

[AS REPORTED FROM THE INTERNAL AFFAIRS AND LOCAL  
GOVERNMENT COMMITTEE]

*House of Representatives, 20 February 1991.*

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

*Margaret Moir*

**GREYMOUTH HARBOUR BOARD (VALIDATION OF  
RATES)**

[LOCAL]

ANALYSIS

Title  
Preamble  
1. Short Title

2. Validation of rates  
Schedules

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A BILL INTITULED

**An Act to make provision for the validation of certain rates purported to have been made and levied by the Greymouth Harbour Board**

- 5 WHEREAS the Greymouth Harbour Board (hereinafter referred to as the Board) was, by virtue of section 3 (3) of the Greymouth Harbour Board Amendment Act 1920, empowered by section 123 of the Harbours Act 1950 to pass a special resolution, which resolution was required to be confirmed not  
10 earlier than 6 clear days after the resolution was passed, directing that a rate be made and levied within the Board's rating area: And whereas by section 124 of that Act the Board was required to fix the amount in the dollar for such rate and cause a copy of the special resolution to be forwarded to each  
15 local authority within the limits of whose jurisdiction the Board's rating area is situated: And whereas on the 19th day of March 1984 the Board purported to pass and on the 4th day of

No. 40—2

Price  
incl. GST \$2.20

April 1984 purported to confirm such a special resolution but the High Court has now declared that no valid direction has been given by the Board in terms of section 123 and section 124 of that Act in relation to the financial year commencing on the 1st day of April 1984 and ending with the 31st day of March 1985: And whereas on the 4th day of June 1985 the Board purported to pass and on the 15th day of July 1985 purported to confirm such a special resolution pursuant to section 123 of that Act directing that rates be made and levied for the financial year commencing on the 1st day of April 1985 and ending with the 31st day of March 1986: And whereas there are doubts as to whether the special resolution so passed and confirmed in 1985 is adequate for the purposes of section 123 and section 124 of that Act: And whereas with the exception of the Westland County Council and the Inangahua County Council all other appropriate local authorities have *(either)* made, levied, and collected the Board's rates for the financial years in question *(or have arranged to do so)*: And whereas it is desirable to validate the said resolutions and the making, levying, and collection of the said rates, and to make other provisions in relation thereto:

BE IT THEREFORE ENACTED by the Parliament of New Zealand as follows:

**1. Short Title**—This Act may be cited as the Greymouth Harbour Board (Validation of Rates) Act 1990.

**2. Validation of rates**—The said special resolutions of the Board dated the 19th day of March 1984 and the 4th day of June 1985 and confirmed on the 4th day of April 1984 and the 15th day of July 1985, respectively, are hereby validated and declared to have been lawfully passed, notwithstanding that the special resolutions were not passed pursuant to section 123 and section 124 of the Harbours Act 1950; and these resolutions shall be deemed to be the resolutions set out in the **First** and **Second** Schedules to this Act, respectively.

*New*

**3. Rates resolutions not to apply in respect of former Inangahua County and former Westland County**—Notwithstanding anything in **section 2** of this Act or in the resolutions to which that section applies, the said resolutions

*New*

shall be deemed not to apply, and never to have applied, in respect of any part of the districts over which the former Inangahua County Council and the former Westland County Council had jurisdiction on the 31st day of October 1989.

**4. Validation of collection of rates, etc.**—(1) The actions of—

- (a) The former Greymouth Borough Council; and
- (b) The former Hokitika Borough Council; and
- (c) The former Runanga Borough Council; and
- (d) The former Grey County Council—

in making, levying, and collecting rates in accordance with the resolutions referred to in **section 2** of this Act, and in paying those rates to the Greymouth Harbour Board, are hereby validated and declared to have been lawful.

(2) All money received by—

- (a) Any Council referred to in **subsection (1)** of this section; or
- (b) The Grey District Council; or
- (c) The Buller District Council; or
- (d) The Westland District Council—

in payment of the said rates is hereby declared to have been lawfully paid to and received by it.

(3) All money received by the Grey District Council (as the successor to the Greymouth Harbour Board) from the Buller District Council or the Westland District Council in payment of the said rates is hereby declared to have been lawfully paid to and received by it.

(4) Such part of the said rates, including any penalty on any unpaid part of the said rates, as has not yet been paid to any Council referred to in **subsection (2)** of this section is hereby declared to be lawfully payable to, and capable of being collected by—

- (a) The Grey District Council; or
- (b) The Buller District Council; or
- (c) The Westland District Council—

as the case may require, as if it had always been lawfully payable.

(5) All money received by the Buller District Council or the Westland District Council in accordance with **subsection (4)** of this section shall as soon as practicable be paid to the Grey

*New*

District Council (as the successor to the Greymouth Harbour Board).

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## SCHEDULES

**Section 2****FIRST SCHEDULE****SPECIAL RESOLUTION REGARDING RATES FOR YEAR ENDING 31 MARCH 1985**

The Greymouth Harbour Board, being empowered by section 3 of the Greymouth Harbour Board Amendment Act 1920 does now hereby direct, pursuant to section 123 of the Harbours Act 1950, that a rate of 0.05 cents in the dollar on the capital value of all rateable property in the Harbour District, or its equivalent on the unimproved value or annual value, be made, levied, and collected on behalf of the Greymouth Harbour Board for the first year commencing on the 1st day of April 1984 and ending with the 31st day of March 1985. Such rates are specifically to be made, levied, and collected by the local authorities within the Harbour District in the following percentages calculated with reference to Part IX of the Rating Act 1967 with the yields specified:

Local Authority	Equalized Percentage	Rateable Capital Value \$	Yield Required \$
Greymouth Borough Council	0.05490363	80,511,000	44,204
Grey County Council	0.6601721	75,347,270	49,760
Hokitika Borough Council	0.04523462	45,624,250	20,638
Inangahua County Council	0.04177846	42,480,580	17,748
Runanga Borough Council	0.04155468	9,375,100	3,896
Westland County Council	0.0419707	119,102,240	49,988
		<b>TOTAL</b>	<b>\$186,234</b>

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## SECOND SCHEDULE

## Section 2

## SPECIAL RESOLUTION REGARDING RATES FOR YEAR ENDING 31 MARCH 1986

The Greymouth Harbour Board, being empowered by section 3 of the Greymouth Harbour Board Amendment Act 1920, does now hereby direct, pursuant to section 123 of the Harbours Act 1950, that a rate of 0.05 cents in the dollar on the capital value of all rateable property in the Harbour District, or its equivalent on the unimproved value of annual value, be made, levied, and collected on behalf of the Greymouth Harbour Board for the first year commencing on the 1st day of April 1985 and ending with the 31st day of March 1986. Such rates are specifically to be made, levied, and collected by the local authorities within the Harbour District in the following percentages calculated with reference to Part IX of the Rating Act 1967 with the yields specified:

Local Authority	Equalized Percentage	Rateable Capital Value \$	Yield Required \$
Greymouth Borough Council	0.0448494	117,899,870	51,698
Grey County Council	0.0438695	152,873,820	67,065
Hokitika Borough Council	0.0499242	46,407,950	23,169
Inangahua County Council	0.0451593	42,833,880	19,343
Runanga Borough Council	0.0485191	9,393,800	4,558
Westland County Council	0.0453220	124,296,440	56,335
		TOTAL	<u>\$222,168</u>