



**RATING VALUATIONS (LOCAL AUTHORITY CHARGES)
REGULATIONS 1999**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 31st day of May 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to section 52 of the Rating Valuations Act 1998, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council and on the recommendation under that section of the Minister for Food, Fibre, Biosecurity and Border Control, makes the following regulations.

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REGULATIONS

1. **Title and commencement**—(1) These regulations may be cited as the Rating Valuations (Local Authority Charges) Regulations 1999.

(2) These regulations come into force on 1 July 1999.

2. **Interpretation**—(1) In these regulations, unless the context otherwise requires,—

“Act” means the Rating Valuations Act 1998:

“Building consent” has the same meaning as in section 2 of the Building Act 1991:

“Quarter” means a period of 3 months ending on the last day of September, December, March, or June:

“Regional council” does not include a regional council that is also a territorial authority:

“Regulations” means any regulations made under section 52 of the Act:

“Rules” means any rules made under section 5 of the Act:

“Sale notice” means a notice under section 106 of the Rating Powers Act 1988:

“Year” means a year commencing on 1 July.

(2) Unless the context otherwise requires, any term or expression that is not defined in these regulations but is defined in the Act, any other regulations, or the rules has, in these regulations, the meaning given to it by the Act, those regulations, or the rules.

Territorial Authorities

3. **Standards setting charge**—Every territorial authority must each year pay to the Valuer-General for performing his or her functions under section 4 (1) (b) of the Act a charge of \$6,590.

4. **Regular audit charges**—(1) Every territorial authority must each year pay to the Valuer-General for performing his or her functions and powers under section 4 (1) (c) and section 4 (2) (b) of the Act the following charges, whether or not the rating valuations of the territorial authority are monitored or audited by the Valuer-General during that year:

For each separate property, and for each apportionment of a separate property, on the district valuation roll of the territorial authority at the end of the previous year	\$0.26
For each building consent, and for each amendment to a building consent, issued by the territorial authority during the previous year	\$1.90
For each additional separate property, and for each additional apportionment of a separate property, entered in the district valuation roll of the territorial authority during the previous year	\$1.90
For each sale notice given to the territorial authority during the previous year	\$1.90

(2) If 2 or more territorial authorities amalgamate in any year, the charges payable under subclause (1) by the amalgamated authority are to be calculated on the basis of the total of the information referred to in that subclause for those territorial authorities.

5. Charges payable by certain territorial authorities—Despite regulations 3 and 4, the amounts of the charges payable under each of those regulations by a territorial authority specified below are the amounts calculated in accordance with that regulation multiplied by the percentage specified below alongside the name of that territorial authority:

Chatham Islands County Council	...	...	25%
Kaikoura District Council	...	...	50%
Kawerau District Council	...	...	60%
McKenzie District Council	...	...	70%
Carterton District Council	...	...	80%
Waimate District Council	...	...	90%

6. Waiver of territorial authority charges—If the Valuer-General considers that the total amount of charges collected or to be collected under regulation 3 or regulation 4 in respect of any year will exceed the amount expended by the Valuer-General in respect of that year on setting standards or regular audits of territorial authorities, as the case may be, the Valuer-General may, in his or her absolute discretion, waive the whole or a proportion (being the same proportion for every territorial authority) of the instalments payable by territorial authorities under regulation 3 or regulation 4, as the case may be, in respect of the last quarter of that year.

7. Provision of information to Valuer-General by territorial authorities—(1) Every territorial authority must, within 20 days of the end of each quarter, notify the Valuer-General in writing of the information specified in subclause (3) in relation to that quarter.

(2) Every territorial authority must, within 31 days of the end of each year (including the year ending 30 June 1999), notify the Valuer-General in writing of the information specified in subclause (3) in relation to that year.

(3) The information required under subclauses (1) and (2) is as follows:

- (a) The number of separate properties, and apportionments of separate properties, on the district valuation roll of the territorial authority at the end of the quarter or year:
- (b) The number of building consents, and amendments to building consents, issued by the territorial authority during the quarter or year:
- (c) The number of additional separate properties, and additional apportionments of separate properties, entered in the district valuation roll of the territorial authority during the quarter or year:
- (d) The number of sale notices given to the territorial authority during the quarter or year.

Regional Councils

8. Regional council charges—(1) Every regional council must each year pay to the Valuer-General for performing his or her functions and powers under section 4 (1)(b) and (c) and section 4 (2)(b) of the Act in relation to equalisation certificates and special rating areas the following charges:

- (a) The sum of \$500; and

(b) The sum of \$0.011 for each separate property, and for each apportionment of a separate property, that is within the regional council's boundaries and on a district valuation roll of a constituent territorial authority at the end of the previous year.

(2) If 2 or more regional councils amalgamate in any year, the charges payable under paragraph (b) of subclause (1) by the amalgamated council are to be calculated on the basis of the total of the information referred to in that paragraph for those regional councils.

9. Waiver of regional council charges—If the Valuer-General considers that the total amount of charges collected or to be collected under regulation 8 in respect of any year will exceed the amount expended by the Valuer-General in respect of that year on setting standards or regular audits of regional councils in relation to equalisation certificates and special rating areas, the Valuer-General may, in his or her absolute discretion, waive the whole or a proportion (being the same proportion for every regional council) of the instalments payable by regional councils under regulation 8 in respect of the last quarter of that year.

10. Provision of information to Valuer-General by regional councils—Every regional council must, within 31 days of the end of each year (including the year ending 30 June 1999), notify the Valuer-General in writing of the number of separate properties, and apportionments of separate properties, that are within the regional council's boundaries and on the district valuation rolls of constituent territorial authorities at the end of that year.

Miscellaneous

11. Additional audit charges—If the Valuer-General considers on reasonable grounds that a local authority has not, or may not have, complied with any provision of the Act, the regulations, or the rules, the local authority must pay to the Valuer-General the following charges for the work undertaken for the purpose of performing the functions and powers specified in section 4 (1)(c) and section 4 (2)(b) of the Act in relation to the local authority (other than any work undertaken for the purpose of an initial audit of the local authority in any year):

- (a) A charge of \$110 per person hour for the time spent in undertaking the work; and
- (b) The actual and reasonable costs of travel, accommodation, and other disbursements incurred in undertaking the work.

12. Payment of charges—(1) The charges payable under regulations 3, 4, and 8 are to be paid by equal quarterly instalments in arrears during the months of October, January, April, and July.

(2) The charges payable under regulation 11 are to be paid within 30 days of receipt by the local authority of an invoice from the Valuer-General.

13. Goods and services tax—The charges prescribed by these regulations are exclusive of any goods and services tax.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 1999,—

- (a) Prescribe charges payable by territorial authorities and regional councils in respect of the performance of the Valuer-General's standard setting and auditing functions under the Rating Valuations Act 1998; and
 - (b) Require territorial authorities and regional councils to provide to the Valuer-General information relating to those charges.
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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 3 June 1999.

These regulations are administered in Land Information New Zealand.