



ANALYSIS

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| <p>Title</p> <p>1. Short Title</p> <p>2. Annual allowance to Chairman</p> <p>3. Remuneration of members of County Council or County Borough Council</p> | <p>4. Amendments consequential on abolition of Waiheke Road District</p> <p>5. Savings as to approval of plans of subdivision in dependent town district Schedule</p> |
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1970, No. 58

An Act to amend the Counties Act 1956

[27 November 1970]

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 Counties Amendment Act 1970, and shall be read together with and deemed part of the Counties Act 1956 (hereinafter referred to as the principal Act).

2. Annual allowance to Chairman—(1) The principal Act is hereby amended by repealing section 69 (as substituted by section 2 (1) of the Counties Amendment Act 1966), and substituting the following section:

“69. (1) The Chairman may be paid such annual allowance out of the County Fund as the Council from time to time fixes, not exceeding—

“(a) In the case of a county having a population of not more than 5,000, \$1,250:

“(b) In the case of a county having a population of more than 5,000 but not more than 10,000, \$1,875:

“(c) In the case of a county having a population of more than 10,000 but not more than 20,000, \$2,500:

“(d) In the case of a county having a population of more than 20,000 but not more than 50,000, \$3,125:

“(e) In the case of a county having a population of more than 50,000, \$3,750;—

but no alteration in the amount of that allowance shall take effect during the term of office of any Chairman.

“(2) For the purposes of this section—

“(a) The certificate of the Government Statistician as to the population of any county at any date shall be conclusive evidence thereof:

“(b) A person re-elected as Chairman shall be deemed to be a new Chairman.”

(2) Notwithstanding anything in section 69 of the principal Act (as substituted by subsection (1) of this section) or in section 80 of the Counties Amendment Act 1968, the allowance of the Chairman of any county or of any County Borough Council 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.

(3) Section 2 of the Counties Amendment Act 1966 is hereby consequentially repealed.

3. Remuneration of members of County Council or County Borough Council—(1) Section 137A of the principal Act (as inserted by section 3 (1) of the Counties Amendment Act 1962 and amended by section 7 of the Decimal Currency Act 1964) is hereby further amended—

(a) By omitting the expression “\$3”, and substituting the expression “\$5”:

(b) By omitting from the proviso the expression “\$156”, and substituting the expression “\$260”.

(2) Section 81 of the Counties Amendment Act 1968 is hereby amended—

(a) By omitting the expression “\$3”, and substituting the expression “\$5”:

(b) By omitting from the first proviso the expression “\$156”, and substituting the expression “\$260”.

4. Amendments consequential on abolition of Waiheke Road District—(1) The following enactments are hereby repealed:

(a) Part XXXI of the principal Act:

- (b) So much of the Second Schedule to the Counties Amendment Act 1961 as relates to the principal Act:
- (c) Section 4 of the Counties Amendment Act 1962:
- (d) Section 3 of the Counties Amendment Act 1965.
- (2) The principal Act is hereby amended in the manner indicated in the First Schedule to this Act.
- (3) The Counties Amendment Act 1961 (as amended by section 5 of the Counties Amendment Act 1962) is hereby further amended—
 - (a) By omitting from the definition of the term “Council” in subsection (1) of section 21 the words “or road district”:
 - (b) By omitting from subsection (1A) of section 21 the words “or road district”:
 - (c) By omitting from subsection (2) of section 21 the words “or road district”:
 - (d) By omitting from subsection (4) of section 35 the words “or road district”:
 - (e) By omitting from subsection (2) of section 44 the words “or in any road district” and also the words “or road district” wherever they occur:
 - (f) By omitting from subsection (3) of section 44 the words “or Road Board” and also the words “or road district, as the case may be”.

5. Savings as to approval of plans of subdivision in dependent town district—(1) Section 38 of the Counties Amendment Act 1961 is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) Notwithstanding anything in this Part of this Act, in any case where a plan of subdivision of any land in a dependent town district was approved by the Town Board before the 1st day of February 1954 (being the date of the commencement of the Land Subdivision in Counties Amendment Act 1953), and before that date the plan was deposited or any dealing giving effect to the subdivision or any part thereof was registered under the Land Transfer Act 1952 or any former Land Transfer Act, the previous approval of the plan shall, for the purposes of this Act, be deemed to be an approval by the County Council under this Part of this Act, and all conditions imposed by the Town Board in granting its approval of that plan of subdivision in relation to the proposed streets or access ways or service lanes on the plan of subdivision shall be deemed to be conditions and requirements

of the County Council imposed or made under this Part of this Act.”

(2) This section shall be deemed to have come into force on the 1st day of April 1962 (being the date of the commencement of Part II of the Counties Amendment Act 1961).

Section 4 (2)

SCHEDULE

AMENDMENTS OF COUNTIES ACT 1956 CONSEQUENTIAL ON ABOLITION OF
WAIHEKE ROAD DISTRICT

Section Amended	Amendment
Section 2 (1) . . .	<p>By repealing the definitions of the terms "Clerk", "road district", "Road Board", and "Board".</p> <p>By omitting from the definition of the term "Corporation" the words "or of a road district, as the case may be".</p> <p>By omitting from the definition of the term "local authority" the words "in relation to any road district, means the Road Board".</p> <p>By omitting from the definition of the term "public notice" the words "or road district, as the case may be" wherever they occur.</p>
Section 12	By omitting the words "road district or".
Section 15 (1) (b)	By omitting the words "or road district".
Section 19	By omitting the words "or of any road district" and also the words "or the Board, as the case may be".
Section 20	By omitting the words "or road district" wherever they occur.
Section 438	<p>By omitting the words "or Road Board".</p> <p>By omitting from paragraph (b) and also from paragraph (f) the words "or Board".</p> <p>By omitting from paragraph (c) and also from paragraphs (d) and (e) the words "or road district" wherever they occur.</p> <p>By omitting from paragraph (d) the words "or the roll of electors of the road district, as the case may be".</p>
Section 439	By omitting the words "or Road Board", the words "or Board", and the words "or Clerk of the Board, as the case may be".
Section 440	<p>By omitting from subsection (4) and also from subsection (5) the words "or Road Board".</p> <p>By omitting from subsection (4) the words "or Board".</p>
Section 441	By omitting the words "or Road Board" and the words "or the Clerk of the Road Board, as the case may be".
Section 442	<p>By omitting from subsection (1) the words "or Road Board" wherever they occur.</p> <p>By omitting from subsection (1) and also from subsection (3) the words "or Board" wherever they occur.</p>

SCHEDULE—*continued*AMENDMENTS OF COUNTIES ACT 1956 CONSEQUENTIAL ON ABOLITION OF
WAIHEKE ROAD DISTRICT—*continued*

Section Amended	Amendment
Section 443	By omitting from paragraph (a) the words "or Road Boards".
	By omitting from paragraph (c) the words "or Road Board".
Section 445	By omitting the words "or Road Board" wherever they occur.
Section 447	By omitting the words "or Road Board, as the case may be".
Section 448	By omitting the words "or Road Board, as the case may be".
Section 450	By omitting from subsection (1) the words "or Road Board". By omitting from subsection (2) the words "or Board".

This Act is administered in the Department of Internal Affairs.
