

### 13. DUAL MEMBERSHIP OF COMMUNITY BOARDS AND TERRITORIAL AUTHORITIES

<b>Officer responsible</b> Legal Services Manager	<b>Author</b> Peter Mitchell
Corporate Plan Output:	

At its meeting on 24 June 1999 the Council considered a recommendation from the Shirley/Papanui Community Board that the Council support a Private Members Bill in respect of dual membership of community boards and territorial authorities.

The Council declined to adopt this recommendation and referred the matter for consideration by the Strategy and Resources Committee.

The background to this matter is that Mr Ian Revell, MP, is proposing to promote a Private Members Bill which would provide that a person *cannot* be both a councillor and an elected community board member and that where a person who stands for both positions is elected to both, then that person is deemed to have been elected as a councillor. The next highest polling community board member who has not been elected to the Council would be declared elected to the community board.

At the present time the law states that if a person is elected to both positions, then they can take up those positions on the Council and the community board.

Apparently Mr Revell's concern arises from the fact that with some community boards in the North Island, persons who are elected as both a councillor and a community board member are in a majority on the board.

Attached to this memorandum is a letter dated 12 March 1999 from the Department of Internal Affairs to the Minister of Local Government which sets out the problem that it is intended to be solved by this Private Members Bill. It is understood that the Auckland City Council has given its support to the proposed Private Members Bill.

At this time Mr Revell has not sought to introduce the Bill into Parliament.

Comment from your Board is requested in the early August round of meetings as to whether or not it supports the principles in this Private Members Bill, so that those comments can be considered by the Strategy and Resources Committee when it meets on 16 August 1999.

A copy of the Private Members Bill is attached, together with a response from the Department of Internal Affairs through the Minister of Local Government.

#### **Chairperson's**

**Recommendation:** For discussion.