

1969/90



THE MUNICIPAL CORPORATIONS REGULATIONS 1956,
AMENDMENT NO. 3

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 19th day of May 1969

Present:

THE RIGHT HON. J. R. MARSHALL PRESIDING IN COUNCIL

PURSUANT to the Municipal Corporations Act 1954, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title—These regulations may be cited as the Municipal Corporations Regulations 1956, Amendment No. 3, and shall be read together with and deemed part of the Municipal Corporations Regulations 1956* (hereinafter referred to as the principal regulations).

2. Omission from district electors list of names of electors not voting at previous election—(1) The principal regulations are hereby amended by inserting, after regulation 7, the following regulation:

“7A. The notice to be given to any person that his name is to be omitted from the district electors list pursuant to subsection (3A) of section 29 of the said Act shall be in form 2A of the First Schedule hereto.”

(2) Regulation 7 of the principal regulations is hereby amended by omitting the words “Subject to the proviso to subsection (3) of section 29 of the said Act”, and substituting the words “Subject to subsections (3) and (3A) of section 29 of the said Act and to regulation 7A hereof”.

(3) The First Schedule to the principal regulations is hereby amended by inserting, after form 2, the form 2A set out in the Schedule to these regulations.

*S.R. 1956/112
Amendment No. 1: S.R. 1959/121
Amendment No. 2: S.R. 1962/43

3. **Subdivision appeals**—Regulation 37 of the principal regulations is hereby amended by omitting the words “fourteen days”, and substituting the words “twenty-one days”.

4. **Pedestrian mall appeals**—The principal regulations are hereby further amended by inserting, after regulation 37, the following new Part:

“PART IIIA—PEDESTRIAN MALL APPEALS

“37A. Every appeal to the Town and Country Planning Appeal Board against a decision of the Council making a special order under subsection (2) of section 170A of the said Act (as inserted by section 14 of the Municipal Corporations Amendment Act 1968) shall be made within twenty-one days after the giving of the public notice by the Council under subsection (9) (a) of the said section 170A of the making of that special order, or within such further time as the Board may allow, and shall be made and be heard and determined by the Board in the manner prescribed by the Town and Country Planning Act 1953 and the regulations under that Act in relation to appeals under that Act.”

SCHEDULE

FORM 2A IN FIRST SCHEDULE TO PRINCIPAL REGULATIONS

Reg. 7A

“FORM 2A

Notice of Omission of Name From District Electors List

To
[Full name]

.....
[Address]

Your name appeared on the district electors roll for the Borough (City) (Town District) of as an elector by virtue of a residential qualification for the last general election of councillors, and it is noted that you—

- (a) Being qualified to vote at that election and not being a candidate, did not vote at that election; and
- (b) [*To be omitted if there has been no by-election since the last general election.*] Being qualified to vote at the by-election(s) of a councillor (councillors) (Mayor) held on did not vote at that by-election (any of those by-elections).

It is proposed to omit your name from the district electors list pursuant to section 29 (3A) of the Municipal Corporations Act 1954 and the Municipal Corporations Regulations 1956, but, in order that I may ascertain whether your name should be omitted, would you please complete the portion of the form below and return it to me by Completion will be regarded as an application for enrolment.

Town Clerk.

To be Completed by Elector

Please show your present address here:

Please sign here:

Return to the Town Clerk.”

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

Regulation 2 prescribes the form of notice which, pursuant to section 29 (3A) of the Municipal Corporations Act 1954 (inserted by section 3 (2) of the Municipal Corporations Amendment Act 1968), must be sent to an elector who did not vote at the last general election of councillors before his name may be omitted from the district electors list.

Regulation 3 extends from 14 days to 21 days the time within which a subdivider may appeal to the Town and Country Planning Appeal Board against a decision of the Council.

Regulation 4 prescribes the procedure for appealing to the Town and Country Planning Appeal Board against special orders creating pedestrian malls.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 May 1969.

These regulations are administered in the Department of Internal Affairs.