



ANALYSIS

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1968, No. 3—*Local*

An Act to amend the Auckland Regional Authority Act 1963

[9 August 1968]

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—This Act may be cited as the Auckland Regional Authority Amendment Act 1968, and shall be read together with and deemed part of the Auckland Regional Authority Act 1963 (hereinafter referred to as the principal Act).

2. Interpretation—Subsection (1) of section 2 of the principal Act is hereby amended by inserting, after the definition of the term “local district”, the following definitions:

“‘Metropolitan area’ means all that area of land within the Auckland Regional District which is for the time being situated within—

“(a) The Inner Area of the Auckland Metropolitan Drainage District constituted under the Auckland Metropolitan Drainage Act 1960; or

“(b) The No. 1 combined area constituted under section 3 of the North Shore Drainage Act 1963 and any other combined area or special area constituted under the said section 3 which is contiguous to the said No. 1 combined area or which is contiguous to any combined area or special area which is itself contiguous to the said No. 1 combined area:

“‘Outer area’ means all that area of land within the Auckland Regional District which is for the time being not situated within the Metropolitan area:”.

3. Auckland Regional District—(1) Paragraph (a) of section 3 of the principal Act is hereby amended by omitting the words “and Takapuna”, and substituting the words “Takapuna, Manukau, and Papatoetoe”.

(2) Paragraph (b) of section 3 of the principal Act is hereby amended by omitting the words “Papatoetoe, Manurewa”.

(3) Paragraph (c) of section 3 of the principal Act is hereby amended by omitting the word “Manukau”.

4. Payment of expenses of officers undergoing course of study—Section 25 of the principal Act is hereby amended by inserting in subsection (1), after the word “meeting”, the words “or any course of study or training that in the opinion of the Authority will render them better fitted to carry out their duties”.

5. Security for loans—The principal Act is hereby amended by repealing section 57 and substituting the following section:

“57. Every loan raised or deemed to have been raised by the Authority, whether before or after the commencement of this section, shall be or be deemed to be secured by a special rate or rates made or struck by the Authority under and in accordance with the provisions of the Local Authorities Loans Act 1956 and of this Act over the whole regional district, and the Authority shall have and be deemed always to have had the power to make or strike any such special rate or rates to secure any loan raised or deemed to have been raised by it, whether before or after the commencement of this section:

“Provided that while the Authority duly meets its obligations under the debentures or other securities given by the Authority as security for any such loans, and without prejudice

to the rights and remedies of the holders of any such debentures or securities, the Authority shall refrain from levying or collecting such rates upon or in the local district of any contributing authority except to the extent to which any such contributing authority shall be in default in payment to the Authority of any assessment or levy in pursuance of this Act.”

6. How assessments to be calculated—Subsection (7) of section 61 of the principal Act is hereby amended as follows:

- (a) By omitting from paragraph (a) the words “the acquisition, maintenance, and improvement of regional reserves situated within their local districts or”;
- (b) By omitting from paragraph (b) the words “of all land zoned as urban in the respective local districts”, and substituting the words “of the whole or that part of their respective local districts which lies within the metropolitan area”;
- (c) By omitting from paragraph (c) all words after the words “wholly or partly within”, and substituting the words “the metropolitan area in proportion to the mean percentage of population and rateable capital value of the whole or that part of their respective local districts which lies within the metropolitan area”;
- (d) By omitting from paragraph (d) the words “Manukau County Council”, and substituting the words “Manukau City Council”;
- (e) By omitting from paragraph (d) the words “the county of which it is the governing body consisted of only that portion thereof which is for the time being situated within the boundaries of the Auckland Urban Area as recognised by the Government Statistician”, and substituting the words “the local district of which it is the governing body consisted of only that portion thereof which is for the time being situated within the metropolitan area”.

7. Rebate on assessments paid in advance—Section 65 of the principal Act (as amended by section 8 of the Auckland Regional Authority Amendment Act 1964) is hereby further amended by adding as subsection (5) the following subsection:

“(5) Any contributing authority may with the Authority’s consent pay to the Authority the whole or any part of the aforesaid assessment received by it at any time or times before the due dates for payment provided in subsection (1) of this section and in any such case or cases the Authority is hereby authorised and empowered to allow to any contributing authority making any such payment a rebate calculated at a rate per centum per annum not exceeding the rate for the time being charged by the bankers of the Authority for moneys owing to them by the Authority or that would be charged if moneys were owing, as the case may be, on the amount or amounts paid in advance from the time or times of payment thereof until the due date thereof.”

8. Local Government Commission to carry out investigation—(1) The Local Government Commission shall, as soon as possible after the commencement of this Act, carry out an investigation for the purpose of determining whether, in the opinion of the Commission,—

- (a) The expenditure of the Authority should be met from levies on contributing authorities in accordance with sections 60 to 67 of the principal Act; or
- (b) The expenditure of the Authority should be met from rates levied by the Authority in accordance with sections 68 to 70 of the principal Act; or
- (c) The expenditure of the Authority should be met partly from rates levied by the Authority in the metropolitan area and partly from levies on contributing authorities in the outer area.

(2) The Local Government Commission shall conduct such investigations as may be necessary for the purposes of making a determination under subsection (1) of this section and shall make known the determination to the Authority.

(3) On receipt of any such determination the Authority shall prepare and submit to Parliament a local Bill for the purpose of giving effect to the determination.

(4) Notwithstanding the provisions of section 59 of the principal Act, the provisions of sections 60 to 67 of the principal Act shall apply and the provisions of sections 68 to 70 of the principal Act shall not apply to the Authority until the Commission has made a determination under this section and effect has been given to the provisions of the determination.
