

**Reprint  
as at 1 July 2018**



**Canterbury Earthquake (Rating) Order 2012**  
(SR 2012/147)

Canterbury Earthquake (Rating) Order 2012: revoked, on 1 July 2018, by clause 3.

Jerry Mateparae, Governor-General

**Order in Council**

At Wellington this 18th day of June 2012

Present:

His Excellency the Governor-General in Council

Pursuant to section 71 of the Canterbury Earthquake Recovery Act 2011, His Excellency the Governor-General makes the following order, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the relevant Minister, made after taking into account the purposes of the Act and having had regard to the recommendations of the Canterbury Earthquake Recovery Review Panel.

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This order is administered by the Department of Internal Affairs.**

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## Order

### 1 Title

This order is the Canterbury Earthquake (Rating) Order 2012.

### 2 Commencement

This order comes into force on 1 July 2012.

### 3 Revocation of this order

This order is revoked on 1 July 2018.

Clause 3: replaced, on 19 April 2016, by section 147(1) of the Greater Christchurch Regeneration Act 2016 (2016 No 14).

### 4 Effect

The exemptions, modifications, or extensions to the Local Government (Rating) Act 2002 made by this order do not affect the Act's text but require it to be read as if it had been amended in the manner indicated in this order.

### 5 Interpretation

(1) In this order,—

**2011 order** means the Canterbury Earthquake (Rating Valuations Act—Christchurch City Council) Order 2011

**Council** means the Christchurch City Council

**DVR** means the district valuation roll

**LGRA** means the Local Government (Rating) Act 2002

**PGR values** means rateable values as at the date of the previous general revaluation

**rating unit** means a rating unit that is within the area of Christchurch city

**RID** means the rating information database

**RVA** means the Rating Valuations Act 1998.

(2) A term or expression that is not defined in this order but that is defined in the LGRA or RVA has, in this order, the meaning given to it by the LGRA or RVA.

## **6 Council's options**

- (1) The Council must decide for a financial year whether to apply option 1, in subclause (2), or option 2, in subclause (3), to rating units.
- (2) Option 1 is to apply the LGRA without modification.
- (3) Option 2 is—
  - (a) to apply the LGRA without modification to rating units that are not described in paragraph (b); and
  - (b) to apply clauses 7 and 8 to rating units whose rateable value or factors have been, in the financial year to which the Council chooses to apply option 2,—
    - (i) adjusted due to building, demolition, or subdivision; or
    - (ii) created by subdivision.
- (4) If the Council is a collector under section 53 of the LGRA, its decision under subclause (1)—
  - (a) binds the local authority for which it is a collector; and
  - (b) applies to the rates it collects on behalf of the local authority.

## **7 Council's duties**

- (1) This clause applies if the Council decides on option 2.
- (2) For a rating unit of the kind described in clause 6(3)(b), the Council must—
  - (a) record the adjustment or creation in the RID; and
  - (b) treat the adjustment or creation as having effect for the purpose of assessing rates on the rating unit on the first day of the month following the recording in the RID; and
  - (c) apply section 43(1) of the LGRA to the assessment; and
  - (d) recalculate rates pro rata over the balance of the financial year and amend the rates records accordingly; and
  - (e) apply sections 44 and 45(1)(a) to (d) and (p) of the LGRA to the reassessed rates as if the sections referred to reassessed rates; and
  - (f) state in the document sent to the ratepayer under paragraph (e)—
    - (i) the change in the amount of rates payable for the financial year; and
    - (ii) the reasons for the change; and
    - (iii) the effect of the change on the rates payable for the balance of the financial year; and
  - (g) collect the rates payable for the balance of the financial year—
    - (i) by issuing the remaining rates invoices for the balance of the year; or

- (ii) if all the rates invoices for the year have been issued, by issuing a separate invoice; and
- (h) apply sections 46 to 49 of the LGRA to the invoices referred to in paragraph (g); and
- (i) apply provisions of the LGRA that are relevant to the process as needed, except for—
  - (i) sections 43(2) and (3) and 45(1)(e) to (o) and (1A) to (4), which the Council must not apply under this clause at any time; and
  - (ii) section 29(4), which, as described in clause 8(4), the Council must not apply in the cross-over period.

### **8 Council's additional duties in cross-over period**

- (1) This clause applies if the Council decides on option 2.
- (2) This clause applies in the period between the implementation date of the new general revaluation and the commencement date of the next financial year.
- (3) The Council must do the following with the RID:
  - (a) record and maintain on it the set of rateable values as at the date of the new general revaluation sourced from the DVR; and
  - (b) record and maintain on it the PGR values.
- (4) The Council must not apply section 29(4) of the LGRA to the PGR values and must apply the following provisions to them instead:
  - (a) section 4 of the RVA; and
  - (b) section 5 of the RVA; and
  - (c) sections 32 to 40 of the RVA; and
  - (d) regulations 2 to 11 of the Rating Valuations Regulations 1998; and
  - (e) rule 6 of the Rating Valuations Rules 2008.

### **9 Saving of 2011 order**

The 2011 order, except clause 3, applies to the PGR values until 30 June 2014.

Michael Webster,  
for Clerk of the Executive Council.

## Reprints notes

### **1** *General*

This is a reprint of the Canterbury Earthquake (Rating) Order 2012 that incorporates all the amendments to that order as at the date of the last amendment to it.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Greater Christchurch Regeneration Act 2016 (2016 No 14): section 147

Canterbury Earthquake (Rating) Order 2012 (SR 2012/147): clause 3