

**Reprint
as at 31 March 2002**



**Rating Valuations Regulations
1998**

(SR 1998/177)

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 29th day of June 1998

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, 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.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Rating Valuations Regulations 1998.
- (2) These regulations come into force on the day after the date of their notification in the *Gazette*.

2 Interpretation

In these regulations, unless the context otherwise requires,—

the Act means the Rating Valuations Act 1998

notice of valuation means a notice that is required to be given under any of sections 13, 14, 16, and 17 of the Act.

Regulation 2 **notice of valuation**: amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

3 Notice of new or altered valuation, etc

A notice of valuation must contain the following information:

- (a) the name of the local authority, prominently displayed:

- (b) a valuation reference number:
- (c) the content of the district valuation roll relating to the rating unit in question, as required by rules made by the Valuer-General under section 5 of the Act:
- (d) the reason for the relevant valuation:
- (e) a guideline to the objection rights and procedures under sections 32 to 36 of the Act and these regulations:
- (f) the due date by which an objection must be lodged:
- (g) the person with whom an objection must be lodged, and their postal address.

Regulation 3(a): amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Regulation 3(c): amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

4 Time for lodging objection in relation to general revaluation

- (1) Every objection under section 32 or section 33 of the Act that relates to a general revaluation must be lodged before the expiry of the day specified in the public notice given under section 12 of the Act as the due date by which objections must be lodged.
- (2) That due date must be at least 30 working days later than the date of the public notice.

5 Time for lodging other objections

- (1) Every objection under section 32 of the Act that does not relate to a general revaluation must be lodged before the expiry of the day specified in the notice of valuation as the due date by which an objection must be lodged.
- (2) That due date must be at least 20 working days later than the date of the notice of valuation.

6 Local authority may extend due date for objection

A local authority may extend the due date for lodging an objection in any case where, whether by reason of non-receipt of the notice of valuation or for other good reason, the owner or ratepayer concerned did not have a sufficient opportunity to lodge the objection.

Regulation 6: substituted, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

7 Information to be contained in objection

An objection must contain the following information:

- (a) the relevant valuation reference number:
- (b) the capital value, land value, annual value, and value of improvements of the land (whichever 1 or more is applicable) as stated in the notice of valuation:
- (c) the reason for objecting:
- (d) the relevant value contended for by the objector:
- (e) the name, postal address, and contact telephone number of the objector, and the objector's address for service:
- (f) the capacity in which the person is objecting (whether as owner, ratepayer, both owner and ratepayer, or neither):
- (g) if the objection is by an agent, the name of the person who the agent is representing.

Regulation 7(b): amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Regulation 7(f): amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

8 Procedure where insufficient information supplied with objection

If an objection does not contain all the information required by regulation 7, the local authority must notify the objector—

- (a) of the further information needed if the objection is to proceed; and
- (b) that the objector has 15 working days from the date of the notification to send the further information to the local authority if the objector wishes the objection to be considered.

Regulation 8: amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Regulation 8: amended, on 1 July 1999, by regulation 2 of the Rating Valuations Amendment Regulations 1999 (SR 1999/145).

Regulation 8(b): amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

9 Notification of owner or ratepayer affected by objection

- (1) If a person who is not both the owner and ratepayer of the land concerned lodges an objection under section 32 or section 33 of the Act, that person must,—
- (a) within the time for objection under regulation 4 or regulation 5, send a copy of the objection to the owner or ratepayer of the land (or both if the person is neither the owner nor the ratepayer), as appropriate; and
 - (b) within the time specified in regulation 8, send a copy of any further information required under that regulation to the owner or ratepayer (or both).
- (2) The person who conducts a review of an objection under section 34 of the Act must, if the objector is not both the owner and ratepayer of the land concerned, allow the owner or ratepayer (or both), as appropriate, a reasonable opportunity to make submissions in relation to the objection.

Regulation 9: substituted, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

10 Local authority may refuse to consider objection in certain cases

A local authority may refuse to consider an objection if—

- (a) the objection is received after the due date; or
- (b) the objection does not contain all the information required by regulation 7 and, despite notification under regulation 8, the objector has failed to provide the further information needed within the required timeframe.

Regulation 10 heading: amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Regulation 10: amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Regulation 10(b): amended, on 1 July 1999, by regulation 3 of the Rating Valuations Amendment Regulations 1999 (SR 1999/145).

11 Filing of objection with Land Valuation Tribunal

- (1) Every objection filed in the Land Valuation Tribunal under section 36 of the Act must—
- (a) contain the information specified in regulation 7; and
 - (b) be accompanied by a copy of the decision on review given under section 35 of the Act.

- (2) The procedures of the Land Valuation Tribunal, as prescribed by rules and regulations made under the Land Valuation Proceedings Act 1948, then apply to the objection.

Regulation 11(1)(a): amended, on 1 July 1999, by regulation 4 of the Rating Valuations Amendment Regulations 1999 (SR 1999/145).

12 Certified copies of entries in district valuation roll

Every certified copy of an entry in a district valuation roll that is supplied by a local authority must—

- (a) include the details required by rules made under section 5 of the Act to be entered on a district valuation roll in relation to the type of property concerned:
- (b) be endorsed as accurate by an officer of the local authority.

Regulation 12: amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Regulation 12(b): amended, on 31 March 2002, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

13 Fees

- (1) The fee payable for a certified copy of an entry on a district valuation roll is \$22.50.
- (2) The fees prescribed by subclause (1) are inclusive of any goods and services tax payable under the Goods and Services Tax Act 1985.

14 Revocations

The following regulations are revoked:

- (a) Valuation of Land Regulations 1949 (SR 1949/84):
- (b) Valuation of Land Regulations 1949, Amendment No 1 (SR 1972/54):
- (c) Valuation of Land Regulations 1949, Amendment No 7 (SR 1988/91):
- (d) Valuation of Land Regulations 1949, Amendment No 8 (SR 1989/220):
- (e) Valuation of Land Regulations 1949, Amendment No 9 (SR 1993/356).

Reprinted as at
31 March 2002

Rating Valuations Regulations 1998

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 30 June 1998.

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.
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Notes**1 General**

This is a reprint of the Rating Valuations Regulations 1998. The reprint incorporates all the amendments to the regulations as at 31 March 2002, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

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)*

Local Government (Rating) Act 2002 (2002 No 6): section 137(1)
Rating Valuations Amendment Regulations 1999 (SR 1999/145)
