



ANALYSIS

Title
1. Short Title

2. Alternative to basic and water
availability charges

1987, No. 62

An Act to amend the Public Works Act 1981

[30 March 1987

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Public Works Amendment Act 1987, and shall be read together with and deemed part of the Public Works Act 1981 (hereinafter referred to as the principal Act).

2. Alternative to basic and water availability charges—
(1) The principal Act is hereby amended by inserting, after section 212, the following section:

“212A. (1) Notwithstanding anything in this Act, the Minister may, after considering the advice of the National Authority, elect not to set a basic charge and a water availability charge, but instead to set one or more charges in substitution therefor to recover from the occupiers in the scheme their share of capital, operation, and maintenance costs on a basis appropriate to the scheme.

“(2) The amount of any charge set under this section and the basis upon which it may subsequently be varied shall be included in the notice given under section 202 (1) (a) of this Act in place of the matters specified in subparagraphs (iii) to (v) and (vii) of that paragraph.

“(3) Any charge set under this section may be varied by the Minister at any time upon the basis specified in the notice given under the said section 202.

“(4) The provisions of this Part of this Act (except for sections 209 to 212) shall apply to any charge set under this section in

the same manner, with any necessary modifications, as they apply to the basic charge and the water availability charge specified in this Part.

“(5) In setting a charge in substitution for the charges payable under sections 214 and 216 of this Act, the Minister may have regard to any of the matters specified in those sections or may set the charges in accordance with advice given by the National Authority.”

(2) Section 213 of the principal Act is hereby amended by adding the following proviso:

“Provided that the Minister may specify the addition of a further percentage to the interest rate to compensate for any deferral in the recovery of principal and interest when charges are set under section 212A of this Act.”

This Act is administered in the Department of Lands.
