



**Local Government (Auckland
Transitional Provisions)
Substitution of Single Security
Document Order 2010**

Anand Satyanand, Governor-General

Order in Council

At Wellington this 13th day of December 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 31(2) of the Local Government (Auckland Transitional Provisions) Act 2010, His Excellency the Governor-General makes the following order acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Local Government having—
 - (i) satisfied himself of the matters in section 31(5)(a) and (b) of that Act; and
 - (ii) consulted the Minister of Commerce (being the Minister for the time being responsible for the administration of the Securities Act 1978) in accordance with section 31(5)(c) of that Act.

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Order

1 Title

This order is the Local Government (Auckland Transitional Provisions) Substitution of Single Security Document Order 2010.

2 Commencement

This order comes into force on the day after the date of its notification in the *Gazette*.

3 Interpretation

In this order—

existing security arrangements means the security arrangements over rates—

- (a) for which Auckland Council assumed liability on and from 1 November 2010 by operation of section 35 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009; and
- (b) that are contained in the following deeds (including any amendments to the deeds):
 - (i) deed dated 9 July 1998 between the Auckland City Council and Trustees Executors Limited:
 - (ii) deed dated 22 August 2003 between the Auckland Regional Council and Perpetual Trust Limited:
 - (iii) deed dated 7 August 2001 between Franklin District Council and the Public Trust:
 - (iv) deed dated 15 October 1999 between the Manukau City Council and Trustees Executors Limited:

- (v) deed dated 16 July 1998 between the North Shore City Council and Trustees Executors Limited:
- (vi) deed dated 16 February 2009 between the Papakura District Council and Perpetual Trust Limited:
- (vii) deed dated 5 February 1999 between the Rodney District Council and Perpetual Trust Limited:
- (viii) deed dated 30 November 1998 between the Waitakere City Council and Trustees Executors Limited

single security document means the deed dated 2 December 2010 between the Auckland Council and Trustees Executors Limited that, among other things, contains the security arrangements intended to apply in substitution for the existing security arrangements.

4 Single security document deemed in substitution for existing security arrangements

- (1) The single security document is deemed to be in substitution for the existing security arrangements.
- (2) The existing security arrangements are consequentially extinguished.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

By operation of section 35 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, on and from 1 November 2010, the Auckland Council assumed the property, rights, liabilities, contracts, etc, of the local authorities that previously governed the Auckland region. This included the Auckland Council assuming liability for security arrangements over rates granted by those previous local authorities. Section 31(2) of the Local Government (Auckland Tran-

sitional Provisions) Act 2010 authorises the Governor-General to effect the consolidation of those security arrangements, by Order in Council, by deeming a single security document (granted by the Auckland Council) to be in substitution for the various security arrangements of the previous local authorities.

Accordingly, this order, which comes into force on the day after the date of its notification in the *Gazette*, deems a deed entered into between the Auckland Council and Trustees Executors Limited on 2 December 2010 to be the single security document and extinguishes all previous arrangements.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 16 December 2010.
This order is administered by the Department of Internal Affairs.
