

[AS REPORTED FROM THE JUSTICE AND LAW REFORM
COMMITTEE]

House of Representatives, 11 July 1989.

Words struck out are shown with black rule at beginning and after last line; words inserted are shown with single rule before first line and after last line.

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]

House of Representatives, 10 October 1989.

Words struck out are shown with double black rule at beginning and after last line; words inserted are shown with double rule before first line and after last line.

[Clauses 170 to 171 of this Bill were formerly clauses 170 to 171 of the Law Reform (Miscellaneous Provisions) Bill: 122-2]

Hon. W. P. Jeffries

RATING POWERS AMENDMENT (NO. 2)

ANALYSIS

Title	170. Correcting drafting errors
1. Short Title	170A. Amending Fourth Schedule
	171. Amending Fifth and Sixth Schedules

A BILL INTITULED

An Act to amend the Rating Powers Act 1988

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

5 **1. Short Title**—(1) This Act may be cited as the Rating Powers Amendment Act (No. 2) 1989, and shall be read together with and deemed part of the Rating Powers Act 1988 (hereinafter referred to as the principal Act).

170. Correcting drafting errors—(1) Section 47 (1) (d) of the principal Act is hereby amended by inserting, after the 10 words “The Dunedin Drainage”, the word “and”.

No. 122—3ZP

Price
incl. GST \$2.20

New

(1A) Section 129 (7) of the principal Act is hereby amended by omitting the word “and”, and substituting the word “of”.

(2) Section 175 (2) (b) of the principal Act is hereby amended by omitting the words “commercial or industrial”, and substituting the word “residential”. 5

(3) Section 209 (2) of the principal Act is hereby amended by omitting the expression “(2) and (3)”, and substituting the expression “(1) to (3)”.

(4) Section 210 of the principal Act is hereby amended by omitting from subsection (1), and also from subsection (2) (a), 10 the expression “1987”, and substituting in each case the expression “1988”.

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(5) **Subsection (1)** of this section shall come into force on the 1st day of April 1989.

New

(5) **Subsections (1) and (1A)** of this section shall be deemed to 15 have come into force on the 1st day of April 1989.

(6) **Subsections (2) to (4)** of this section shall be deemed to have come into force on the 29th day of June 1988.

New

170A. Amending Fourth Schedule—(1) Form 3 in the Fourth Schedule to the principal Act is hereby amended by 20 inserting in paragraph 11, after the words “may be applied cumulatively”, the words “again on the 1st day of April next following and thereafter”.

(2) Form 4 in the Fourth Schedule to the principal Act is hereby amended by inserting in paragraph 10, after the words 25 “may be applied cumulatively”, the words “again on the 1st day of April next following and thereafter”.

171. Amending Fifth and Sixth Schedules—(1) The Fifth Schedule to the principal Act is hereby amended—

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- 5 (a) By repealing so much of that Schedule as relates to the definition of the term “ratepayer” in, and to section 3 (b) (iv) of, the Electric Power Boards Act 1925:

New

- (a) By repealing the first and second items relating to the Electric Power Boards Act 1925:
- (b) By repealing so much of that Schedule as relates to section 128 of the Soil Conservation and Rivers Control Act 1941:
- 10 (c) By omitting from the items relating to the Agricultural Pests Destruction Act 1967 the words “sections 186 and 188” wherever they occur, and substituting in each case the words “section 186 (3) (c) and section 188 (1)”:
- 15 (d) By omitting from the item relating to section 59 (2) of the Agricultural Pests Destruction Act 1967 the expression “section 187”, and substituting the expression “section 188”:
- 20 (e) By inserting, after the item relating to section 108 (2) of the Agricultural Pests Destruction Act 1967 and before the items relating to the Rates Rebate Act 1973, the following item:
- 25 “By omitting from section 108 (2) the words “without considering whether alienation of the land concerned would facilitate the payment of future rates on the land and.””
- (f) By inserting in the item relating to section 8 (1) of the Rates Rebate Act 1973, after the words “by instalments pursuant to”, the words “section 124 or”:
- 30 (g) By omitting from the item relating to section 676 of the Local Government Act 1974 the expression “and (4),”:

(h) By omitting from the item relating to section 10 of the Urban Transport Act 1980 the expression “section 33”, and substituting the expression “section 34”.

(2) The Sixth Schedule to the principal Act is hereby amended— 5

(a) By inserting, in their appropriate chronological order, the following items:

“1937, No. 12 (Local)—The Thames Valley Drainage Board Empowering Act 1937. 10

“1952, No. 38—The Soil Conservation and Rivers Control Amendment Act 1952: Sections 7 to 13, 15, and 18 (R.S. Vol. 17, p. 755).

“1954, No. 80—The Soil Conservation and Rivers Control Amendment Act 1954: Section 2 (R.S. Vol. 17, p. 757). 15

“1960, No. 89—The Soil Conservation and Rivers Control Amendment Act 1960 (R.S. Vol. 17, p. 768). 20

“1961, No. 101—The Soil Conservation and Rivers Control Amendment Act 1961: Section 2 (2) (R.S. Vol. 17, p. 769). 25

“1962, No. 125—The Soil Conservation and Rivers Control Amendment Act 1962: Section 8 (R.S. Vol. 17, p. 769).

“1964, No. 10 (Local)—The Thames Valley Drainage Board Empowering Act 1964. 30

“1967, No. 32—The Soil Conservation and Rivers Control Amendment Act 1967: Sections 5 to 7 (R.S. Vol. 17, p. 772). 35

“1970, No. 124—The Local Legislation Act 1970: Section 23.

“1974, No. 29—The Rates Rebate Amendment Act 1974: Section 2 (2). 40

“1977, No. 122—The Local Government Amendment Act (No. 3) 1977: So much of sections 2 and 7 (1) as relate to Part IX, sections 165 to 176, and 178 45

- of, and the Fifth Schedule to,
the Local Government Act
1974.
- 5 “1979, No. 9 (Local)—The Thames Valley
Drainage Board Empowering
Amendment Act 1979.
- “1980, No. 82—The Local Government
Amendment Act 1980:
Sections 15 to 25 and 57.
- 10 “1983, No. 132—The Local Government
Amendment Act 1983:
Sections 6 to 11.
- “1985, No. 60—The Local Government
Amendment Act 1985:
Sections 12 to 15.
- 15 “1988, No. 48—The Soil Conservation and Rivers
Control Amendment Act
1988: Section 47.”:
- 20 (b) By omitting from the item commencing “1922, No. 5”
the expression “12 and 13”, and substituting the
expression “12 to 14 and 16”:
- (c) By omitting the item commencing “1922, No. 50”, and
substituting the following item:
- 25 “1922, No. 50—The Reserves and other Lands
Disposal and Public Bodies
Empowering Act 1922:
Section 19 (R.S. Vol. 11,
p. 439).”:
- 30 (d) By omitting the item commencing “1927, No. 63 (Local)”,
and substituting the following item:
“1927, No. 63—The Waimakariri River
Improvement Amendment
Act 1927.”:
- 35 (e) By omitting from the item commencing “1932, No. 11”
the expression “(1) to (6)”:
- (f) By omitting from the item commencing “1934, No. 23”
the expression “: Section 3”:
- (g) By omitting from the item commencing “1941, No. 12”
the expression “23B, 84 to 96, 98 to 100, 100A,” and
substituting the expression “85 to 96, 98 to 100,”:
- 40 (h) By omitting the item commencing “1945, No. 40”:
- (i) By omitting from the item commencing “1959, No. 48”
the expression “(4)”:
- 45 (j) By omitting from the item commencing “1965, No. 90”
the expression “: Sections 2 (1), and 3”:

- (k) By omitting the item commencing “1968, No. 42”, and substituting the following item:
“1969, No. 14—The Soil Conservation and Rivers Control Amendment Act 1969: Section 4 (R.S. Vol. 17, 5 p. 773).”:
- (l) By omitting from the item commencing “1975, No. 73” the expression “: Section 3”:
- (m) By omitting from the item commencing “1982, No. 166” the expression “Section 30”, and substituting the expression “Sections 6 to 14, 30, and 31”. 10
- (3) This section shall be deemed to have come into force on the 29th day of June 1988.