



THE LOCAL GOVERNMENT (LOCAL AUTHORITIES SALARIES AND ALLOWANCES) DETERMINATION 1996

PURSUANT to section 101ZZF of the Local Government Act 1974 (as inserted by section 15 (1) of the Local Government Amendment Act (No. 2) 1989), the Minister of Local Government hereby makes the following determination.

ANALYSIS

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boards or regional councils or boards
who are not members of territorial
authority or community board or
regional council on board

Revocations
28. Revocations
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DETERMINATION

1. Title and commencement—(1) This determination may be cited as the Local Government (Local Authorities Salaries and Allowances) Determination 1996.

(2) This determination shall take effect on and from the 1st day of May 1996.

2. Interpretation—(1) In this determination, unless the context otherwise requires,—

“the Act” means the Local Government Act 1974:

“Board” means—

- (a) The Aotea Centre Board of Management:
- (b) The Auckland Regional Services Trust:
- (c) The Marlborough Forestry Corporation:
- (d) The Masterton Trust Lands Trust:
- (e) The Selwyn Plantation Board:

“Unitary authority” means a territorial authority that has the functions, duties, and powers of both a territorial authority and a regional council.

(2) Unless the context otherwise requires, terms used in this determination have the same meaning as in the Act.

3. Population—For the purposes of this determination, a reference to population in relation to a territorial authority or community board or regional council is a reference to,—

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

(i) The population, as shown by the last census of population for which results have been published, of the district of the territorial authority or of the community or of the region:

(ii) The population, as assessed by the Government Statistician, on a date subsequent to the date of that census, of the district of the territorial authority or of the community or of the region; or

(b) Where the district of the territorial authority or the community or the region 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, the population of the district or the community or the region 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.

Territorial Authorities and Community Boards

4. Maximum salaries of Chairpersons of territorial authorities—The maximum salary payable pursuant to Part IVc of the Act to the Chairperson of a territorial authority shall be the maximum salary applicable under Part I of the First Schedule to this determination.

5. Maximum salaries of Deputy Chairpersons and Chairpersons of committees of territorial authorities—The maximum salary payable pursuant to Part IVc of the Act to—

(a) The Deputy Chairperson of a territorial authority; or

(b) The Chairperson of one or more committees of a territorial authority,—

shall be the maximum salary applicable under Part II of the First Schedule to this determination.

6. Maximum salaries of members of territorial authorities—The maximum salary payable pursuant to Part IVc of the Act to a member of a territorial authority shall be the maximum salary applicable under Part III of the First Schedule to this determination.

7. Maximum salaries of Chairpersons of community boards—The maximum salary payable pursuant to Part IVc of the Act to the Chairperson of a community board shall be the maximum salary applicable under Part I of the Second Schedule to this determination.

8. Maximum salaries of members of community boards—The maximum salary payable pursuant to Part IVc of the Act to a member of a community board shall be the maximum salary applicable under Part II of the Second Schedule to this determination.

9. One salary only payable—The payment by a territorial authority of the salaries referred to in section 101ZZF of the Act is subject to the condition that the territorial authority shall not pay to a person more than one of those salaries.

10. Maximum meeting allowances for members of territorial authorities—The maximum meeting allowance payable pursuant to Part IVc of the Act to each member of a territorial authority (other than its Chairperson) shall be the maximum meeting allowance applicable under Part I of the Third Schedule to this determination.

11. Conditions in relation to payment of meeting allowances to members of territorial authorities—The payment of a meeting allowance to a member of a territorial authority (other than its Chairperson) is subject to the following conditions:

(a) The territorial authority shall pay a meeting allowance to a member of the territorial authority only in respect of a day on which the member of the territorial authority attends—

(i) A meeting of the territorial authority; or

(ii) A meeting of a committee or subcommittee of the territorial authority where the member of the territorial authority is a member of the committee or subcommittee or is required to attend the meeting in his or her capacity as a member of the territorial authority;

(b) The territorial authority shall pay only one meeting allowance under clause 10 of this determination to a person in respect of any one day, notwithstanding that that person attends more than one meeting (being a meeting of the territorial authority or of a committee or subcommittee of the territorial authority) on that day:

- (c) A meeting that continues past midnight otherwise than by adjournment shall be regarded as having concluded before midnight.

12. Meeting allowances for Chairperson and members of community board—The maximum meeting allowance payable pursuant to Part IVc of the Act to a Chairperson or other member of a community board shall be the maximum meeting allowance applicable under Part II of the Third Schedule to this determination.

13. Conditions in relation to payment of meeting allowances to Chairperson and members of community board—The payment of a meeting allowance to a Chairperson or other member of a community board is subject to the following conditions:

- (a) The territorial authority shall pay a meeting allowance to a person who is a Chairperson or other member of a community board only in respect of each day on which the person attends—
- (i) A meeting of the community board; or
 - (ii) A meeting of a committee or subcommittee of the community board where the person is a member of the committee or subcommittee or is required to attend the meeting in his or her capacity as a member of the community board; or
 - (iii) A meeting of the territorial authority or a committee or subcommittee of the territorial authority where the person is required to attend the meeting in his or her capacity as a member of the community board:
- (b) Where a person who is both a member of the territorial authority (other than its Chairperson) and a member of a community board attends both a meeting of the territorial authority and a meeting of the community board on the one day, the territorial authority shall pay to that person in respect of that day both a meeting allowance under clause 10 of this determination and a meeting allowance under clause 12 of this determination:
- (c) Except as provided in paragraph (b) of this clause, the territorial authority shall not pay a meeting allowance under clause 12 of this determination to a person in respect of a day if a meeting allowance in respect of that day is payable to that person by that territorial authority under clause 10 of this determination:
- (d) The territorial authority shall pay only one meeting allowance under clause 12 of this determination to a person in respect of any one day, notwithstanding that that person attends more than one meeting (being a meeting of the community board or of a committee or subcommittee of the community board) on that day:
- (e) A meeting that continues past midnight otherwise than by adjournment shall be regarded as having concluded before midnight.

Regional Councils

14. Maximum salaries of Chairpersons of regional councils—The maximum salary payable pursuant to Part IVc of the Act to the Chairperson of a regional council shall be the maximum salary applicable under Part I of the Fourth Schedule to this determination.

15. Maximum salaries of Deputy Chairpersons and Chairpersons of committees of regional councils—The maximum salary payable pursuant to Part IVc of the Act to—

- (a) The Deputy Chairperson of a regional council; or
- (b) The Chairperson of one or more committees of a regional council,—shall be the maximum salary applicable under Part II of the Fourth Schedule to this determination.

16. Maximum salaries of members of regional councils—The maximum salary payable pursuant to Part IVc of the Act to a member of a regional council shall be the maximum salary applicable under Part III of the Fourth Schedule to this determination.

17. One salary only payable—The payment by a regional council of the salaries referred to in section 101ZZF of the Act is subject to the condition that the regional council shall not pay to a person more than one of those salaries.

18. Maximum meeting allowances for members of regional councils—The maximum meeting allowance payable pursuant to Part IVc of the Act to each member of a regional council (other than its Chairperson) shall be the maximum meeting allowance applicable under Part IV of the Fourth Schedule to this determination.

19. Conditions in relation to payment of meeting allowances to members of regional councils—The payment of a meeting allowance to a member of a regional council (other than its Chairperson) is subject to the following conditions:

- (a) The regional council shall pay a meeting allowance to a member of the regional council only in respect of a day on which the member of the regional council attends—
 - (i) A meeting of the regional council; or
 - (ii) A meeting of a committee or subcommittee of the regional council where the member of the regional council is a member of the committee or subcommittee or is required to attend the meeting in his or her capacity as a member of the regional council;
- (b) The regional council shall pay only one meeting allowance to a person in respect of any one day, notwithstanding that that person attends more than one meeting (being a meeting of the regional council or of a committee or subcommittee of the regional council) on that day;
- (c) A meeting that continues past midnight otherwise than by adjournment shall be regarded as having concluded before midnight.

Unitary Authorities

20. Special provisions in relation to unitary authorities—(1) The maximum salary payable pursuant to Part IVc of the Act to the Chairperson of a unitary authority shall be the greater of—

- (a) The maximum salary applicable under Part I of the First Schedule to this determination; and

(b) The maximum salary that would be applicable under Part I of the Fourth Schedule to this determination if the unitary authority were a regional council.

(2) The maximum salary payable pursuant to Part IVc of the Act to—

(a) The Deputy Chairperson of a unitary authority; or

(b) The Chairperson of one or more committees of a unitary authority,—

shall be the greater of the maximum salary applicable under Part II of the First Schedule to this determination and the maximum salary that would be applicable under Part II of the Fourth Schedule to this determination if the unitary authority were a regional council.

(3) The maximum salary payable pursuant to Part IVc of the Act to a member of a unitary authority shall be the greater of—

(a) The maximum salary applicable under Part III of the First Schedule to this determination; and

(b) The maximum salary that would be applicable under Part III of the Fourth Schedule to this determination if the unitary authority were a regional council.

(4) The payment by a unitary authority of the salaries referred to in section 101ZZF of the Act is subject to the condition that the unitary authority shall not pay to any person more than one of those salaries.

(5) The maximum meeting allowance payable pursuant to Part IVc of the Act to each member of a unitary authority (other than its Chairperson) shall be the greater of—

(a) The maximum meeting allowance applicable under Part I of the Third Schedule to this determination; and

(b) The maximum meeting allowance that would be applicable under Part IV of the Fourth Schedule to this determination if the unitary authority were a regional council.

(6) Nothing in this clause affects the application to a unitary authority of clauses 11 and 12 of this determination.

(7) Clause 13 of this determination shall apply to a unitary authority as if, for the expression “clause 10” in paragraph (b), there were substituted the expression “clause 20 (5)”.

Boards

21. Maximum salaries of Chairpersons of boards—The maximum salary payable pursuant to Part IVc of the Act to the Chairperson of a board shall be the maximum salary applicable under Part I of the Fifth Schedule to this determination.

22. Maximum salaries of members of boards—The maximum salary payable pursuant to Part IVc of the Act to a member of a board shall be the maximum salary applicable under Part II of the Fifth Schedule to this determination.

23. One salary only payable—(1) The payment by a board (other than the Aotea Centre Board of Management) of the salaries referred to in clauses 21 and 22 of this determination is subject to the condition that the local authority shall not pay to a person more than one of those salaries.

(2) The payment by the Aotea Centre Board of Management of the salaries referred to in clauses 21 and 22 of this determination is subject to

the condition that no person is to be paid more than one of the following salaries:

- (a) A salary under clause 21 of this determination:
- (b) A salary under clause 22 of this determination:
- (c) A salary which is payable under any other provision of this determination and which relates to any local authority that is an appointing Council for the purposes of section 11 of the Auckland Aotea Centre Empowering Act 1985.

24. Maximum meeting allowances to members of boards—The maximum meeting allowance payable pursuant to Part IVc of the Act to each member of a board (other than its Chairperson) shall be the maximum meeting allowance applicable under Part III of the Fifth Schedule to this determination.

25. Conditions in relation to payment of meeting allowances to members of board—The payment of a meeting allowance to a member of a board (other than its Chairperson) is subject to the following conditions:

- (a) The board shall pay a meeting allowance to a member of the board only in respect of a day on which the member of the board attends—
 - (i) A meeting of the board; or
 - (ii) A meeting of a committee of the board where the member of the board is a member of the committee or is required to attend the meeting in his or her capacity as a member of the board:
- (b) The board shall pay only one meeting allowance under clause 24 of this determination to a person in respect of any one day, notwithstanding that that person attends more than one meeting (being a meeting of the board or of a committee of the board) on that day:
- (c) A meeting that continues past midnight otherwise than by adjournment shall be regarded as having concluded before midnight.

General Provisions

26. Minimum salaries and minimum meeting allowances—

(1) The minimum salary payable pursuant to Part IVc of the Act in respect of each of the positions referred to in clauses 4, 5, 6, 7, 8, 14, 15, 16, 20 (1), 20 (2), 20 (3), 21, and 22 of this determination shall be in each case an annual salary equal to 10 percent of the maximum annual salary applicable.

(2) The minimum meeting allowance payable pursuant to Part IVc of the Act to—

- (a) Each member of a territorial authority (other than its Chairperson);
or
- (b) The Chairperson or other member of a community board; or
- (c) Each member of a regional council (other than its Chairperson); or
- (d) Each member of a unitary authority; or
- (e) Each member of a board (other than its Chairperson),—

shall be in each case a meeting allowance equal to 10 percent of the maximum meeting allowance applicable.

27. Meeting allowances for members of committees and subcommittees of territorial authorities or community boards or regional councils or boards who are not members of territorial authority or community board or regional council or board—

(1) The meeting allowances payable to any person who is a member of a committee or subcommittee of a territorial authority or a community board or a regional council or a board but who is not a member of the territorial authority or community board or regional council or board shall be the same as those that would be payable to that person if he or she were a member of the territorial authority or community board or regional council or board.

(2) Nothing in this clause limits the provisions of section 101ZZG of the Act.

Revocations

28. Revocations—The following determinations are hereby revoked, namely,—

(a) The Local Government (Regional and Territorial Authorities and Community Boards Salaries and Allowances) Determination 1994*;

(b) The Local Government (Local Authorities Salaries and Allowances) Determination 1995†.

*S.R. 1994/817
†S.R. 1995/204

SCHEDULES

FIRST SCHEDULE

Cl. 4

PART I

Maximum annual salaries payable to Chairpersons of Territorial Authorities

Population	Maximum Annual Salary \$
Population exceeding 150 000	88,900
Population exceeding 75 000 but not exceeding 150 000	77,110
Population exceeding 50 000 but not exceeding 75 000	66,400
Population exceeding 20 000 but not exceeding 50 000	53,550
Population not exceeding 20 000	42,840

PART II

Cl. 5

Maximum annual salaries payable to Deputy Chairpersons of Territorial Authorities and Chairpersons of Committees of Territorial Authorities

Population	Maximum Annual Salary \$
Population exceeding 150 000	29,990
Population exceeding 75 000 but not exceeding 150 000	25,700
Population exceeding 50 000 but not exceeding 75 000	21,420
Population exceeding 20 000 but not exceeding 50 000	16,600
Population not exceeding 20 000	10,710

PART III

Cl. 6

Maximum annual salaries payable to members of Territorial Authorities

Population	Maximum Annual Salary \$
Population exceeding 150 000	15,000
Population exceeding 75 000 but not exceeding 150 000	12,850
Population exceeding 50 000 but not exceeding 75 000	9,420
Population exceeding 20 000 but not exceeding 50 000	5,780
Population not exceeding 20 000	3,210

Cl. 7

SECOND SCHEDULE

PART I

Maximum annual salaries payable to Chairpersons of Community Boards

Population of Community				Maximum Annual Salary \$
Population exceeding 50 000	...	...	...	17,140
Population exceeding 20 000 but not exceeding 50 000	...	...	...	12,850
Population not exceeding 20 000	...	...	...	10,710

Cl. 8

PART II

Maximum annual salaries payable to members of Community Boards

Population of Community				Maximum Annual Salary \$
Population exceeding 50 000	...	...	...	9,420
Population exceeding 20 000 but not exceeding 50 000	...	...	...	5,780
Population not exceeding 20 000	...	...	...	3,210

Cl. 10

THIRD SCHEDULE

PART I

Maximum meeting allowances payable to members (other than Chairperson) of Territorial Authorities

Population				Maximum Meeting Allowance \$
Population exceeding 150 000	...	...	...	175
Population exceeding 75 000 but not exceeding 150 000	...	...	...	150
Population exceeding 50 000 but not exceeding 75 000	...	...	...	135
Population exceeding 20 000 but not exceeding 50 000	...	...	...	110
Population not exceeding 20 000	...	...	...	95

Cl. 12

PART II

Maximum meeting allowances payable to Chairperson and members of Community Boards

Population of Community				Maximum Meeting Allowance \$
Population exceeding 50 000	...	...	...	135
Population exceeding 20 000 but not exceeding 50 000	...	...	...	110
Population not exceeding 20 000	...	...	...	95

FOURTH SCHEDULE

PART I

Cl. 14

Maximum annual salaries payable to Chairpersons of Regional Councils

Population	Maximum Annual Salary \$
Population exceeding 300 000	88,900
Population exceeding 150 000 but not exceeding 300 000	77,110
Population exceeding 75 000 but not exceeding 150 000	66,400
Population not exceeding 75 000	53,550

PART II

Cl. 15

Maximum annual salaries payable to Deputy Chairpersons of Regional Councils and Chairpersons of Committees of Regional Councils

Population	Maximum Annual Salary \$
Population exceeding 150 000	29,990
Population exceeding 75 000 but not exceeding 150 000	25,700
Population not exceeding 75 000	21,420

PART III

Cl. 16

Maximum annual salaries payable to members of Regional Councils

Population	Maximum Annual Salary \$
Population exceeding 150 000	15,000
Population exceeding 75 000 but not exceeding 150 000	12,850
Population not exceeding 75 000	9,420

PART IV

Cl. 18

Maximum meeting allowances payable to members (other than Chairperson) of Regional Councils

Population	Maximum Meeting Allowance \$
Population exceeding 150 000	175
Population exceeding 75 000 but not exceeding 150 000	150
Population not exceeding 75 000	135

FIFTH SCHEDULE

Cl. 21

PART I

Maximum annual salaries payable to Chairpersons of Boards

	Board				Maximum Annual Salary \$
1.	Aotea Centre Board of Management	...	...	...	11,220
2.	Auckland Regional Services Trust	...	...	...	34,170
3.	Marlborough Forestry Corporation	...	...	...	15,810
4.	Masterton Trust Lands Trust	...	...	...	4,820
5.	Selwyn Plantation Board	...	...	...	3,210

Cl. 22

PART II

Maximum annual salaries payable to members of boards

	Board				Maximum Annual Salary \$
1.	Aotea Centre Board of Management	...	...	...	5,100
2.	Auckland Regional Services Trust	...	...	...	12,850
3.	Marlborough Forestry Corporation	...	...	...	2,360
4.	Masterton Trust Lands Trust	...	...	...	1,715
5.	Selwyn Plantation Board	...	...	...	1,715

Cl. 24

PART III

Maximum meeting allowances payable to members (other than Chairperson) of Board

	Board				Maximum Meeting Allowance \$
1.	Aotea Centre Board of Management	...	...	...	95
2.	Auckland Regional Services Trust	...	...	...	65
3.	Marlborough Forestry Corporation	...	...	...	65
4.	Masterton Trust Lands Trust	...	...	...	65
5.	Selwyn Plantation Board	...	...	...	80

Dated this 15th day of April 1996.

JOHN BANKS,
Minister of Local Government.

EXPLANATORY NOTE

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

This determination, which takes effect on and from 1 May 1996,—

- (a) Fixes the maximum and minimum annual salaries that may be paid to—
- (i) Chairpersons of territorial authorities:
 - (ii) Deputy Chairpersons of territorial authorities:
 - (iii) Chairpersons of committees of territorial authorities:
 - (iv) Members of territorial authorities:
 - (v) Chairpersons of community boards:
 - (vi) Members of community boards:
 - (vii) Chairpersons of regional councils:
 - (viii) Deputy Chairpersons of regional councils:
 - (ix) Chairpersons of committees of regional councils:
 - (x) Members of regional councils:
 - (xi) The Chairperson of the Aotea Centre Board of Management:
 - (xii) The Chairperson of the Auckland Regional Services Trust:
 - (xiii) The Chairperson of the Marlborough Forestry Corporation:
 - (xiv) The Chairperson of the Masterton Trust Lands Trust:
 - (xv) The Chairperson of the Selwyn Plantation Board:
 - (xvi) Any member of the Aotea Centre Board of Management:
 - (xvii) Any member of the Auckland Regional Services Trust:
 - (xviii) Any member of the Marlborough Forestry Corporation:
 - (xix) Any member of the Masterton Trust Lands Trust:
 - (xx) Any member of the Selwyn Plantation Board:
- (b) Fixes the maximum and minimum meeting allowances payable to—
- (i) Any member (other than the Chairperson) of a territorial authority:
 - (ii) Any member of a community board:
 - (iii) Any member (other than the Chairperson) of a regional council:
 - (iv) Any member (other than the Chairperson) of the Aotea Centre Board of Management:
 - (v) Any member (other than the Chairperson) of the Auckland Regional Services Trust:
 - (vi) Any member (other than the Chairperson) of the Marlborough Forestry Corporation:
 - (vii) Any member (other than the Chairperson) of the Masterton Trust Lands Trust:
 - (viii) Any member (other than the Chairperson) of the Selwyn Plantation Board:
- (c) Provides for the payment of meeting allowances to members of committees and subcommittees of territorial authorities or community boards or regional councils or boards who are not members of the territorial authority or community board or regional council or board:
- (d) Makes special provision in relation to unitary authorities. A unitary authority is a territorial authority that has the functions, duties, and powers of both a territorial authority and a regional council. Unitary authorities at the date of the making of this determination are the Gisborne District Council, the Marlborough District Council, the Nelson District Council, and the Tasman District Council.
- The rates of remuneration are increased by 2 percent.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 18 April 1996.

This determination is administered in the Department of Internal Affairs.