

COUNTIES AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Counties Act 1956.

Clause 1 relates to the Short Title and commencement. Part I and the First Schedule (relating to accounting provisions) are to come into force on 1 April 1974. The other provisions are to come into force on the passing of the Act.

PART I

ACCOUNTING PROVISIONS

This Part makes several amendments to the accounting provisions in Part VIII of the principal Act and in other provisions of that Act, to enable a complete revision of the accounting provisions in the Counties Accounting Regulations 1958 (S.R. 1958/1) to be made, to operate from 1 April 1974. Similar amendments to the accounting provisions in the Municipal Corporations Act 1954 are being made by a Municipal Corporations Amendment Bill, the intention being that accounting regulations common to counties, boroughs, and town districts will operate from the commencement of the 1974/75 financial year.

Clause 2 re-enacts in an amended form section 96 of the principal Act, which at present provides that there shall be for every county a fund called the County Fund comprising the various items set out in that section.

The new section 96 abolishes the term "County Fund", and replaces it with the term "general revenues of the county", which are to comprise the same items as at present comprise the County Fund.

Clause 3 re-enacts in an amended form section 146 of the principal Act, which prescribes the accounts that are to be kept by the Council. At present, the Council must keep a General Account, a Riding Account for each riding if the general rate is levied separately in each riding, a County Town Account for each county town in which a county town general rate is levied, and separate accounts for money held or received for any special purpose or accruing from any trading undertaking.

No. 40—1

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The new section 146 requires the Council to keep such financial records as are prescribed by regulations. These must include—

- (a) Administrative Accounts and Works and Services Accounts for money (excluding general and separate rates and general appropriations) raised or levied for or appropriated or allocated to any account for any activity or purpose carried on by the Council.
- (b) Accounts for money raised or levied for or allocated to, or held in trust or received for, any special purpose.
- (c) Operations Accounts in respect of trading undertakings.

The Council must also keep a General and Separate Rates and General Appropriations Account, an Administration Account, and a Housing and Property Account, to be established pursuant to regulations.

Clause 4 re-enacts in an amended form section 147 of the principal Act, which at present provides that the Council must annually transfer to the General Account from each separate account a proportionate part of certain payments charged to the General Account.

The new section 147 is generally to the same effect as the present section, with such amendments as are necessary as a result of the abolition of the General Account and the new provisions of section 146. The section requires the Council to transfer to the Administration Account from each Works and Services Account a proportionate part of certain payments charged to the Administration Account.

Clause 5 amends section 355 of the principal Act, which at present provides that the proceeds of the sale or lease of housing allotments provided under Part XXV are to be paid into the Land Subdivision Account. Subsection (2) provides that money in that account may be applied only for the purposes set out in that subsection.

This clause provides that the proceeds of the sale or lease of any such housing allotments are to be paid into the Housing and Property Account, and repeals the present subsection (2). As a result, any such proceeds will form part of the general funds of the county.

Clause 6 similarly amends section 380A of the principal Act, which at present provides that the proceeds of the sale or lease of commercial or industrial allotments provided by the Council under that section are to be paid into the Commercial and Industrial Development Account and applied only for the purposes set out in subsection (6) of that section.

The effect of this clause is that those proceeds are to be paid into the Housing and Property Account. The provisions as to the manner in which those proceeds may be applied are omitted, and as a result they will form part of the general funds of the county.

Clause 7 consequentially amends the principal Act and the 1961 and 1968 Amendments in the manner set out in the First Schedule to the Bill, and provides for consequential repeals.

PART II

MISCELLANEOUS AMENDMENTS

Clause 8 abolishes plural voting at county elections or polls. An elector will have one vote only at an election or poll, whether he possesses a residential qualification or a rating qualification.

Included in the consequential amendments in the Second Schedule are amendments to the Soil Conservation and Rivers Control Act 1941 and the Agricultural Pests Destruction Act 1967. The effect of these amendments is to abolish plural voting in catchment districts and pest destruction districts also.

Subclause (4) is a savings provision, the effect of which is that elections to fill vacancies and polls held before the next triennial general election of Councillors are to be held under the existing provisions.

Clause 9: Section 69 of the principal Act fixes the maximum allowance that may be paid to the Chairman of the county, the amount being fixed in relation to the population of the county.

This clause increases from \$3,125 to \$3,750 the maximum amount that may be paid to the Chairman of a county having a population exceeding 20,000 but not exceeding 50,000, and from \$3,750 to \$5,000 the maximum amount that may be paid to the Chairman of a county having a population exceeding 50,000. These increased amounts are the same as those that may be paid to the Mayor of a borough having the same population (except the cities of Auckland, Wellington, Christchurch, and Dunedin, for which a special rate is fixed).

These amounts may be amended by Order in Council, which may amend the population provisions or the amounts that may be paid.

This amendment will also apply to the annual allowance that may be paid to the Chairman of a County Borough Council under section 80 of the Counties Amendment Act 1968. Under that section the Chairman may be paid an allowance not exceeding half the allowance that could be paid if he were the Chairman of a County Council.

Clause 10 re-enacts in an amended form subsection (1) of section 101 of the principal Act, which prescribes how cheques are to be drawn on the Council's bank account. The new section applies to other instruments also, and is intended to permit the Council to make use of the money transfer service operated by Databank, whereby accounts are scheduled for payment and processed by Databank.

Clause 11 amends section 115 of the principal Act, under which the Council is empowered to make a separate rate for sanitation purposes or may make an annual charge for such purposes, which is deemed to be a separate rate.

This clause enables the Council to charge a proportion of the separate rate or annual charge in cases where the Council commences to provide sanitation services for any premises after the commencement of the rating year.

Clause 12 amends section 125 of the principal Act, under which the Council is empowered to make a separate rate for sanitary and stormwater drainage purposes, or to make an annual charge for such purposes, which is deemed to be a separate rate.

The clause enables the Council to charge a proportionate part of the sanitary and stormwater drainage rate or annual charge in cases where premises are connected with the sanitary and stormwater drainage system of the county after the commencement of the rating year.

Clause 13 amends section 137A of the principal Act, which empowers the Council to pay to each Councillor, other than the Chairman, remuneration not exceeding \$5 for each meeting of the Council or of any committee thereof attended by him, with a maximum total amount of \$260 in any financial year.

This clause empowers the Council to pay to the Chairman of a committee remuneration not exceeding \$8 for each meeting of that committee that he attends as Chairman and remuneration not exceeding \$5 for each other meeting of that committee or of the Council or of any other committee that he attends, with a maximum total amount of \$416 in any financial year. The amounts that may be paid to other Councillors are not altered.

Clause 14: Section 165 of the principal Act empowers the Council to establish a special fund for the purpose of providing for the cost of any activity or matter which the Council is authorised to undertake. Subsection (5) provides that on the completion of that purpose, or when in the opinion of the Council with the concurrence of the Audit Office the purposes of the fund are no longer attainable, the Council may apply any surplus in the fund to the General Account.

The effect of this amendment is that the Council may also, with the concurrence of the Audit Office, apply any surplus in any such fund to the General Account if the purposes for which the fund was established are no longer to be carried out or are not likely to be carried out.

Clause 15: Section 191A of the principal Act confers powers on a County Council in respect of roads in the county. Subsection (10) of that section provides that in subsections (3), (4), (5), and (8) the term road does not include a service lane, the effect being that the powers conferred by those subsections may not be exercised in respect of a service lane.

This amendment omits from subsection (10) the reference to subsection (5), so that a County Council may exercise in respect of service lanes the powers conferred by subsection (5). Those powers will therefore include, in particular, power to construct and repair service lanes and to stop service lanes subject to the conditions set out in the Eighth Schedule to the principal Act.

Clause 16 is an amendment to section 219 of the principal Act which was omitted from the consequential amendments made by section 8 of the Counties Amendment Act 1972 resulting from the abolition of county roads and the vesting in the Corporation of roads (as defined in the new section 191 of the principal Act, as enacted by section 2 of the 1972 Amendment).

Clause 17 amends section 289 of the principal Act, which empowers the Council to order the removal of scrub and other growth constituting a fire hazard. There is a right of appeal to a Magistrate's Court against the requirement.

The amendment enables the notice requiring the removal of the scrub or other growth to be signed by the County Clerk or other officer authorised by the Council. The right of appeal to a Magistrate's Court is not affected by the amendment.

Clause 18 authorises the Council to provide cabins, huts, and motels on any camping ground on land held by the Council for the purposes of a pleasure ground. The clause makes it clear that this power includes power to provide toilet, kitchen, and bathroom facilities for the exclusive use of persons occupying the accommodation, to provide for occupants services of a direct personal nature, including meals and food, and to provide linen, blankets, crockery, cutlery, and cooking utensils for the use of occupants.

Clause 19 amends section 329 of the principal Act relating to the inspection of buildings licensed under Part XXIII of that Act. The amendments are consequential on the provisions of the Fire Services Act 1972 relating to the persons authorised under that Act to undertake fire safety inspections.

Clause 20 also contains similar consequential amendments to section 330 of the principal Act relating to the removal of obstructions in passages in and exits from licensed buildings.

Clause 21 amends section 332 of the principal Act relating to the power to cancel or suspend a licence in respect of a licensed public building. The amendment authorises the Council to cancel or suspend a licence in cases where the building is being used in breach of section 330 (1) of the principal Act (which requires the licensee to keep all aisles and exit passages in the building and all exits therefrom free from obstruction, and to prevent persons from standing or sitting in these aisles, exit passages, and exits) or in breach of any condition of his licence.

Clause 22: Under section 380A of the principal Act, the Council is empowered to purchase any land in the county for commercial or industrial purposes and develop it for such purposes. The purchase must be by agreement with the owner, and the Council must first notify the owner in writing of the purposes for which the land is to be purchased.

Subsection (8) of that section provides that the power of developing for commercial or industrial purposes any land so purchased will extend to any land acquired by the Corporation before 4 December 1964 and held by the Corporation for the general purposes of the county and not for any particular purpose.

This clause make the following amendments to section 380A:

- (a) The provision that the person from whom the land is purchased must be notified of the purposes for which it is to be purchased is repealed.
- (b) Subsection (8) is re-enacted in an amended form removing the present provisions restricting its application to land acquired before 4 December 1964, so that the Council may develop for commercial or industrial purposes any land held by the Council for the general purposes of the county and not for any particular purpose.

Clause 23 empowers the Council as a condition of its approval of a scheme plan of subdivision to require that the owner make provision for the planting of trees or for the preservation of the natural landscape, trees, or areas of trees or bush, or buildings or sites of historic or archaeological interest.

In any such case, the value of any part of the land that is to be set aside in order to comply with the Council's requirement is to be deducted from the amount of any money contributions required to be made by the subdivider in lieu of reserves under section 28 of the Counties Amendment Act 1961, and the area of any land required to be set aside in order to comply with that requirement is to be deducted from any area of land required to be set aside as a reserve under that section.

Clause 24 increases from 7 to 9 the maximum number of members of a county town committee.

Clause 25 amends section 81 of the Counties Amendment Act 1968, which empowers the County Council to pay to each member of a County Borough Council or of any committee thereof remuneration not exceeding \$5 for each meeting of the County Borough Council or of that committee attended by him, with a maximum total amount of \$260 in any financial year.

This clause empowers the County Council to pay to the Chairman of a committee of a County Borough Council remuneration not exceeding \$8 for each meeting of that committee that he attends as Chairman and remuneration not exceeding \$5 for each other meeting of that committee or of the County Borough Council or of any other committee thereof that he attends, with a maximum total amount of \$416 in any financial year. The amounts that may be paid to other members are not altered.

Clause 26 empowers the Council to amend bylaws, whether made under the principal Act or any other Act, by resolution instead of by special order, in order to convert Imperial weights and measures specified in the bylaws into their metric equivalents or, for the purposes of rounding-off, into their near metric equivalents. For this purpose a metric equivalent is to be determined in accordance with New Zealand Standard Specification NZS 6502 : 1972, and a near metric equivalent must not differ by more than 10 percent from the metric equivalent.

No person is to incur any greater liability, by reason of the conversion to a near metric equivalent, than the liability that he would have incurred if it had been an exact conversion.

If the amendment making the conversion to a metric or near metric equivalent is one that would under the principal Act or any other Act require the consent or approval of any Minister, that consent will not be necessary.

Subclause (5) provides that where under the principal Act or any other Act a bylaw made by the Council requires the consent or approval of any Minister, any bylaw amending that bylaw by converting any Imperial weight or measure into a metric weight or measure will not require the consent or approval of that Minister if the conversion is made according to a scale recommended in any publication of the New Zealand Standards Association that has been approved, so far as it relates to that scale of conversion, by that Minister by notice in the *Gazette*.

Hon. Mr May

COUNTIES AMENDMENT

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A BILL INTITULED

An Act to amend the Counties Act 1956

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

No. 40—1

1. Short Title and commencement—(1) This Act may be cited as the Counties Amendment Act 1973, and shall be read together with and deemed part of the Counties Act 1956* (hereinafter referred to as the principal Act).

(2) Part I of this Act and the First Schedule to this Act shall come into force on the 1st day of April 1974. 5

(3) Except as provided in subsection (2) of this section, this Act shall come into force on the date of its passing.

PART I

ACCOUNTING PROVISIONS 10

2. General revenues—The principal Act is hereby amended by repealing section 96, and substituting the following section:

“96. The general revenues of every county shall comprise—

“(a) All money received by way of grant from the Government, or by appropriation of Parliament, or pursuant to any Act: 15

“(b) All fees, fines, forfeitures, tolls, levies, and other like sums whatsoever received under this or any other Act:

“(c) The proceeds of all rates made and levied by the Council under this or any other Act: 20

“(d) All rents and profits received from property of any kind vested in the Corporation:

“(e) All money received on account of waterworks, electricity works, gasworks, transport services, cemeteries, crematoria, reserves, recreation grounds, houses, and public buildings and institutions: 25

“(f) All money received by way of loan otherwise than under the Local Authorities Loans Act 1956: 30

“(g) All money received by way of subscription or voluntary contribution:

“(h) All money received and held by the Council by way of deposit or in trust for any person or any special purpose: 35

“(i) All other money which may become the property of the Corporation or of the Council.”

3. Financial records—The principal Act is hereby further amended by repealing section 146, and substituting the following section: 40

*Reprinted, 1969, Vol. 2, p. 1077

Amendments: 1970, No. 58; 1971, No. 63; 1972, No. 132

“146. (1) The Council shall keep such financial records and keep them in such manner as may be prescribed by regulations made under section 150 of this Act, and shall enter therein full and correct details of all money received and
5 expended by it, and shall, in particular, keep such records as are necessary for the preparation of a statement of accounts comprising—

“(a) Administrative Accounts and Works and Services
10 Accounts, which shall be credited with all money, excluding general and separate rates and general appropriations, raised or levied for or appropriated or allocated pursuant to any Act or by resolution of the Council to any account for an activity or a purpose carried on by the Council, and shall be
15 debited with expenditure properly chargeable against those accounts:

“Provided that there shall be an administrative account to be called the General and Separate Rates and General Appropriations Account,
20 which shall be credited with general and separate rates and general appropriations, and shall be debited with expenditure properly chargeable against that account:

“(b) Accounts established in accordance with section 165
25 of this Act, the Local Authorities Loans Act 1956, any trust deed, or any other enactment, deed, or provision, which shall be credited with all money raised or levied for, or appropriated or allocated pursuant to any Act or by resolution of the Council to, or held in trust or received for,
30 any special purpose, and shall be debited with so much of each individual sum as is allocated to an Administrative Account or a Works and Services Account to meet expenditure therein recorded
35 properly payable by the fund:

“(c) Operations Accounts of the revenue and expenditure of each trading activity carried on by the Council.

“(2) Where a separate rate has been levied for a particular
40 separate work, there shall be allocated from the proceeds of that rate an amount equal to the expenditure incurred for the purpose for which the rate was levied, reduced by that amount which is financed from special funds or other sources of revenue. There shall be allocated to the appropriate Riding, County Town, or County Borough Account, as the
45 case may be, all of the proceeds of any general rate levied in that particular area. There shall be allocated to the

Administrative and Works and Services Accounts sufficient of the general rate and general appropriation to equal the expenditure incurred for purposes for which no separate rate was levied, or equal to the amount by which the proceeds of any separate rate levied for the work were insufficient, reduced by that amount which is financed from special funds or other sources of revenue. 5

“(3) The decision of the Audit Office as to whether or not any expenditure is properly chargeable against any such account shall be final. 10

“(4) Without limiting the accounts that may be provided for in regulations made pursuant to section 150 of this Act, provision shall be made in those regulations for an Administration Account and a Housing and Property Account.”

4. Allocation of administration costs—The principal Act is hereby further amended by repealing section 147, and substituting the followings section: 15

“147. (1) Unless the Audit Office otherwise directs, the Council shall annually allocate to the Administration Account from each Works and Services Account kept by it such sum as in the opinion of the Council represents the proportionate part attributable to that account of the amount charged to the Administration Account in respect of any payment to any sick-benefit society that may be established by its employees or to any fire insurance or accident fund that may be established by the Council. 20 25

“(2) The Council may in like manner so allocate to the Administration Account a proportionate part of the office, clerical, legal, and other expenses of the Council of any nature whatsoever. 30

“(3) If the Audit Office considers that any sum so allocated to the Administration Account is excessive or insufficient, or that no sum should be allocated from any particular account, the Council shall forthwith re-allocate from the Administration Account the whole, or so much thereof as the Audit Office directs, of the sum allocated from that account, or, as the case may require, shall allocate to the Administration Account from the particular account such sum as the Audit Office directs.” 35

5. Proceeds of sale or lease of building allotments—Section 355 of the principal Act is hereby amended—

5 (a) By omitting from subsection (1) the words “a separate account to be known as the Land Subdivision Account”, and substituting the words “the Housing and Property Account”:

(b) By repealing subsection (2).

6. Proceeds of sale or lease of land purchased and developed for commercial or industrial purposes—Section 10 380A of the principal Act (as inserted by section 15 of the Counties Amendment Act 1964) is hereby amended by repealing subsection (6), and substituting the following subsection:

15 “(6) All money received by the Council on the sale or lease of land purchased under this section shall be paid by the Council into the Housing and Property Account.”

7. Consequential amendments and repeals—(1) The principal Act is hereby further amended in the manner indicated in the First Schedule to this Act.

20 (2) Paragraph (a) of section 13 and sections 14 and 27 of the Counties Amendment Act 1968 are hereby consequentially repealed.

PART II

MISCELLANEOUS AMENDMENTS

8. Elector entitled to one vote only—(1) The principal Act 25 is hereby further amended by repealing section 51, and substituting the following section:

30 “51. (1) Every person of or over the age of 20 years enrolled as a county elector pursuant to section 48 or section 50 of this Act shall be entitled to one vote only at every election of a member of the Council for each riding in which he is so enrolled.

35 “(2) Every person enrolled as a county elector pursuant to section 48 of this Act is entitled at any poll (other than an election) held under this Act or any other Act to one vote only.”

(2) The enactments specified in the Second Schedule of this Act are hereby amended in the manner indicated in that Schedule.

(3) The First Schedule to the Local Elections and Polls Amendment Act 1970 is hereby consequentially amended by repealing so much thereof as relates to section 51 of the principal Act.

(4) Notwithstanding anything in subsections (1) to (3) 5
of this section, the provisions of section 51 of the principal Act and of the enactments specified in the Second Schedule to this Act shall continue to apply, as if the said subsections (1) to (3) had not been enacted, for the purposes of any election 10
to fill an extraordinary vacancy on the Council, or, as the case may be, on any other local authority to which the enactments specified in that Schedule apply, and of any poll, if that election or poll is held before the date of the next triennial general election of members of the Council held after the passing of this Act. 15

9. Annual allowance to Chairman—(1) Section 69 of the principal Act (as substituted by section 2 (1) of the Counties Amendment Act 1970) is hereby amended—

(a) By omitting from paragraph (d) of subsection (1) the expression “\$3,125”, and substituting the 20
expression “\$3,750”.

(b) By omitting from paragraph (e) of subsection (1) the expression “\$3,750”, and substituting the expression “\$5,000”.

(2) Section 69 of the principal Act (as so substituted) is 25
hereby further amended by adding the following subsections:

“(3) The Governor-General may from time to time, by Order in Council, amend subsection (1) of this section—

“(a) By substituting any population figure for any popula- 30
tion figure specified in that subsection:

“(b) By substituting any maximum allowance for any
maximum allowance specified in that subsection.

“(4) Notwithstanding anything in subsection (1) of this section, where as a result of any amendment to that subsection made by an Order in Council under subsection (3) of this section the maximum allowance that may be paid to the
5 Chairman of any county is increased, the allowance of the Chairman of that county who is in office on the date on which that amendment comes into force may, by resolution of the Council passed within 6 months after that date, be increased once during his term of office.”

10 (3) Notwithstanding anything in section 69 of the principal Act (as so substituted) or in section 80 of the Counties Amendment Act 1968, the allowance of any Chairman of a county to which paragraph (d) or paragraph (e) of subsection (1) of the said section 69 applies, or of the Chairman
15 of any County Borough Council to which either of those paragraphs applies by virtue of the said section 80, who is in office at the date of the passing of this Act may, by resolution of the County Council passed within 6 months after that date, be increased once during his term of office.

20 10. How money to be withdrawn from bank—Section 101 of the principal Act (as substituted by section 5 of the Counties Amendment Act 1964) is hereby amended by repealing subsection (1), and substituting the following subsection:

25 “(1) All money shall be paid by the Corporation in cash, or by cheque or other instrument signed by the Treasurer or the Deputy Treasurer or any other officer of the Council whom the Council, by resolution, from time to time appoints for the purpose of signing cheques and instruments, and countersigned in each case by any Councillor whom the
30 Council from time to time authorises to sign cheques and instruments:

“Provided that it shall be lawful, with the prior consent of the Audit Office, for any money to be paid by the Corporation by cheque or other instrument signed as aforesaid and
35 countersigned by any officer of the Council whom the Council, by resolution, from time to time appoints for that purpose.”

11. Sanitation rate—Section 115 of the principal Act is hereby amended by inserting, after subsection (3), the following subsections:

“(3A) Where in any year any such service to any land or building is commenced after an annual rate or fee in respect of that service has been levied, the Council may require payment by the ratepayer of such part of the rate or fee as is proportionate to the unexpired portion of the year, and the ratepayer shall be liable accordingly. 5

“(3B) Where any such service is supplied to a new building not valued in the valuation roll then in force, the valuer for the time being of the Council, under the Rating Act 1967, shall by writing under his hand fix for the purposes of any sanitation rate made and levied by the Council the value of the rateable property on which the building is erected, and the value so fixed shall be deemed to be the rateable value of the property for the purposes of that rate until a new rateable value of the property is entered on the valuation roll under the provisions of the Valuation of Land Act 1951 or, as the case may be, the Rating Act 1967. The Valuer-General may, if he so agrees, be appointed as the valuer for the purposes of this subsection.” 10 15 20

12. Sanitary and stormwater drainage rate—Section 125 of the principal Act (as substituted by section 10 (1) of the Counties Amendment Act 1968) is hereby amended by inserting, after subsection (3), the following subsections: 25

“(3A) Where in any year any land or building is connected, either directly or through a private drain, to a public drain after an annual rate or charge in respect of drainage has been levied, the Council may require payment by the ratepayer of such part of the rate or charge as is proportionate to the unexpired portion of the year, and the ratepayer shall be liable accordingly. 30

“(3B) Where any such connection is supplied to a new building not valued in the valuation roll then in force, the valuer for the time being of the Council, under the Rating Act 1967, shall by writing under his hand fix for the purposes of any drainage rate made and levied by the Council the value of the rateable property on which the building is erected, and the value so fixed shall be the rateable value of the property for the purposes of that rate until a new 35 40

rateable value of the property is entered on the valuation roll under the provisions of the Valuation of Land Act 1951 or, as the case may be, the Rating Act 1967. The Valuer-General may, if he so agrees, be appointed as the valuer
5 for the purposes of this subsection."

13. Remuneration of County Councillors—(1) The principal Act is hereby further amended by repealing section 137A (as inserted by section 3 (1) of the Counties Amendment Act 1962), and substituting the following section:

10 "137A. The Council may pay to each Councillor, not being the Chairman, in respect of each meeting of the Council or of any committee thereof attended by him, remuneration at a rate fixed by the Council, not exceeding—

15 "(a) In the case of a Councillor who is the Chairman of any committee of the Council (not being an acting Chairman), \$8 in respect of each meeting of that committee attended by him as Chairman thereof and \$5 in respect of every other meeting of that committee or of the Council or of any other committee thereof attended by him:

20 "Provided that the total amount that may be paid under this paragraph to any Councillor in any financial year shall not exceed \$416:

25 "(b) In the case of any other Councillor, \$5 in respect of every meeting of the Council or of any committee thereof attended by him:

"Provided that the total amount that may be paid under this paragraph to any Councillor in any financial year shall not exceed \$260."

30 (2) The following enactments are hereby consequentially repealed:

(a) Section 3 of the Counties Amendment Act 1962:

(b) Subsection (1) of section 3 of the Counties Amendment Act 1970:

35 (c) Section 11 of the Counties Amendment Act 1971.

14. Council may establish special funds—Section 165 of the principal Act (as substituted by section 10 of the Counties Amendment Act 1972) is hereby amended by inserting in subsection (5), after the words "no longer attainable", the
40 words "or the purposes for which the fund was established are no longer to be carried out or are not likely to be carried out".

15. Powers of Council in respect of roads—Section 191A of the principal Act (as enacted by section 2 of the Counties Amendment Act 1972) is hereby amended by omitting from subsection (10) the words “subsections (3), (4), (5), and (8)”, and substituting the words “subsections (3), (4), and (8)”. 5

16. Powers of Governor-General as to roads, bridges, or ferries if neglected—Section 219 of the principal Act is hereby amended by omitting from subsection (1) the words “county road”, and substituting the words “road (as defined in section 191 of this Act, as enacted by section 2 of the Counties Amendment Act 1972), or any”. 10

17. Council may require removal of scrub, etc., likely to constitute a fire hazard—Section 289 of the principal Act is hereby amended by omitting from subsection (1) the words “The Council may, by notice in writing under the hand of the Chairman or County Clerk”, and substituting the words “The County Clerk or other officer authorised by the Council may, by notice in writing”. 15

18. Powers of Council in relation to public recreation and other amenities—(1) Section 319 of the principal Act is hereby amended by inserting, after subsection (1), the following subsections: 20

“(1A) Without limiting the powers conferred on the Council by subsection (1) of this section, that subsection shall confer power on the Council to establish and maintain cabins, huts, and motels, and conveniences and amenities for use by persons occupying those cabins, huts, or motels, on any camping ground that is on land held by the Council for the purposes of a pleasure ground. 25 30

“(1B) Without limiting the generality of subsection (1A) of this section, that subsection shall include power for the Council to provide or hire to or for the use of persons occupying any cabin, hut, or motel—

“(a) Toilet, kitchen, or bathroom facilities, for the exclusive use of the occupants of that cabin, hut, or motel, or for the use of those occupants in common with the occupants of other cabins, huts, or motels on the camping ground or persons occupying camping sites on the camping ground: 35 40

“(b) Services of a direct personal nature, whether by way of meals or food or otherwise:

“(c) Linen, blankets, crockery, cutlery, or cooking utensils.”

19. Inspection of licensed buildings—(1) Section 329 of the principal Act is hereby amended—

- 5 (a) By omitting from subsection (1) the words “in the case of any part of the county that is included in the district of an Urban Fire Authority, the Chief Fire Officer and any other officer appointed in that behalf by the Chief Fire Officer”, and substituting the words “any member of the fire service established under the Fire Services Act 1972 authorised to undertake fire safety inspections”:
- 10 (b) By omitting from subsection (2) the words “the Chief Fire Officer, or any other officer”, and substituting the words “or other person or member of the fire service”.

15 **20. Passages in and exits from licensed public buildings to be kept clear—**(1) Section 330 of the principal Act is hereby amended—

- 20 (a) By omitting from subsection (1) the words “the Chief Fire Officer, or any person authorised in that behalf by either of them”, and substituting the words “or any person authorised in that behalf by him or a member of the fire service established under the Fire Services Act 1972 authorised to undertake fire safety inspections”:
- 25 (b) By omitting from subsection (2) the words “Chief Fire Officer or other person as aforesaid”, and substituting the words “or other person or member of the fire service as aforesaid”.

21. Cancellation or suspension of licence for building—
30 Section 332 of the principal Act is hereby amended by inserting in subsection (1), after the words “in case of fire”, the words “or is being used in breach of the provisions of subsection (1) of section 330 of this Act or of any condition of the licence”.

35 **22. Council may purchase and develop land for commercial or industrial purposes—**(1) Section 380A of the principal Act (as inserted by section 15 of the Counties Amendment Act 1964) is hereby amended by repealing the proviso to subsection (2).

40 (2) Section 380A of the principal Act (as so inserted) is hereby further amended by repealing subsection (8) (as added by section 30 of the Counties Amendment Act 1968), and substituting the following subsection:

“(8) The provisions of subsections (3) to (7) of this section shall apply with respect to any land owned for the time being by the Corporation for the general purposes of the county and not for any particular purpose, as if the land had been purchased under the provisions of subsection (2) of this section.” 5

(3) Section 30 of the Counties Amendment Act 1968 is hereby consequentially repealed.

23. Powers of Council when scheme plan submitted for approval—(1) Section 23 of the Counties Amendment Act 1961 is hereby amended by repealing subparagraph (i) of paragraph (b) of subsection (2), and substituting the following subparagraph: 10

“(i) The owner make provision or further or other provision for the construction of roads or the making of reserves or the planting of trees; or” 15

(2) Section 23 of the Counties Amendment Act 1961 is hereby further amended by adding to paragraph (b) of subsection (2) the following subparagraph:

“(iv) The owner make provision or further or other provision for the preservation of the natural landscape, trees, or areas of trees or bush, or buildings or sites of historic or archaeological interest; or” 20

(3) Section 28 of the Counties Amendment Act 1961 is hereby amended by inserting, after subsection (7), the following subsection: 25

“(7A) Where under subparagraph (i) or subparagraph (iv) of paragraph (b) of subsection (2) of section 23 of this Act the Council requires that the owner make provision for the planting of trees or for the preservation of the natural landscape, trees, or areas of trees or bush, or buildings or sites of historic or archaeological interest— 30

“(a) Any amount that is payable to the Council under the provisions of paragraph (a) of subsection (3) or subsection (6) of this section shall be reduced by such amount as the Council determines as being the value of any land to be set aside for the purpose of complying with the Council’s requirement under the said subparagraph (i) or subparagraph (iv), as the case may be: 35 40

- 5 “(b) Any area of land that is required to be set aside as a reserve under subsection (2) of this section or as land to be vested in the Corporation under paragraph (b) of subsection (3) of this section shall be reduced by the area of any land to be set aside for the purpose of complying with the Council’s requirements under the said subparagraph (i) or subparagraph (iv), as the case may be:
- 10 “(c) The value of any area of land that is required to be set aside as a reserve under subsection (6) of this section shall be reduced by such amount as the Council determines as being the value of any land to be set aside for the purpose of complying with the Council’s requirements under the said subparagraph (i) or subparagraph (iv), as the case may be:
- 15 “(d) In any case to which subsection (3A) of this section applies—
- 20 “(i) The area of land required to be set aside as a reserve under that subsection shall be reduced by the area of any land to be set aside for the purpose of complying with the Council’s requirements under the said subparagraph (i) or subparagraph (iv), as the case may be:
- 25 “(ii) If the area of land so required to be set aside for the purpose of complying with the Council’s requirements under the said subparagraph (i) or subparagraph (iv), as the case may be, exceeds the area of land required under the said subsection (3A) to be set aside as a reserve, the amount payable to the Council under that subsection shall be reduced by an amount that bears to the amount payable to the Council the same proportion as the proportion that the excess area bears to the area of the land required to be
- 30
- 35 set aside.”

24. County town committee—Section 54 of the Counties Amendment Act 1968 is hereby amended by repealing subsection (2), and substituting the following subsection:

40 “(2) The county town committee shall consist of such number of members, being not fewer than 3 nor more than 9, as the Council decides from time to time.”

25. Remuneration of members of County Borough Council—(1) The Counties Amendment Act 1968 is hereby further amended by repealing section 81, and substituting the following section:

“81. The County Council may pay to each member of a County Borough Council or of any committee thereof, in respect of each meeting of the County Borough Council or of that committee attended by him, remuneration at a rate fixed by the County Borough Council, not exceeding— 5

“(a) In the case of a member who is the Chairman of that committee (not being an acting Chairman), \$8 in respect of each meeting of that committee attended by him as Chairman thereof and \$5 in respect of every other meeting of that committee or of the County Borough Council or of any other committee thereof attended by him: 10

“Provided that the total amount that may be paid under this paragraph to any such member in any financial year shall not exceed \$416:

“(b) In the case of any other member, \$5 in respect of every meeting of the County Borough Council or of that committee attended by him: 20

“Provided that the total amount that may be paid under this paragraph to any member in any financial year shall not exceed \$260: 25

“Provided also that no remuneration may be paid to the Chairman of a County Borough Council under this section if an allowance is for the time being payable to him under section 80 of this Act.”

(2) The following enactments are hereby consequentially repealed: 30

(a) Subsection (2) of section 3 of the Counties Amendment Act 1970:

(b) Section 44 of the Counties Amendment Act 1971.

26. Metric conversions of bylaws—(1) Notwithstanding anything in section 407 of the principal Act or in any other Act, the Council may, by resolution, amend any bylaw made by the Council under the principal Act or any other Act by converting into its metric equivalent or near metric equivalent any Imperial weight or measure specified in the bylaw: 35 40

Provided that where under this subsection any Imperial weight or measure is converted into its near metric equivalent, no person shall be subject to any liability which is greater than that to which he would have been subject if the weight or measure had been converted into its metric equivalent.

(2) For the purposes of this section—

(a) The metric equivalent of any Imperial weight or measure shall be that shown in respect of that weight or measure in New Zealand Standard Specification NZS 6502 : 1972:

(b) Any metric weight or measure shall be deemed to be a near equivalent of an Imperial weight or measure if it does not differ by more than 10 percent from the metric equivalent of that Imperial weight or measure.

(3) Notwithstanding anything in subsection (1) of this section, anything done before the coming into force of any amendment made to any bylaw pursuant to that subsection which was valid when it was done shall not be invalidated by reason of that amendment.

(4) Notwithstanding anything in the principal Act or any other Act, where under any provision of the principal Act or of any other Act any bylaw made by the Council does not have effect unless it is consented to or approved by any Minister, any amendment of that bylaw duly made pursuant to subsection (1) of this section shall have effect according to its tenor, and the consent or approval of that Minister to the amendment shall not be necessary.

(5) Where under any provision of the principal Act or of any other Act any bylaw made by the Council does not have effect unless it is consented to or approved by any Minister, any bylaw amending that bylaw by converting any Imperial weight or measure into a metric weight or measure shall have effect, according to its tenor, without the consent or approval of that Minister, if the conversion is made in accordance with a scale of conversion recommended in any publication of the Standards Association of New Zealand that has been approved, so far as it relates to the recommended scale of conversion of that Imperial weight or measure, by that Minister by notice in the *Gazette*.

SCHEDULES

Section 7 (1)

FIRST SCHEDULE

ENACTMENTS AMENDED
(ACCOUNTING PROVISIONS)

PART I

AMENDMENTS OF PRINCIPAL ACT

Section or Part Amended	Amendment
Section 69	By omitting from subsection (1) (as substituted by section 2 (1) of the Counties Amendment Act 1970) the words "out of the County Fund".
Part VIII	By omitting the heading to this Part, and substituting the following heading: "GENERAL REVENUES".
Section 100	By repealing subsection (1), and substituting the following subsection: "(1) Except as provided in the Local Authorities Loans Act 1956 in respect of money raised by way of special loan, all money comprising general revenues of the county shall be paid into an account at the bank to be called 'the General Bank Account'."
Section 109	By omitting from subsection (3) the words "General Account of the County Fund", and substituting the words "general revenues of the county".
Section 116	By omitting from subsection (6) the words "County Fund", and substituting the words "general revenues of the county".
Section 132	By omitting from the second proviso the words "General Account", and substituting the words "General and Separate Rates and General Appropriations Account".
Section 134	By omitting from subsection (1) the words "General Account", and substituting the words "appropriate Riding Account". By omitting from subsection (1) (b) the words "County Fund", and substituting the words "general revenues of the county". By repealing paragraph (e) of subsection (1). By repealing subsection (2). By omitting from subsection (3) the words "subsection (2)", and substituting the words "subsection (1)".

FIRST SCHEDULE—*continued*
 ENACTMENTS AMENDED—*continued*
 (ACCOUNTING PROVISIONS)—*continued*
 PART I—*continued*

AMENDMENTS OF PRINCIPAL ACT—*continued*

Section or Part Amended	Amendment
Section 135	By repealing this section, and substituting the following section: "135. Money allocated to Riding Account to be expended for benefit of riding—All money allocated to any Riding Account shall, subject to section 134 of this Act, be expended in works in or for the benefit of that riding during the same or any subsequent year."
Section 143c (as inserted by section 13 of the Counties Amendment Act 1971)	By omitting from subsection (1) the words "separate bank account", and substituting the words "special fund account". By omitting from subsection (3) the words "transferred to the County Fund Account of the Council to the credit of the General Account", and substituting the words "allocated to the General Bank Account to the credit of the General and Separate Rates and General Appropriation Account".
Section 148	By repealing this section.
Section 164	By omitting from subsection (5) the words "Profit and Loss Account", and substituting the words "Operations Account".
Section 165 (as substituted by section 10 of the Counties Amendment Act 1972)	By omitting from subsection (5) the words "General Account", and substituting the words "General and Separate Rates and General Appropriations Account".
Section 166	By omitting from subsection (3) the words "General Account", and substituting the words "General and Separate Rates and General Appropriations Account".
Section 187	By omitting from subsection (1) the words "County Fund", and substituting the words "general revenues of the county". By repealing subsection (2), and substituting the following subsection: "(2) Any payment under subsection (1) of this section may be charged either against the General and Separate Rates and General Appropriations Account or any appropriate Riding, County Town, or County Borough Account, or may be apportioned by the Council between any of those accounts."

FIRST SCHEDULE—*continued*ENACTMENTS AMENDED—*continued*(ACCOUNTING PROVISIONS)—*continued*PART I—*continued*AMENDMENTS OF PRINCIPAL ACT—*continued*

Section or Part Amended	Amendment
Section 193	By omitting the words "County Fund", and substituting the words "general revenues of the county".
Section 199B (as inserted by section 21 of the Counties Amendment Act 1971)	By omitting from subsection (5) and also from subsection (6) the words "General Account", and substituting in each case the words "general revenues of the county".
Section 284	By omitting from subsection (1) the words "County Fund", and substituting the words "general revenues of the county". By repealing subsection (2), and substituting the following subsection: "(2) Any payment under subsection (1) of this section may be charged either against the General and Separate Rates and General Appropriations Account or any appropriate Riding, County Town, or County Borough Account, or may be apportioned by the Council between any of those accounts."
Section 312	By omitting the words "County Fund", and substituting the words "general revenues of the county".
Section 320	By omitting the words "County Fund", and substituting the words "general revenues of the county".
Section 321	By omitting the words "County Fund", and substituting the words "general revenues of the county".
Section 322	By omitting the words "County Fund", and substituting the words "general revenues of the county".
Section 358	By omitting from subsection (3) the words "General Account", and substituting the words "general revenues of the county". By omitting from subsection (4) the words "to the General Account any money paid thereout", and substituting the words "general revenues expended by the Council".

FIRST SCHEDULE—*continued*
 ENACTMENTS AMENDED—*continued*
 (ACCOUNTING PROVISIONS)—*continued*

PART I—*continued*

AMENDMENTS OF PRINCIPAL ACT—*continued*

Section or Part Amended	Amendment
Section 368	By omitting from subsection (1) the words "County Fund", and substituting the words "general revenues of the county". By repealing subsection (2), and substituting the following subsection: " (2) Any payment under subsection (1) of this section may be charged either against the General and Separate Rates and General Appropriations Account or any appropriate Riding, County Town, or County Borough Account, or may be apportioned by the Council between any of those accounts."
Section 369	By omitting from subsection (1) the words "County Fund", and substituting the words "general revenues of the county". By repealing subsection (2), and substituting the following subsection: " (2) Any payment under subsection (1) of this section may be charged either against the Works and Services Account or any appropriate Riding, County Town, or County Borough Account, or may be apportioned by the Council between any of those accounts."
Section 378	By omitting from subsection (2) the words "County Fund", and substituting the words "general revenues of the county".
Section 380	By omitting the words "County Fund", and substituting the words "general revenues of the county".

Counties Amendment

FIRST SCHEDULE—*continued*ENACTMENTS AMENDED—*continued*(ACCOUNTING PROVISIONS)—*continued*

PART II

AMENDMENTS OF COUNTIES AMENDMENT ACT 1961

Section Amended	Amendment
Section 28	By omitting from subsection (8) the words "paid into a separate account", and substituting the words "credited to a special fund account".
Section 83	By repealing subsection (1), and substituting the following subsection (1): "(1) The general revenues of the Water Supply Board shall comprise all money which becomes the property of the Board except the proceeds of loans raised under the Local Authorities Loans Act 1956." By omitting from subsection (2) the words "County Fund", and substituting the words "general revenues of the county". By repealing paragraph (d) of subsection (2), and substituting the following paragraph: "(d) References in those Parts to the general revenues of the county were references to the general revenues of the Water Supply Board."

PART III

AMENDMENTS OF COUNTIES AMENDMENT ACT 1968

Section Amended	Amendment
Section 59	By omitting from subsection (1) and also from subsection (2) (b) the words "County Fund Account", and substituting in each case the words "general revenues of the county". By omitting from subsection (3) the words "its General Account", and substituting the words "the general revenues of the county".
Section 61	By omitting from subsection (2) the words "General Account", and substituting the words "Administration Account". By omitting from subsection (3) the words "General Account", and substituting the words "General and Separate Rates and General Appropriations Account".

SECOND SCHEDULE

Section 8 (2)

ENACTMENTS AMENDED

(ABOLITION OF PLURAL VOTING)

PART I

AMENDMENTS OF PRINCIPAL ACT

Section Amended	Amendment
Section 52	By omitting from subsection (1) all words appearing after paragraph (c).
Section 54	By repealing paragraph (c) of subsection (1).
Section 55	By omitting from subsection (2) the words "and of the number of votes to which any such person is entitled".
Section 58	By omitting the words "and the number of votes to which he is entitled under this Act".
Section 59	By omitting the words "and shall assign to each elector the number of votes to which he is entitled under this Act".
Section 64	By omitting from subsection (1) the words "and the number of votes to which they are entitled".
Section 438	By repealing subsection (3).
	By repealing paragraph (d).



Counties Amendment

SECOND SCHEDULE—*continued*ENACTMENTS AMENDED—*continued*(ABOLITION OF PLURAL VOTING)—*continued*

PART II

AMENDMENTS OF OTHER ACTS

Enactment	Amendment
1941, No. 12—The Soil Conservation and Rivers Control Act 1941 (Reprinted, 1969, Vol. 4, p. 3068)	By repealing subsections (2), (3), and (3A) of section 46 (as inserted by section 5 (2) of the Soil Conservation and Rivers Control Amendment Act 1962), and substituting the following subsection: “(2) Every elector in a combined district shall have one vote only, notwithstanding that he may be an elector of more than one of the constituent districts included in the combined district.”
1962, No. 125—The Soil Conservation and Rivers Control Amendment Act 1962 (Reprinted, 1969, Vol. 4, p. 3229)	By repealing section 5.
1967, No. 147—The Agricultural Pests Destruction Act 1967	By adding to subsection (1) of section 42 the words “and shall have one vote only at any election or poll under this Act”. By repealing subsections (2) to (5) of section 42. By omitting from subsection (1) of section 80 all words after the words “shall be entitled to vote”. By omitting from subsection (2) of section 80 all words after the words “shall be entitled to vote”.
1968, No. 124—The Counties Amendment Act 1968 (Reprinted, 1969, Vol. 2, p. 1417)	By omitting from subsection (2) of section 75 the words “Notwithstanding anything in section 51 of the principal Act”.