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LOCAL GOVERNMENT (RATING AND VALUATION) AMENDMENT BILL, 1983

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Valuation of Land (Rating and Valuation) Amendment Bill, 1983.

The objects of this Bill are—

- (a) as a consequence of the amendments contained in the Valuation of Land (Rating and Valuation) Amendment Bill, 1983, to substitute section 134A of the Local Government Act, 1919, to specify the circumstances in which rating base factors are to be used by councils to the exclusion of other valuations in levying rates (Schedule 1 (3)); and
 - (b) to make other provisions of a minor, consequential or ancillary nature.
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**LOCAL GOVERNMENT (RATING AND VALUATION)
AMENDMENT BILL, 1983**

No. , 1983.

A BILL FOR

An Act to amend the Local Government Act, 1919, to make further provision with respect to the use of rating base factors in levying rates.

[MR GORDON—29 *September*, 1983.]

Local Government (Rating and Valuation) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Local Government (Rating and Valuation) Amendment Bill, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

10 (2) Except as provided by subsection (1), this Act shall commence on 1st January, 1984.

Amendment of Act No. 41, 1919.

3. The Local Government Act, 1919, is amended in the manner set forth in Schedule 1.

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SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919.

(1) Section 131A (1)—

20

Omit "the rating base factor" wherever occurring, insert instead "a rating base factor".

(2) Section 134 (1c)—

Omit "(5)", insert instead "(4A), (5), (5A)".

Local Government (Rating and Valuation) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—*continued.*

(3) Section 134A—

Omit the section, insert instead:—

5 **Use of rating base factors.**

134A. Notwithstanding any other provision of this Act, where a general valuation in respect of an area is furnished under section 48 of the Valuation of Land Act, 1916, to the council of the area during, but after 1st January in, a year, the council, in respect of
10 land for which a rating base factor is included in the general valuation or furnished under section 58D (3) of the Valuation of Land Act, 1916, shall—

(a) in the first following year, use the rating base factor of the land determined in accordance with section 58D (4) (a),
15 (4A), (5) (a) or (5A) of the Valuation of Land Act, 1916, as the case may require; and

(b) in the second following year, use the rating base factor of the land determined in accordance with section 58D (4) (b),
20 (4A), (5) (b) or (5A) of the Valuation of Land Act, 1916, as the case may require,

to the exclusion of any other valuation as the basis of any rate levied or leviable upon the land value of the land.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1983

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LOCAL GOVERNMENT (RATING AND VALUATION)
AMENDMENT ACT, 1983, No. 206

New South Wales



ANNO TRICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 206, 1983.

An Act to amend the Local Government Act, 1919, to make further provision with respect to the use of rating base factors in levying rates.
[Assented to, 31st December, 1983.]

Local Government (Rating and Valuation) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Local Government (Rating and Valuation) Amendment Act, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on 1st January, 1984.

Amendment of Act No. 41, 1919.

3. The Local Government Act, 1919, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919.

(1) Section 131A (1)—

Omit "the rating base factor" wherever occurring, insert instead "a rating base factor".

(2) Section 134 (1c)—

Omit "(5)", insert instead "(4A), (5), (5A)".

Local Government (Rating and Valuation) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—*continued.*

(3) Section 134A—

Omit the section, insert instead:—

Use of rating base factors.

134A. Notwithstanding any other provision of this Act, where a general valuation in respect of an area is furnished under section 48 of the Valuation of Land Act, 1916, to the council of the area during, but after 1st January in, a year, the council, in respect of land for which a rating base factor is included in the general valuation or furnished under section 58D (3) of the Valuation of Land Act, 1916, shall—

- (a) in the first following year, use the rating base factor of the land determined in accordance with section 58D (4) (a), (4A), (5) (a) or (5A) of the Valuation of Land Act, 1916, as the case may require; and
- (b) in the second following year, use the rating base factor of the land determined in accordance with section 58D (4) (b), (4A), (5) (b) or (5A) of the Valuation of Land Act, 1916, as the case may require,

to the exclusion of any other valuation as the basis of any rate levied or leviable upon the land value of the land.

In the name and on behalf of Her Majesty I assent to this Act.

L. W. STREET,
*By Deputation from
His Excellency the Governor.*

*Government House,
Sydney, 31st December, 1983.*

