

1987/275



**THE LOCAL GOVERNMENT (REGIONAL AND TERRITORIAL
AUTHORITIES ANNUAL ALLOWANCES AND REMUNERATION)
DETERMINATION 1987**

PURSUANT to section 214B of the Local Government Act 1974, the Minister of Local Government (having due regard to the changes in annual allowances determined by the Higher Salaries Commission under section 214A (1) of the Local Government Act 1974 and such other matters as the Minister considers relevant), hereby makes the following determination.

DETERMINATION

1. Title and commencement—(1) This determination may be cited as the Local Government (Regional and Territorial Authorities Annual Allowances and Remuneration) Determination 1987.

(2) This determination shall take effect on and from the 1st day of December 1986.

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

“Act” means the Local Government Act 1974:

“Committee”, in relation to a council, includes—

(a) Any standing or special committee appointed by the council under section 104 of the Act:

(b) Any joint committee appointed by the council and one or more local authorities or other public bodies under section 105 of the Act:

(c) Any subcommittee appointed by the council or a committee of the council under section 106 of the Act;—

but does not include a committee appointed by a district community council or community council.

(2) Unless inconsistent with the context, 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 council is a reference to,—

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

(i) The population of the district of the council, as shown by the last census of population for which results have been published:

- (ii) The population of the district of the council, as assessed by the Government Statistician, on a date subsequent to the date of that census; or
- (b) Where the district of the council 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 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. Annual allowances of Mayors and Chairmen—(1) Subject to this clause, a council may pay to the Mayor or Chairman of the council an annual allowance not exceeding the appropriate amount specified in Part I of the First Schedule to this determination.

(2) This clause does not apply in relation to any Mayor or Chairman whose annual allowance has been determined by the Higher Salaries Commission under section 214A (1) of the Act.

5. Annual allowances and daily remuneration of members other than Mayors or Chairmen—(1) Subject to this clause, a council may pay to each of its members (other than the Mayor or Chairman) an annual allowance and daily remuneration not exceeding the appropriate amounts specified in Part II of the First Schedule to this determination.

(2) The following provisions apply in relation to the payment of remuneration under this clause:

- (a) Remuneration is payable to a member of a council only in respect of each day on which the person attends—
 - (i) A meeting of the council; or
 - (ii) A meeting of a committee of the council where the person is a member of the committee or is required to attend the meeting in the person's capacity as a member of the council:
- (b) No additional remuneration is payable by reason of the fact that a person attends more than one meeting during the same day:
- (c) A meeting that continues past midnight otherwise than by adjournment shall be regarded as having concluded before midnight.

6. Additional annual allowances of Deputy Mayors and Deputy Chairmen—(1) A council (other than a town council) may pay to the Deputy Mayor or Deputy Chairman of the council an annual allowance not exceeding the appropriate percentage specified in Part III of the First Schedule to this determination of the maximum annual allowance that may be paid to the Mayor or Chairman of the council.

(2) An annual allowance may be paid to a person under this clause in addition to any annual allowance or remuneration payable to the person under clause 5 or clause 7 of this determination.

7. Additional annual allowances of chairmen of standing or special committees—(1) A council may pay to each person (other than the Mayor or Chairman) who is the chairman of a standing or special

committee of the council an annual allowance not exceeding the appropriate percentage specified in Part IV of the First Schedule to this determination of the maximum annual allowance that may be paid to the Mayor or Chairman of the council.

(2) An annual allowance may be paid to a person under this clause in addition to any annual allowance or remuneration payable to the person under clause 5 or clause 6 of this determination.

8. Higher Salaries Commission determination—In accordance with section 214B (6) (a) of the Act, the determination of the Higher Salaries Commission dated the 5th day of June 1987 is set out in the Second Schedule to this determination.

9. Revocations—The following determinations are hereby revoked:

- (a) The Local Government (Regional and Territorial Authorities Annual Allowances and Remuneration) Determination 1986*;
- (b) The Local Government (Regional and Territorial Authorities Annual Allowances and Remuneration) Determination 1986, Amendment No. 1†.

*S.R. 1986/77
†S.R. 1986/261

SCHEDULES

FIRST SCHEDULE

Clause 4 (1)

PART I

MAXIMUM ANNUAL ALLOWANCES PAYABLE TO MAYORS OR CHAIRMEN

Councils or Types of Councils	Maximum Annual Allowance \$
1. Territorial authority, population not exceeding 1500	4,500
2. Territorial authority, population exceeding 1500 but not exceeding 5000	9,000
3. Territorial authority, population exceeding 5000 but not exceeding 10 000	13,500
4. Territorial authority, population exceeding 10 000 but not exceeding 20 000	18,000
5. Territorial authority, population exceeding 20 000 but not exceeding 50 000 (other than any council specified in item 6)	27,500
6. Councils of the Cities of Whangarei, Tauranga, Gisborne, Napier, Hastings, New Plymouth, Wanganui, Nelson, Timaru, and Invercargill, the County of Rodney, and the District of Whakatane	30,000
7. Territorial authority, population exceeding 50 000	33,000
8. United council	7,150
9. Regional council	20,000

FIRST SCHEDULE—*continued*

Clause 5 (1)

PART II

MAXIMUM ANNUAL ALLOWANCES AND REMUNERATION PAYABLE TO
MEMBERS OF COUNCILS

Councils or Types of Councils	Maximum Remuneration Per Day \$	Maximum Annual Allowance \$
1. Territorial authority, population not exceeding 10 000	40	1,000
2. Territorial authority, population exceeding 10 000 but not exceeding 20 000	40	1,500
3. Territorial authority, population exceeding 20 000 but not exceeding 50 000	50	2,750
4. Territorial authority, population exceeding 50 000 but not exceeding 100 000	60	4,000
5. Territorial authority, population exceeding 100 000	70	4,500
6. United council, population not exceeding 50 000	50	1,500
7. United council, population exceeding 50 000	60	1,500
8. Regional council (other than Wellington Regional Council or Auckland Regional Authority)	60	2,750
9. Wellington Regional Council	70	4,000
10. Auckland Regional Authority	70	4,500

Clause 6 (1)

PART III

ADDITIONAL ANNUAL ALLOWANCES PAYABLE TO DEPUTY MAYORS OR
DEPUTY CHAIRMEN

Types of Councils	Percentage of Maximum Annual Allowance that may be paid to Mayor or Chairman %
1. Territorial authority, population not exceeding 20 000	10
2. Territorial authority, population exceeding 20 000	20
3. United council	10
4. Regional council	10

FIRST SCHEDULE—*continued*

PART IV

Clause 7 (1)

ADDITIONAL ANNUAL ALLOWANCES PAYABLE TO CHAIRMEN OF STANDING
OR SPECIAL COMMITTEES

Councils or Types of Councils	Percentage of Maximum Annual Allowance that may be paid to Mayor or Chairman %
1. Territorial authority, population not exceeding 100 000 	10
2. Territorial authority, population exceeding 100 000 	15
3. United council 	10
4. Regional council (other than Wellington Regional Council or Auckland Regional Authority) 	10
5. Wellington Regional Council 	15
6. Auckland Regional Authority 	15

SECOND SCHEDULE

Clause 8

REPORT OF THE HIGHER SALARIES COMMISSION ON THE DETERMINATION OF
ANNUAL ALLOWANCES FOR CERTAIN MAYORS AND CHAIRMEN OF LOCAL
AUTHORITIES AS AT 1 DECEMBER 1986

1. Having completed a General Review of salaries and allowances carried out under section 19 (3) of the Higher Salaries Commission Act 1977, the Higher Salaries Commission has determined revised actual annual allowances payable to specific mayors and chairmen pursuant to section 214A of the Local Government Act (as inserted by the Local Government Amendment Act 1985 (No. 60)) with effect from 1 December 1986.
2. Before finalising its list of mayors and chairmen of the local authorities to be covered in terms of section 214A (1) (a) of the Local Government Act, the Commission obtained a Certificate of Population from the Department of Statistics to verify which local authorities had a usual resident (de jure) population exceeding 50 000 at the 1986 Census of Population.
3. Under section 3 of the Higher Salaries Commission Amendment Act 1987 the Commission is restricted in the adjustments it can make to the annual allowances payable and may not increase the current annual allowances by more than 10% before the 1st day of April 1988. This restriction effectively forestalled any prospect that there might otherwise have been of the Commission making differing adjustments to the existing allowances. After consulting with appropriate bodies the Commission therefore abandoned issuing formal invitations for submissions from individuals and organisations recognised under section 214A (2).

SECOND SCHEDULE—*continued*

4. As indicated on the previous occasion the Commission has not attempted to determine any "tax free" element of the allowances; it believes this is a matter for each mayor and chairman to take up with the Commissioner of Inland Revenue.
5. The Commission has made determinations as set out below:

Office Held	Actual Annual Allowance from 1 December 1986
Mayor of:	
Auckland	44,000
Wellington	44,000
Christchurch	44,000
Manukau	44,000
Waitemata	41,250
Hamilton	41,250
Dunedin	41,250
Palmerston North	35,750
Rotorua	35,750
Takapuna	33,000
Lower Hutt	33,000
Chairman of:	
Auckland Regional Authority	44,000
Wellington Regional Council	33,000
Waimairi District Council	33,000
Waikato United Council	7,150
Bay of Plenty United Council	7,150
Manawatu United Council	7,150
Canterbury United Council	7,150
Coastal-North Otago United Council	7,150
Auckland Harbour Board	16,500
Auckland Electric Power Board	14,300
Auckland Hospital Board	27,500
Otago Catchment Board	11,000
Northland Area Health Board	18,282

6. As required in terms of section 214A (4) of the Local Government Act, I am advising the appropriate Ministers of the determinations made in respect of Boards coming within their particular portfolios.

John Dunmore
Chairman
5 June 1987

Dated this 10th day of September 1987.

MICHAEL BASSETT,
Minister of Local Government.

EXPLANATORY NOTE

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

This determination fixes the maximum allowances and remuneration that may be paid to Chairmen and Mayors of regional and united councils and territorial authorities, Deputy Chairmen and Deputy Mayors, chairmen of standing or special committees, and members of those bodies. The determination does not apply to the 19 Chairmen and Mayors whose annual allowances were determined by the Higher Salaries Commission in its recent determination set out in the Second Schedule to this determination.

Mayors and Chairmen will continue to be paid only by way of an annual allowance for that position. In addition to increases in amounts, a number of changes are made in the system of payments for members other than Mayors or Chairmen—

- (a) Members may be paid a combination of an annual allowance and a daily rate of remuneration:
- (b) An additional annual allowance may be paid to a member who is a Deputy Mayor or Deputy Chairman or who is chairman of a standing or special committee, and if a member holds both such positions an additional annual allowance may be paid for both positions:
- (c) The former limit of 104 meetings in a calendar year for which a member could receive remuneration is not continued.

The determination takes effect on and from 1 December 1986, the date on which the determination of the Higher Salaries Commission takes effect. The determination fixes maxima only and the actual allowances and remuneration payable are to be set by each regional or united council or territorial authority subject to the maxima.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 September 1987.

This determination is administered in the Department of Internal Affairs.