

Local Government Amendment Act 1994

Public Act 1994 No 68
Date of assent 1 July 1994

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An Act to amend the Local Government Act 1974

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

- (1) This Act may be cited as the Local Government Amendment Act 1994, and shall be read together with and deemed part of the Local Government Act 1974 (hereinafter referred to as the principal Act).
- (2) Except as provided in section 17(3) of this Act, this Act shall come into force on the day on which it receives the Royal assent.

2 Interpretation

(1)

(2)

(3) The following enactments are hereby consequentially repealed:

(a) The Local Government Amendment Act (No 2) 1977:

(b) Section 2 of the Local Government Amendment Act (No 3) 1988:

(c) Section 2(15)(d) of the Local Government Amendment Act (No 2) 1989:

(d) Section 2(10) of the Local Government Amendment Act 1992.

3

Section 3 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

4

Section 4 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

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Subsection (1) was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

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Section 6 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

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Section 8 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

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Section 9 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

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Section 10 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

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Section 11 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

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Section 12 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

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Section 13 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

14

Section 14 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

15**16**

Section 16 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

17 Water services

[Repealed]

Section 17 was repealed, as from 1 October 1998, by section 14(1)(i) Local Government Amendment Act 1998 (1998 No 89).

18

Section 18 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

19 Transitional provisions

(1) Subject to section 37ZZZA(2) of the principal Act (as enacted by section 12 of this Act) and to subsections (5) to (8) of this section,—

- (a) Any reorganisation proposal received by the Commission before the commencement of this section under section 37ZZR of the principal Act (as enacted by section 8(1) of the Local Government Amendment Act 1992) (other than a reorganisation proposal that has been abandoned before the commencement of this sec-

- tion or a reorganisation proposal in relation to which a draft reorganisation scheme has been published before the commencement of this section); and
- (b) Any draft reorganisation scheme published before the commencement of this section under section 37ZZV of the principal Act (other than a draft reorganisation scheme that, before the commencement of this section, has become a reorganisation scheme)—
- shall, as from the commencement of this section, be dealt with under Part 2BB of the principal Act (as amended by this Act).
- (2) Subject to subsections (4) and (5) of this section, the reorganisation scheme for a Mangonui District (which scheme was signed by the Commission on the 26th day of May 1994) shall be dealt with under the principal Act (as amended by this Act).
- (3) Subsection (2) of this section shall have effect notwithstanding—
- (a) Anything done before the commencement of this section under—
- (i) Section 37ZZZE of the principal Act (as enacted by section 8(1) of the Local Government Amendment Act 1992); or
- (ii) Section 37ZZZF of the principal Act (as enacted by section 8(1) of the Local Government Amendment Act 1992); or
- (b) Anything in the explanatory statement relating to the reorganisation scheme for a Mangonui District and published before the commencement of this section; or
- (c) Any other action taken before the commencement of this section by the Commission or the Returning Officer and relating to the reorganisation scheme for a Mangonui District.
- (4) The Returning Officer for the Far North District Council shall give public notice that, notwithstanding any public notice given before the commencement of this section under section 37ZZZF(5) of the principal Act (as enacted by section 8(1) of the Local Government Amendment Act 1992) one poll of electors on the proposal that the reorganisation scheme for a Mangonui District proceed shall be held on the 27th day of August 1994 over the whole of the Far North District.

- (5) Notwithstanding section 37ZZZIC of the principal Act (as enacted by section 16 of this Act), each local authority affected by—
- (a) The draft reorganisation scheme for a Wainuiomata District (which scheme was signed by the Commission on the 18th day of August 1993); or
 - (b) The draft reorganisation scheme for a Cambridge District (which scheme was signed by the Commission on the 24th day of September 1993); or
 - (c) The reorganisation scheme for a Mangonui District (which scheme was signed by the Commission on the 26th day of May 1994),—
- shall, in the period of 20 working days beginning with the first working day after the commencement of this section, determine, by resolution, the amount of money it proposes to spend on advertising that—
- (d) Promotes or opposes the implementation of the scheme by which it is affected or of any provision of that scheme; and
 - (e) Is to be published, broadcast, issued, distributed, or displayed in the poll period.
- (6) Where any reorganisation proposal has, before the commencement of this section, been referred back to the proposer under section 37ZZS(1)(b) of the principal Act (as enacted by section 8(1) of the Local Government Amendment Act 1992) and the proposer has not, at the commencement of this section, taken either of the steps provided for in section 37ZZT of the principal Act (as so enacted), section 37ZZT(2) of the principal Act (as enacted by section 8 of this Act) shall apply in relation to that reorganisation proposal as if there were substituted, for the words “its referral back to the proposer”, the words **the commencement of this section**.
- (7) The Commission may decide to carry out a review under section 37ZZTB of the principal Act (as enacted by section 8 of this Act) in respect of any district affected by a reorganisation proposal that has been received by the Commission before the commencement of this section if, at the commencement of this section, the Commission has not published a draft reorganisation scheme in relation to that proposal.

- (8) Nothing in this Act shall affect any proceedings before any Court at the commencement of this section.