Reprint as at 1 July 2011



Local Government Elected Members (2010/11) (Certain Local Authorities) Determination (No 2) 2011

(SR 2011/205)

Local Government Elected Members (2010/11) (Certain Local Authorities) Determination (No 2) 2011: expired, on 1 July 2011, by clause 3.

Pursuant to clause 6 of Schedule 7 of the Local Government Act 2002 and to the Remuneration Authority Act 1977, the Remuneration Authority makes the following determination (to which is appended an explanatory memorandum).

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

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Determination

1 Title

This determination is the Local Government Elected Members (2010/11) (Certain Local Authorities) Determination (No 2) 2011.

2 Commencement

(1) This determination is deemed to have come into force for each member of the Southland Regional Council on the date in the

third column of Schedule 1 that corresponds to the office the member holds as described in the first column of that schedule.

- (2) This determination is deemed to have come into force for each member of a territorial authority on the date in the third column of Schedule 2 that corresponds to the office the member holds as described in the first column of that schedule.
- (3) This determination is deemed to have come into force for each member of a community board on the date in the third column of Schedule 2 that corresponds to the office the member holds as described in the first column of that schedule.

3 Expiry

This determination expires on the close of 30 June 2011.

Interpretation

4 Interpretation

In this determination, unless the context requires another meaning,—

community board means a community board of a territorial authority

hearing time has the meaning given by clause 6

local authority means the Southland Regional Council or a territorial authority

member.—

- (a) in relation to the Southland Regional Council, means—
 - (i) a person who has been declared to be elected under the Local Electoral Act 2001 as a member of the Council; and
 - (ii) a person who, as the result of further election or appointment under that Act or the Local Government Act 2002, is an office holder in relation to the Council (for example, as chairperson of the Council or chairperson of a committee of the Council):
- (b) in relation to a territorial authority, means—
 - (i) a person who has been declared to be elected under the Local Electoral Act 2001 as the mayor

- or other member of a city council or district council; and
- (ii) a person who, as the result of further election or appointment under that Act or the Local Government Act 2002, is an office holder in relation to the council (for example, as chairperson of a committee of the council):
- (c) in relation to a community board, means—
 - a person who has been declared to be elected under the Local Electoral Act 2001 as a member of the community board; and
 - (ii) a person who, as the result of further election or appointment under that Act or the Local Government Act 2002, is an office holder in relation to the board (for example, as chairperson of the board)

Remuneration Authority or **Authority** means the Remuneration Authority established by section 4(1) of the Remuneration Authority Act 1977

resource consent hearing has the meaning given by clause 5 **resource consent hearing fee** means a fee payable in accordance with clause 14 for attending a resource consent hearing **RMA** means the Resource Management Act 1991

territorial authority means the following territorial authorities named in Part 2 of Schedule 2 of the Local Government Act 2002:

- (a) Christchurch City Council:
- (b) Hutt City Council:
- (c) Kaipara District Council:
- (d) Otorohanga District Council:
- (e) South Wairarapa District Council:
- (f) Stratford District Council:
- (g) Taupo District Council:
- (h) Thames–Coromandel District Council:
- (i) Whakatane District Council.

5 Meaning of resource consent hearing

(1) In this determination, **resource consent hearing** means—

- (a) a hearing arising from a resource consent application made under section 88 of the RMA:
- (b) a hearing arising from a notice of requirement given under section 168 of the RMA:
- (c) a pre-hearing meeting held under section 99 of the RMA in relation to a hearing referred to in paragraph (a) or (b):
- (d) a hearing relating to a private change in a district or regional plan or policy statement requested under clause 21 of Schedule 1 of the RMA:
- (e) a mediation hearing in the Environment Court as part of an appeal from a decision of a local authority:
- (f) a hearing on an objection against a charge fixed by a local authority under section 36 of the RMA.
- (2) To avoid doubt, in this determination, **resource consent hearing** does not mean—
 - (a) a hearing of submissions as part of the process of preparation of a district or regional plan or policy statement; or
 - (b) a hearing relating to a change or variation in a district or regional plan or policy statement requested by the local authority; or
 - (c) a hearing relating to a notice of requirement initiated by the local authority; or
 - (d) any other hearing not specified in subclause (1).

6 Meaning of hearing time

- (1) In this determination, hearing time—
 - (a) means the time spent by a member hearing a matter referred to in clause 5(1); and
 - (b) includes the time spent by a member—
 - (i) at any formal committee deliberations in relation to a resource consent hearing; and
 - (ii) at a formal site inspection as part of a group inspection or as part of a pre-hearing meeting described in clause 5(1)(c); and
 - (iii) determining a notified resource consent application where a formal hearing does not take place.

- (2) In this determination, **hearing time** does not include the time spent by a member—
 - (a) preparing for a resource consent hearing; or
 - (b) inspecting a site, except where subclause (1)(b)(ii) applies.

Remuneration, expenses, and allowances payable to members of Southland Regional Council

7 Remuneration, expenses, and allowances payable to members of Southland Regional Council

- (1) The remuneration, expenses, and allowances payable to the members of the Southland Regional Council are—
 - (a) the remuneration set out in Schedule 1; and
 - (b) the expenses and allowances payable in accordance with clauses 9 to 13; and
 - (c) the resource consent hearing fees payable in accordance with clause 14.
- (2) Meeting fees payable as remuneration to members of the Southland Regional Council in accordance with Schedule 1 are payable subject to—
 - (a) any conditions set out in that schedule; and
 - (b) any rules determined by the Remuneration Authority.
- (3) Despite subclause (2), meeting fees are not payable to the chairperson of the Southland Regional Council unless the Remuneration Authority grants an exception to this prohibition.
- (4) In considering whether to grant an exception, the Remuneration Authority must consider—
 - (a) whether the office of chairperson can be properly regarded as a full-time position; and
 - (b) the availability of other experienced parties to fulfil the requirements of the role; and
 - (c) the time commitment involved.
- (5) The Southland Regional Council must, during the hours that its offices are open to the public, allow members of the public to inspect the rules described in subclause (2)(b).

Remuneration, expenses, and allowances payable to members of territorial authorities and community boards

8 Remuneration, expenses, and allowances payable to members of territorial authorities and community boards

- (1) The remuneration, expenses, and allowances payable to the members of a territorial authority and its community boards are—
 - (a) the remuneration set out in Schedule 2; and
 - (b) the expenses and allowances payable in accordance with clauses 9 to 13; and
 - (c) the resource consent hearing fees payable in accordance with clause 14.
- (2) Meeting fees payable as remuneration to members of a territorial authority and its community boards in accordance with Schedule 2 are payable subject to—
 - (a) any conditions set out in that schedule; and
 - (b) any rules determined by the Remuneration Authority.
- (3) Despite subclause (1), a member of a territorial authority who is appointed to a community board is not entitled to be remunerated for both positions. Instead, the remuneration for the member set out in Schedule 2 includes both the salary and meeting fees payable to the member for holding both offices.
- (4) Despite subclause (2), meeting fees are not payable to the mayor of a territorial authority unless the Remuneration Authority grants an exception to this prohibition.
- (5) In considering whether to grant an exception, the Remuneration Authority must consider—
 - (a) whether the office of mayor can be properly regarded as a full-time position; and
 - (b) the availability of other experienced parties to fulfil the requirements of the role; and
 - (c) the time commitment involved.
- (6) The territorial authority must, during the hours that its offices are open to the public, allow members of the public to inspect the rules described in subclause (2)(b).

Expenses

9 Expenses may be reimbursed in accordance with rules determined by Remuneration Authority

- (1) A local authority may reimburse members for expenses in accordance with rules determined by the Remuneration Authority.
- (2) A territorial authority may reimburse the members of its community boards for expenses in accordance with rules determined by the Remuneration Authority.
- (3) The local authority must, during the hours that its offices are open to the public, allow members of the public to inspect the rules described in subclauses (1) and (2).

Allowances

10 Vehicle mileage allowance

- (1) A local authority may pay a member or a member of a community board a vehicle mileage allowance for travel by the member on a day, but only if—
 - (a) the member is not otherwise provided with a vehicle by the local authority; and
 - (b) the distance travelled by the member on the day exceeds the threshold distance; and
 - (c) the travel is—
 - (i) in a private vehicle; and
 - (ii) on the local authority's business; and
 - (iii) by the most direct route that is reasonable in the circumstances.
- (2) The vehicle mileage allowance payable to a member in respect of a day is payable only for that part of the member's travel that exceeds the threshold distance.
- (3) The maximum vehicle mileage allowance payable to the member in a 12-month period (pro-rated for the period of this determination) is—
 - (a) \$0.70 per kilometre for the first 5 000 kilometres:
 - (b) \$0.35 per kilometre for any distance over 5 000 kilometres.
- (4) In this clause,—

on the local authority's business includes travel to and from a member's residence to the offices of the local authority **threshold distance** means the distance set by the local authority, which must not be less than 30 kilometres.

11 Travel time allowance

- (1) A local authority may pay a member or a member of a community board a travel time allowance for travel by the member on a day, but only if—
 - (a) the travel time of the member on the day exceeds the threshold time; and
 - (b) the travel is on the local authority's business; and
 - (c) the travel is by the quickest form of transport reasonable in the circumstances; and
 - (d) the office of the member cannot be properly regarded as a full-time position.
- (2) The travel time allowance payable to a member in respect of a day is payable only for that part of the member's travel that exceeds the threshold time.
- (3) The maximum amount payable is \$15 per hour.
- (4) In this clause,—

on the local authority's business includes travel to and from a member's residence to the offices of the local authority threshold time means the time set by the local authority, which must not be less than 2 hours.

12 Communications allowance

- (1) A local authority may pay a communications allowance to members and members of its community boards for expenses relating to 1 or more of the following:
 - (a) a mobile telephone:
 - (b) a computer or ancillary equipment:
 - (c) an Internet connection.
- (2) The maximum amount of the allowance is \$500 for each member for the period of this determination.
- (3) However, the allowance is not payable to a member to the extent that the local authority provides him or her with—
 - (a) the use of a mobile telephone; or

- (b) the use of a computer and ancillary equipment; or
- (c) an Internet connection.

Other allowances may be paid in accordance with rules determined by Remuneration Authority

- (1) A local authority may pay allowances other than those set out in clauses 10 to 12 to members and members of its community boards in accordance with rules determined by the Remuneration Authority.
- (2) The local authority must, during the hours that its offices are open to the public, allow members of the public to inspect the rules described in subclause (1).

Resource consent hearing fees

14 Fees for attending resource consent hearing

- (1) A member of a local authority or one of its community boards who acts as the chairperson of a resource consent hearing is entitled to be paid a fee of \$85 per hour of hearing time.
- (2) A member of a local authority or one of its community boards who is not the chairperson of a resource consent hearing is entitled to be paid a fee of \$68 per hour of hearing time.
- (3) For any period of hearing time that is less than 1 hour, the fee must be apportioned accordingly.
- (4) Despite subclauses (1) and (2), a resource consent hearing fee for a pre-hearing meeting held under section 99 of the RMA is payable to only 1 member.
- (5) Despite subclauses (1) and (2), resource consent hearing fees are not payable to the chairperson of the Southland Regional Council or the mayor of a territorial authority unless the Remuneration Authority grants an exception to this prohibition.
- (6) In considering whether to grant an exception, the Remuneration Authority must consider—
 - (a) whether the office of chairperson of the Southland Regional Council or mayor of a territorial authority can be properly regarded as a full-time position; and
 - (b) the availability of other experienced parties to fulfil the requirements of the role; and

(c) the time commitment involved.

Schedule 1 cls 2, 7 Remuneration of members of Southland Regional Council

Office	Annual salary (\$)	Commencement date
Chair	81,593	29 October 2010
Council Deputy Chair/Chair, Environmental and Management Committee	36,912	29 October 2010
Committee Chair	31,991	29 October 2010
Councillor	24,609	16 October 2010
Councillor (elected unopposed) (3)	24,609	9 October 2010

Meeting fees

N/A

Chair car

Full private use

Schedule 2

Schedule 2

cls 2, 8

Remuneration of members of territorial authorities and their community boards

Christchurch City Council

Office	Annual salary (\$)	Commencement date
Mayor	159,527	16 October 2010
Deputy Mayor	99,571	22 October 2010
Councillor	86,249	16 October 2010

Meeting fees

N/A

Mayoral car

Full private use

Akaroa/Wairewa Community Board

Office	Annual salary (\$)	Commencement date
Chair	16,018	2 November 2010
Member (except members who are councillors, in which case no remuneration payable)	11,216	16 October 2010

Burwood/Pegasus Community Board

Office	Annual salary (\$)	Commencement date
Chair	24,270	1 November 2010
Member (except members who are councillors, in which case no remuneration payable)	16,989	16 October 2010

Fendalton/Waimairi Community Board Riccarton/Wigram Community Board Spreydon/Heathcote Community Board

Office	Annual salary (\$)	Commencement date
Chair	24,270	2 November 2010
Member (except members who are councillors, in which case no remuneration payable)	16,989	16 October 2010

Hagley/Ferrymead Community Board

Office	Annual salary (\$)	Commencement date
Chair	24,270	3 November 2010
Member (except members who are councillors, in which case no remuneration payable)	16,989	16 October 2010

Lyttelton/Mt Herbert Community Board

Office	Annual salary (\$)	Commencement date
Chair	16,018	3 November 2010
Member (except members who are councillors, in which case no remuneration payable)	11,216	16 October 2010

Shirley/Papanui Community Board

0.66	*	Commencement
Office	(\$)	date
Chair	24,270	29 October 2010
Member (except members who are councillors, in which case no remuneration payable)	16,989	16 October 2010

Hutt City Council

Office	Annual salary (\$)	Commencement date
Mayor	110,730	18 October 2010
Deputy Mayor	55,634	26 October 2010
Committee Chair (4)	48,958	9 November 2010
Councillor	42,572	18 October 2010

Meeting fees

N/A

Mayoral car

Full private use

Eastbourne Community Board

Office	Annual salary (\$)	Commencement date
Chair	11,320	23 November 2010
Member (except members who are councillors, in which case no remuneration payable)	6,096	9 October 2010

Petone Community Board

Office	Annual salary (\$)	Commencement date
Chair	11,320	22 November 2010
Member (except members who are councillors, in which case no remuneration payable)	6,096	18 October 2010

Wainuiomata Community Board

Office	Annual salary (\$)	Commencement date
Chair	11,320	24 November 2010
Member (except members who are councillors, in which case no remuneration payable)	6,096	18 October 2010

Kaipara District Council

Office	Annual salary (\$)	Commencement date
Mayor	72,600	21 October 2010
Deputy Mayor	31,005	27 October 2010
Councillor	25,731	21 October 2010

Meeting fees

N/A

Mayoral car

N/A

Otorohanga District Council

Office	Annual salary (\$)	Commencement date
Mayor	58,500	9 October 2010
*Deputy Mayor	26,086	26 October 2010
*Councillor/appointed member, Otorohanga Community Board (2)	19,367	26 October 2010
*Councillor/appointed member, Kawhia Community Board	13,423	26 October 2010
Councillor	11,915	20 October 2010

^{*}Elected to council unopposed.

Meeting fees

N/A

Mayoral car

N/A

Kawhia Community Board

Office	Annual salary (\$)	Commencement date
Chair	2,514	29 October 2010
Deputy Chair	2,011	29 October 2010
Member (except members who are councillors, in which case no remuneration payable)	1,508	20 October 2010

Otorohanga Community Board

Office	Annual salary (\$)	Commencement date
Chair	9,500	28 October 2010
Deputy Chair	7,952	28 October 2010
Member (except members who are councillors, in which case no remuneration payable)	7,452	20 October 2010

Schedule 2

South Wairarapa District Council

Office	Annual salary (\$)	Commencement date
Mayor	59,900	12 October 2010
Deputy Mayor	24,450	27 October 2010
Councillor	13,329	12 October 2010

Meeting fees

N/A

Mayoral car

Mayoral use only

Featherston Community Board

Office	Annual salary (\$)	Commencement date
Chair	4,194	2 November 2010
Member (except members who are councillors, in which case no remuneration payable)	1,296	12 October 2010

Greytown Community Board

Office	Annual salary (\$)	Commencement date
Chair	4,194	1 December 2010
Member (except members who are councillors, in which case no remuneration payable)	1,296	12 October 2010

Martinborough Community Board

Office	Annual salary (\$)	Commencement date
Chair	4,194	1 November 2010
Member (except members who are councillors, in which case no remuneration payable)	1,296	12 October 2010

Stratford District Council

Office	Annual salary (\$)	Commencement date
Mayor	58,500	9 October 2010
Deputy Mayor	26,868	26 October 2010
Councillor	13,435	17 October 2010

Meeting fees

N/A

Mayoral car

N/A

Taupo District Council

Office	Annual salary (\$)	Commencement date
Mayor	83,390	17 October 2010
Deputy Mayor	35,385	26 October 2010
Councillor/Chair, Turangi/Tongariro Community Board	32,245	27 October 2010
Councillor	30,988	17 October 2010

Meeting fees

N/A

Mayoral car

Full private use

Turangi/Tongariro Community Board

	Annual salary	Commencement
Office	(\$)	date
Chair	Nil*	
Member	7,956	17 October 2010

^{*}Position filled by councillor, no additional remuneration is payable.

Schedule 2

Thames-Coromandel District Council

Office	Annual salary (\$)	Commencement date
Mayor	81,876	16 October 2010
Deputy Mayor and Committee Chair	33,610	27 October 2010
Committee Chair (3)	31,480	27 October 2010
Councillor	27,130	16 October 2010

Meeting fees

N/A

Mayoral car

Full private use

Coromandel/Colville Community Board Whangamata Community Board

Office	Annual salary (\$)	Commencement date
Chair	13,486	18 November 2010
Member (except members who are councillors, in which case no remuneration payable)	6,034	16 October 2010

Mercury Bay Community Board

Office	Annual salary (\$)	Commencement date
Chair	13,486	16 November 2010
Member (except members who are councillors, in which case no remuneration payable)	6,034	16 October 2010

Tairua/Pauanui Community Board Thames Community Board

Office	Annual salary (\$)	Commencement date
Chair	13,486	15 November 2010
Member (except members who are councillors, in which case no remuneration payable)	6,034	16 October 2010

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Schedule 2

Whakatane District Council

Office	Annual salary (\$)	Commencement date
Mayor	84,700	17 October 2010
Deputy Mayor	27,863	27 October 2010
Committee Chair (2)	27,863	27 October 2010
Councillor	23,748	17 October 2010

Meeting fees

N/A

Mayoral car

N/A

Murupara Community Board

		Commencement
Office	(\$)	date
Chair	6,056	10 November 2010
Member (except members who are councillors, in which case no remuneration payable)	2,448	17 October 2010

Ohope Community Board

Office	Annual salary (\$)	Commencement date
Chair	6,056	8 November 2010
Member (except members who are councillors, in which case no remuneration payable)	2,448	17 October 2010

Rangitaiki Community Board

Office	Annual salary (\$)	Commencement date
Chair	6,056	2 November 2010
Member (except members who are councillors, in which case no remuneration payable)	2,448	17 October 2010

Local Government Elected Members (2010/11) (Certain Local Authorities) Determination (No 2) 2011

Reprinted as at 1 July 2011

Schedule 2

Taneatua Community Board

Office	Annual salary (\$)	Commencement date
Chair	6,056	1 November 2010
Member (except members who are councillors, in which case no remuneration payable)	2,448	17 October 2010

Whakatane Community Board

Office	Annual salary (\$)	Commencement date
Chair	6,056	15 November 2010
Member (except members who are councillors, in which case no remuneration payable)	2,448	17 October 2010

Dated at Wellington this 31st day of May 2011.

John Errington, Chairman.

> A Foulkes, Member.

D Morcom, Member.

Explanatory memorandum

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

This determination covers the period after the 2010 local government elections up to and including 30 June 2011 for the following local authorities (being those local authorities not included in the Local Government Elected Members (2010/11) (Certain Local Authorities) Determination 2011):

- Southland Regional Council:
- Christchurch City Council:
- Hutt City Council:
- Kaipara District Council:
- Otorohanga District Council:
- South Wairarapa District Council:
- Stratford District Council:
- Taupo District Council:
- Thames–Coromandel District Council:
- Whakatane District Council.

The commencement dates for the payments of salaries listed in *Schedules 1 and 2* reflect 1 or more of the following considerations:

- the official declaration of results for each council:
- the dates on which specified office-holders were formally appointed to their positions:
- any change by councils to eliminate meeting fees:
- any increase or reduction in the number of councillors:
- any increase or reduction in the number of community boards:
- changes to the provision of vehicles or to the use of vehicles provided.

ssued under the authority of the Acts and Regulations Publication	Act 1	989.
Date of notification in <i>Gazette</i> : 2 June 2011.		

Notes

Contents

- 1 General
- 2 Status of reprints
- 3 How reprints are prepared
- 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
- 5 List of amendments incorporated in this reprint (most recent first)

Notes

1 General

This is a reprint of the Local Government Elected Members (2010/11) (Certain Local Authorities) Determination (No 2) 2011. The reprint incorporates all the amendments to the determination as at 1 July 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* http://www.pco.parliament.govt.nz/reprints/.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not

included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see http://www.pco.parliament.govt.nz/editorial-conventions/ or Part 8 of the Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as "of this section" and "of this Act")
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as "the 1st day of January 1999" is now expressed as "1 January 1999")

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 List of amendments incorporated in this reprint (most recent first)

Local Government Elected Members (2010/11) (Certain Local Authorities) Determination (No 2) 2011 (SR 2011/205): clause 3