawhai Ratepayers' and Residents' Association Incorporated on 4 June 2013.

Explanatory note

This Supplementary Order Paper amends the Kaipara District Council (Validation of Rates and Other Matters) Bill by inserting *new clause 15*. This provision would, consistent with constitutional principle and the rule of law, preserve the ability of the Mangawhai Residents' and Ratepayers' Association Incorporated (the **Association**) to pursue their legal arguments in the judicial review proceedings filed on 11 March 2013.

The Court would be able to grant substantive relief (non-declaratory relief) only in favour of those who were members of the Association at the date of the introduction of the Bill, on 4 June 2013. This ensures that the object of the Bill is achieved while upholding constitutional principle and the rule of law.
