

# **Auckland Aotea Centre Empowering Amendment Bill**

Local Bill

## **Explanatory note**

### **General policy statement**

This Bill amends the Auckland Aotea Centre Empowering Act 1985 (“the principal Act”).

The principal Act authorised various territorial authorities of the Auckland area to share the cost of establishing and maintaining the Aotea Centre, and constituted a Board of Management for the Centre.

The purpose of this Bill is to allow the Aotea Centre Board of Management to manage other similar premises or facilities owned or controlled by the Auckland City Council, by agreement with the Council. This will facilitate the co-ordinated management and marketing of the Aotea Centre with other recreational, entertainment, cultural, conference or civic venues currently operated by the Auckland City Council, where this is mutually desirable.

Those territorial authorities in the Auckland area, other than the Auckland City Council, will not be required to contribute to the Board of Management’s operating costs of, and will not be entitled to share in any operating profits from, any facilities other than the Aotea Centre itself.

### **Clause by clause analysis**

*Clause 1* relates to the Title of the Bill.

*Clause 2* specifies the date on which the Bill will come into force.

*Clause 3* inserts new *section 8A* into the principal Act. New *section 8A* provides that, subject to any agreement between the Board and

the Auckland City Council, other Councils of the Auckland area are not required to contribute to the operating costs of the Auckland City Council's premises or facilities which are managed by the Board of Management referred to in section 14(1)(b), and similarly are not entitled to share in the operating profits of such premises or facilities. This is an exception to the existing section 8, which provides for all operating costs and operating profits to be shared amongst a number of Councils.

*Clause 4* repeals and substitutes subsection (1) of section 14 of the principal Act, and amends subsection (2) of section 14.

*New section 14(1)* provides for 3 principal functions of the Board of Management:

- paragraph (a) is to the same effect as existing subsection (1), and authorises the Board of Management to control, manage and maintain, the Aotea Centre:
- paragraph (b) is new, and authorises the Board of Management to control, manage and maintain any recreational, entertainment, cultural, conference or civic premises or facilities that are owned or controlled by the Auckland City Council, as agreed between the Board of Management and the Council from time to time:
- paragraph (c) is to the same effect as existing subsection (1), with the consequential amendment that the Board of Management has the function of promoting the use of any premises managed by it (and not just the Aotea Centre).

Several paragraphs in section 14(2) (relating to particular powers of the Board of Management) are amended by—

- providing that on-licences may be held in relation to any premises or facilities managed by the Board of Management (and not just the Aotea Centre);
- adding “civic” to the categories of pursuits in respect of which the Board of Management may grant preferential privileges;
- replacing 2 existing references to the “Board” with the more correct “Board of Management”; and
- allowing the Board to arrange for publications in relation to any premises or facilities it controls (and not just the Aotea Centre).

*Clause 5* consequentially amends section 15(2) of the principal Act. Existing section 15(2) provides that payments of allowances and remuneration are to be made by the Auckland City Council and are to be treated as a cost in the operation of the Aotea Centre. The amendment extends this subsection to other premises managed by the Board of Management (as applicable).

---

*Hon Judith Tizard*

## **Auckland Aotea Centre Empowering Amendment Bill**

Local Bill

### **Contents**

1	Title	4	Functions and powers of Board of Management
2	Commencement		
3	New section 8A inserted	5	Allowances to and remuneration of members of Board of Management
	8A Operating costs and operating profits of premises or facilities other than Centre		

---

**The Parliament of New Zealand enacts as follows:**

### **1 Title**

- (1) This Act is the Auckland Aotea Centre Empowering Amendment Act **2000**.
- (2) In this Act the Auckland Aotea Centre Empowering Act 1985<sup>1</sup> is called “the principal Act”. 5
- <sup>1</sup> 1985, No 9 (L)

### **2 Commencement**

This Act comes into force on the day after the date on which it receives the Royal assent.

### **3 New section 8A inserted**

The principal Act is amended by inserting, after section 8, the following section: 10

#### **“8A Operating costs and operating profits of premises or facilities other than Centre**

The Councils (other than the Auckland City Council) are not— 15

- “(a) required to contribute in any way to the operating costs of any premises or facilities referred to in **section 14(1)(b)**; and

“(b) entitled to share in the operating profits of those premises or facilities.”

#### **4 Functions and powers of Board of Management**

(1) Section 14 of the principal Act is amended by repealing subsection (1), and substituting the following subsection: 5

“(1) The principal functions of the Board of Management are—

“(a) to control, manage, and maintain the Centre; and

“(b) subject to, and in accordance with, any agreement from time to time entered into between the Board of Management and the Auckland City Council, to control, manage, and maintain any recreational, entertainment, cultural, conference, or civic premises or facilities that are owned or controlled by the Auckland City Council; and 10

“(c) to promote the use of the Centre and the premises or facilities referred to in **paragraph (b)** for any permitted purpose.” 15

(2) Section 14(2) of the principal Act is amended—

(a) by omitting from paragraph (b) the words “the premises”, and substituting the words “any premises or facilities under the control or management of the Board of Management”: 20

(b) by omitting from paragraph (c) the words “and educational and cultural,” and substituting the words “, educational, cultural, and civic”: 25

(c) by inserting in paragraph (g), after the word “Board” in both places where it appears, the words “of Management”:

(d) by inserting in paragraph (g), after the word “Centre”, the words “and any other premises or facilities under the control or management of the Board of Management”. 30

#### **5 Allowances to and remuneration of members of Board of Management**

Section 15(2) of the principal Act is amended by inserting, after the words “the Centre”, the words “or any other premises or facilities under the control or management of the Board of Management, as the case may be”. 35