

AGRICULTURAL PESTS DESTRUCTION AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Agricultural Pests Destruction Act 1967.

Clause 1 relates to the Short Title.

Clause 2 consolidates and amends section 71 of the principal Act relating to general rates.

The amendment allows the general rate to be levied on the basis of the use or uses to which a ratepayer's property is put.

Clause 3 inserts a new section 71C in the principal Act.

The new section provides for the levying of a works rate for the purpose of—

- (a) Undertaking any pest destruction function or work; or
- (b) Providing any pest destruction service; or
- (c) Contributing to any such function, work, or service—

for the benefit of all or part of the district.

The works rate may be levied as a uniform rate or on a differential basis.

Clause 4 amends section 72 of the principal Act relating to the levying of differential rates.

Subclause (1) empowers Boards to levy the works rate on a differential basis.

Subclause (2) provides that, in classifying land for the purposes of differential rating, Boards are to have regard to the use or uses to which different pieces of land are put.

Clauses 5 and 6 consequentially amend 2 cross-references.

Clause 7 repeals redundant provisions of the principal Act relating to rating on a stock-carrying basis and changing the basis of rating.

Hon. Colin Moyle

AGRICULTURAL PESTS DESTRUCTION AMENDMENT

ANALYSIS	
Title	
1. Short Title	
2. General rate	
3. Works rate	
4. Power to levy differential rates	
5. Administrative rate	
	6. Separate rates for destruction of pests of local importance
	7. Repealing provisions relating to rating on stock-carrying basis, etc.

A BILL INTITULED

An Act to amend the Agricultural Pests Destruction Act 1967

BE IT ENACTED by the General Assembly of New Zealand in
5 Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Agricultural Pests Destruction Amendment Act 1986, and shall be read together with and deemed part of the Agricultural Pests
10 Destruction Act 1967* (hereinafter referred to as the principal Act).

2. General rate—(1) The principal Act is hereby amended by repealing section 71, and substituting the following section:
15 “71. (1) For the purposes of its general revenue the Board may from time to time, as it thinks fit, make and levy a general rate on all rateable property within its district on the basis of—
“*(a)* The land value of the ratepayers’ land; or
“*(b)* The annual value or the capital value of the ratepayer’s land; or
20 “*(c)* The area of land occupied by the ratepayer.

*1967, No. 147

Amendments: 1968, No. 65; 1972, No. 45; 1974, No. 62; 1975, No. 59; 1977, No. 141; 1979, No. 62; 1980, No. 80; 1982, No. 141

“(2) Where in any financial year any area is added to the district after the Board has made its general rate for that year, the Board may make and levy, for such part of that year as is unexpired at the time of the addition of the area, a general rate on all rateable property within the added area: 5

“Provided that—

“(a) Subject to the provisions of the Rating Act 1967, the amount demanded from and payable by any ratepayer for any rate levied pursuant to this subsection shall not exceed such proportion of the 10 amount that would have been payable by him if he were liable for the general rate for the whole of the year as the said unexpired part of the year bears to the whole of the year:

“(b) No rate under this subsection shall be levied on any 15 rateable property that, before its addition to the district, formed part of any other district and that is liable for any general rate made for that year by the Board of that other district.

“(3) Where the general rate is levied on the basis of the area 20 of land occupied by the ratepayer or of the use or uses to which the ratepayer’s property is put, section 51 of the Rating Act 1967 shall be read as if paragraphs (b) and (d) were repealed, and the following paragraphs were substituted:

“(b) That the rate be of a stated amount for each specified 25 area of land in each class of land classified as rateable which is comprised in the property as appearing in the valuation roll:

“(d) Where the total amount of rates due by any one ratepayer would be less than \$5, the ratepayer shall 30 be rated at \$5.”

(2) The following enactments are hereby consequentially repealed:

(a) Section 6 of the Agricultural Pests Destruction 35 Amendment Act 1980:

(b) Section 3 of the Agricultural Pests Destruction Amendment Act 1982.

3. Works rate—The principal Act is hereby amended by inserting, after section 71B, the following section:

“71C. (1) Subject to this Act, for the purpose of— 40

“(a) Undertaking any pest destruction function or work; or

“(b) Providing any pest destruction service; or

“(c) Contributing to any such function, work, or service—

for the benefit of all or part of the district, the Board may from time to time, by resolution, make and levy, as a separate rate, a works rate of such amount as is specified in the resolution in respect of that function, work, or service on every separately rateable property within—

- 5 “(d) The district, where the function, work, or service will benefit the district as a whole; or
“(e) The part of the district which will benefit, where the function, work, or service will benefit only part of
10 the district.
“(2) Every works rate may be made and levied—
“(a) As a uniform rate; or
“(b) On a differential basis in accordance with section 72 of this Act.”

15 **4. Power to levy differential rates**—(1) Section 72 of the principal Act (as substituted by section 7 of the Agricultural Pests Destruction Amendment Act 1980) is hereby amended—

- (a) By inserting in subsections (1), (4), (5), and (6), after the words “general rate”, the words “or any works
20 rate”;
(b) By omitting from subsection (15) the expression “(5)”, and substituting the expression “(2)”.

(2) Section 72 (3) of the principal Act (as so substituted) is hereby amended by inserting, after paragraph (d), the
25 following paragraph:

“(da) The use or uses to which different pieces of land are put:”.

5. Administrative rate—Section 72A (3) of the principal Act (as inserted by section 8 of the Agricultural Pests Destruction
30 Amendment Act 1980) is hereby amended by omitting the words “Subsections (2) to (6) of section 71”, and substituting the words “Section 71 (2) and (3)”.

6. Separate rates for destruction of pests of local importance—Section 73 of the principal Act is hereby
35 amended by omitting the words “subsections (2) to (5) of section 71”, and substituting the expression “section 71 (2)”.

7. Repealing provisions relating to rating on stock-carrying basis, etc.—(1) Section 78 of the principal Act is hereby amended by repealing subsections (3) to (5).

(2) The Agricultural Pests Destruction Amendment Act 1974 is hereby amended by repealing so much of the Schedule as relates to section 78 of the principal Act.

(3) Section 79 of the principal Act is hereby repealed.