



THE LOCAL GOVERNMENT (REMUNERATION AND ALLOWANCES) NOTICE 1980

PURSUANT to section 214 of the Local Government Act 1974 (as enacted by section 2 of the Local Government Amendment Act (No. 3) 1977), the Minister of Local Government, acting with the concurrence of the Minister of Finance, hereby gives the following notice.

ANALYSIS

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NOTICE

1. Title and commencement—(1) This notice may be cited as the Local Government (Remuneration and Allowances) Notice 1980.

(2) This notice shall come into force on the 11th day of October 1980.

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

“Annual allowance” means an allowance payable for each year of office:

“Committee”, in clauses 7 to 9 of this notice, includes a subcommittee:

“Council”, in clauses 7 to 9 of this notice, includes a district community council:

“District”, in clauses 3, 7, and 8 of this notice, includes a community that is within the jurisdiction of a district community council.

3. Population—For the purposes of this notice, the population of a district is—

(a) Subject to paragraph (b) of this clause, the greater of—

(i) Its population as shown by the last census of population for which results have been published:

(ii) Its population, as assessed by the Government Statistician, on a date subsequent to the date of that census; or

- (b) Where a district was not constituted on the date of the last census of population for which results have been published or has had its boundaries altered by the inclusion of additional land since the date of that census, its population as assessed by the Government Statistician, as at the date of its constitution or the date of the boundary alteration, as the case may be.

4. Reduction of annual allowance—Where—

(a) A Mayor or Deputy Mayor; or

(b) A Chairman or Deputy Chairman of—

(i) A county council; or

(ii) A regional council; or

(iii) A united council; or

(iv) A district council; or

(v) A town council; or

(vi) A standing committee appointed by the council under section 104 of the Local Government Act 1974,—

serves a period of less than one year, his annual allowance, shall be reduced in the proportion that the period of less than one year bears to a complete year.

5. Annual allowances to Mayors and Chairmen—(1) A council (other than a town council or regional council or united council) may pay to the Mayor or Chairman of the council an annual allowance at a rate not exceeding that specified in the scale set out in Table I in the Schedule to this notice.

(2) A regional council may pay to the Chairman of the council an annual allowance at a rate not exceeding \$19,250.

(3) A united council may pay to the Chairman of the council an annual allowance at a rate not exceeding \$3,900.

(4) A town council may pay to the Chairman of the council an annual allowance at a rate not exceeding \$2,150.

(5) No reduction in the amount of any allowance payable under subclauses (1) to (4) of this clause (other than a reduction under clause 4 of this notice) shall take effect during the term of office of any Mayor or Chairman.

(6) For the purposes of this clause, a person re-elected as Mayor or Chairman shall be deemed to be a new Mayor or Chairman, as the case may be.

6. Annual allowances to Deputy Mayors and Deputy Chairmen—A council (other than a town council) may pay to the Deputy Mayor or, as the case may be, the Deputy Chairman, an annual allowance not exceeding 10 percent of the maximum allowance that may be paid to the Mayor or Chairman of the council pursuant to clause 5 of this notice.

7. Remuneration of Chairmen of standing committees—(1) Subject to subclauses (2) to (4) of this clause and to clause 9 of this notice, a

council may pay to each member who is the Chairman of any standing committee appointed by the council under section 104 of the Local Government Act 1974 (not being an acting Chairman) either—

(a) Remuneration—

(i) In respect of each day on which he attends a meeting of that committee as its Chairman, at a rate not exceeding that specified in the scale set out in Table II in the Schedule to this notice; and

(ii) In respect of each day on which he attends a meeting of the council or on which he attends (in a capacity other than that of Chairman) a meeting of any other committee of the council, at a rate not exceeding that specified in Table III in the Schedule to this notice; or

(b) An annual allowance—

(i) In the case of a standing committee of a regional council, at a rate not exceeding \$3,250; or

(ii) In the case of a standing committee of a council (other than a regional council or a united council) with a district population exceeding 50 000 but not exceeding 100 000, at a rate not exceeding \$3,250; or

(iii) In the case of a standing committee of a council (other than a regional council or a united council) with a district population exceeding 100 000, at a rate not exceeding \$4,750.

(2) Notwithstanding anything in subclause (1) of this clause,—

(a) In the case of a district with a population exceeding 50 000 but not exceeding 80 000 and in the case of a regional council, not more than \$19,500 in annual allowances may be paid under subclause (1) (b) of this clause in any one year:

(b) In the case of a district with a population exceeding 80 000 but not exceeding 100 000, not more than \$26,000 in annual allowances may be paid under subclause (1) (b) of this clause in any one year:

(c) In the case of a district with a population exceeding 100 000, not more than \$47,500 in annual allowances may be paid under subclause (1) (b) of this clause in any one year:

(d) No member may be paid an annual allowance in respect of more than one committee:

(e) No member who receives an annual allowance under subclause (1) (b) of this clause shall be paid any other remuneration under subclause (1) (a) of this clause.

(3) In fixing rates of remuneration or annual allowances of Chairmen of committees under this clause, the council may have regard to the degree of responsibility and work content attached to the office.

(4) No remuneration or allowance under this clause shall be paid to the Mayor or Chairman of a council.

8. Remuneration of members—(1) Subject to subclauses (2) to (5) of this clause and to clause 9 of this notice, a council may pay to each member (including any person who is a member of a committee of the council, but who is not a member of the council), remuneration in respect of each day on which he attends a meeting of the council or of a committee thereof, either in his capacity as a member or, where

he is not a member of that committee, as a person required to attend that meeting in his capacity as a councillor, at a rate not exceeding that specified in the scale set out in Table III in the Schedule to this notice.

(2) In fixing rates of remuneration under this clause the council may fix different rates of remuneration in respect of attendance at different meetings of the council or of committees thereof.

(3) Where a council unites with one or more councils, local authorities, or public bodies in appointing a joint standing or special committee under section 105 of the Local Government Act 1974, that council may pay to each member of that committee who is a member of that council, or to any person to whom section 214 (4) of that Act applies, remuneration under this clause. Every meeting of that joint standing or special committee shall be deemed for the purposes of this notice to be a meeting of a committee of each council.

(4) No remuneration under this clause shall be paid to the Mayor or Chairman of a council.

(5) Remuneration under this clause shall be paid to a person to whom clause 7 of this order applies only where that person is attending a meeting in a capacity other than that of Chairman.

9. Application of daily attendance rates—(1) Remuneration which is payable under clause 7 or clause 8 of this notice and which is based on attendance at meetings, may be paid by the council to any Chairman or member only once in respect of any one day of 24 hours beginning at midnight, irrespective of the number of meetings attended by that Chairman or member on that day.

(2) Where a meeting is adjourned to a subsequent day or days, remuneration which is payable under clause 7 or clause 8 of this notice and which is based on attendance at meetings, may be paid in respect of each day on which the meeting is held.

(3) A meeting which commences before midnight on any day and continues past midnight shall be deemed to have concluded before midnight for the purposes of payment of remuneration which is payable under clause 7 or clause 8 of this notice and which is based on attendance at meetings.

(4) Subject to subclauses (5) and (6) of this clause, a Chairman or member who is paid remuneration in respect of each day on which he attends a meeting (whether of the council or of any committee of the council) shall not be paid in respect of more than 80 days in any one year.

(5) Notwithstanding subclause (4) of this clause any day on which the Chairman or member,—

(a) Attends a meeting of any committee of the council constituted to hear applications and objections made under the Town and Country Planning Act 1977 or to consider submissions made under that Act; and

(b) Does not attend any other meeting of the council or of any committee of the council,—

shall not be reckoned as part of the maximum of 80 days in any one year.

(6) Nothing in subclauses (4) and (5) of this clause shall prevent a Chairman or member from being paid remuneration in respect of any day on which the Chairman or member attends a meeting of any committee of the council constituted to hear applications and objections made under the Town and Country Planning Act 1977 or to consider submissions made under that Act.

10. Revocation—The Local Government (Remuneration and Allowances) Notice 1978* and the Local Government (Remuneration and Allowances) Notice 1978, Amendment No. 1†, are hereby revoked.

*S.R. 1978/319
†S.R.1979/192

SCHEDULE

TABLE I

Cl. 5

Scale of Maximum Annual Allowances Payable to Mayors of Boroughs, Chairmen of Counties, and Chairmen and Mayors of District Councils

Population of District	Maximum Annual Allowance
	\$
Not exceeding 1 500	2,150
Exceeding 1 500 but not exceeding 5 000	4,400
Exceeding 5 000 but not exceeding 10 000	6,550
Exceeding 10 000 but not exceeding 20 000	8,700
Exceeding 20 000 but not exceeding 50 000	13,900
Exceeding 50 000 but not exceeding 80 000	19,250
Exceeding 80 000	21,000
The Cities of Auckland, Wellington, Christchurch, and Dunedin	23,500

TABLE II

Cl. 7 (1) (a) (i)

Scale of Maximum Remuneration Payable to Chairmen of Committees Who Do Not Receive an Annual Allowance

Population of District	Maximum Remuneration per Day while Chairman
	\$
Not exceeding 20 000	16
Exceeding 20 000 but not exceeding 50 000	22
Exceeding 50 000	26

TABLE III Cls. 7 (1) (a) (ii) and 8 (1)

Scale of Maximum Remuneration Payable to Members of Councils or Committees

Population of District	Maximum Remuneration per Day
	\$
Not exceeding 20 000	12
Exceeding 20 000 but not exceeding 50 000	18
Exceeding 50 000	22

Dated at Wellington this 3rd day of September 1980.

K. M. COMBER, Parliamentary Under-Secretary,
for the Minister of Local Government.

EXPLANATORY NOTE

This note is not part of the notice, but is intended to indicate its general effect.

This notice, which comes into force on 11 October 1980, increases the maximum rates of remuneration and allowances that may be paid to Mayors or Chairmen of territorial authorities, regional councils, or united councils and to members of committees of such authorities or councils or of district community councils.

The notice has been redrafted. It now—

- (a) Provides that where a person is paid on the basis of attendance at meetings his rate is to be a rate per day and not a rate per meeting;
- (b) Clarifies the position with regard to joint standing committees (see *clause 8 (3)*);
- (c) Makes it clear (by *clause 9 (5) and (6)*) that the general limitation that prevents a Chairman or member (who is being paid on the basis of attendance at meetings) from being paid for more than 80 days in any one year does not prevent him from being paid remuneration in respect of any day on which he attends a meeting of any committee constituted to hear applications and objections under the Town and Country Planning Act 1977 or to consider submissions made under that Act. No such committee meeting is to be taken into account in reckoning the 80 days to which the general limitation applies.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 11 September 1980.

This notice is administered in the Department of Internal Affairs.