



## ANALYSIS

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1980, No. 5—*Local*

**An Act to empower an alteration to the basis of differential rates of the Petone Borough Council and for the granting of rebates**

[28 November 1980]

Whereas at a duly notified special meeting held on the 27th day of June 1977 and confirmed at a duly notified special meeting held on the 2nd day of August 1977, the Petone Borough Council resolved that a system of rating on differential bases should apply in the district from the 1st day of April 1977: And whereas the Council, at a further duly notified special meeting held on the 24th day of April 1979 and confirmed at a duly notified special meeting held on the 12th day of June 1979, resolved that certain alterations be made to the basis of differential rating applying in the district and that such alterations were to come into effect on the 1st day of April 1979: And whereas further alteration of the basis or bases on which differential rating is applied in the district is precluded by the provisions of section 148 of the Local Government Act 1974 until the 1st day of April 1982: And whereas it is desirable that the said bases of differential rating be further altered before the 1st day of April 1982:

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

**1. Short Title and commencement**—(1) This Act may be cited as the Petone Borough Council (Differential Rating) Empowering Act 1980.

(2) This Act shall be deemed to have come into force on the 1st day of April 1980.

**2. Interpretation**—In this Act, unless the context otherwise requires,—

“Council” means the Petone Borough Council:

“Multi-unit property” means a property, as described in a single valuation assessment, on which there is erected more than 1 self-contained residential unit or in which there exists more than 1 separate and identifiable use:

“Surcharge levy” means a surcharge on the rates assessed in respect of a multi-unit property pursuant to a system of differential rating duly adopted by way of a special order of the Council.

**3. Power to alter basis of differential rating**—Notwithstanding the provisions of section 148 of the Local Government Act 1974, the Council may, by special order, in respect of the rating year ending with the 31st day of March 1981, alter the basis or bases on which differential rating is applied in the district or special rating area, as the case may be, and section 147 (3) of the Local Government Act 1974 shall, with the necessary modifications, apply in every respect to such alterations as if the special order were made under that section.

**4. Power to grant rebate**—Notwithstanding the provisions of section 147 of the Local Government Act 1974, the Council may grant a rebate of the differential rates in respect of the year ended with the 31st day of March 1980:

Provided that such rebate shall only be granted in respect of surcharge levies on multi-unit properties:

Provided also that such rebate shall be of such amount as to reduce each of those rates to the amount that would have been levied had the basis of any differential rate resolved by the Council pursuant to the provisions of section 3 of this Act taken effect from the 1st day of April 1979.

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