



LOCAL GOVERNMENT (LOCAL AUTHORITIES SALARIES AND ALLOWANCES) DETERMINATION 1999

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 makes the following determination.

ANALYSIS

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Maximum Annual Salaries and Meeting Allowances Payable in Respect of Regional Councils
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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 1999.

(2) This determination is deemed to have taken effect on and from 9 February 1999.

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 Masterton Trust Lands Trust:

“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), 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 is the maximum salary applicable under Part 1 of Schedule 1.

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 1 or more committees of a territorial authority,— is the maximum salary applicable under Part 2 of Schedule 1.

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 is the maximum salary applicable under Part 3 of Schedule 1.

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 is the maximum salary applicable under Part 1 of Schedule 2.

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 is the maximum salary applicable under Part 2 of Schedule 2.

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 must not pay to a person more than 1 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) is the maximum meeting allowance applicable under Part 1 of Schedule 3.

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) A meeting allowance is payable by the territorial authority 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) Only 1 meeting allowance is payable by the territorial authority under clause 10 to a person in respect of any 1 day, even though that person attends more than 1 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 is to be regarded as having concluded before midnight.

12. Meeting allowances for chairpersons and members of community boards—The maximum meeting allowance payable pursuant to Part IVC of the Act to a chairperson or other member of a community board is the maximum meeting allowance applicable under Part 2 of Schedule 3.

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

- (a) A meeting allowance is payable by the territorial authority 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 1 day, both a meeting allowance under clause 10 and a meeting allowance under clause 12 is payable by the territorial authority to that person in respect of that day:
- (c) Except as provided in paragraph (b), a meeting allowance under clause 12 is not payable by the territorial authority to a person in respect of a day if a meeting allowance in respect of that day is payable to that person under clause 10:
- (d) Only 1 meeting allowance is payable by the territorial authority under clause 12 to a person in respect of any 1 day, even though that person attends more than 1 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 is to 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 is the maximum salary applicable under Part 1 of Schedule 4.

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 1 or more committees of a regional council,—
- is the maximum salary applicable under Part 2 of Schedule 4.

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 is the maximum salary applicable under Part 3 of Schedule 4.

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 must not pay to a person more than 1 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) is the maximum meeting allowance applicable under Part 4 of Schedule 4.

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) A meeting allowance is payable by the regional council 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) Only 1 meeting allowance is payable by the regional council to a person in respect of any 1 day, even though that person attends more than 1 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 is to 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 is the greater of—

- (a) The maximum salary applicable under Part 1 of Schedule 1; and
 - (b) The maximum salary that would be applicable under Part 1 of Schedule 4 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 1 or more committees of a unitary authority,— is the greater of the maximum salary applicable under Part 2 of Schedule 1 and the maximum salary that would be applicable under Part 2 of Schedule 4 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 is the greater of—
- (a) The maximum salary applicable under Part 3 of Schedule 1; and
 - (b) The maximum salary that would be applicable under Part 3 of Schedule 4 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 must not pay to any person more than 1 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) is the greater of—
- (a) The maximum meeting allowance applicable under Part 1 of Schedule 3; and
 - (b) The maximum meeting allowance that would be applicable under Part 4 of Schedule 4 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.
- (7) Clause 13 applies 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 is the maximum salary applicable under Part 1 of Schedule 5.

22. Maximum salaries of members of boards—The maximum salary payable pursuant to Part IVC of the Act to a member of a board is the maximum salary applicable under Part 2 of Schedule 5.

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 is subject to the condition that the local authority must not pay to a person more than 1 of those salaries.

(2) The payment by the Aotea Centre Board of Management of the salaries referred to in clauses 21 and 22 is subject to the condition that no person is to be paid more than 1 of the following salaries:

- (a) A salary under clause 21:
- (b) A salary under clause 22:
- (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) is the maximum meeting allowance applicable under Part 3 of Schedule 5.

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

- (a) A meeting allowance is payable by the board 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) Only 1 meeting allowance is payable by the board under clause 24 to a person in respect of any 1 day, even though that person attends more than 1 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 is to 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 to 8, 14 to 16, 20 (1), 20 (2), 20 (3), 21, and 22 is in each case an annual salary equal to 10% 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),—

is in each case a meeting allowance equal to 10% 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 is 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.

Revocation

28. Revocation—The Local Government (Local Authorities Salaries and Allowances) Determination 1998* is revoked.

*S.R. 1998/284

SCHEDULES

SCHEDULE 1

MAXIMUM ANNUAL SALARIES PAYABLE IN RESPECT OF TERRITORIAL AUTHORITIES

Cl. 4

PART 1

Maximum annual salaries payable to chairpersons of territorial authorities

Population of territorial authority district	Maximum Annual Salary \$
Population exceeding 150 000	94,320
Population exceeding 75 000 but not exceeding 150 000 ...	81,800
Population exceeding 50 000 but not exceeding 75 000 ...	70,440
Population exceeding 20 000 but not exceeding 50 000 ...	56,810
Population not exceeding 20 000	45,450

Cl. 5

PART 2

Maximum annual salaries payable to deputy chairpersons of territorial authorities and chairpersons of committees of territorial authorities

Population of territorial authority district	Maximum Annual Salary \$
Population exceeding 150 000	31,820
Population exceeding 75 000 but not exceeding 150 000 ...	27,260
Population exceeding 50 000 but not exceeding 75 000 ...	22,720
Population exceeding 20 000 but not exceeding 50 000 ...	17,610
Population not exceeding 20 000	11,360

Cl. 6

PART 3

Maximum annual salaries payable to members of territorial authorities

Population of territorial authority district	Maximum Annual Salary \$
Population exceeding 150 000	15,910
Population exceeding 75 000 but not exceeding 150 000 ...	13,640
Population exceeding 50 000 but not exceeding 75 000 ...	9,990
Population exceeding 20 000 but not exceeding 50 000 ...	6,130
Population not exceeding 20 000	3,400

SCHEDULE 2

MAXIMUM ANNUAL SALARIES PAYABLE IN RESPECT OF COMMUNITY BOARDS

PART 1

Cl. 7

Maximum annual salaries payable to chairpersons of community boards

Population of community	Maximum Annual Salary \$
Population exceeding 50 000	18,180
Population exceeding 20 000 but not exceeding 50 000 ...	13,640
Population not exceeding 20 000	11,360

PART 2

Cl. 8

Maximum annual salaries payable to members of community boards

Population of community	Maximum Annual Salary \$
Population exceeding 50 000	9,990
Population exceeding 20 000 but not exceeding 50 000 ...	6,130
Population not exceeding 20 000	3,400

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SCHEDULE 3

MAXIMUM MEETING ALLOWANCES PAYABLE IN RESPECT OF TERRITORIAL AUTHORITIES AND COMMUNITY BOARDS

Cl. 10

PART 1

Maximum meeting allowances payable to members (other than chairperson) of territorial authorities

Population of community	Maximum Meeting Allowance \$
Population exceeding 150 000	185
Population exceeding 75 000 but not exceeding 150 000 ...	160
Population exceeding 50 000 but not exceeding 75 000 ...	145
Population exceeding 20 000 but not exceeding 50 000 ...	120
Population not exceeding 20 000	105

Cl. 12

PART 2

Maximum meeting allowances payable to chairperson and members of community boards

Population of community	Maximum Meeting Allowance \$
Population exceeding 50 000	145
Population exceeding 20 000 but not exceeding 50 000 ...	120
Population not exceeding 20 000	105

SCHEDULE 4

MAXIMUM ANNUAL SALARIES AND MEETING ALLOWANCES PAYABLE IN RESPECT OF REGIONAL COUNCILS

PART 1

Cl. 14

Maximum annual salaries payable to chairpersons of regional councils

Population of region	Maximum Annual Salary \$
Population exceeding 300 000	94,320
Population exceeding 150 000 but not exceeding 300 000	81,800
Population exceeding 75 000 but not exceeding 150 000 ...	70,440
Population not exceeding 75 000	56,810

PART 2

Cl. 15

Maximum annual salaries payable to deputy chairpersons of regional councils and chairpersons of committees of regional councils

Population of region	Maximum Annual Salary \$
Population exceeding 150 000	31,820
Population exceeding 75 000 but not exceeding 150 000 ...	27,260
Population not exceeding 75 000	22,720

PART 3

Cl. 16

Maximum annual salaries payable to members of regional councils

Population of region	Maximum Annual Salary \$
Population exceeding 150 000	15,910
Population exceeding 75 000 but not exceeding 150 000	13,640
Population not exceeding 75 000	9,990

PART 4

Cl. 18

Maximum meeting allowances payable to members (other than chairperson) of regional councils

Population of region	Maximum Meeting Allowance \$
Population exceeding 150 000	185
Population exceeding 75 000 but not exceeding 150 000 ...	160
Population not exceeding 75 000	145

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SCHEDULE 5

MAXIMUM ANNUAL SALARIES AND MEETING ALLOWANCES PAYABLE IN RESPECT OF BOARDS

Cl. 21

PART 1

Maximum annual salaries payable to chairpersons of boards

	Board				Maximum Annual Salary \$
1.	Aotea Centre Board of Management	...	...	...	11,890
2.	Masterton Trust Lands Trust	...	...	...	5,120

Cl. 22

PART 2

Maximum annual salaries payable to members of boards

	Board				Maximum Annual Salary \$
1.	Aotea Centre Board of Management	...	...	...	5,410
2.	Masterton Trust Lands Trust	...	...	...	1,820

Cl. 24

PART 3

Maximum meeting allowances payable to members (other than chairperson) of board

	Board				Maximum Meeting Allowance \$
1.	Aotea Centre Board of Management	...	...	...	105
2.	Masterton Trust Lands Trust	...	...	...	75

Dated this 8th day of July 1999.

M. WILLIAMSON,
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 is deemed to have taken effect on and from 9 February 1999,—

- (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 Masterton Trust Lands Trust:
 - (xiii) Any member of the Aotea Centre Board of Management:
 - (xiv) Any member of the Masterton Trust Lands Trust:
- (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 Masterton Trust Lands Trust:
- (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 not altered.

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

Date of notification in *Gazette*: 15 July 1999.

This determination is administered in the Department of Internal Affairs.