



ANALYSIS

Title
1. Short Title

- 2. Amending restriction on amount of administrative rate
- 3. Power to make and increase uniform general charge, etc.

1983, No. 7—*Local*

**An Act to amend the Marlborough County Council
Empowering Act 1965**

[28 October 1983]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Marlborough County Council Empowering Amendment Act 1983, and shall be read together with and deemed part of the Marlborough County Council Empowering Act 1965 (hereinafter referred to as the principal Act).

2. Amending restriction on amount of administrative rate—Section 3 (a) of the principal Act is hereby amended by repealing the proviso, and substituting the following proviso:
“Provided that the amount of the administrative rate in the dollar of rateable value made and levied in each year shall not exceed an amount equal to 10 percent of the general rate (including any uniform annual general charges) made and levied on rateable property in all other areas of the Sounds Division in accordance with the provisions of Part IX of the Local Government Act 1974.”

3. Power to make and increase uniform general charge, etc.—The principal Act is hereby amended by repealing section 4 (as added by section 4 of the Marlborough County Council Empowering Amendment Act 1980), and substituting the following section:

“4. (1) Notwithstanding anything contained in any other Act, the Council may by resolution make and levy in each year a uniform general charge, to be known as the administrative uniform general charge, on every separately rateable property within the administrative rating area.

“(2) For the rating year commencing on the 1st day of April 1984, and for each subsequent rating year, the amount of the administrative uniform general charge may be altered—

“(a) By increasing it—

“(i) By a percentage increase on the previous year’s charge of 15 percent; or

“(ii) By the percentage increase from the previous year in the total amount of the general rate (including any uniform annual general charges) made and levied in all other areas of the Sounds Division—

whichever is the lesser; or

“(b) By increasing it by such lesser amount as the Council determines; or

“(c) By reducing it by such amount as the Council determines.

“(3) Where any 2 or more separately rateable properties are—

“(a) Occupied by the same ratepayer; and

“(b) Used jointly as a single property; and

“(c) Contiguous, or separated only by a road, drain, water-race, river, or stream—

they shall be deemed to be one property for the purposes of the making and levying of any administrative uniform general charge under subsection (1) of this section.

“(4) The administrative uniform general charge shall for all purposes be deemed to be a rate and shall be recoverable as such.”