



ANALYSIS

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1971, No. 4—*Local*

An Act to amend the Hutt Valley Drainage Act 1967

[20 August 1971]

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 Hutt Valley Drainage Amendment Act 1971, and shall be read together with and deemed part of the Hutt Valley Drainage Act 1967 (hereinafter referred to as the principal Act).

2. Members of Board—(1) The principal Act is hereby amended by repealing subsection (1) of section 6, and substituting the following subsection:

“(1) The Board shall consist of—

“(a) Five persons to be appointed by the Lower Hutt City Council:

“(b) Two persons to be appointed by the Upper Hutt City Council:

“(c) Two persons to be appointed by the Petone Borough Council:

“(d) One person to be appointed by the Eastbourne Borough Council:

“(e) Three persons to be appointed by the Hutt County Council as representatives of those parts of the County of Hutt which are within the drainage district.”

(2) This section shall come into force on the 9th day of October 1971.

3. New sections substituted—The principal Act is hereby amended by repealing sections 7 and 8, and substituting the following sections:

“7. **Appointment of members**—After each triennial general election of members of constituent authorities and on a day not later than the 31st day of January next following that election, each constituent authority shall hold a meeting which shall proceed to appoint its representatives on the Board.

“7A. **Review of representation**—(1) The Board may from time to time review the representation on the Board of the constituent authorities and, if it thinks fit, request the Minister of Internal Affairs to change the representation of the constituent authorities or of any of them.

“(2) The Minister shall refer every such request to the Local Government Commission to be dealt with in accordance with section 24 of the Local Government Commission Act 1967.

“(3) If that Commission recommends under subsection (3) of that section that the request be agreed to the Minister may, by notice published in the *Gazette*, give effect to the request by making such amendments to subsection (1) of section 6 of this Act as may be necessary.

“(4) If by any such notice increased representation is given to any constituent authority the Minister may, by the notice, fix a time within which the additional representative or representatives are to be appointed.

“(5) If by any such notice representation is taken away from any constituent authority the representative or representatives of that constituent authority shall retire from office on the day appointed in that behalf by the notice.

“(6) If by any such notice a reduction is made in the number of representatives to which any constituent authority is entitled, a sufficient number of those representatives shall retire on the day appointed in that behalf by the notice so that the representation of that constituent authority may

conform to the notice. The representative or representatives so to retire from office shall, in default of agreement among all representatives of the constituent authority, be determined by the constituent authority.

“(7) Every notice under this section shall take effect on the date of its publication in the *Gazette* or on such other date as may be specified therein.

“8. **Term of office of members**—(1) Every member of the Board shall come into office on the day following that on which he is appointed.

“(2) Subject to any notice under section 7A of this Act, every member of the Board shall, unless he sooner vacates office under section 10 of this Act, continue in office until his successor comes into office.”

4. Chairman’s allowance—(1) Section 14 of the principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby amended by omitting from subsection (1) the words “five hundred dollars”, and substituting the expression “\$700”.

(2) Notwithstanding anything in subsection (1) of section 14 of the principal Act (as amended by subsection (1) of this section), the allowance of the Chairman of the Board who is in office at the date of the passing of this Act may, by resolution of the Board passed within 6 months after that date, be increased once during his term of office from a date to be specified in the resolution, being a date not earlier than the 1st day of March 1971.

5. Remuneration of members—Section 18 of the principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby amended—

- (a) By omitting from subsection (2) the words “three dollars” in both places where they appear, and substituting in each case the expression “\$5”;
 - (b) By omitting from the first proviso to subsection (2) the words “one hundred and fifty-six dollars”, and substituting the expression “\$260”.
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