



## ANALYSIS

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1960, No. 9—*Local*

**An Act to provide for the establishment of a Committee to promote legislation in the form of a local Bill to constitute a regional authority for the Auckland Regional Area**

[30 September 1960]

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 Auckland Regional Authority Establishment Act 1960.

**2. Interpretation**—In this Act, unless the context otherwise requires,—

“Authority” means the Auckland Regional Authority to be constituted when the Bill is passed by the General Assembly and comes into force:

“Bill” means the local Bill to be prepared by the Committee for submission to Parliament pursuant to this Act:

“Committee” means the Auckland Regional Authority Establishment Committee constituted by this Act:

“Local authority” means the Council of any city, borough, town district, or county named in paragraph (a), paragraph (b), paragraph (c), or paragraph (d) of subsection (2) of section 3 of this Act; and “local authorities” has a corresponding meaning.

**3. Auckland Regional Authority Establishment Committee**—(1) For the purpose of giving effect to the provisions of this Act, there is hereby constituted a Committee to be called the Auckland Regional Authority Establishment Committee.

(2) The Committee shall consist of the following members:

(a) The Mayor for the time being of the City of Auckland:

(b) The Mayors for the time being of the Boroughs of Helensville, East Coast Bays, Birkenhead, Northcote, Takapuna, Devonport, Henderson, New Lynn, Glen Eden, Mount Albert, Mount Roskill, Mount Eden, Newmarket, One Tree Hill, Onehunga, Ellerslie, Howick, Mount Wellington, Otahuhu, Papatoetoe, Manurewa, Papakura, Pukekohe, Tuakau, and Waiuku:

(c) The Chairmen for the time being of the Counties of Rodney, Waitemata, Manukau, and Franklin:

(d) The Chairman for the time being of the Town District of Warkworth:

(e) The Chairmen for the time being of the Auckland Transport Board, the Auckland Metropolitan Drainage Board, the North Shore Drainage Board, and the Auckland Regional Planning Authority:

(f) In any case where the Chairman of any Board or regional authority referred to in paragraph (e) of subsection (2) of this section is also a member of the Committee by reason of his holding for the time being the office of Mayor or Chairman of any other local authority, the Deputy Chairman for the time being of that Board or regional authority shall be deemed to be a member of the Committee in his place.

(3) A deputy for each member of the Committee (being a member of the local authority, Board, or regional authority of which that member of the Committee is Mayor, Chairman, or Deputy Chairman, as the case may be) may be appointed by that member to act for him at any meeting of the Committee which that member is unable to attend. Every deputy when so acting shall for all purposes be deemed to be the member for whom he acts.

(4) No appointment of a deputy, and no acts done by him as such, and no acts done by the Committee while any deputy is acting as such, shall be questioned in any proceedings on the ground that the occasion for his appointment had not arisen or had ceased.

(5) The powers of the Committee shall not be affected by any vacancy in the membership thereof.

**4. Committee to be a body corporate**—The Committee shall be a body corporate having, subject to the provisions of this Act, perpetual succession and a common seal, power to sue, and be sued in any Court, and to do and suffer all other acts and things which a body corporate may lawfully do and suffer.

**5. Appointment of Chairman and Deputy Chairman**—

(1) The Mayor for the time being of the City of Auckland shall be Chairman of the Committee.

(2) The Committee may from time to time appoint one of its members to be Deputy Chairman who, whenever the Chairman is unable to act, whether by reason of absence or otherwise, may exercise and perform all the powers and duties of the Chairman.

**6. Meetings of Committee**—(1) The first meeting of the Committee shall be held at a time and place to be appointed by the Chairman, but not later than two months after the date when this Act comes into force.

(2) Subsequent meetings of the Committee shall be held at such times and places as the Committee from time to time determines.

(3) At all meetings of the Committee the quorum necessary for the transaction of business shall be twenty members.

(4) The Chairman may at any time, and shall on receipt of a requisition in writing signed by any seven members, call a special meeting of the Committee.

(5) At any meeting the Chairman shall have a deliberative vote and, in the case of equality of votes, shall also have a casting vote.

(6) At any meeting a decision of the majority of the members present shall be the decision of the Committee.

(7) Subject to the provisions of this Act, the Committee may regulate its procedure and the procedure of its subcommittees in such manner as it thinks fit.

**7. Officers of Committee**—The Committee may from time to time appoint a secretary and such other persons as may be necessary for the purpose of assisting the Committee in exercising its powers and functions under this Act.

**8. Advisory and technical subcommittees**—(1) The Committee may from time to time appoint such advisory or technical subcommittees as it thinks fit to advise the Committee on such matters concerning the execution of this Act as are referred to them by the Committee.

(2) An advisory or technical subcommittee may consist of two or more persons, and any person may be appointed under this section to be a member of a subcommittee notwithstanding that he is not a member of the Committee.

**9. Travelling allowances**—(1) The Committee is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951.

(2) There may be paid to members of the Committee and of any subcommittee appointed by the Committee travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if members of any such subcommittee (as well as members of the Committee) were members of a statutory Board within the meaning of that Act.

**10. Functions of the Committee**—(1) The principal function of the Committee shall be to prepare and submit to Parliament, pursuant to the provisions of Standing Orders of the House of Representatives, a local Bill to be intituled the Auckland Regional Authority Bill, and for this purpose the Committee shall be deemed to be a local authority within the meaning of section 47 of the Finance Act 1937.

(2) The Bill shall provide for the following matters:

(a) The constitution of a body corporate to be called the Auckland Regional Authority:

(b) The definition of the district of the Authority:

(c) The definition of the duties and functions of the Authority, which duties and functions shall be of a regional or metropolitan character:

(d) Provision for the election or appointment of members of the Authority and the election or appointment of the Chairman thereof:

(e) Such financial provisions as may be necessary:

(f) All such other matters, powers, and authorities as are necessary, conducive, or incidental to the performance by the Authority of its duties and functions.

**11. Expenses of administration—**(1) The Auckland City Council (in this section referred to as the Council) shall out of its general funds contribute by way of advance from time to time such sum or sums as may be necessary to meet the expenses to be incurred by the Committee in exercising its functions under this Act.

(2) All money advanced by the Council under this section shall be repaid by the Authority on demand at the expiration of twelve months after the Bill is passed by the General Assembly and comes into force, and shall thereupon be recoverable by the Council as a debt due to it by the Authority. REFER 196  
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(3) If the Bill does not come into force before the dissolution of the Committee as provided in section 12 of this Act, the said money advanced by the Council shall be apportioned as between the local authorities on the basis of the mean of population and rateable capital value calculated as at the thirty-first day of March in the preceding calendar year, and each apportioned part of the said money shall thereupon be recoverable by the Council as a debt due to it by the local authority responsible therefor.

**12. Provisions for the dissolution of the Committee—**

(1) The Committee shall be dissolved—

- (a) In the event of the Bill coming into force during the year nineteen hundred and sixty-one, forthwith upon the coming into force of the Bill; or
- (b) In the event of the Bill not coming into force during the year nineteen hundred and sixty-one (but subject to the provisions of subsection (3) of this section), on the first day of January, nineteen hundred and sixty-two.

(2) Upon the dissolution of the Committee, its debts, contracts, liabilities, and engagements shall, if the Bill has come into force, be assumed by the Authority, but otherwise shall be assumed by the Auckland City Council, in which case the provisions of subsection (3) of section 11 of this Act shall, with the necessary modifications, apply.

(3) The Governor-General may, by Order in Council, extend the time for the dissolution of the Committee. Any such Order in Council may at any time be revoked and another substituted therefor.

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