

Report 09.469
Date 31 July 2009
File CFO/26/01/01

Committee Finance, Audit and Risk Committee
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Legal Compliance

1. Purpose

To report to the Committee on the Council's legal compliance review.

2. Significance of the decision

The matters for decision in this report do not trigger the significance policy of the Council or otherwise trigger section 76(3) (b) of the Local Government Act 2002.

3. Background

Last year Greater Wellington undertook a legal compliance review of the major Acts that impact Greater Wellington. This review has been completed in respect of the year ending 30 June 2009 for Greater Wellington and the WRC Holdings Group (excluding CentrePort Ltd, which has undertaken its own review). The review uses a checklist which has been updated from last year, a copy of this checklist is attached. (Refer **Attachment 1**).

4. Acts

The following Acts are covered by the checklist:

- Companies Act 1993
- Financial Reporting Act 1993
- Income Tax Act 2007
- Tax Administration Act 1994
- Goods and Services Tax Act 1985
- Kiwi Saver Act 2006
- Local Government Act 2002
- Health and Safety in Employment Act 1992
- Resource Management Act 1991
- Water Board Act 1972
- Local Government Rating Act 2002

- Land Transport Management Act 2003
- Transport Service Licensing Act 1989
- Land Transport Act 1998
- Civil Defence Emergency Management Act 2002
- Holidays Act 2003
- Employment Relations Act 2002
- Injury Prevention Rehabilitation and Compensation Act 2001
- Human Rights Act 1993
- Privacy Act 1993
- Biosecurity Act 1993
- Hazardous Substances and New Organisms Act 1996
- Agricultural Compounds and Veterinary Medicines Act 1997
- Arms Act 1983
- Transport Act 1962
- Animal Welfare Act 1999
- Resource Management Act 1992

The checklist was compiled from the following sources:

- CentrePort Ltd
- Audit New Zealand
- In house expertise.

During the year a number of discussions were held to form a consortium of regional councils to engage Aon Insurance and Quantate to provide a computer based system for legal compliance. While this is progressing, no final commitment has been made by a number of the councils.

5. The Process

The checklist was completed by each division and reviewed by each divisional manager.

6. Results of the review

The only matter noted was that WRC Holdings did not provide their Statement of Intent to the shareholder by 1 March, nor was it finalised by 30 June, as required by the Local Government Act 2002.

The Directors of WRC Holdings delayed the release of the Statement of Intent while they received further information from CentrePort.

7. Communication

No communications are necessary.

8. Recommendations

That the Committee:

1. ***Receives the report.***
2. ***Notes the content of the report.***

Report prepared by:

Report approved by:

Barry Turfrey
Chief Financial Officer

David Benham
Chief Executive

Attachment 1: Legal Compliance checklist