

1977/304



THE LOCAL GOVERNMENT (REMUNERATION AND
ALLOWANCES) ORDER 1977

—
KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 28th day of November 1977

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT—

- (a) In relation to Mayors and Deputy Mayors of boroughs and Councillors of borough councils and town councils, to section 114A of the Municipal Corporations Act 1954:
- (b) In relation to Mayors of districts of district councils to which the Municipal Corporations Act 1954 applies and Councillors of such councils, to section 114A of that Act and section 143 of the Local Government Act 1974:
- (c) In relation to Chairmen of districts of district councils to which the Counties Act 1956 applies and Councillors of such councils, to section 137A of that Act and section 143 of the Local Government Act 1974:
- (d) In relation to Chairmen of counties and Councillors of county councils, to section 137A of the Counties Act 1956:
- (e) In relation to members of district community councils, to section 159 of the Local Government Act 1974,—

His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

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ORDER

1. Title and commencement—(1) This order may be cited as the Local Government (Remuneration and Allowances) Order 1977.

(2) This order shall come into force on the 29th day of November 1977.

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

“Annual allowance” means an allowance payable for each year of office, which, in the event of a Mayor or County Chairman

or District Council Chairman or Committee Chairman serving a lesser period, shall be reduced in the proportion that that lesser period bears to a complete year:

“District” means a borough or a county or the district of a district council or a town district:

“Territorial authority” means a borough council, county council, district council, or town council.

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

(2) No reduction in the amount of any allowance payable under subclause (1) of this clause shall take effect during the term of office of any Mayor or Chairman.

(3) 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.

(4) For the purposes of this clause, the population of a district shall be its population as at the date of the last quinquennial census of population of New Zealand, being a quinquennial census of population most recently published:

Provided that the territorial authority may pay an allowance assessed on a greater population figure assessed by the Government Statistician as at any date subsequent to the date of the last quinquennial census, and a certificate by him of the population of any district as at any such date shall be conclusive evidence thereof:

Provided also that where a district was not constituted on the date of the last quinquennial census most recently published or has had its boundaries altered by the inclusion of additional land since the date of that census, the territorial authority shall obtain from the Government Statistician a certificate of the population of the district as at the date of its constitution or the date of the boundary alteration, as the case may be, and that certificate shall be conclusive evidence of the population of the district for the purposes of this order.

4. Annual allowances to Deputy Mayors and Deputy Chairmen—A territorial authority (other than a town council) may pay to the Deputy Mayor or, as the case may be, the 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 district pursuant to clause 3 of this order.

5. Remuneration, etc., of Councillors—(1) In this clause, unless the context otherwise requires, “territorial authority” includes a district community council, and “Councillor” includes a member of a district community council.

(2) Subject to subclauses (3), (5), and (6) of this clause, a territorial authority may pay to each Councillor—

(a) In the case of a Councillor who is the Chairman of any committee of the Council (not being an acting Chairman)—

(i) Remuneration in respect of each meeting of that committee attended by him as Chairman thereof at a rate not

exceeding that specified in the scale set out in Table II in the Schedule to this order, or, in the case of a district with a population exceeding 50,000, an annual allowance at a rate not exceeding \$2,500, as the territorial authority decides; and

(ii) Remuneration in respect of each meeting of the territorial authority attended by him or of any meeting of any other committee of the territorial authority attended by him, at a rate not exceeding that specified in Table III in that Schedule:

Provided that a fixed annual allowance shall not be payable under this paragraph to more than 6 Chairmen of committees in the case of a district with a population exceeding 50,000 but not exceeding 80,000, nor to more than 8 Chairmen of committees in the case of a district with a population exceeding 80,000; and any Chairman of a committee who does not receive an annual allowance pursuant to the foregoing provisions of this proviso may be paid remuneration at a rate not exceeding that specified in Table III in the Schedule to this order:

Provided also that no Councillor may be paid an annual allowance in respect of his chairmanship of more than 1 committee:

Provided further that no Councillor who receives an annual allowance under subparagraph (i) of this paragraph shall be paid any other remuneration under this paragraph:

(b) In the case of any other Councillor, remuneration in respect of every meeting of the Council or of a committee thereof attended by him, at a rate not exceeding that specified in the scale set out in Table III in the Schedule to this order.

(3) In fixing rates of remuneration or annual allowances of Chairmen of committees under this clause, the territorial authority may have regard to the degree of responsibility and work content attached to the office, and in fixing rates of remuneration paid in respect of attendance at meetings by other Councillors or by Chairmen of committees at meetings other than those of the committees of which they are Chairmen, the territorial authority may fix different rates of remuneration in respect of attendance at different meetings of the Council or of committees thereof.

(4) No remuneration under this clause, based on attendance at meetings, may be paid in respect of more than 1 meeting in any one day of 24 hours beginning at midnight:

Provided that where a meeting is adjourned to a subsequent day or days, each day on which that meeting is held shall be deemed to be a separate meeting for the purposes of payment of remuneration:

Provided also that 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.

(5) Where a territorial authority unites with 1 or more local authorities in appointing a joint standing or special committee under section 68 of the Municipal Corporations Act 1954, or, as the case may be, section 76 of the Counties Act 1956, that territorial authority may pay to each member of that committee who is a Councillor of that territorial authority remuneration under this clause. Every meeting of that joint

standing or special committee shall be deemed for the purposes of this clause to be a meeting of a committee of each territorial authority.

(6) No remuneration or allowance under this clause shall be paid to the Mayor or Chairman of a territorial authority.

(7) A Councillor who is paid remuneration in respect of each meeting attended by him shall not be paid for his attendance at more than 80 meetings of the territorial authority in any year (including, in respect of the year that commenced on the 1st day of April 1977, any meeting attended before the commencement of this order):

Provided that attendance at meetings of any committee of the territorial authority constituted to hear applications and objections made under the Town and Country Planning Act 1953 shall not be reckoned as part of the aforementioned maximum of 80 meetings in any year.

6. Revocation—The Local Authorities (Mayors and County Chairmen) Allowances Order 1974* is hereby revoked.

*S.R. 1974/284

SCHEDULE

TABLE I

Scale of Maximum Annual Allowances Payable to Mayors, County Chairmen, and District Chairmen

Population of District	Maximum Annual Allowance
	\$
Not exceeding 1,500	1,650
Exceeding 1,500 but not exceeding 5,000	3,350
Exceeding 5,000 but not exceeding 10,000	5,000
Exceeding 10,000 but not exceeding 20,000	6,650
Exceeding 20,000 but not exceeding 50,000	10,650
Exceeding 50,000 but not exceeding 80,000	14,650
Exceeding 80,000	16,000
The Cities of Auckland, Wellington, Christchurch, and Dunedin	18,000

TABLE II

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

Population of District	Maximum Remuneration per Meeting	
	When Chairman	When not Chairman
	\$	\$
Not exceeding 20,000	12	9
Exceeding 20,000 but not exceeding 50,000	17	14
Exceeding 50,000	20	17

SCHEDULE—continued

TABLE III

Scale of Maximum Remuneration Payable to Councillors

Population of District	Maximum Remuneration per Meeting
Not exceeding 20,000	\$ 9
Exceeding 20,000 but not exceeding 50,000	14
Exceeding 50,000	17

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

This order fixes the maximum remuneration that may be paid to Mayors or Chairmen of boroughs, counties, and districts of district councils, and to members of committees of such councils or of town councils or district community councils.

The order includes provisions enabling payment of an annual allowance to Chairmen of committees in the case of districts having a population exceeding 50,000.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 December 1977.

This order is administered in the Department of Internal Affairs.