1998/177

RATING VALUATIONS REGULATIONS 1998

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.

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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, 17, and 31 of the Act.

3. Notice of new or altered valuation, etc—A notice of valuation must contain the following information:

(a) The name of the territorial authority, prominently displayed:

(b) A valuation reference number:

(c) The content of the district valuation roll relating to the property 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.

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. Territorial authority may extend due date for objection—A territorial 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 occupier concerned did not have a sufficient opportunity to lodge the objection.

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, special rateable value, rates postponement 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, occupier, both owner and occupier, or neither):

(g) If the objection is by an agent, the name of the person who the agent is representing.

8. Procedure where insufficient information supplied with objection—If an objection does not contain all the information required by regulation 5, the territorial 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 territorial authority if the objector wishes the objection to be considered.

9. Notification of owner or occupier affected by objection—(1) Where a person who is not both the owner and the occupier 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 occupier of the land (or both, if the person is neither the owner nor the occupier), 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 occupier (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 occupier of the land concerned, allow the owner or occupier (or both), as appropriate, a reasonable opportunity to make submissions in relation to the objection.

10. Territorial authority may refuse to consider objection in certain cases—A territorial 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 5 and, despite notification under regulation 6, the objector has failed to provide the further information needed within the required timeframe.

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 5; 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.

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 territorial 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 territorial authority.

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) The Valuation of Land Regulations 1949 (S.R. 1949/84):

(b) The Valuation of Land Regulations 1949, Amendment No. 1 (S.R. 1972/54):

(c) The Valuation of Land Regulations 1949, Amendment No. 7 (S.R. 1988/91):

(d) The Valuation of Land Regulations 1949, Amendment No. 8 (S.R. 1989/220):

(e) The Valuation of Land Regulations 1949, Amendment No. 9 (S.R. 1993/356).

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the day after the date of their notification in the *Gazette*, prescribe various matters for the purposes of the new Rating Valuations Act 1998, including—

(a) The content of notices required to be given to owners and occupiers under the Act:

(b) A minimum time of 20 working days from the date of a notice for the lodging of objections:

(c) The information to be contained in objections, and the procedure to be followed where insufficient information is provided:

(d) Fees for certified copies of entries in district valuation rolls (which remain unchanged from the present fees).

The regulations also revoke the Valuation of Land Regulations 1949.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette:* 30 June 1998.
These regulations are administered in Land Information New Zealand.