Local Government Amendment Act 1991

Public Act 1991 No 49
Date of assent 28 June 1991

Contents

		Page
	Title	2
1	Short Title and commencement	2
2	New sections inserted	2
5	Electors of regions, territorial authorities, and communities *[Repealed]*	3
6	Review of membership and basis of election *[Repealed]*	3
7	Objections *[Repealed]*	3
8	Commission to determine wards and constituencies *[Repealed]*	3
9	Factors in determination of membership and basis of election	3
10	When ward and constituency determinations take effect *[Repealed]*	4
11	Extraordinary vacancies *[Repealed]*	4
12	Procedures relating to resolution to constitute community *[Repealed]*	4
13	Membership of community boards *[Repealed]*	4
18	Financial Systems *[Repealed]*	5
19	Interpretation	5
20	Membership of Auckland Regional Authority	5
21	Repeal of special roll compilation procedures for Auckland Regional Authority	5
22	Schedule 4 amended *[Repealed]*	5

23 Continuation of existing arrangements for 1992 triennial general election 5
24 Validation of introduction of instalment rating 6
25 Amendments to Ombudsmen Act 1975 7

Amendments to Area Health Boards Act 1983

Amendments to Greytown Trust Lands Act 1979

31 Repeal 8

Amendments to Masterton Trust Lands Act 1966

Schedule 8
Territorial authorities for which instalment rating is validated

---

An Act to amend the Local Government Act 1974

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

(1) This Act may be cited as the Local Government Amendment Act 1991, and shall be read together with and deemed part of the Local Government Act 1974 (hereinafter referred to as the principal Act).

(2) Except as provided in sections 16(2) and 21(3) of this Act, this Act shall come into force on the 1st day of July 1991.

2 New sections inserted

(1)

(2) Section 63 of the Local Government Amendment Act (No 2) 1989 and section 27 of the Local Government Reform (Transitional Provisions) Act 1990 are hereby repealed.

Subsection (1) was repealed, as from 10 October 1992, by section 8(2)(c) Local Government Amendment Act 1992 (1992 No 42).

3

Section 3 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

4

Section 4 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

5 Electors of regions, territorial authorities, and communities

[Repealed]

Section 5 was repealed, as from 1 July 2001, by section 152(1) Local Electoral Act 2001 (2001 No 35). *See* sections 153 to 157 of that Act as to the transitional provisions. *See* clause 2 Local Electoral Act Commencement Order 2001 (SR 2001/144).

6 Review of membership and basis of election

[Repealed]

Section 6 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

7 Objections

[Repealed]

Section 7 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

8 Commission to determine wards and constituencies

[Repealed]

Section 8 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

9 Factors in determination of membership and basis of election

(1)

(2)

Subsection (1) was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

Subsection (2) was repealed, as from 10 October 1992, by section 8(2)(c) Local Government Amendment Act 1992 (1992 No 42).

10 When ward and constituency determinations take effect
[Repealed]

Section 10 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

11 Extraordinary vacancies
[Repealed]

Section 11 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

12 Procedures relating to resolution to constitute community
[Repealed]

Section 12 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

13 Membership of community boards
[Repealed]

Section 13 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

14

Section 14 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

15

Section 15 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

16

Section 16 was repealed, as from 27 July 1996, by section 4(4) Local Government Amendment Act (No 3) 1996 (1996 No 83).

17

Section 17 was repealed, as from 27 July 1996, by section 4(4) Local Government Amendment Act (No 3) 1996 (1996 No 83).

18 Financial Systems

[Repealed]

Section 18 was repealed, as from 27 July 1996, by section 4(2)(a) Local Government Amendment Act (No 3) 1996 (1996 No 83).

19 Interpretation

This section substituted the definition of **Electoral population**, as from 1 October 1991, in section 707B of the principal Act.

20 Membership of Auckland Regional Authority

This section amended, as from 1 October 1991, section 707C of the principal Act.

21 Repeal of special roll compilation procedures for Auckland Regional Authority

This section repealed, as from 1 October 1991, sections 707F to 707M of the principal Act.

22 Schedule 4 amended

[Repealed]

Section 22 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

23 Continuation of existing arrangements for 1992 triennial general election

(1) This section shall apply to every council constituted on or after the 1st day of November 1989 (other than the Ashburton District Council).

(2) Notwithstanding anything in section 101H of the principal Act, any council to which this section applies may, before the 1st day of August 1991, resolve not to undertake, before the triennial general election of the council to be held in 1992, a review of its membership and the basis on which it is elected.

(3) Where a council resolves under subsection (2) of this section not to undertake a review of its membership and the basis on which it is elected, the wards and constituencies and the membership of the council shall, for the purposes of the triennial

general election of members of that council to be held on the 10th day of October 1992, be as specified in the Order in Council constituting the council.

(4) Where a council resolves under subsection (2) of this section not to undertake a review of its membership and the basis on which it is elected, the council shall, within 8 days of that resolution, give public notice of that resolution; and—

(a) Send a copy of that notice to—

(i) The Commission; and

(ii) The Surveyor-General; and

(iii) The Government Statistician; and

(b) Where the council is a regional council, send a copy of the notice to every territorial authority whose district or a part of whose district is within the region; and

(c) Where the council is a territorial authority, send a copy of the notice to any regional council for a region in which the district of the territorial authority or any part thereof is situated.

24 Validation of introduction of instalment rating

(1) The introduction of instalment rating for the financial year which commenced on the 1st day of July 1990 by those territorial authorities listed in the Schedule to this Act is hereby declared to be valid, notwithstanding that the special orders required, pursuant to section 152 of the Rating Powers Act 1988 (as amended by section 33 of the Local Government Reform (Transitional Provisions) Act 1990), were made later than the 1st day of July 1990.

(2) Clause 11(2) of the Stratford Borough-Stratford County Union Order 1988 (which is published in the *Gazette* of the 15th day of December 1988 at page 5386) shall apply, and shall be deemed always to have applied, to the Stratford District Council constituted by clause 60 of the Local Government (Taranaki Region) Reorganisation Order 1989 (which is published in the *Gazette* of the 13th day of June 1989 at page 2445), notwithstanding that the Stratford District Council constituted by clause 2(3) of the Stratford Borough-Stratford County Union Order 1988 was dissolved by clause 6 of the Local Government (Taranaki Region) Reorganisation Order 1989.

(3) Notwithstanding subsection (2) of this section, the Stratford District Council constituted by clause 60 of the Local Government (Taranaki Region) Reorganisation Order 1988—

(a) May from time to time, pursuant to a special order made under section 156 of the principal Act (which section shall apply with all necessary modifications), vary the intervals at which instalments of rates are levied and collected by that Council; or

(b) May, pursuant to a special order made under section 157 of the principal Act (which section shall apply with all necessary modifications), abandon the method of payment of rates by instalments applied by clause 11(2) of the Stratford Borough-Stratford County Union Order 1988.

25 Amendments to Ombudsmen Act 1975

(1) These subsections amended Schedule 1 to the Ombudsmen Act 1975.

(2) These subsections amended Schedule 1 to the Ombudsmen Act 1975.

(3)

(4) This subsection amended Schedule 1 to the Ombudsmen Act 1975.

Subsection (3) was repealed, as from 1 November 1995, by section 32(2) Chatham Islands Council Act 1995 (1995 No 41).

Amendments to Area Health Boards Act 1983

26

27

Amendments to Greytown Trust Lands Act 1979

28

Section 28 was repealed, as from 26 August 1993, by section 3(3) Greytown District Trust Lands Amendment Act 1993 (1993 No 7(L)).

29

Section 29 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

30

Section 30 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

31 Repeal

The Local Government Amendment Act 1986 is hereby consequentially amended by repealing so much of Schedule 1 as relates to section 4 of the Greytown Trust Lands Act 1979.

Amendments to Masterton Trust Lands Act 1966

32

Sections 32 to 34 were repealed, as from 6 May 2003, by section 38(b) Masterton Trust Lands Act 2003 (2003 No 1(P)). *See* sections 39 and 40 of that Act as to the savings provisions.

33

Sections 32 to 34 were repealed, as from 6 May 2003, by section 38(b) Masterton Trust Lands Act 2003 (2003 No 1(P)). *See* sections 39 and 40 of that Act as to the savings provisions.

Section 33 was to be repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). This amendment appears to be in error as section 34 had already been repealed, see above.

34

Sections 32 to 34 were repealed, as from 6 May 2003, by section 38(b) Masterton Trust Lands Act 2003 (2003 No 1(P)). *See* sections 39 and 40 of that Act as to the savings provisions.

Section 34 was to be repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). This amendment appears to be in error as section 34 had already been repealed, see above.

Schedule

Section 24(1)

Territorial authorities for which instalment rating is validated

Territorial authority	Date of confirmation of resolution
Ashburton District Council	19 July 1990

Carterton District Council	17 October 1990
Christchurch City Council	23 July 1990
Gisborne City Council	26 July 1990
Hurunui District Council	26 July 1990
Invercargill City Council	28 August 1990
Kaikoura District Council	8 August 1990
Kawerau District Council	29 August 1990
Nelson City Council	21 August 1990
New Plymouth District Council	16 July 1990
Opotiki District Council	26 August 1990
Papakura District Council	6 August 1990
Rotorua District Council	24 July 1990
Tararua District Council	29 August 1990
Waimakariri District Council	23 July 1990
Wanganui District Council	13 August 1990