



ANALYSIS

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1969, No. 6—*Local*

**An Act to amend the Clutha County Empowering (Community Centres) Act 1962 to confer upon the Clutha County Council the power to contribute towards the cost of establishing and maintaining community centres outside the County of Clutha from which residents of the County of Clutha are deriving benefit or are likely to derive benefit and for such purposes to strike a rate or levy in accordance with the provisions of the principal Act to cover such contribution or contributions and the costs incidental thereto**  
*[10 September 1969]*

WHEREAS residents of the County of Clutha are deriving benefit from a community centre established and maintained by an adjoining local authority: And whereas residents of the County of Clutha are likely to derive benefit from community centres established by adjoining local authorities in the future: And whereas it is desirable that the Clutha County Council be empowered to contribute towards the cost of establishing and maintaining such community centres: And whereas it is further desirable in the interests of avoiding disproportionate financial obligation being imposed on certain ratepayers that Council be empowered to levy the amount of such contribution or contributions from those residents of the County of Clutha

who are deriving benefit or are likely to derive benefit as aforesaid: And whereas it is not possible for the Clutha County Council so to contribute and levy under the Act in its present form:

BE IT THEREFORE 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 Clutha County Empowering (Community Centres) Amendment Act 1969, and shall be read together with and deemed part of the Clutha County Empowering (Community Centres) Act 1962 (hereinafter referred to as the principal Act).

**2. Interpretation**—Section 2 of the principal Act is hereby amended by adding to the definition of the term “community centre” the words “, whether alone or together with other persons”.

**3. Council may contribute toward the establishment and maintenance of community centres outside the County of Clutha**—The principal Act is hereby amended by inserting, after section 3, the following section:

“3A. Where, in the opinion of the Council, residents of the County of Clutha are using or deriving benefit from, or are likely to use and derive benefit from, a community centre either established or to be established outside the County of Clutha by an adjoining local authority then and in such case, and in addition to the powers conferred upon it by the Counties Act 1956 and the Physical Welfare and Recreation Act 1937, the Council may make such contribution or contributions as it from time to time determines towards the cost of—

- “(a) Purchasing, taking on lease, or otherwise acquiring any land of any estate; and
- “(b) Erecting, purchasing, hiring, leasing, or otherwise acquiring or obtaining the use of buildings; and
- “(c) Providing, installing, and maintaining equipment, apparatus, and facilities; and
- “(d) Maintaining, operating, improving, enlarging, or developing any community centre or any such building, land, equipment, apparatus, or facilities.”

**4. Limitation of application of section 5 of principal Act—**Section 5 of the principal Act is hereby amended by adding the following subsection:

“(7) The provisions of this section shall apply only in respect of community centres established or to be established within the County of Clutha.”

**5. Management of community centres outside the County of Clutha—**The principal Act is hereby amended by inserting, after section 5, the following section:

“5A. (1) It shall not be lawful for the Council to contribute towards the establishment or maintenance of a community centre outside the County of Clutha in pursuance of the provisions of section 3A of this Act unless the Council is represented by not less than one council member or nominee on any body set up either by the relevant adjoining local authority or otherwise to control and manage that community centre.

“(2) Any such nominee shall be a resident of the County of Clutha who uses or derives benefit from, or is likely to use or derive benefit from, the community centre.”

**6. Annual fee payable by occupier—**(1) Section 8 of the principal Act is hereby amended by inserting in subsection (1), after the words “this Act”, the words “or otherwise where, in the opinion of the Council, residents of the County of Clutha are deriving or are likely to derive benefit.”

(2) Section 8 of the principal Act is hereby further amended by omitting from paragraph (a) of the proviso to subsection (5) the words “annual charge”, and substituting the words “annual fee”.

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