

**Reprint
as at 31 March 2005**



**Rating Valuations (Local Authority
Charges) Regulations 1999**

(SR 1999/146)

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.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by Land Information New Zealand.

Contents

	Page
1 Title and commencement	2
2 Interpretation	2
<i>Territorial authorities</i>	
3 Standards setting charge	3
4 Regular audit charges	3
5 Charges payable by certain territorial authorities	4
6 Waiver of territorial authority charges	4
7 Provision of information to Valuer-General by territorial authorities	5
<i>Regional councils</i>	
8 Regional council charges	5
9 Waiver of regional council charges	6
10 Provision of information to Valuer-General by regional councils	6
<i>Miscellaneous</i>	
11 Additional audit charges	6
12 Payment of charges	7
13 Goods and services tax	7

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 meaning given by section 7 of the Building Act 2004
- 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 31 of the Local Government (Rating) Act 2002

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.

Regulation 2(1) **building consent**: substituted, on 31 March 2005, by section 414 of the Building Act 2004 (2004 No 72).

Regulation 2(1) **sale notice**: substituted, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

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 rating unit 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 rating unit 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.

Regulation 4(1) table: amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

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 rating units 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 rating units 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.

Regulation 7(3)(a): amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Regulation 7(3)(c): amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

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 rating unit 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.

Regulation 8(1)(b): amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

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 rating units that are within the regional council's boundaries and on the district valuation rolls of constituent territorial authorities at the end of that year.

Regulation 10: amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

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.

Local Government (Rating) Act 2002

Public Act 2002 No 6
Date of assent 30 March 2002
Commencement see section 2

1 Title

This Act is the Local Government (Rating) Act 2002.

Part 1

Preliminary and key provisions

Subpart 1—Preliminary provisions

2 Commencement

- (1) Section 137(1), so far as it relates to the item relating to section 122ZAA of the Local Government Act 1974 in Schedule 5, comes into force on the day after the date on which this Act receives the Royal assent.
- (2) The following provisions come into force on the day after the date on which this Act receives the Royal assent, but only for the purpose of rating in a financial year that begins on or after 1 July 2003:
 - (a) section 11, so far as it relates to district valuation rolls; and
 - (b) section 137(1), so far as it relates to—
 - (i) Schedule 4; and
 - (ii) items relating to the Rating Valuations Regulations 1998 in Schedule 5.
- (3) The following provisions come into force on 30 April 2003:
 - (a) section 11, so far as it relates to rating information databases; and
 - (b) sections 27 to 36.
- (4) The rest of this Act comes into force on 1 July 2003.

Part 5
**Replacement of rates and miscellaneous
matters**

Subpart 2—Miscellaneous matters

*Amendments, savings, repeals of other
enactments, and transitional provisions*

137 Amendments to other enactments

- (1) The Acts and regulations specified in Schedules 4 and 5 are amended in the manner indicated in those schedules.
 - (2) However, those Acts and regulations continue in force as if they had not been amended to the extent necessary for the levying and collection of rates made or levied for the financial year ending on 30 June 2003 or a previous financial year.
-

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 General**

This is a reprint of the Rating Valuations (Local Authority Charges) Regulations 1999. The reprint incorporates all the amendments to the regulations as at 31 March 2005, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions,

see <http://www.pco.parliament.govt.nz/editorial-conventions/>
or Part 8 of the *Tables of New Zealand Acts and Ordinances
and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Building Act 2004 (2004 No 72): section 414

Local Government (Rating) Act 2002 (2002 No 6): section 137(1)
