

## New Zealand



### ANALYSIS

- | Title.  |   |
|---|---|
| 1. Short Title.   | 6. Section 8 of principal Act (as to representation of local bodies on controlling authority) amended.    |
| 2. Section 3 of principal Act (as to contributions of local bodies) amended.                          | 7. Section 9 of principal Act (as to time and manner of election and duration of office) amended. Repeal. |
| 3. Section 4 of principal Act amended.  | 8. Governor-General may add to contributing bodies.   |
| 4. Section 7 of principal Act amended.  | 9. Extraordinary vacancies.   |
| 5. Election of one representative of Birkenhead, Devonport, Northcote, and Takapuna Borough Councils. |   |

### 1945, No. 4—*Local and Personal*

AN ACT to amend the Auckland War Memorial Museum Maintenance Act, 1928. Title.  
[24th October, 1945

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Auckland War Memorial Museum Maintenance Amendment Act, 1945, and shall be read together with and deemed part of the Auckland War Memorial Museum Maintenance Act, 1928 (hereinafter referred to as the principal Act). Short Title.

2. (1) Section three of the principal Act is hereby amended by omitting therefrom the words "five thousand seven hundred pounds", and substituting the words "ten thousand six hundred and sixty-eight pounds". Section 3 of principal Act (as to contributions of local bodies) amended.

(2) The first payment of contributions at the increased rate shall be made on the thirtieth day of June, nineteen hundred and forty-six.

Section 4 of principal Act amended.

3. Section four of the principal Act is hereby amended by omitting therefrom the words "five thousand seven hundred pounds", and substituting the words "ten thousand six hundred and sixty-eight pounds".

Section 7 of principal Act amended.

4. Section seven of the principal Act is hereby amended by omitting the word "annually", and substituting the word "triennially".

Election of one representative of Birkenhead, Devonport, Northcote, and Takapuna Borough Councils.

5. (1) If and so long as the Birkenhead Borough Council, the Devonport Borough Council, the Northcote Borough Council, and the Takapuna Borough Council shall contribute to the Institute and Museum the respective amounts payable by them in accordance with the provisions of the principal Act as hereby amended, the members of such four local bodies shall be entitled to elect to the executive council or body controlling the affairs of the Institute and Museum one representative from the members of such four local bodies.

(2) Nominations for such representative shall be lodged with the secretary to the Institute and Museum not later than one calendar month after the date of every triennial election of Councillors of the said four local bodies, and each of the said four local bodies may nominate one representative.

(3) Each member of the said four local bodies shall have one vote, and the election shall be under the control of the secretary to the Institute and Museum, who shall act as returning officer; and such election shall be held on a day to be appointed by the Institute and Museum, being not later than fourteen days after the last day for the lodging of nominations; and not less than four weeks' notice of the day fixed for such election shall be forwarded by the secretary to the Institute and Museum to each of the said four local bodies.

(4) The candidate who receives the greatest number of votes at such election shall be deemed to be the representative of the said four local bodies for the ensuing three years.

6. Section eight of the principal Act is hereby amended by omitting therefrom the words “(exclusive of the Auckland City Council)”, and substituting the words “(exclusive of the Auckland City Council, the Birkenhead Borough Council, the Devonport Borough Council, the Northcote Borough Council, and the Takapuna Borough Council)”.

Section 8 of principal Act (as to representation of local bodies on controlling authority) amended.

7. (1) Section nine of the principal Act, as amended by section two of the Auckland War Memorial Museum Maintenance Amendment Act, 1931, is hereby further amended as follows:—

Section 9 of principal Act (as to time and manner of election and duration of office) amended.

(a) By omitting from subsection one thereof the words “the thirtieth day of May in each year”, and substituting the words “one calendar month after the date of every triennial election of Councillors of local bodies”:

(b) By omitting from subsection one thereof the words “(exclusive of the Auckland City Council)”, and substituting the words “(exclusive of the Auckland City Council, the Birkenhead Borough Council, the Devonport Borough Council, the Northcote Borough Council, and the Takapuna Borough Council)”:

(c) By omitting from subsection two thereof the words “the fourteenth day of June”, and substituting the words “fourteen days after the last day for the lodging of nominations”:

(d) By omitting from subsection three thereof the word “year”, and substituting the words “three years”.

(2) Section two of the Auckland War Memorial Museum Maintenance Amendment Act, 1931, is hereby consequentially repealed.

Repeal.

8. (1) The Governor-General may from time to time, by Order in Council, on the petition of the Board and with the consent of the local body concerned, declare any local body not included in the Schedule to the principal Act to be a contributing body for the purposes of the principal Act, and thereafter the principal Act shall apply as if the name of such local body were included in the Schedule thereto.

Governor-General may add to contributing bodies.

(2) A local body declared to be a contributing body pursuant to this section shall be liable for its first contribution on the thirtieth day of June next following the issue of such Order in Council.

(3) No fresh election of representatives shall become necessary by reason only of the issue of an Order in Council under this section.

Extraordinary  
vacancies.

9. (1) For the purposes of this section, "extraordinary vacancy" means a vacancy occurring in the office of representative otherwise than by expiry of term of office.

(2) In the event of an extraordinary vacancy occurring in the first two years of the term of office of the representative whose seat has been vacated, the vacancy may be filled as follows:—

(a) If the representative whose seat has been vacated was the Mayor of Auckland, his successor to the office of Mayor shall be a representative in his place:

(b) If the representative whose seat has been vacated was an appointee of the Auckland City Council, the vacancy may be filled by that Council:

(c) If the representative whose seat has been vacated was the representative of the Birkenhead Borough Council, the Devonport Borough Council, the Northcote Borough Council, and the Takapuna Borough Council, such four Borough Councils may fill the vacancy by an election of another representative:

(d) If the representative whose seat has been vacated was a representative of the other local bodies referred to in section eight of the principal Act as hereby amended, such other local bodies may fill the vacancy by an election of another representative.

(3) In the case of any election pursuant to this section, nominations shall be lodged with the secretary to the Institute and Museum not later than one calendar month after the fact of the vacancy comes to the knowledge of the secretary, and the election shall be held on a day to be appointed by the Institute and

Museum, being not later than fourteen days after the last day for the lodging of nominations; and not less than two weeks' notice of the last day for the lodging of nominations and four weeks' notice of the day fixed for the election shall be forwarded by the secretary to the Institute and Museum to each of the electing local bodies.

(4) In all other respects all the provisions of the principal Act as hereby amended shall apply, *mutatis mutandis*, to any such election.

(5) In the event of an extraordinary vacancy occurring in the last year of the term of office of the representative whose seat has been vacated, the vacancy may be filled by the executive council or body controlling the affairs of the Institute and Museum.