

Mr Kidd

**MARLBOROUGH COUNTY COUNCIL EMPOWERING
AMENDMENT**

[Local]

ANALYSIS

Title	3. New proviso relating to uniform annual general charge
Preamble	4. Power to increase uniform general charge and to restrict application of charge to each property
1. Short Title	
2. Interpretation	

A BILL INTITULED

**An Act to amend the administrative rating provisions of
the Marlborough County Council Empowering Act 1965
in the administrative rating area within the County of
5 Marlborough to take into account the effect of the
uniform annual general charge levied in the Kenepuru
and Croixelles - French Pass Divisions of the county,
apart from the administrative rating area, and to
provide for a relationship between future increases of
10 rates elsewhere within the Kenepuru and Croixelles -
French Pass Divisions of the county and within the
administrative rating area**

WHEREAS the Marlborough County Council Empowering Act
1965 empowered the Marlborough County Council to levy an
15 administrative rate within those portions of the Marlborough
Sounds known as the administrative rating area as defined in
that Act subject to the proviso that the amount of the
administrative rate in the dollar of rateable value made and
levied in each rating year was not to exceed an amount equal
20 to 10 percent of the general rate made and levied in the dollar
of rateable value in the Kenepuru and Croixelles - French Pass

No. 32—1

Divisions of the county: And whereas the amount previously raised by general rate in the Kenepuru and Croixelles · French Pass Divisions of the county is now levied by a combination of general rate and uniform annual general charge: And whereas the Act makes provision for a fixed uniform general charge to be made and levied in addition to the restricted rate in the administrative rating area: And whereas it is desirable that the said uniform general charge should increase in relationship to any increase in the level of other general rate and uniform annual general charges increases within the Kenepuru and Croixelles · French Pass Divisions of the county: And whereas it is desirable to limit the uniform general charge to an assessment for each rateable property rather than for each rateable assessment:

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

1. Short Title—This Act may be cited as the Marlborough County Council Empowering Amendment Act 1983.

2. Interpretation—In this Act, unless the context otherwise requires,—

“The Act” means the Marlborough County Council Empowering Act 1965:

“Administrative rating area” means that portion of the County in which the administrative rate under the Act was made and levied in the year immediately preceding commencement of the Act by the Marlborough County Council pursuant to the provisions of the Act; and includes also those areas subsequently included in the administrative rating area pursuant to the provisions of section 5 of the Act:

“Council” means the Marlborough County Council:

“Separately rateable property” means any property in the district which is shown as rateable land in a valuation assessment issued under the Valuation of Land Act 1951.

3. New proviso relating to uniform annual general charge—Section 3 (a) of the Act is hereby amended by repealing the proviso, and substituting the following proviso:

“Provided that the amount of the administrative rate in the dollar of rateable value made and levied in each rating year shall not exceed an amount equal

5 to 10 percent of the total amount of general purpose rates and uniform annual general charges made and levied in the Kenepuru and Croixelles - French Pass Divisions of the county under Part IX of the Local Government Act 1974.”

4. Power to increase uniform general charge and to restrict application of charge to each property—(1) Section 4 of the Act (as added by section 4 of the Marlborough County Council Empowering Amendment Act 1980) is hereby amended 10 by repealing subsection (1), and substituting the following subsections:

15 “(1) Notwithstanding anything contained in any other Act, the Council may by resolution make and levy a uniform general charge, to be known as the administrative uniform general 15 charge, in each year on every separately rateable property within the administrative rating area.

20 “(1A) The amount of such administrative uniform general charge may be increased annually from and including the rating year ending with the 31st day of March 1985 either by a percentage increase over the previous year’s administrative uniform general charge of 15 percent or by the percentage increase from the preceding year in the total amount of the general rate and uniform annual general charges made and 25 levied in the Kenepuru and Croixelles - French Pass Divisions of the County, whichever is the lesser.

“ (1B) Where any 2 or more separately rateable properties are—

“ (a) Occupied by the same ratepayer; and

“ (b) Used jointly as a single property; and

30 “ (c) Contiguous, or separated only by a road, drain, water-race, river, or stream—

they shall be deemed to be one property for the purposes of the making and levying of any administrative uniform general charge under **subsection (1)** of this section.”