

**3. Local authority representation on the Auckland Metropolitan Fire Board**—The members to be elected to the board under paragraph (b) of section 23 (1) of the Fire Services Act 1949 shall number five, of whom—

- (a) Two shall be elected by the Auckland City Council;
- (b) Two shall be elected jointly by the local authorities;
- (c) One shall be elected jointly by the Papakura Borough Council and the Manukau City Council.

**4. Returning officer**—The person for the time being holding office as the secretary of the board shall be the returning officer for all elections held pursuant to this order.

**5. Election of Auckland City members**—(1) Each Auckland city member shall be elected by resolution passed at a properly constituted meeting of the Auckland City Council.

(2) Whenever an election of members to the board is required to be held under section 24 of the Fire Services Act 1949, the Mayor of the City of Auckland shall convene a meeting of the Auckland City Council for the purpose of filling the positions on the board required to be filled by that council.

(3) Within 5 days after any such election the Auckland City Council shall give notice in writing of the result of the election to the returning officer.

**6. Election of local authority members**—(1) For the purposes of electing members to the board to represent local authorities, each local authority shall be entitled to exercise one vote for each complete \$200,000 of the capital value of the rateable property situated in that part of its district which is within the Auckland Metropolitan Fire District. For the purposes of this subclause, the capital value shall be that appearing in the valuation roll for the time being in force.

(2) Each local authority may nominate by resolution passed at a properly constituted meeting convened by the Mayor, or as the case may be, the Chairman of the local authority such number of candidates as will not exceed the number of local authority members required to be elected to the board.

(3) Every such local authority shall cause a sealed copy of the resolution to be served on the returning officer, together with the written consent of each nominee, not later than the 14th day of November in every year in which an election of local authority members is to take place or, if the returning officer has given notice of an election to fill an extraordinary vacancy in the office of a local authority member, within 10 days of the returning officer's giving notice.

(4) On the expiration of the time for nominating candidates as aforesaid, the returning officer shall prepare a list of candidates and serve a copy of it on each of the local authorities.

(5) Within 14 days of the receipt of the list each Mayor or, as the case may be, Chairman of a local authority shall cause a meeting of his council to be held for the purpose of allocating the prescribed number of votes to which each authority is entitled in respect of the candidates on the list. At the meeting, the authority shall, by resolution, allocate its votes in respect of two candidates where two candidates are required to be elected or to one candidate where only one is required.

(6) Each local authority shall within 5 days of its meeting cause a sealed copy of the resolution to be served on the returning officer.

**7. Election of South Auckland member**—(1) For the purposes of electing a member to the board to represent South Auckland, the Papakura Borough Council and the Manukau City Council shall each be entitled to exercise one vote for each complete \$200,000 of the capital value of the rateable property situated in that part of their districts situated within the Auckland Metropolitan Fire District. For purposes of this subclause, the capital value shall be that appearing in the valuation roll for the time being in force, except that for the purpose of assessing the entitlement to votes of the Manukau City Council, the capital value of rateable property in the City of Manukau shall be the sum of the following:

- (a) The capital value of the area of the former Borough of Manurewa;
- (b) The capital value of the inner area of the former County of Manukau, as defined by the Auckland Metropolitan Drainage Act 1960 (including the parts added as from the 1st day of April 1961);
- (c) Twenty-five percent of the capital value of the outer area of the former County of Manukau now included in the City of Manukau, as defined by the Auckland Metropolitan Drainage Act 1960, except that part of the city constituted as the Hunua Rural Fire District.

(2) The Papakura Borough Council and the Manukau City Council may each nominate by resolution passed at a properly constituted meeting convened by its Mayor one candidate.

(3) Each council shall cause a sealed copy of the resolution to be served on the returning officer, together with the written consent of the nominee, not later than the 14th day of November in every year in which a South Auckland member is required to be elected or, if the returning officer has given notice of an election to fill an extraordinary vacancy in the office of the South Auckland member, within 10 days of the returning officer's giving notice.

(4) On the expiration of the time for nominating candidates as aforesaid, the returning officer shall prepare a list of candidates and forward a copy of it to both the Papakura Borough Council and the Manukau City Council.

(5) Within 14 days of the receipt of the list, the Mayor of the Borough of Papakura and the Mayor of the City of Manukau shall each cause a meeting of his council to be held for the purpose of allocating the prescribed number of votes to which each of the councils is entitled in respect of the candidates on the list. At the meeting, the authority shall, by resolution, allocate its votes in respect of one of the candidates.

(6) The Papakura Borough Council or, as the case may be, the Manukau City Council shall within 5 days of the meeting cause a sealed copy of the resolution to be served on the returning officer.

**8. Extraordinary vacancies**—(1) In the case of an extraordinary vacancy in the office of an Auckland city member, the returning officer shall give notice in writing to the Auckland City Council of the vacancy. On receipt of the notice by the council, the Mayor of the City of Auckland shall convene a meeting of the council to be held not later than one month after the date on which the notice was given for the purpose of electing a person to fill the vacancy. At the meeting, the council shall elect a person to fill the vacancy. Within 5 days after the election the Auckland City Council shall give notice in writing of the result of the election to the returning officer.

(2) In the case of an extraordinary vacancy in the office of a local authority member or of the South Auckland member, an election to fill the vacancy shall be held in accordance with clause 6 or clause 7 of this order, as the case may require, not later than one month after the date on which the notice was given.

**9. Powers and duties of returning officer**—(1) The returning officer shall—

- (a) In October in each year in which an election of local authority members or of the South Auckland member is to be held; or
- (b) Where an extraordinary vacancy occurs in the membership of a local authority member or the South Auckland member, as soon as he has knowledge of the vacancy—

give notice in writing of the vacancy to each of the local authorities, or to the Papakura Borough Council and the Manukau City Council, as the case may require. Every such notice shall specify the number of votes exercisable by the local authorities or by the Papakura Borough Council and the Manukau City Council, as the case may be.

(2) In the event of there being an equality of votes at any election held pursuant to this order, the returning officer shall have a casting vote.

(3) As soon as practicable after the conclusion of any elections held under this order, the returning officer shall—

- (a) Give notice in writing of the results of the elections to the Minister, the Auckland City Council, the Papakura Borough Council, the Manukau City Council, and every other local authority whose district or part of whose district lies within the Auckland Metropolitan Fire District;
- (b) Cause the results to be publicly notified in one or more newspapers circulating in the Auckland Metropolitan Fire District.

**10. Validity of election not affected by failure to hold meeting, etc.**—The validity of an election held pursuant to this order shall not be affected by failure of the Auckland City Council, the Papakura Borough Council, the Manukau City Council, or any other local authority—

- (a) To hold a meeting required by this order to be held by it; or
- (b) To pass at any such meeting a resolution allocating its votes; or
- (c) To forward within the period specified in this order a sealed copy of any such resolution to the returning officer; or
- (d) Otherwise to exercise the powers conferred on it by this order.

**11. Time at which member deemed to be elected**—(1) Every Auckland city member shall be deemed to be elected when the notice of his election is given by the Auckland City Council to the returning officer.