



## ANALYSIS

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1983, No. 153

**An Act to abolish tolls for use of the Auckland Harbour Bridge and to dissolve the Auckland Harbour Bridge Authority**  
[16 December 1983]

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 and commencement**—(1) This Act may be cited as the Auckland Harbour Bridge Authority Dissolution Act 1983.

(2) Sections 14 and 15 of this Act shall come into force on the day on which this Act receives the Governor-General's assent.

(3) Except as provided in subsection (2) of this section, this Act shall come into force on the 1st day of April 1984.

**2. Interpretation**—In this Act, unless the context otherwise requires,—

“Authority” means the Auckland Harbour Bridge Authority established under section 3 of the Auckland Harbour Bridge Act 1950:

“Board” means the National Roads Board constituted under the National Roads Act 1953:

“Bridge” means the Auckland Harbour Bridge constructed under the authority of the Auckland Harbour Bridge Act 1950 and shown on plan No. 1/26/25/1104/1 deposited in the office of the Commissioner of Works at Wellington and thereon coloured red; and includes all road approaches and on-ramps and off-ramps shown coloured red on that plan; but does not include—

(a) Any land or water over which the bridge passes on a structure where there is air space between the land or water and the structure:

(b) Any building, structure, or other work not forming part of the bridge, or not forming part of such road approaches, on-ramps, or off-ramps.

**3. Dissolution of Authority and abolition of tolls—**(1) The Auckland Harbour Bridge Authority is hereby dissolved.

(2) All tolls prescribed in respect of the use of the Auckland Harbour Bridge are hereby abolished.

**4. Vesting of assets and liabilities of Authority in Crown—**(1) On the commencement of this section—

(a) All real property (including the bridge) belonging to the Authority, and all rights and obligations attaching thereto, shall be vested in the Crown:

(b) All other assets, and debts, loan charges, liabilities, and obligations of any nature (other than under contracts of employment), whether present or contingent, belonging to or subsisting immediately before the date of commencement of this Act in the name of or on behalf of the Authority shall become the assets, debts, loan charges, liabilities, and obligations of the Crown.

(2) The land described in the Schedule to this Act shall be deemed to be held by the Crown under the Public Works Act 1981 for a Ministry of Works and Development depot.

(3) All land vested in the Crown under subsection (1)(a) of this section which does not form part of the bridge and which is not referred to in the Schedule to this Act shall be deemed to be held by the Crown for motorway purposes under the Public Works Act 1981.

(4) On receiving a written request from the Minister of Works and Development incorporating a reference to this section and on the presentation or deposit of such plans as the District Land Registrar may require, the District Land Registrar for the

North Auckland Land Registration District shall without fee make such entries in his registers and on any outstanding documents of title and generally do all such things as may be necessary to give effect to the provisions of subsections (1) to (3) of this section in respect of land and interests in land specified in the request.

(5) All references to the Authority in any security or other document whatever which is subsisting immediately before the date of commencement of this section, or in any notice or other communication served, given, or sent before, on, or after that date in relation to any such security or other document shall, unless the context otherwise requires, be read as references to the Crown.

**5. Continuance of proceedings—**(1) All proceedings pending by or against the Authority on the date of commencement of this Act in respect of its undertaking or functions may be carried on, completed, and enforced by or against the Crown.

(2) Any proceedings resulting from any matter arising before the date of commencement of this Act but not commenced before that date may be commenced, carried on, completed, and enforced by or against the Crown.

**6. Bridge declared motorway—**(1) The bridge is hereby declared to be a motorway within the meaning of the Public Works Act 1981; and the provisions of that Act and of any other Act and of any regulations relating to motorways shall accordingly apply to the bridge.

(2) On receiving a written request from the Minister of Works and Development incorporating a reference to this section and on the presentation to him of such plans as he may require, the District Land Registrar for the North Auckland Land Registration District shall without fee note the provisions of subsection (1) of this section on the appropriate folio of the proper register.

**7. Saving of bylaws and bylaw-making powers—**(1) Notwithstanding the repeal of the Auckland Harbour Bridge Act 1950 but subject to section 3 (2) of this Act, all bylaws made by the Authority under the Auckland Harbour Bridge Act 1950, shall become bylaws of the Board, and may be revoked or altered by the Board as if they had been made under section 72 of the Transport Act 1962, but until so revoked every such bylaw shall remain in force.

(2) In addition to any powers to make bylaws that the Board may have under any other Act, the Board may from time to time, in respect of the bridge, make, revoke, or alter any bylaw as it thinks fit for all or any of the following purposes:

- (a) Protecting any property belonging to the Crown, or controlled by the Crown, from damage or injury:
- (b) Conserving public health, safety, and convenience, and preventing and abating nuisances on the bridge:
- (c) Regulating and preventing the taking on to or over the bridge of any noxious or dangerous goods or any thing which may cause pollution in the Waitemata Harbour:
- (d) Regulating the speed, times, and manner at or in which vehicles or any class of vehicles may be driven on to, over, or off the bridge:
- (e) Classifying traffic and regulating or prohibiting the use of the bridge by any class or classes of traffic:
- (f) Regulating the speed of traffic crossing the bridge:
- (g) Regulating the weights of vehicles which may use the bridge:
- (h) Regulating or prohibiting the sale of goods on the bridge:
- (i) The preservation of order and public safety on the bridge:
- (j) Generally for regulating the travelling upon, the using of, and the proper and efficient control and management of the bridge.

(3) The making, revocation, or alteration of any such bylaw shall be by resolution of the Board and be done in the same manner as the Board may make, revoke, and alter bylaws under section 72 of the Transport Act 1962.

(4) Before making any bylaw that is likely to affect, or altering any bylaw in such a way that it is likely to affect, the navigation or control of the Waitemata Harbour, the Board shall consult, and take into account the views of, the Auckland Harbour Board.

(5) For the purposes of the Transport Act 1962, every bylaw for the time being in force under this section shall be deemed to be in force under section 72 of that Act.

(6) Every person who acts in contravention of or fails to comply with any bylaw for the time being in force under this section commits an offence and shall be liable on summary conviction to a fine not exceeding \$500 and, if the offence is a continuing one, to a further fine not exceeding \$50 for every day or part of a day during which the offence has continued.

**8. Rights of navigation, etc.**—Except as provided in section 7 of this Act, neither this Act nor the repeal by section 18 of this Act of the enactments specified in that section shall authorise the Board or any other person to prevent, hinder, or in any way interfere with the control and jurisdiction of the Auckland Harbour Board over the Waitemata Harbour or with the passage or repassage of any ship or vessel under the bridge.

**9. Bridge to be properly lighted**—The Board shall at all times ensure that the bridge is adequately lighted so as to provide for the safety of ships and aircraft in the vicinity of the bridge.

**10. Installation of services on bridge**—(1) No person or body shall provide, instal, maintain, or repair any water main, gas pipe, or other pipe, or any power or telecommunications line, wire, or cable on the bridge without the consent of the Board, which may be given subject to such conditions as the Board considers necessary for the protection and safety of the bridge and of traffic using the bridge.

(2) The person or body responsible for any such installation on the bridge shall pay to the Board such annual amount for the use of the bridge as may be agreed upon by the Board and the person or body.

**11. Advertising matter prohibited**—No advertising matter of any description shall be placed or fixed on any part of the bridge.

**12. Minister of Works and Development to be designating authority**—For the purposes of the Town and Country Planning Act 1977, the Minister of Works and Development shall be deemed to have financial responsibility for any designations relating to the bridge or any buildings, structures, or works of the Auckland Harbour Bridge Authority in the district schemes of the Auckland City Council and the Northcote Borough Council.

**13. Redemption of toll tickets**—Complete unused toll tickets shall be redeemable by the Crown if presented for redemption at the office of the District Commissioner of Works in Auckland before the 30th day of September 1984.

**14. Redundancy compensation not payable in respect of continuing employment**—Notwithstanding anything in—

- (a) Any award or collective agreement; or
- (b) Any other agreement or arrangement made between—
  - (i) One or more persons employed by the Authority; or
  - (ii) A union or society of workers; or
  - (iii) An association of workers—  
and the Authority; or
- (c) Any decision or administrative practice of the Authority—no person shall be regarded as redundant or entitled to compensation for redundancy if, on or before the 22nd day of March 1984, he is offered employment in or with the Ministry of Works and Development or the Ministry of Transport similar to that which he held with the Authority and at an ordinary time rate of salary or wages approximately equivalent to the rate he was receiving as at the 14th day of December 1983 in respect of his employment with the Authority.

**15. Redundancy compensation**—(1) Notwithstanding any agreement to the contrary, any person employed by the Authority who is not offered employment in accordance with section 14 of this Act, and who becomes redundant, shall be paid by the Authority only—

- (a) Compensation for redundancy in accordance with the redundancy provisions set out in the Auckland Harbour Bridge Authority “Memorandum to Staff: Service Bonus, Long Service, Sick, Compassionate and Special Leave and Retiring Gratuities” dated the 1st day of September 1975 and the “Memorandum of Understanding between the Auckland Harbour Bridge Authority and the Auckland Provincial District Local Authorities Officers’ Industrial Union of Workers” dated the 19th day of August 1975; and
  - (b) Such remuneration as the Authority would have been required to pay if the redundancy had occurred before the 1st day of November 1983.
- (2) Except with the concurrence of the Minister of State Services, no employee of the Authority shall be declared redundant or regarded as redundant or be paid any compensation for redundancy before the 22nd day of March 1984.

**16. Amending Trustee Act 1956**—(1) Section 4 (1) of the Trustee Act 1956 is hereby amended by repealing paragraph (i), and substituting the following paragraph:

“(i) In any debentures, stock, bonds, or other securities issued by any body or person if payment of all money secured by the debentures, stock, bonds, or securities is guaranteed by the Government of New Zealand.”.

(2) Section 3 of the Trustee Amendment Act 1968 is hereby consequentially repealed.

**17. Consequential amendments to other Acts**—(1) The Ombudsmen Act 1975 is hereby amended by omitting from Part III of the First Schedule the words “The Auckland Harbour Bridge Authority” and also the words “The Christchurch-Lyttelton Road Tunnel Authority”.

(2) The Public Works Act 1981 is hereby amended by omitting from the Seventh Schedule the words “The Auckland Harbour Bridge Act 1950”, and substituting the words “The Auckland Harbour Bridge Authority Dissolution Act 1983”.

**18. Repeals**—The following enactments are hereby repealed:

- (a) The Auckland Harbour Bridge Act 1950:
- (b) The Auckland Harbour Bridge Amendment Act 1954:
- (c) The Auckland Harbour Bridge Amendment Act 1956:
- (d) The Auckland Harbour Bridge Amendment Act 1957:
- (e) The Auckland Harbour Bridge Amendment Act 1958:
- (f) So much of Part II of the First Schedule to the Public Bodies Contracts Act 1959 as relates to the Auckland Harbour Bridge Authority and to the Christchurch-Lyttelton Road Tunnel Authority, and so much of the Second Schedule to that Act as relates to the Auckland Harbour Bridge Act 1950 and to the Christchurch-Lyttelton Road Tunnel Act 1956:
- (g) The Auckland Harbour Bridge Amendment Act 1962.
- (h) So much of Part II of the Schedule to the Public Bodies Meetings Act 1962 as relates to the Auckland Harbour Bridge Authority and to the Christchurch-Lyttelton Road Tunnel Authority:
- (i) The Auckland Harbour Bridge Amendment Act 1963:
- (j) The Auckland Harbour Bridge Amendment Act 1965:
- (k) So much of Part II of the First Schedule to the Local Authorities (Members' Interests) Act 1968 as relates to the Auckland Harbour Bridge Authority and to the Christchurch-Lyttelton Road Tunnel Authority:

- (l) The Auckland Harbour Bridge Amendment Act 1971:  
(m) So much of Part III of the First Schedule to the Local Government Act 1974 (as substituted by section 2 (1) of the Local Government Amendment Act 1976) as relates to the Auckland Harbour Bridge Authority and to the Christchurch-Lyttelton Road Tunnel Authority:  
(n) The Auckland Harbour Bridge Amendment Act 1979:  
(o) So much of Part III of the Third Schedule to the Local Government Amendment Act 1979 as relates to the Auckland Harbour Bridge Act 1950:  
(p) The Auckland Harbour Bridge Amendment Act 1980.

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## SCHEDULE

Section 4 (2)

### NORTH AUCKLAND LAND REGISTRATION DISTRICT

1. All that piece of land containing 4743 square metres, more or less, being Allotment 527, Parish of Takapuna, and being all of the land comprised and described in certificate of title 14D/335.

2. All that piece of land containing 7252 square metres, more or less, being Lot 1, D.P. 55110, and Lots 5, 6, 7, 8, 113, and 114 and part Lot 112, D.P. 1216, and being all of the land comprised and described in certificate of title 7B/584.

3. All that piece of land containing 1502 square metres, more or less, being Lot 1, D.P. 58407, and being all of the land comprised and described in certificate of title 13D/1369.

4. All that piece of land containing 731 square metres, more or less, being Lot 21, D.P. 1216, and being all of the land comprised and described in certificate of title 152/43.

5. All that piece of land containing 604 square metres, more or less, being Lot 2, D.P. 58407, and being all of the land comprised and described in certificate of title 13D/1368.

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This Act is administered in the Ministry of Works and Development.

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