

FIRST PRINT

VALUATION OF LAND (AMENDMENT) BILL 1986

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Valuation of Land Act 1916 to remove the obligation of the Valuer-General to make valuations and to determine other valuation details for use by a rating or taxing authority if it is apparent (due, for example, to the implementation of rate pegging) that the valuation or valuation details will, in fact, never be used by the authority (Schedule 1 (1)).

Consistently with the removal of that obligation, the Bill also enables the Valuer-General to furnish a valuation list to a rating or taxing authority which contains only such valuations and valuation details as are of relevance to a rate or tax payable to the authority (Schedule 1 (2) and (3)).

VALUATION OF LAND (AMENDMENT) BILL 1986

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 2, 1916

SCHEDULE 1—AMENDMENTS TO THE VALUATION OF LAND ACT 1916

VALUATION OF LAND (AMENDMENT) BILL 1986

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to amend the Valuation of Land Act 1916 with respect to the making of certain valuations, the determination of certain valuation details and the furnishing of valuation lists.

Valuation of Land (Amendment) 1986

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 "Valuation of Land (Amendment) Act 1986".

Amendment of Act No. 2, 1916

2. The Valuation of Land Act 1916 is amended in the manner set forth
10 in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE VALUATION OF LAND ACT 1916

15 (1) Section 7D (**Valuer-General not required to determine certain valuations, etc.**)—

(a) Section 7D (2A)—

After section 7D (2), insert:

(2A) The Valuer-General is not required, in relation to a rating or taxing authority—

20 (a) to make a valuation of any land or stratum or to determine an allowance under section 58, 58A or 58AA, an apportionment factor under section 58B or a rating base factor under section 58D or 58E in respect of any land or stratum; or

*Valuation of Land (Amendment) 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE VALUATION OF LAND ACT 1916—
continued

(b) to comply with any other provision of this Act or any other law with respect to such a valuation, allowance, apportionment factor or rating base factor,

5 if it appears to the Valuer-General, at the time at which the valuation, allowance, apportionment factor or rating base factor would otherwise be made or determined, that the valuation, allowance, apportionment factor or rating base factor would not, at any time, be used for the purpose of any rate or tax which may be made by or payable to the authority.

10 (b) Section 7D (3)—

After “authority”, insert “or a valuation, allowance, apportionment factor or rating base factor to which subsection (2A) applies”.

(2) Section 49A—

15 After section 49, insert:

Partial lists

20 49A. (1) If, under section 7D, the Valuer-General decides not to make a valuation of any land or stratum or to determine an allowance under section 58, 58A or 58AA, an apportionment factor under section 58B or a rating base factor under section 58D or 58E in respect of any land or stratum, the Valuer-General may decide to furnish to a rating or taxing authority, at such time or times as may be determined by the Valuer-General, a list which contains only—

25 (a) a valuation, allowance, apportionment factor or rating base factor—

30 (i) that has been made or determined since the last such valuation, allowance, apportionment factor or rating base factor made or determined in respect of the land or stratum was furnished to the authority (whether in a valuation list, a supplementary list or a list under this section); and

Valuation of Land (Amendment) 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE VALUATION OF LAND ACT 1916—
continued

(ii) that may be used for the purpose of a rate or tax made by or payable to the authority; and

(b) such other particulars as the Valuer-General considers necessary.

5 (2) A list under this section may relate to part only of an area or district and may contain valuations, allowances, apportionment factors and rating base factors determined as at different dates.

10 (3) Without limiting section 7D, the Valuer-General is not required to comply with section 48 or 49 if the Valuer-General decides to furnish a list or lists under this section.

(4) A list under this section shall be a valuation list or supplementary list for the purposes of this Act (sections 48 and 49 excepted).

(3) Section 53 (**Lists to be valuation book of authority**)—

15 Omit “by a fresh complete list”, insert instead “, in whole or part, by a subsequent list”.

VALUATION OF LAND (AMENDMENT) ACT 1986 No. 173

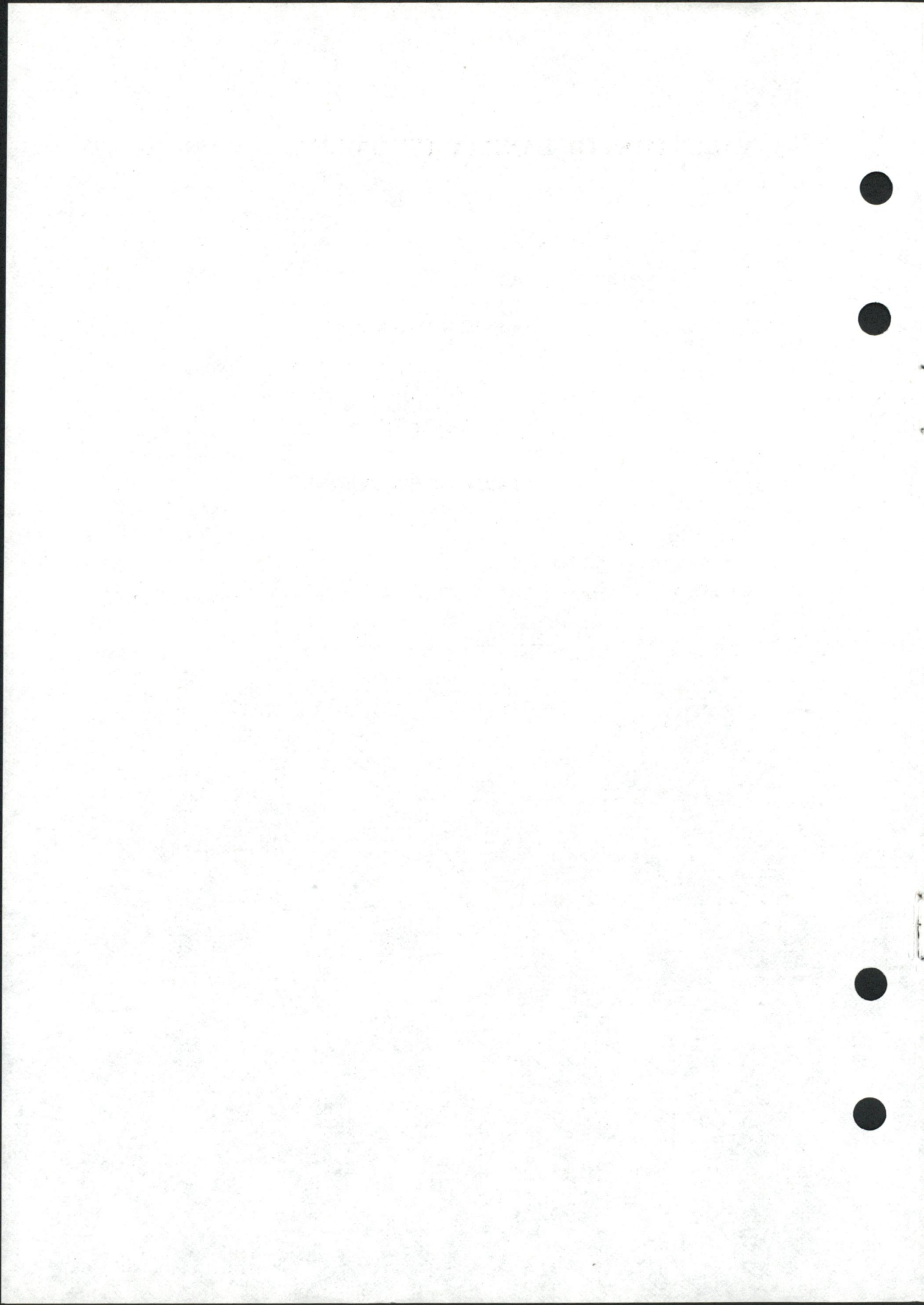
NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 2, 1916

SCHEDULE 1—AMENDMENTS TO THE VALUATION OF LAND ACT 1916



VALUATION OF LAND (AMENDMENT) ACT 1986 No. 173

NEW SOUTH WALES



Act No. 173, 1986

An Act to amend the Valuation of Land Act 1916 with respect to the making of certain valuations, the determination of certain valuation details and the furnishing of valuation lists. [Assented to 17 December 1986]

Valuation of Land (Amendment) 1986

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 "Valuation of Land (Amendment) Act 1986".

Amendment of Act No. 2, 1916

2. The Valuation of Land Act 1916 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE VALUATION OF LAND ACT 1916

(1) Section 7D (**Valuer-General not required to determine certain valuations, etc.**)—

(a) Section 7D (2A)—

After section 7D (2), insert:

(2A) The Valuer-General is not required, in relation to a rating or taxing authority—

(a) to make a valuation of any land or stratum or to determine an allowance under section 58, 58A or 58AA, an apportionment factor under section 58B or a rating base factor under section 58D or 58E in respect of any land or stratum; or

Valuation of Land (Amendment) 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE VALUATION OF LAND ACT 1916—
continued

- (b) to comply with any other provision of this Act or any other law with respect to such a valuation, allowance, apportionment factor or rating base factor,

if it appears to the Valuer-General, at the time at which the valuation, allowance, apportionment factor or rating base factor would otherwise be made or determined, that the valuation, allowance, apportionment factor or rating base factor would not, at any time, be used for the purpose of any rate or tax which may be made by or payable to the authority.

- (b) Section 7D (3)—

After “authority”, insert “or a valuation, allowance, apportionment factor or rating base factor to which subsection (2A) applies”.

- (2) Section 49A—

After section 49, insert:

Partial lists

49A. (1) If, under section 7D, the Valuer-General decides not to make a valuation of any land or stratum or to determine an allowance under section 58, 58A or 58AA, an apportionment factor under section 58B or a rating base factor under section 58D or 58E in respect of any land or stratum, the Valuer-General may decide to furnish to a rating or taxing authority, at such time or times as may be determined by the Valuer-General, a list which contains only—

- (a) a valuation, allowance, apportionment factor or rating base factor—
- (i) that has been made or determined since the last such valuation, allowance, apportionment factor or rating base factor made or determined in respect of the land or stratum was furnished to the authority (whether in a valuation list, a supplementary list or a list under this section); and

Valuation of Land (Amendment) 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE VALUATION OF LAND ACT 1916—
continued

- (ii) that may be used for the purpose of a rate or tax made by or payable to the authority; and
 - (b) such other particulars as the Valuer-General considers necessary.
 - (2) A list under this section may relate to part only of an area or district and may contain valuations, allowances, apportionment factors and rating base factors determined as at different dates.
 - (3) Without limiting section 7D, the Valuer-General is not required to comply with section 48 or 49 if the Valuer-General decides to furnish a list or lists under this section.
 - (4) A list under this section shall be a valuation list or supplementary list for the purposes of this Act (sections 48 and 49 excepted).
- (3) Section 53 (**Lists to be valuation book of authority**)—
- Omit “by a fresh complete list”, insert instead “, in whole or part, by a subsequent list”.

