

AUSTRALIAN CAPITAL TERRITORY

No. 28 of 1979

An Ordinance to amend the *Water Rates Ordinance* 1959

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 eleventh day of September 1979.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

R. ELLICOTT
Minister of State for the Capital Territory

WATER RATES (AMENDMENT) ORDINANCE 1979

1. This Ordinance may be cited as the *Water Rates (Amendment) Ordinance* 1979.¹ Short title

2. In this Ordinance, "Principal Ordinance" means the *Water Rates Ordinance* 1959.² Principal Ordinance

3. Section 4 of the Principal Ordinance is amended by inserting after sub-section (1A) the following sub-section: Interpretation

"(1B) Where a parcel of land is sub-divided under the *Unit Titles Ordinance* 1970, the land comprising the parcel shall, notwithstanding the sub-division, be taken, for the purposes of this Ordinance, to continue to comprise the one parcel of land."

4. Section 7A of the Principal Ordinance is amended—

(a) by omitting paragraph (1) (a) and substituting the following paragraph: Rates—land sub-divided into units and common property

"(a) is an amount of \$74.00 for each unit into which the parcel has been sub-divided; and"; and

(b) by omitting from sub-section (2) "Each of the amounts referred to in paragraph (1) (a)" and substituting "The amount calculated in accordance with paragraph (1) (a)".

Persons by whom rates are payable

5. Section 12 of the Principal Ordinance is amended by omitting sub-sections (2A) and (2B) and substituting the following sub-section:

“(2A) The rates imposed by section 7A are payable in accordance with the following requirements:

- (a) a part of those rates equal to the amount specified in paragraph 7A (1) (a) is payable in respect of each unit by the person who, at the commencement of the rating year, is the lessee of that unit; and
- (b) that part (if any) of those rates that is an amount calculated in accordance with paragraph 7A (1) (b) is payable by the corporation that is the registered proprietor of the lease of the common property.”

Payment of rates

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

(a) by omitting paragraph (4) (b) and substituting the following paragraph:

- “(b) a lessee of a unit for the purposes of the *Unit Titles Ordinance* 1970, being a person—
- (i) the lease of whose unit provides that the unit is to be used for residential purposes only; and
 - (ii) to whom a notice under section 24 has been given.”

(b) by omitting from sub-section (6) “paragraph (4) (b)” and substituting “paragraph (5) (b)”; and

(c) by omitting sub-section (8) and substituting the following sub-section:

“(8) A reference in this section to rates does not include a reference to an amount of rates imposed in a rating year that becomes due at the end of a meter reading period that ends in the rating year, being an amount that is calculated by reference to the quantity of water in excess of a prescribed quantity supplied to a parcel of land in the meter reading period.”

Alteration of rates

7. The Principal Ordinance is amended as set out in the following table:

Provision	Amendment
Paragraph 6 (1) (a)	Omit “\$61.00”, substitute “\$74.00”.
Paragraph 6 (1) (b)	Omit “\$61.00”, substitute “\$74.00”.
Sub-section 6 (2)	Omit “\$61.00”, substitute “\$74.00”.
Sub-section 6 (3)	Omit “\$61.00”, substitute “\$74.00”.
Section 7	Omit “\$61.00”, substitute “\$74.00”.
Paragraph 7B (1) (a)	Omit “\$61.00”, substitute “\$74.00”.
Paragraph 7B (1) (b)	Omit “\$61.00”, substitute “\$74.00”.
Sub-section 7B (2)	Omit “\$61.00”, substitute “\$74.00”.
Sub-section 7B (3)	Omit “\$61.00”, substitute “\$74.00”.
Section 8	Omit “\$61.00”, substitute “\$74.00”.
Sub-paragraph 14 (1) (c) (i)	Omit “\$61.00”, substitute “\$74.00”.

8. (1) The Principal Ordinance, as amended by this Ordinance, ^{Application} applies to and in relation to rates imposed in respect of the rating year that commenced on 1 July 1979 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 rates imposed in respect of a rating year that commenced before 1 July 1979.

(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.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 18 September 1979.
2. Ordinance 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; and Nos. 28 and 46, 1978.