

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 21 November 1989

KAPITI BOROUGH COUNCIL (RATES AND CHARGES VALIDATION AND
EMPOWERING) BILL

Proposed Amendments

Hon. MARGARET SHIELDS, in Committee, to move the following amendments:

Clause 2: To omit from paragraph (b) of the definition of the term "Waikanae joint water supply loan" the word "definition:" (page 8, line 36), and substitute the words "definition; and".

To add to that definition the following paragraph:

"(c) Does not include any borrowing which was, before the 1st day of November 1989, solely the responsibility of the Horowhenua County Council and for which the Council has acquired responsibility by virtue of the Local Government (Wellington Region) Reorganisation Order 1989:

Clause 3: To insert, after the word "Council" (page 9, line 5) the words "on or".

To omit the words "1st day of" and also the words "December 1989" wherever they occur in subclauses (1), (2), (4), and (6), and substitute in each case the words "15th day of January 1990".

To omit the words "1st day of December 1989" wherever they occur in subclauses (2A) (b), (2A) (d), (5B), (9), and (10), and substitute in each case the words "15th day of January 1990".

To omit from subclause (2A) the word "November" (page 9, line 22), and substitute the word "December".

To omit from subclause (6) the expression "and (3)" (page 14, line 21), and substitute the expression "or (4)".

New clause 5B: To insert, after *clause 5A*, the following clause:

5B. Authorising Council to levy sixth instalment of 1989-1990 rates after 1 February 1990—The levying by the Council of the sixth instalment of rates for the year ending with the 31st day of March 1990 in respect of the Borough of Kapiti, as that Borough existed on the 31st day of October 1989, at any time before the 28th day of February 1990 shall be deemed not to be a breach of the provisions of Part IX of the Rating Powers Act 1988.

Preamble: To omit the expression "31st" (page 2, line 37), and substitute the expression "28th".

EXPLANATORY NOTE

Clause 2: On 1 November 1989 Waikanae became part of the district of the Kapiti Coast District Council. The amendment ensures that *clause 3* of the Bill does not apply to Waikanae ratepayers, and that the manner in which those ratepayers have been funding the Horowhenua County Council's portion of the joint water supply loan is not affected.

Clause 3: The amendments put back the dates by which the Council is required to take certain actions as the dates specified in the Bill do not now allow enough time. Two minor drafting amendments are also made.

New clause 5B: With the putting back to 15 January 1990 of the date by which ratepayers must notify their decision whether or not to remain in the lump sum contribution scheme (pursuant to *clause 3*), it is now unlikely that the Council will be able to levy the final instalment of 1989-1990 rates for the former Borough of Kapiti by 1 February 1990, the date before which that instalment is required to be levied under the subsisting instalment system.

The amendment empowers the Council to levy the instalment at any time before 28 February 1990.

Preamble: The amendment corrects an incorrect date.