

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

*House of Representatives, 1 November 1979.*

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 double rule, or with double rule before first line and after last line.

*Mr D. M. J. Jones*

**WAITEMATA CITY COUNCIL EMPOWERING  
(UNIFORM GENERAL CHARGE)**

[LOCAL]

ANALYSIS

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**A BILL INTITULED**

**An Act to empower the Waitemata City Council to make and levy a uniform general charge on properties within its district**

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

10 **1. Short Title**—This Act may be cited as the Waitemata City Council Empowering (Uniform General Charge) Act 1979.

**2. Interpretation**—(1) In this Act, unless the context otherwise requires,—

“Council” means the Waitemata City Council:

“District” means the City of Waitemata:

15 “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 1948, save that where that assessment

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relates to a property which is partially within the district of another territorial local authority, this Act shall not apply:

“Metropolitan area” means that part of the district situated within the metropolitan area of the Auckland Regional Authority as defined by the Auckland Regional Authority Act 1963: 5

“Outer area” means that part of the district situated within the outer area of the Auckland Regional Authority as defined by the Auckland Regional Authority Act 1963. 10

(2) Where a property is partially situated within the metropolitan area and partially within the outer area of the district, for the purpose of this Act, that property shall be deemed to be one property only. 15

**3. Making of uniform general charge**—(1) Notwithstanding anything contained in any other Act, the Council may by resolution make and levy a uniform general charge in each year on every separately rateable property within the district of such an amount not exceeding \$100 as it may prescribe, payable in any such instalments as may from time to time be fixed by resolution in that behalf publicly notified. 20

(2) The amount of such annual charge may be varied by resolution from year to year.

(3) The uniform general charge shall for all purposes be deemed to be a rate and shall be recoverable as such. 25

**4. Power to remit uniform general charge**—(1) The Council may, if it thinks fit, on the application of any ratepayer, remit either wholly or in part the payment of the uniform general charge in respect of any separately rateable property which it considers is not suitable for building purposes. 30

*New*

(2) Before passing any resolution under section 3 (1) of this Act, the Council shall give public notice of the fact that the proposed uniform general charge may be wholly or partly remitted under subsection (1) of this section on the application of any ratepayer. 35

(3) Such public notice may be given in the same public notice which the Council is required to give of its intention to make a uniform general charge in accordance with section 52 of the Rating Act 1967. 40

*Struck Out*

5 **5. Power of Governor-General in Council**—The Governor-General may by Order in Council from time to time prescribe the limits of any uniform general charge authorised by this Act and such limits may exceed the limit fixed in section 3 (1) of this Act.

10 **6. Power to make uniform general charge not to limit other powers**—(1) The exercise by the Council of the powers contained in this Act shall not derogate from any other powers the Council may have to make and levy other rates or charges.

(2) For the purposes of section 136 (1) of the Local Government Act 1974, the uniform general charge shall be deemed to be part of the general rate to the effect that the product of the uniform general charge and the general rate together shall not exceed in any one year 1.25 cents in the dollar on the capital value or its equivalent on the land value or 18 cents in the dollar on the annual value.

*New*

20 **7. Minimum rate provisions not to apply**—Section 166 of the Local Government Act 1974 shall not apply to any uniform general charge made under this Act.