

# AUSTRALIAN CAPITAL TERRITORY

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## Water Rates (Amendment) Ordinance 1984

### No. 31 of 1984

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 27 June 1984.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

TOM UREN  
Minister of State for Territories and Local Government

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An Ordinance to amend the *Water Rates Ordinance 1959*

#### Short title

1. This Ordinance may be cited as the *Water Rates (Amendment) Ordinance 1984*.<sup>1</sup>

#### Commencement

2. This Ordinance shall come into operation on 1 July 1984.

#### Principal Ordinance

3. In this Ordinance, “Principal Ordinance” means the *Water Rates Ordinance 1959*.<sup>2</sup>

#### Rates—building with more than one residential unit

4. Section 7 of the Principal Ordinance is amended by adding at the end thereof the following sub-sections:

“(2) Where, during a rating year—

- (a) a building erected on a parcel of land, being a parcel of land first referred to in sub-section (1), is so altered as to increase the number of residential units contained in the building; or
- (b) an additional building containing a residential unit or residential units is erected on such a parcel of land,

the amount of rates imposed in respect of that parcel of land in that rating year is increased by an amount ascertained in accordance with the formula  $\frac{(a - b)c}{365}$

where—

- a is the amount of rates that would have been imposed in respect of that parcel of land in that rating year in accordance with sub-section (1) if the relevant day had been the first day of the rating year;
- b is the amount of rates imposed in respect of that parcel of land in that year in accordance with sub-section (1); and
- c is the number of days in the period commencing on the relevant day and ending at the expiration of the last day in that rating year.

“(3) In sub-section (2), a reference to the relevant day, in relation to a parcel of land in respect of which the amount of rates imposed in a rating year is increased by virtue of sub-section (2), shall be read as a reference to the day on which the alteration referred to in paragraph (2) (a) or the erection referred to in paragraph (2) (b), as the case requires, is completed.

“(4) For the purposes of sub-section (3), the day on which an alteration referred to in paragraph (2) (a) or an erection referred to in paragraph (2) (b) shall be taken to have been completed is the day on which the delegate of the Minister certifies in writing that all work relating to the supply of water to the additional residential unit or units, or the additional building, as the case requires, from a system of works has been satisfactorily carried out.”.

### **Accounts for rates**

**5.** Section 24 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:

“(2) Where, after a notice under sub-section (1) has been given to each person liable to pay the rates imposed in respect of a parcel of land in a rating year, the amount of those rates is increased by virtue of sub-section 7 (2), the delegate of the Minister shall cause a notice in writing of the amount by which

the amount of those rates is increased and the due day for the payment of the second-mentioned amount to be served on each person liable to pay that amount.”.

### **Payment of rates**

**6.** Section 24A of the Principal Ordinance is amended—

- (a) by omitting sub-sections (1), (2), (3) and (4) and substituting the following sub-sections:

“(1) The due date for the payment of rates imposed in respect of a parcel of land in a rating year is—

- (a) in respect of increased rates where the date of the notice given under sub-section 24 (2) to the person liable to pay those rates is later than 28 days before the next instalment day—the instalment day next following that instalment day;
- (b) in respect of increased rates where the date of the notice given under sub-section 24 (2) to the person liable to pay those rates is not later than 28 days before the next instalment day—that instalment day; and
- (c) in any other case—the date specified in the notice given under sub-section 24 (1) to the person liable to pay those rates as the due date for the payment of those rates, being a date not earlier than 28 days after the date of the notice.

“(2) Subject to sub-sections (3) and (4), rates are payable in accordance with sub-section (5).

“(3) Where the date of the notice given under sub-section 24 (1) to each person liable to pay the rates imposed in respect of a parcel of land in a rating year is a date later than 28 days before the last instalment day in that year, those rates are payable on the due date for the payment of those rates.

“(4) Where—

- (a) the whole of the increased rates specified in a notice given under sub-section 24 (2) to each person liable to pay those rates were imposed in a previous rating year; or
- (b) the date of a notice given under sub-section 24 (2) to each person liable to pay increased rates is later than 28 days

before the last instalment day in the relevant rating year, those rates are payable on the due date for the payment of those rates.”;

- (b) by omitting from sub-section (5) “to whom this sub-section applies”;
- (c) by omitting from sub-paragraph (5) (b) (i) “sub-section (6)” and substituting “sub-sections (6) and (7)”;
- (d) by omitting sub-section (9) and substituting the following sub-section:

“(9) In this section —

‘increased rates’ means the amount by which the amount of rates imposed in respect of a parcel of land in a rating year is increased by virtue of sub-section 7 (2);

‘instalment day’ means 15 October, 15 December, 15 February and 15 April.”.

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#### NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 29 June 1984.
2. No. 19, 1959 as amended by No. 15, 1963; No. 18, 1965; No. 19, 1966; No. 26, 1967; No. 23, 1969; No. 49, 1970; No. 24, 1972; Nos. 15 and 26, 1973; No. 31, 1974; No. 20, 1975; Nos. 20 and 34, 1976; Nos. 8 and 45, 1977; Nos. 28 and 46, 1978; No. 28, 1979; Nos. 19, 27 and 36, 1980; No. 27, 1981; Act No. 74, 1981; Nos. 25, 67, 77 and 98, 1982; No. 36, 1983.