

REPORT 3
(1215/12/IM)

ELECTION OF DEPUTY CHAIR

1. Purpose of Report

This report calls for the election of a Deputy Chairperson of the Tawa Community Board, as required under clause 25 and clause 37, Schedule 7 of the Local Government Act 2002 ('the Act').

The Council has received legal advice that the appointment of a Deputy Chair is a requirement under the Local Government Act 2002.

2. Recommendations

Officers recommend that the Tawa Community Board:

1. *Receive the information.*
2. *Elect a Tawa Community Board Deputy Chairperson for the 2010/2013 triennium.*

3. Background

The Wellington City Council requires, by statute, that community boards elect a Deputy Chairperson. All community board members are eligible for election to the role. There are no requirements for formal nomination – the Chairperson or his nominee shall simply call for nominations. Absent members may be nominated by any member present at the meeting.

This appointment is to be made using an open voting system (French Presidential). The Local Government Act 2002 Schedule 7, clause 1(d), 2(a)(b) and 3(a)(b) provides for this process.

The Act stipulates that 'System A' requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and has the following characteristics:

- (i) there is a first round of voting for all candidates; and
- (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and

- (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

The term of office for the Deputy Chairperson shall be for the duration of the 2010/2013 triennium. However, a member may terminate (or have terminated) their office by:

- Resigning as Deputy Chairperson.
- A majority decision of the Community Board.
- A resolution of the Community Board.
- Being no longer eligible to hold office.

4. The Role of Deputy Chairperson

If the Chairperson is absent or incapacitated, the Deputy Chairperson must perform all of the responsibilities and duties, and exercise any powers, of the Chairperson:

- with the consent of the Chairperson at any time during the temporary absence of the Chairperson;
- without that consent, at any time while the Chairperson is prevented by illness or some other cause from performing the responsibilities and duties, or exercising the powers, of his or her role;
- while there is a vacancy for the role of Chairperson.

In the absence of proof to the contrary, a Deputy Chairperson acting as Chairperson is presumed to have the authority to do so.

A Deputy Chairperson continues to hold his or her position so long as he or she continues to be a member of the Community Board or until the election of his or her successor, or until the close of the 2010/2013 triennium.

5. Conclusion

The Tawa Community Board must elect a member to the position of Deputy Chairperson in accordance with the voting procedures.

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