

No. 46 of 1977

## AN ORDINANCE

### To amend the *Sewerage Rates Ordinance 1968*

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 this fourteenth day of September 1977.

JOHN R. KERR  
Governor-General

By His Excellency's Command,

A. A. STALEY  
Minister of State for the Capital Territory

### SEWERAGE RATES (AMENDMENT) ORDINANCE (No. 3) 1977

1. This Ordinance may be cited as the *Sewerage Rates (Amendment) Ordinance (No. 3) 1977*.<sup>\*</sup> Short title
2. In this Ordinance, "Principal Ordinance" means the *Sewerage Rates Ordinance 1968*.<sup>†</sup> Principal Ordinance
3. Section 9 of the Principal Ordinance is repealed and the following section substituted:  
"9. (1) Subject to this Ordinance, the sewerage rates imposed in a rating year in respect of a parcel of rateable land become due on the due date for the payment of the rates and are payable in accordance with section 19A. Payment of rates  
"(2) In this section, a reference to sewerage rates includes a reference to additional sewerage rates imposed by sub-section 10 (4)."
4. Section 14 of the Principal Ordinance is amended by omitting paragraph (1) (c). Persons by whom sewerage rates are payable

<sup>\*</sup> Notified in the *Commonwealth of Australia Gazette* on 16 September 1977.

<sup>†</sup> Ordinance No. 30, 1968 as amended. For references to amending Ordinances made before 1977, see Ordinance No. 9, 1977. For amendments made during 1977 see Ordinances Nos. 9 and , 1977.

5. Sections 15 and 16 of the Principal Ordinance are repealed and the following section is substituted:

Exemption  
from  
payment  
of rates

“15. Notwithstanding the provisions of section 14, where a person occupies a parcel of rateable land upon a weekly or fortnightly tenancy from the Commonwealth, that person is not liable to pay sewerage rates in respect of the parcel.”.

Accounts  
for rates

6. Section 19 of the Principal Ordinance is amended—

(a) by omitting sub-sections (1) and (2) and substituting the following sub-section:

“(1) The authorized officer shall cause notice in writing of the amount of sewerage rates or additional sewerage rates imposed by this Ordinance in respect of a parcel of land and the due date for the payment of the rates to be served on each person liable to pay the rates.”;

(b) by omitting from sub-section (3) “that have become due” and substituting “imposed”; and

(c) by omitting from that sub-section “time within which” and substituting “due date on or before which”.

7. Section 19A of the Principal Ordinance is repealed and the following section substituted:

Payment  
of rates

“19A. (1) The due date for the payment of rates is—

(a) where the rates are payable by a person to whom sub-section (5) applies and the date of the notice given to the person under section 19 is a date that is not less than 14 days before the last instalment day in a year—the date specified in the notice as the due date, being a date that is not less than 14 days after the date of the notice; and

(b) in any other case—the date specified in the notice as the due date, being a date that is not less than 28 days after the date of the notice.

“(2) Rates are payable on the due date for the payment of the rates where—

(a) the rates are payable by a person other than a person to whom sub-section (5) applies; or

(b) the rates are payable by a person to whom sub-section (5) applies and the date of the notice given to the person under section 19 is a date that is less than 14 days before the last instalment day in a year.

“(3) Rates payable by a person to whom sub-section (5) applies, not being a person referred to in sub-section (2), are payable in accordance with sub-section (5).

“(4) Sub-section (5) applies to and in relation to a person who is the owner of a parcel of rateable land that is—

- (a) held under a lease granted in pursuance of the *City Area Leases Ordinance 1936* for residential purposes only, not being a parcel of land upon which more than one residential unit is erected; or
- (b) deemed by paragraph 6 (2) (b) to be a Class 1 parcel of rateable land,

being a person to whom a notice under section 19 has been given.

“(5) A person to whom this sub-section applies may pay the rates in respect of which a notice under section 19 has been given—

- (a) by paying the total amount of the rates on or before the due date for the payment of the rates;
- (b) by paying instalments—
  - (i) the number and amount of which are ascertained in accordance with sub-sections (6) and (7);
  - (ii) the first of which is paid on or before the due date for the payment of those rates; and
  - (iii) the remainder of which are paid on the succeeding instalment days in the rating year in respect of which the rates are imposed; or
- (c) by paying such amounts, on such days, as the person wishes, but so that the total amount paid by the person on or before a day in a rating year is not less than the total amount that the person would have paid on that day in that year if the person were paying the rates by instalments in accordance with paragraph (b).

“(6) For the purposes of paragraph (5)(b)—

- (a) the number of instalments is a number equal to one more than the number of instalment days remaining, after the due date for the payment of the rates, in the rating year in respect of which the rates are imposed; and
- (b) the amount of each instalment is an amount calculated by dividing the total amount of rates payable in accordance with the notice under section 19 by the number of instalments ascertained in accordance with paragraph (a).

“ (7) Where, but for this sub-section, the amount of an instalment would be an amount that includes a fraction of a cent, the last instalment in a rating year is increased by the least amount that will result in the earlier instalments for that year being equal instalments of an amount that does not include a fraction of a cent.

“ (8) In this section, ‘instalment day’ means 15 October, 15 December, 15 February and 15 April.”.

Application

9. (1) The Principal Ordinance, as amended by this Ordinance, applies to and in relation to sewerage rates imposed in respect of the rating year that commenced on 1 July 1977 and each subsequent rating year.

(2) The Principal Ordinance, as in force immediately before the commencement of this Ordinance, continues to apply to and in relation to sewerage rates imposed in respect of a rating year that commenced before 1 July 1977.

(3) An expression in this section that is defined in the Principal Ordinance has the same meaning for the purposes of this section as it has in the Principal Ordinance.