

1989/84



**THE LOCAL GOVERNMENT (REGIONAL AND TERRITORIAL
AUTHORITIES ANNUAL ALLOWANCES AND REMUNERATION)
DETERMINATION 1989**

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.

ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Population 4. Annual allowances of Mayors and Chairmen 5. Annual allowances and daily remuneration of members other than Mayors or Chairmen | <ol style="list-style-type: none"> 6. Additional annual allowances of Deputy Mayors and Deputy Chairmen 7. Additional annual allowances of chairmen of standing or special committees 8. Relevant current determinations of Higher Salaries Commission 9. Revocation Schedules |
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DETERMINATION

1. Title and commencement—(1) This determination may be cited as the Local Government (Regional and Territorial Authorities Annual Allowances and Remuneration) Determination 1989.

(2) This determination shall take effect on and from the 1st day of April 1988.

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

“Act” means the Local Government Act 1974:

“Committee”, in relation to a council,—

(a) Includes—

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

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

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

(b) 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 actual 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—

- (a) The maximum annual allowance that may be paid to the Mayor or Chairman of the council under this determination; or
- (b) The actual annual allowance that may be paid to the Mayor or Chairman of the council under the relevant current determination of the Higher Salaries Commission that preceded this determination.

(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—

- (a) The maximum annual allowance that may be paid to the Mayor or Chairman of the council under this determination; or
- (b) The actual annual allowance that may be paid to the Mayor or Chairman of the council under the relevant current determination of the Higher Salaries Commission that preceded this determination.

(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. Relevant current determinations of Higher Salaries Commission—(1) The relevant current determinations of the Higher Salaries Commission that preceded this determination were made on the 25th day of January 1989 and determined, on and from the 1st day of April 1988, the actual annual allowances set out in the Second Schedule to this determination.

(2) Each of the relevant current determinations of the Higher Salaries Commission that preceded this determination was made under section 214A (1) of the Act and was in the form of the determination set out in full in the Third Schedule to this determination.

(3) The determination set out in full in the Third Schedule to this determination is the relevant current determination by which the Higher Salaries Commission, on the 25th day of January 1989, determined, on and from the 1st day of April 1988, the actual annual allowance of the Mayor of Auckland.

9. Revocation—The Local Government (Regional and Territorial Authorities Annual Allowances and Remuneration) Determination 1987* is hereby revoked.

SCHEDULES

FIRST SCHEDULE

PART I

Cl. 4 (1)

MAXIMUM ANNUAL ALLOWANCES PAYABLE TO MAYORS OR CHAIRMEN

Councils or Types of Councils	Maximum Annual Allowance \$
1. Territorial authority, population not exceeding 1,500	5,750
2. Territorial authority, population exceeding 1,500 but not exceeding 5,000	11,500
3. Territorial authority, population exceeding 5,000 but not exceeding 10,000	17,500
4. Territorial authority, population exceeding 10,000 but not exceeding 20,000	23,500
5. Territorial authority, population exceeding 20,000 but not exceeding 50,000 (other than any council specified in item 6)	36,000
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	40,000
7. Territorial authority, population exceeding 50,000	42,000
8. United council	9,000
9. Regional council	28,000

FIRST SCHEDULE—*continued*

Cl. 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	50	1,500
2. Territorial authority, population exceeding 10,000 but not exceeding 20,000	50	2,000
3. Territorial authority, population exceeding 20,000 but not exceeding 50,000	70	4,000
4. Territorial authority, population exceeding 50,000 but not exceeding 100,000	90	6,500
5. Territorial authority, population exceeding 100,000	110	8,000
6. United council	80	2,000
7. Regional council (other than Wellington Regional Council or Auckland Regional Authority)	100	5,000
8. Wellington Regional Council	100	7,500
9. Auckland Regional Authority	110	8,000

FIRST SCHEDULE—*continued*

PART III

Cl. 6 (1)

ADDITIONAL ANNUAL ALLOWANCES PAYABLE TO DEPUTY MAYORS OR
DEPUTY CHAIRMEN

Types of Councils	Percentage of Maximum or Actual 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	20

PART IV

Cl. 7 (1)

ADDITIONAL ANNUAL ALLOWANCES PAYABLE TO CHAIRMEN OF STANDING
OR SPECIAL COMMITTEES

Councils or Types of Councils	Percentage of Maximum or Actual 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. Northland Regional Council	10
5. Wellington Regional Council	15
6. Auckland Regional Authority	15

Cl. 8

SECOND SCHEDULE

ACTUAL ANNUAL ALLOWANCES DETERMINED BY RELEVANT CURRENT
DETERMINATIONS OF HIGHER SALARIES COMMISSION AS PAYABLE ON AND
FROM 1 APRIL 1988 TO CERTAIN MAYORS AND CHAIRMEN OF LOCAL
AUTHORITIES

	Office held	Actual Annual Allowance From 1 April 1988 \$
Mayor of:		
Auckland		57,000
Wellington		57,000
Christchurch		57,000
Manukau		57,000
Waitemata		52,000
Hamilton		52,000
Dunedin		52,000
Palmerston North		45,000
Rotorua		45,000
Takapuna		42,000
Lower Hutt		42,000
Chairperson of:		
Auckland Regional Authority		57,000
Wellington Regional Council		42,000
Waimairi District Council		42,000
Auckland Hospital Board		35,000
Northland Area Health Board		24,000
Auckland Harbour Board		20,000
Auckland Electric Power Board		20,000
Otago Catchment Board		14,000
Waikato United Council		9,000
Bay of Plenty United Council		9,000
Manawatu United Council		9,000
Canterbury United Council		9,000
Coastal North Otago United Council		9,000

THIRD SCHEDULE

Cl. 8 (2)

FORM OF DETERMINATION BY WHICH EACH ACTUAL ANNUAL ALLOWANCE
SET OUT IN THE SECOND SCHEDULE TO THIS ORDER WAS DETERMINED

HIGHER

EDUCATION HOUSE, WEST BLOCK,
178-182 WILLIS STREET,
WELLINGTON, NEW ZEALAND.

SALARIES

P.O. BOX 27024,
Telephone 856-125.

COMMISSION

25 January 1989

DETERMINATION NO: 1988/377

DETERMINATION OF AN ANNUAL ALLOWANCE IN TERMS OF SECTION 214A
OF THE LOCAL GOVERNMENT ACT 1974 (AS INSERTED BY THE LOCAL
GOVERNMENT AMENDMENT ACT 1985)

1. The Higher Salaries Commission has made the following determination in respect of the office stated with effect from 1 April 1988.

OFFICE: MAYOR OF AUCKLAND.

ACTUAL ANNUAL ALLOWANCE: \$57,000.

2. This determination expires on 31 March 1989.

EXPLANATORY NOTES

1. The Commission determines annual allowances in relation to the responsibilities of each office and not in relation to the personal performances of incumbents. Unless otherwise specified in a determination, it applies to both the incumbent as at 1 April 1988 and to any replacement.

2. In terms of section 214A of the Local Government Act, the Higher Salaries Commission can determine the actual or maximum annual allowance payable. On this occasion the Commission has decided to determine the actual annual allowance.

3. In terms of section 19 of the Higher Salaries Commission Act 1977 (as amended) this determination remains in force beyond its stated expiry date until superseded by another determination, and may on the grounds stated in Section 19 (4) of the Act be amended at any time.

L. A. Shanks
Executive Officer

Dated this 11th day of April 1989

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, which takes effect on and from 1 April 1988, 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.

This determination does not apply to the Chairmen and Mayors whose actual annual allowances were determined by the Higher Salaries Commission on 25 January 1989. The allowances so determined are set out in the Second Schedule to this determination.

Mayors and Chairmen will continue to be paid only by way of an annual allowance. Ordinary members may continue to be paid a combination of an annual allowance and daily remuneration, and Deputy Mayors, Deputy Chairmen, and committee chairmen will continue to be entitled to an additional annual allowance in respect of their responsibilities.

Apart from increases to amounts, this determination makes some minor changes to the regime set out in the 1987 Determination. These minor changes are as follows:

- (a) Clauses 6(1) and 7(1) now make it clear that the maximum additional annual allowances that may be paid to deputy mayors, deputy chairmen, and committee chairmen are percentages of the mayor or chairman's maximum or actual annual allowance under this determination or the relevant current determination of the Higher Salaries Commission that preceded this determination:
- (b) There is now only one category for the remuneration of members of united councils:
- (c) The percentage of the chairman's maximum allowance that may be paid to the deputy chairman of a regional council is increased from 10 to 20.

This 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 those maxima.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 13 April 1989.

This determination is administered in the Department of Internal Affairs.