

**LOCAL GOVERNMENT (RATING) FURTHER AMENDMENT
ACT 1989 No. 157**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Principal Act
4. Validation of general purpose rates for 1989
5. Determination of notional rate income of a council for 1989 for the purpose of making general purpose rates for 1990
6. Amendment of Local Government Act 1919 No. 41

SCHEDULE 1 - AMENDMENTS

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**LOCAL GOVERNMENT (RATING) FURTHER AMENDMENT
ACT 1989 No. 157**

NEW SOUTH WALES



Act No. 157, 1989

An Act to validate the making of certain local government rates for 1989; to make provision with respect to the making of local government rates for 1990; to amend the Local Government Act 1919; and for other purposes. [Assented to 12 December 1989]

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Local Government (Rating) Further Amendment Act 1989.

Commencement

2. This Act commences on the date of assent.

Principal Act

3. (1) The Local Government Act 1919 is referred to in this Act as the Principal Act.

(2) This Act is to be construed with, and as if it formed part of, the Principal Act.

Validation of general purpose rates for 1989

4. Each general purpose rate made by a council for 1989 (being a rate purporting to have been made before 1 April 1989) is to be taken to have been validly made.

Determination of notional rate income of a council for 1989 for the purpose of making general purpose rates for 1990

5. In determining the notional rate income of a council for 1989 under section 131A of the Principal Act, section 131A (1A) of that Act is to be read as if, at the time at which the general purpose rates for 1990 are made, it were in the following terms:

(1A) The notional rate income of a council for 1989 is the amount that would have been derived if the same general purpose rates and the same minimum amounts of general purpose rates as were made or specified for 1989 were made or specified for that year in respect of:

- (a) the valuations or rating base factors, as the case may be, used by the council for the making and levying of general purpose rates for 1989 (not including valuations of those parcels of ratable land for which supplementary valuations referred to in paragraph (b) have been furnished); and
- (b) supplementary valuations having the same base date as those valuations or rating base factors, as the case may be,

- and which were furnished to the council under the Valuation of Land Act 1916 during 1989; and
- (c) any estimates of increase in value which are provided to the council under section 131AA in respect of 1989.

Amendment of Local Government Act 1919 No. 41

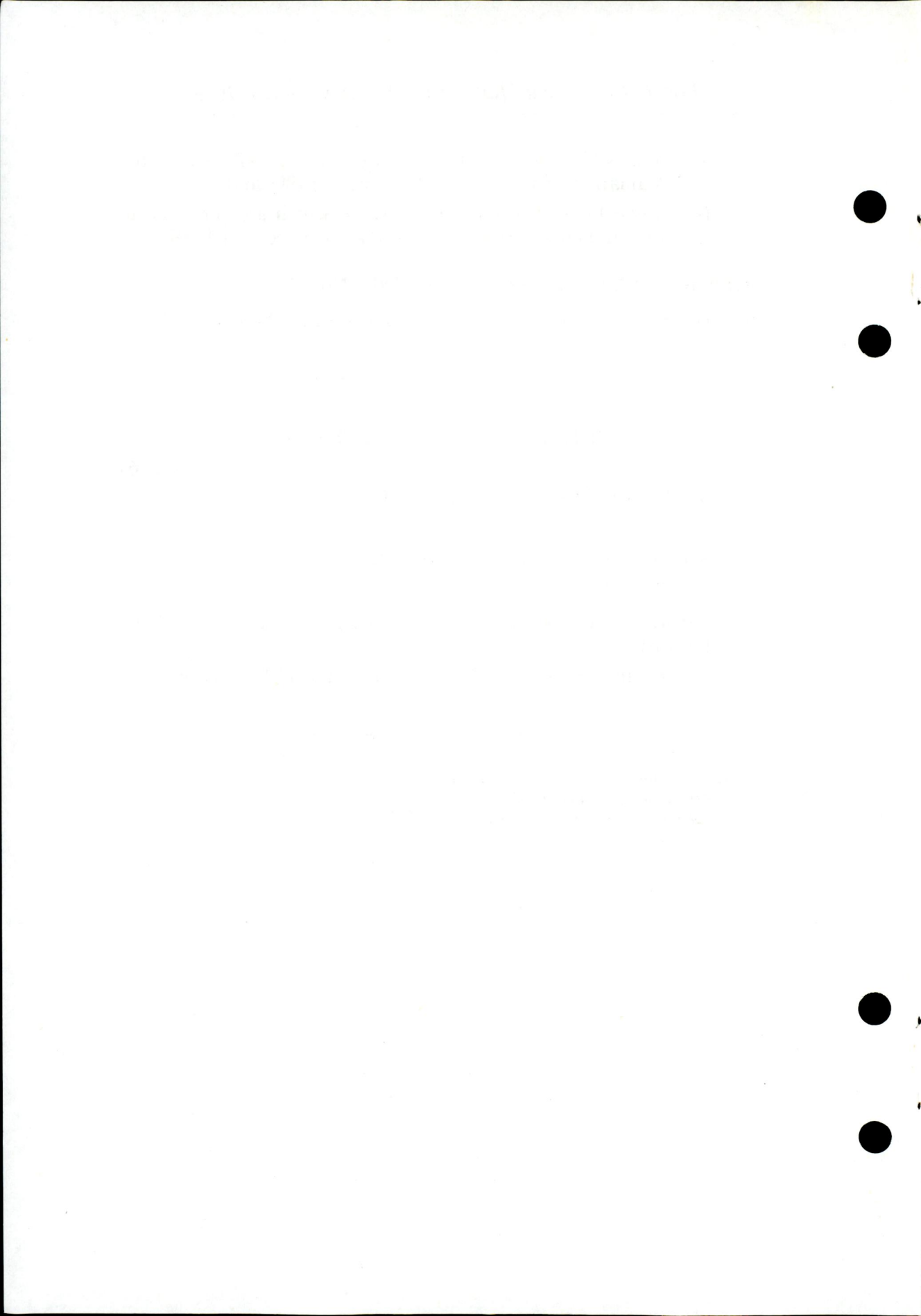
6. The Principal Act is amended as set out in Schedule 1.

SCHEDULE 1 - AMENDMENTS

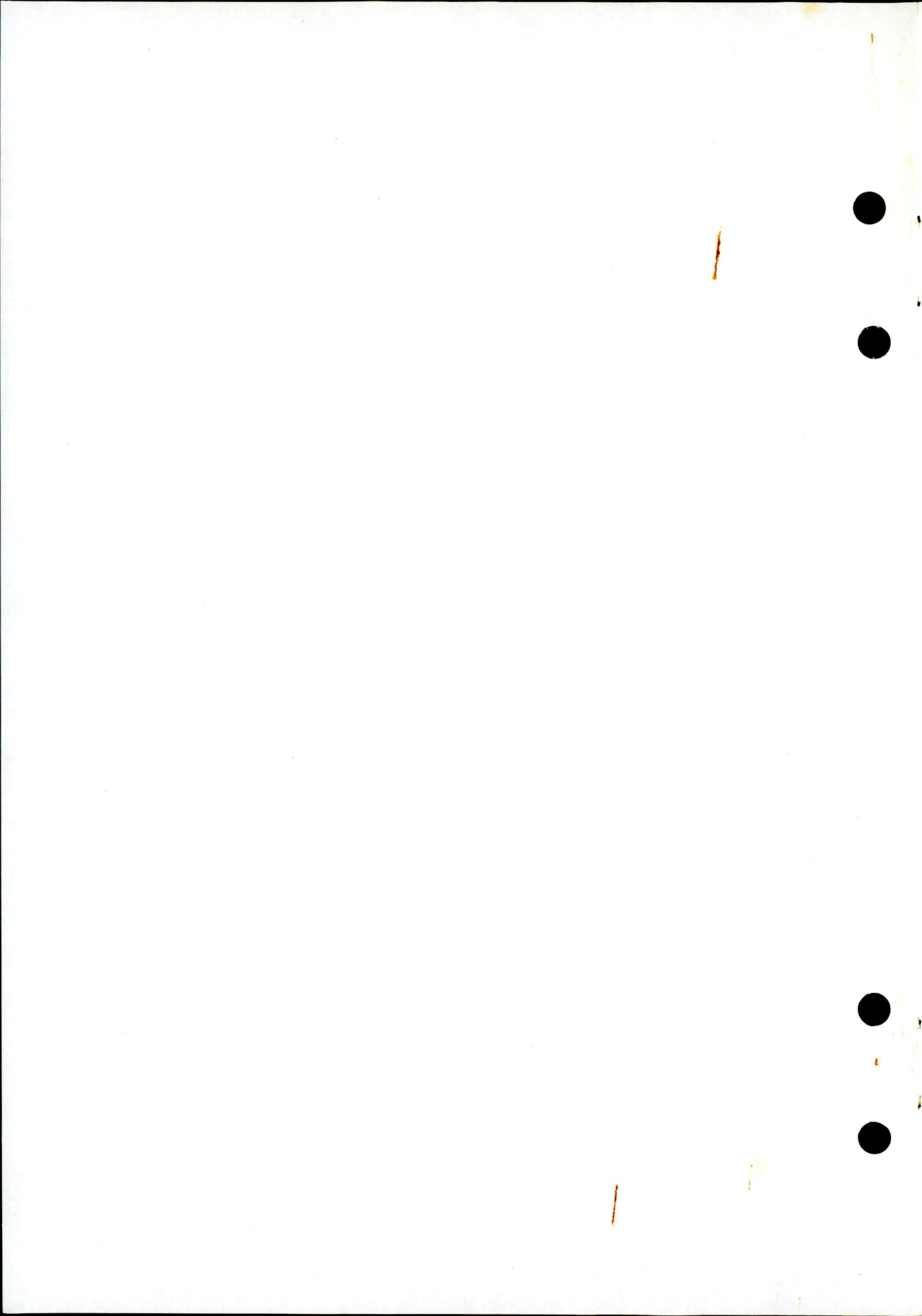
(Sec. 6)

- (1) Section 134 (**Valuation as basis of rate**):
Omit section 134 (1C).
- (2) Section 134A (**Use of rating base factors**):
Omit the section.
- (3) Section 160E (**Rating of certain classes of lease from the Crown**):
From section 160E (5), omit "(section 134A excepted)".

[*Minister's second reading speech made in -
Legislative Assembly on 22 November 1989
Legislative Council on 23 November 1989*]







FIRST PRINT

**LOCAL GOVERNMENT (RATING) FURTHER AMENDMENT
BILL 1989**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The objects of this Bill are:

- (a) to validate general purpose rates made by local government councils for 1989; and
- (b) to specify the basis on which the notional rate income of a council for 1989 is to be calculated for the purpose of enabling the council to determine its general purpose rates for 1990; and
- (c) to abolish the use of rating base factors in making and levying rates.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on the date of assent.

Clause 3 provides that the Local Government Act 1919 is to be referred to in the proposed Act as the Principal Act and that the proposed Act is to be read with, and as if it formed part of, the Principal Act.

Clause 4 validates general purpose rates made by councils for 1989.

Clause 5 enables the determination of the notional rate income of a council in 1989 (which is to be used for the purpose of determining the amount which may be raised from general purpose rates in 1990) by reference to the valuations or rating base factors actually used by the council for 1989.

Clause 6 is a formal provision which gives effect to the schedule of amendments to the Local Government Act 1919.

Local Government (Rating) Further Amendment 1989

SCHEDULE 1 - AMENDMENTS

Schedule 1 (2) repeals section 134A thereby abolishing the use of rating base factors from local government rating.

Schedule 1 (1) and (3) make consequential amendments.

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**LOCAL GOVERNMENT (RATING) FURTHER AMENDMENT
BILL 1989**

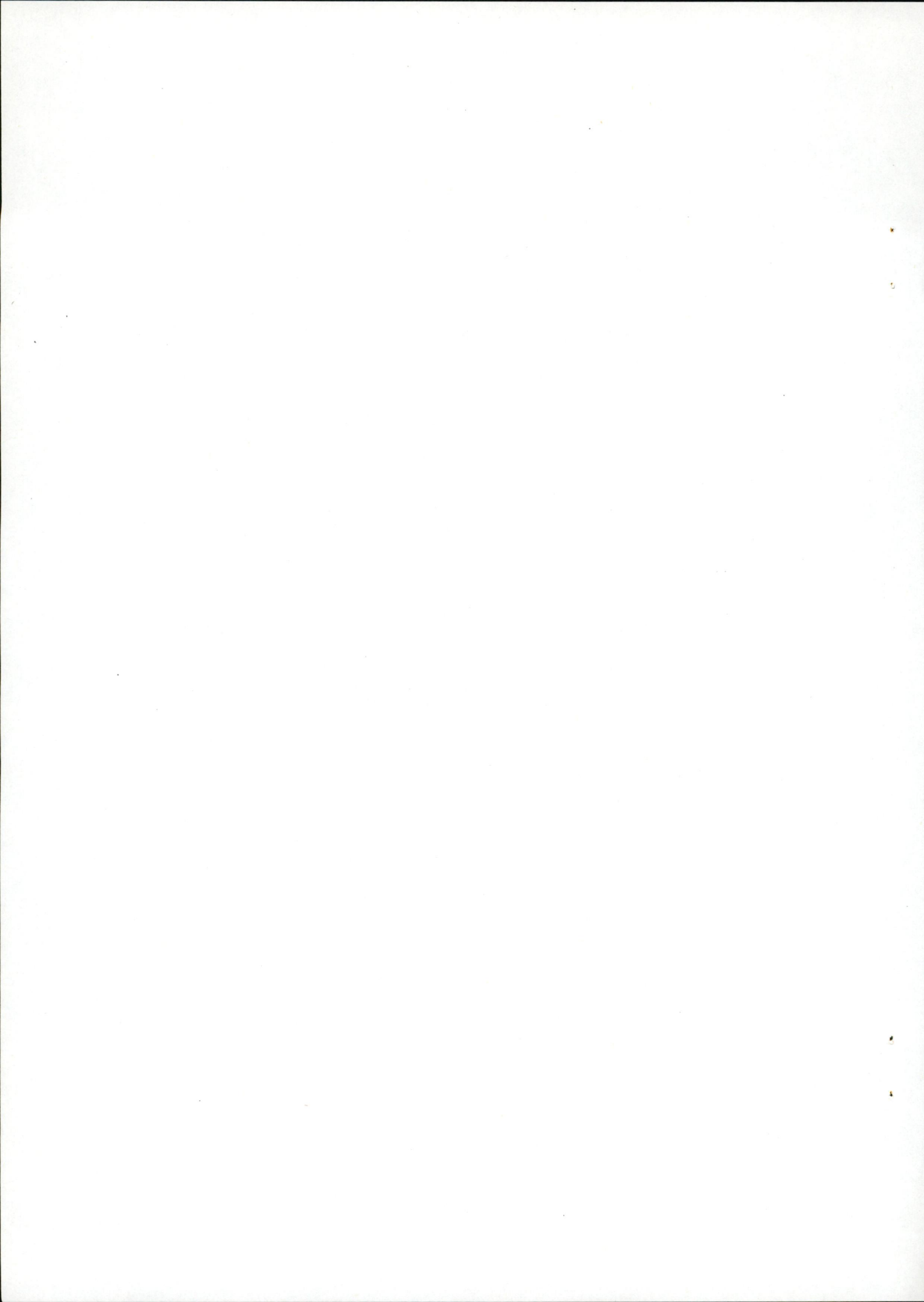
NEW SOUTH WALES



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SCHEDULE 1 - AMENDMENTS



**LOCAL GOVERNMENT (RATING) FURTHER AMENDMENT
BILL 1989**

NEW SOUTH WALES



No. , 1989

A BILL FOR

An Act to validate the making of certain local government rates for 1989; to make provision with respect to the making of local government rates for 1990; to amend the Local Government Act 1919; and for other purposes.

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Local Government (Rating) Further Amendment Act 1989.

Commencement

2. This Act commences on the date of assent.

Principal Act

3. (1) The Local Government Act 1919 is referred to in this Act as the Principal Act.

(2) This Act is to be construed with, and as if it formed part of, the Principal Act.

Validation of general purpose rates for 1989

4. Each general purpose rate made by a council for 1989 (being a rate purporting to have been made before 1 April 1989) is to be taken to have been validly made.

Determination of notional rate income of a council for 1989 for the purpose of making general purpose rates for 1990

5. In determining the notional rate income of a council for 1989 under section 131 A of the Principal Act, section 131 A (1A) of that Act is to be read as if, at the time at which the general purpose rates for 1990 are made, it were in the following terms:

(1A) The notional rate income of a council for 1989 is the amount that would have been derived if the same general purpose rates and the same minimum amounts of general purpose rates as were made or specified for 1989 were made or specified for that year in respect of:

- (a) the valuations or rating base factors, as the case may be, used by the council for the making and levying of general purpose rates for 1989 (not including valuations of those parcels of ratable land for which supplementary valuations referred to in paragraph (b) have been furnished); and
- (b) supplementary valuations having the same base date as those valuations or rating base factors, as the case may be,

Local Government (Rating) Further Amendment 1989

and which were furnished to the council under the Valuation of Land Act 1916 during 1989; and

- (c) any estimates of increase in value which are provided to the council under section 131AA in respect of 1989.

Amendment of Local Government Act 1919 No. 41

6. The Principal Act is amended as set out in Schedule 1.

SCHEDULE 1 - AMENDMENTS

(Sec. 6)

- (1) **Section 134 (Valuation as basis of rate):**
Omit section 134 (1C).
- (2) **Section 134A (Use of rating base factors):**
Omit the section.
- (3) **Section 160E (Rating of certain classes of lease from the Crown):**
From section 160E (5), omit "(section 134A excepted)".
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