

## Rates (Amendment) Ordinance (No. 2) 1983

No. 12 of 1983

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 29 June 1983.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

TOM UREN  
Minister of State for Territories and Local Government

An Ordinance to amend the *Rates Ordinance 1926*

### Short title

1. This Ordinance may be cited as the *Rates (Amendment) Ordinance (No. 2) 1983*.<sup>1</sup>

### Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Rates Ordinance 1926*.<sup>2</sup>

### Unimproved value of land

3. Section 5 of the Principal Ordinance is amended—

(a) by inserting after paragraph (1) (a) the following paragraph:

"(aa) that the circumstances that existed on the prescribed date also existed on the relevant date;" and

(b) by omitting sub-section (3) and substituting the following sub-section:

"(3) For the purposes of this section—

'the prescribed date', in relation to a parcel of land, means—

(a) in the case of a determination of the unimproved value of a parcel of land—

(i) the date of commencement of the *Rates Ordinance 1970*; or

(ii) the date on which the parcel of land became rateable,

whichever is the later;

- (b) in the case of a re-determination of the unimproved value of a parcel of land under section 8—the date of publication of a notice under sub-section 8 (1); or
- (c) in the case of a re-determination of the unimproved value of a parcel of land under section 10—the date of a notice under sub-section 10 (1);

‘the relevant date’, in relation to a parcel of land, means the date as at which a determination or re-determination of the unimproved value of the parcel of land is to be made under this Ordinance.”.

4. Section 9 of the Principal Ordinance is repealed and the following section substituted:

**Determination of unimproved value of land becoming rateable after a general revaluation**

“9. (1) Where a parcel of land becomes rateable on or after the date on which a notice under section 8 is published in the *Gazette* and before—

- (a) the first day of July next succeeding the date of publication of that notice; or
- (b) the date on which the next succeeding notice under section 8 is published in the *Gazette*,

whichever first occurs, the Minister shall—

- (c) determine the unimproved value of that parcel of land in respect of the period commencing on the date on which the parcel of land became rateable and ending on the last day of June in the year in which the parcel of land became rateable as if the parcel of land had become rateable before the publication of the first-mentioned notice; and
- (d) determine the unimproved value of the parcel of land from the first day of July next succeeding the date on which the parcel of land became rateable as at the date specified in the first-mentioned notice under section 8.

“(2) Where a parcel of land becomes rateable on or after the first day of July next succeeding the date on which a notice under section 8 is published in the *Gazette* and before the date on which the next succeeding notice under section 8 is published in the *Gazette*, the Minister shall determine the unimproved value of that parcel of land as at the date specified in the first-mentioned notice.”.

**Revaluation where clerical error made or change in valuation circumstances**

5. Section 10 of the Principal Ordinance is amended—

- (a) by omitting paragraph (1) (b) and substituting the following paragraph:

- “(b) a change of circumstances that has arisen since the date as at which the unimproved value of that parcel was most recently determined or re-determined but was not taken into account in the most recent determination or re-determination of the unimproved value of that parcel,”; and
- (b) by inserting in sub-section (1) “, being the date as at which the unimproved value of the parcel of land was most recently determined or re-determined” after “notice” (last occurring).

**Years to which determinations and re-determinations are to apply**

6. Section 11 of the Principal Ordinance is amended by omitting sub-section (3) and substituting the following sub-sections:

“(3) A determination under sub-section 7 (2) (not being a determination referred to in sub-section (1) or (2)) and a determination under paragraph 9 (1) (c) or sub-section 9 (2) applies in respect of rates for the year that commenced on the first day of July immediately preceding the date on which the parcel of land became rateable.

“(3A) A determination under paragraph 9 (1) (d) applies in respect of rates for the year that commenced on the first day of July next succeeding the date on which the parcel of land became rateable.”.

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**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 6 July 1983.
2. No. 6, 1926 as amended to date. For previous amendments see Note 2 to No. 9, 1983 and see also No. 9, 1983.