

AUSTRALIAN CAPITAL TERRITORY

SEWERAGE RATES (AMENDMENT) ORDINANCE 1983

Ordinance No.26,1983

EXPLANATORY STATEMENT

Section 12(10) of the Seat of Government (Administration) Act 1910 ("the Act") defines "determination" to mean a determination made by a Minister pursuant to a provision of an Ordinance empowering him to determine by notice in writing published in the Gazette, fees or charges for the purposes of the Ordinance.

Section 12(9A) of the Act provides that every determination shall be laid before each House of the Parliament within fifteen sitting days of that House after the day on which the determination is made and if not so laid before each House of the Parliament, shall be void and of no effect.

Section 12(9B) of the Act provides that sections 12(4) to 12(7) inclusive of the Act, which deal with disallowance of Ordinances shall apply to a determination laid before a House of Parliament as if the references in these sub-sections to an Ordinance were references to a determination.

The Sewerage Rates (Amendment) Ordinance 1983 (the amending Ordinance) amends the Sewerage Rates Ordinance 1968 (the Principal Ordinance) to empower the Minister to determine charges for the purposes of the existing Ordinance by notice in writing published in the Gazette.

Details of the amending Ordinance are set out in Attachment A.

Ord. No. 50/83

ATTACHMENT A

DETAILS OF THE SEWERAGE RATES (AMENDMENT) ORDINANCE 1983

Sections 1, 2 and 3 deal with interpretation.

Section 4 amends section 8 of the Principal Ordinance, which relates to the amount of sewerage rates imposed, by omitting:

- (a) from section 8(1) sub-paragraphs (a) to (e) which prescribed the amount of rates for the various classes of parcels of rateable land and inserting "is the amount of the charge determined in relation to the relevant class of parcel of rateable land"; and
- (b) from section 8(2) the words "an amount of \$137" and inserting "the amount of the determined charge".

Section 5 amends section 10(1) of the Principal Ordinance, which relates to the amount of sewerage rates for part of the rating year, by omitting "that would be imposed by section 8 of this Ordinance" and substituting "determined under section 28A".

Section 6 amends section 12(2) of the Principal Ordinance, which relates to increased sewerage rates where units owned by the Commonwealth become held under a weekly or fortnightly tenancy during a rating year, by omitting "\$137" and substituting "the amount of the determined charge".

Section 7 amends section 13(4) of the Principal Ordinance, which relates to the refund of sewerage rates, by omitting "that would be imposed by section 8 of this Ordinance" and substituting "determined under section 28A".

Section 8 amends section 14(2) of the Principal Ordinance, which relates to persons by whom sewerage rates are payable, by omitting "by virtue of a section of this Ordinance".

Section 9 inserts a new section 28A into the Principal Ordinance which provides that the Minister may, by notice in writing published in the Gazette, determine charges for the purposes of the Ordinance. New section 28A also provides that a determination will apply in respect of the rating year that commenced on 1 July immediately preceding the date of the relevant Gazette notice and each subsequent rating year.