

*Mrs McMillan*

## OTAGO MUSEUM TRUST BOARD AMENDMENT

[LOCAL]

### ANALYSIS

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Title		4. Time for payment of contributions
1. Short Title		5. Insurance of Board members
2. Election of members		6. Repeal and saving
3. Levy on local authorities and Budgetary Committee		Schedules

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### A BILL INTITULED

#### **An Act to amend the Otago Museum Trust Board Act 1955**

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,  
5 as follows:

1. **Short Title**—This Act may be cited as the Otago Museum Trust Board Amendment Act 1968, and shall be read together with and deemed part of the Otago Museum Trust Board Act 1955 (hereinafter referred to as the principal Act).

10 2. **Election of members**—Section 5 of the principal Act is hereby amended:

15 (a) By omitting from subsection (1) the words “Within four months after”, and substituting the words “Prior to the thirty-first day of March next following”:

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(b) By inserting in subsection (2), after paragraph (h), the following paragraph:

“(hh) If no person is nominated or if a less number of persons are nominated than there are vacancies to be filled, the returning officer shall forthwith on the closing of nominations declare the candidates nominated to be duly elected and any vacancy for which no candidate has been nominated shall be deemed to be a casual vacancy occurring on the day when the candidates elected at the election come into office on which day the member holding the office for which no candidate has been nominated will be deemed to have vacated his office”.

(c) By omitting from subsection (3) the words “day following that”, and substituting the words “first day of April next following the day”.

### **3. Levy on local authorities and Budgetary Committee—**

The principal Act is hereby amended by repealing section 15, and substituting the following section:

“15. (1) The Board may in any year of the budgetary period of five years commencing on the first day of April, nineteen hundred and sixty-nine, for the purposes of the management, maintenance, support, and development of the museum make a levy against the Councils of the City of Dunedin and the boroughs and counties mentioned in column one of the Third Schedule to this Act (hereinafter referred to as “the contributing authorities”) of the sum of fifty-nine thousand six hundred and sixteen dollars, being the annual amount of a budget for such purposes during the said budgetary period.

“(2) The Board may also in any year of the said budgetary period for capital purposes in connection with the museum make a levy against the said Councils of the sum of eight thousand dollars.

“(3) (a) Immediately after the coming into force of this section the Councils of the City of Dunedin and the County of Peninsula shall appoint two persons and the other Councils and groups of Councils mentioned in the Fourth Schedule to this Act and the Board shall each appoint one person to be a member of a committee to be known as the Budgetary Committee.

- 5 “(b) Within two months after the coming into operation of each five yearly budget the Councils of the City of Dunedin and County of Peninsula shall appoint two persons and the other Councils and groups of Councils mentioned in the Fourth Schedule to this Act and the Board shall each appoint one person to be a member of the Budgetary Committee.
- 10 “(c) Every member of the Budgetary Committee shall come into office on the day following that on which he is appointed.
- “(d) Any member may from time to time be re-appointed or may at any time resign his office in writing addressed to the Secretary of the Board.
- 15 “(e) Each member unless he sooner vacates his office shall continue to hold office until his successor is appointed.
- “(f) Every casual vacancy shall be filled in the same manner as in the case of the vacating member and the member appointed to fill any casual vacancy shall hold office only for the residue of the term of the vacating member.
- 20 “(g) The Budgetary Committee may continue to act notwithstanding any vacancy in the membership thereof.
- 25 “(h) The Budgetary Committee shall meet at such times and at such places as the Board shall from time to time appoint.
- “(i) At any meeting of the Budgetary Committee six members shall form a quorum.
- 30 “(j) The Board shall pay to the members of the Budgetary Committee travelling allowances and expenses in accordance with the provisions of the Fees and Travelling Allowances Act 1951.
- 35 “(4) Prior to the thirtieth day of September in the last year of the budgetary period of five years commencing on the first day of April, nineteen hundred and sixty-nine, and of each subsequent budgetary period of five years, the Board shall prepare a budget of the annual amount required for the management, maintenance, support, and development of the
- 40 museum during the following budgetary period of five years and a list setting out opposite the name of each of the contributing authorities the annual amount apportioned as hereinafter provided to be levied against such contributing authority in respect of such budget during such period, and shall
- 45 refer such budget and list to the Budgetary Committee which

may approve such budget and list or refer them back to the Board for reconsideration.

“(5) The Board shall forward a copy of the budget and list when approved by the Budgetary Committee to each of the contributing authorities. 5

“(6) If within three months after the budget and list have been referred to it, the Budgetary Committee has not approved the same, the Board may forward a copy of such budget and list to each of the contributing authorities without such approval. 10

“(7) If more than one-third of the contributing authorities shall give notice in writing to the Board under their respective seals within six weeks after a copy of the said budget and list has been forwarded to them that they are dissatisfied with such budget and list, the Board shall prepare a new budget and list but otherwise the said budget and list shall be deemed to be approved by all contributing authorities and shall be binding on them, and the Board may in any year of such budgetary period make a levy against each of the contributing authorities of the amount shown opposite the name of such contributing authority on the list. 15 20

“(8) For the purposes of apportioning levies the population of the district of each contributing authority shall be the number of persons in that district according to figures obtained from the Department of Statistics as at the thirtieth day of June in the last year of each budgetary period but the Board in its absolute discretion may adjust such number by reason of there being groups of persons temporarily or for a special purpose in any district at that date. 25

“(9) The levies made under subsections (1) and (2) of this section shall be apportioned among the contributing authorities in accordance with the numbers of population and differential factors shown in columns two and three respectively of the Third Schedule to this Act and shall be the amounts set out in columns four and five respectively of the said Third Schedule opposite the name of each contributing authority. 30 35

“(10) The levies made in subsequent budgetary periods of five years shall be apportioned among the contributing authorities in proportion to the adjusted numbers of the population of the district of each contributing authority and to differential factors in cents per head of population based on the distance from the museum to the centre of population in the district of each contributing authority such differential factors to be in the same proportion as the differential factors shown in column two of the said Third Schedule to this Act.” 40 45

**4. Time for payment of contributions**—The principal Act is hereby amended by repealing section 16, and substituting the following section:

5 “16. (1) All amounts levied shall be payable by the contributing authorities by equal half-yearly instalments on the thirty-first day of July and the thirty-first day of January in each financial year, the first instalment being payable on the thirty-first day of July, nineteen hundred and sixty-nine, and every such instalment shall be due on the day on which it is  
10 payable.

“(2) If the Board is unable for any reason to prepare and obtain approval of a budget and list of contributions as hereinbefore provided on or before the thirty-first day of July in the first year of any budgetary period of five years, each contributing authority shall pay to the Board on the thirty-first  
15 day of July in that year, and halfyearly thereafter, an amount equal to the half-yearly contribution payable by it for the previous budgetary period until such budget and list of contribution has been prepared and approved, and on the following  
20 half-yearly date each contributing authority shall pay to the Board the difference between the amounts paid and the total amount levied up to such half-yearly date.”

**5. Insurance of Board members**—The principal Act is hereby amended by adding, after section 26, the following  
25 section:

“27. (1) The Board shall from time to time enter into contracts of insurance insuring members of the Board against loss or injury from personal accident arising out of and in the course of the exercise of their powers or duties as members  
30 of the Board, and may pay the premiums payable from time to time under and in respect of any such contracts.

“(2) The Board may pay the net proceeds received by it under any such contract of insurance to the member affected or to his personal representatives, as the case may be.”

**6. Repeal and saving**—(1) The principal Act is hereby further amended by omitting from the First Schedule the words “and the differential factor appropriate to each contributing authority shall be that set opposite its respective name in column two hereof” and column two.  
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(2) Notwithstanding the provisions of this Act the Board may continue to levy and receive contributions from the contributing authorities in accordance with the provisions hereby amended until the thirty-first day of March, nineteen hundred and sixty-nine.  
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## SCHEDULES

## "THIRD SCHEDULE

The contributing authorities shall be those named in column one hereof and the adjusted population, differential factors, amount of annual levy, amount of capital levy, and total annual payment during the first budgetary period commencing on the first day of April, nineteen hundred and sixty-nine, appropriate to each contributing authority shall be those set opposite its respective name in columns two, three, four, five, and six respectively.

<i>Column One</i> Name of Authority	<i>Column Two</i> Adjusted Population	<i>Column Three</i> Differential factor Cents per head of Population	<i>Column Four</i> Annual Levy First five years \$	<i>Column Five</i> Capital Levy \$	<i>Column Six</i> Total Annual Payment \$
Dunedin City .....	77,149	40	30,860	4,141	35,001
Boroughs—					
St. Kilda .....	6,726	40	2,690	360	3,050
Green Island .....	5,849	39	2,281	306	2,587
Port Chalmers .....	3,071	38	1,167	156	1,323
Mosgiel .....	7,488	38	2,845	382	3,227
Kaitangata .....	1,208	30	362	49	411
Balclutha .....	4,419	30	1,326	178	1,504
Lawrence .....	520	26	135	18	153
Oamaru .....	13,186	25	3,296	442	3,738
Tapanui .....	844	22	186	25	211
Naseby .....	120	21	25	3	28
Roxburgh .....	754	20	151	20	171
Alexandra .....	2,979	15	447	60	507
Cromwell .....	1,062	11	117	16	133
Milton .....	1,861	32	595	80	675
Counties—					
Peninsula .....	3,499	38	1,330	178	1,508
Waikouaiti .....	3,112	35	1,089	146	1,235
Taieri .....	8,271	34	2,812	377	3,189
Bruce .....	4,001	32	1,280	172	1,452
Waihemo .....	1,868	31	579	80	659
Clutha .....	6,060	26	1,576	211	1,787
Tuapeka .....	4,445	25	1,111	149	1,260
Waitaki .....	9,287	25	2,322	312	2,634
Maniototo .....	2,775	22	610	82	692
Vincent .....	4,240	10	424	57	481
	<u>174,794</u>		<u>\$59,616</u>	<u>\$8,000</u>	<u>\$67,616</u>

SCHEDULES—*continued*

“FOURTH SCHEDULE

Councils and groups of Councils appointing members to the Budgetary Committee—

Council	Representation
1. Dunedin City Council	} 2 members
Peninsula County Council	
2. Green Island Borough Council	} 1 member
Mosgiel Borough Council	
Port Chalmers Borough Council	
St. Kilda Borough Council	
3. Bruce County Council	} 1 member
Taieri County Council	
4. Alexandra Borough Council	} 1 member
Cromwell Borough Council	
Naseby Borough Council	
Roxburgh Borough Council	
Tapanui Borough Council	
Maniototo County Council	
Vincent County Council	
5. Waikouaiti County Council	} 1 member
Waihemo County Council	
Waitaki County Council	
6. Clutha County Council	} 1 member
Tuapeka County Council	
7. Oamaru Borough Council	1 member
8. Balclutha Borough Council	} 1 member
Kaitangata Borough Council	
Milton Borough Council	
Lawrence Borough Council	
9. Otago Museum Trust Board	1 member”