



**LOCAL GOVERNMENT (RATES AND CHARGES)
(CONSEQUENTIAL AMENDMENTS) ACT 1985**

No. 10 of 1985

TABLE OF PROVISIONS

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SCHEDULE 1

AMENDMENTS OF ACTS

AN ACT to amend certain Acts, including the Hobart Corporation Act 1963 and the Launceston Corporation Act 1963, consequential upon the enactment of the Local Government Amendment (Rates and Charges) Act 1985.

[Royal Assent 1 May 1985]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Local Government (Rates and Charges) (Consequential Amendments) Act 1985*. Short title.

Commence-
ment.

2—This Act shall commence on 1st July 1985.

Amendments
of Acts.

3—The Acts specified in Schedule 1 are amended in the manner specified in that Schedule.

SCHEDULE 1

Section 3

AMENDMENTS OF ACTS

Fire Service Act 1979

(No. 35 of 1979)

1—Section 81c is amended as follows:—

- (a) by omitting from subsection (1) “demand” and substituting “notice”;
- (b) by omitting from subsection (2) “special” and substituting “separate”;
- (c) by omitting from subsection (2A) “special” and “general rate or a consolidated rate” and substituting “separate” and “municipal rate” respectively;
- (d) by omitting subsection (3);
- (e) by omitting from subsection (4) “general rate levied by it or, if a consolidated rate is levied by it, as an addition to that rate” and substituting “municipal rate levied by it”.

2—Section 84 is repealed.

3—Section 87 is amended as follows:—

- (a) by omitting “rate book” and substituting “record of rates and charges kept pursuant to section 256 (1) of the *Local Government Act 1962*”;
- (b) by omitting “the *Local Government Act 1962*” and substituting “that Act”;
- (c) by omitting “251” and substituting “272”;
- (d) by omitting “(8)” and substituting “(6)”.

4—Section 89 (1) is amended by omitting “demands” and substituting “notices”.

5—Section 90 (1) is amended as follows:—

- (a) by omitting the passage beginning with “Where” and ending with “instalments—” and substituting “Where rates made by a corporation in respect of land situated in its municipal district are payable by instalments—”;
- (b) by omitting paragraph (b) and substituting the following paragraph:—
 - (b) the corporation shall, at the same time as it issues the notice requiring payment of those instalments of rates, issue a single demand for all of the instalments of each of those fire protection levies.

6—Section 92 is amended by omitting subsection (5).

7—Section 99 is repealed and the following section is substituted:—

Mutual rights
of owners
and occupiers.

99—Section 271 of the *Local Government Act 1962*, so far as relevant and with any necessary modifications, applies to and in respect of a fire protection levy in the same way as it applies to and in respect of rates referred to in that section.

Hobart Corporation Act 1963

(No. 81 of 1963)

1—The heading to Division 3 of Part VII is repealed and the following heading is substituted:—

Division 3—Interest

2—Section 83 is repealed.

3—Section 84 is amended as follows:—

(a) by omitting subsection (2);

(b) by inserting in subsection (3) “(not being a rate or charge made and levied by the city under Part XII of that Act)” after “1962”.

4—Part VIII is repealed.

Hydro-Electric Commission Act 1944

(8 & 9 Geo. VI No. 22)

Section 39A is amended as follows:—

(a) by omitting from subsection (1) (b) “His Majesty” and substituting “the Crown”;

(b) by omitting subsection (2).

Launceston Corporation Act 1963

(No. 82 of 1963)

1—Section 80 is amended as follows:—

(a) by inserting in subsection (1) “or charges made and levied by the city under Part XII of the *Local Government Act 1962*” after “rates”;

- (b) by inserting in subsection (2) “ or charges made and levied by the city under Part XII of the *Local Government Act 1962* ” after “ rates ”.

2—Section 81 is repealed.

3—Part VIII is amended as follows:—

(a) by omitting sections 90, 92 to 97, and 99 to 102;

(b) by omitting section 98 and substituting the following section:—

98—Lands in the city belonging to, or occupied by, the Port of Launceston Authority are subject to rates and charges made and levied under Part XII of the *Local Government Act 1962* as if that Authority were an ordinary ratepayer.

Lands of
the Port of
Launceston
Authority.

Local Government (Rates and Charges Remissions) Act 1977

(No. 100 of 1977)

1—Section 3 (1) is amended by omitting “ section 233 ” from the definition of “ rates ” and substituting “ Part XII ”.

2—Section 11 is repealed.

Sewers and Drains Act 1954

(No. 67 of 1954)

1—Section 29 (1) is amended by omitting “ two hundred and sixty-four of the *Local Government Act 1962* to make a separate local ” and substituting “ 234 of the *Local Government Act 1962* to make a separate ”.

2—Section 76 is amended by omitting “ special ” and substituting “ separate ”.

Statutory Authorities Act 1962

(No. 69 of 1962)

1—Section 11 is amended by omitting “ or special rate ”.

2—Section 13 is amended as follows:—

(a) by omitting from subsection (1) “, except as provided in subsection (2) of that section”;

- (b) by omitting from subsection (2) “ subsection (3) of that section ” and substituting “ section 243 (4) of the *Local Government Act 1962* ”;
- (c) by omitting from subsection (3) “ paragraph (b) of subsection (1) of section two hundred and thirty-four ” and substituting “ section 235 (1) (b), (c), or (d) ”;
- (d) by omitting from subsection (3) “ subsection (3) of section two hundred and forty-three ” and substituting “ section 243 (4) of that Act ”;
- (e) by omitting from subsection (3) “ paragraph (a) of subsection (1) of section two hundred and thirty-four ” and substituting “ section 235 (1) (a) of that Act ”.

3—Section 14 (2) (c) is amended by omitting “ Division V of Part XII and Division II ” and substituting “ Divisions 6, 7, and 8 of Part XII and Division 2 ”.

Water Act 1957

(No. 39 of 1957)

1—Section 17 is amended as follows:—

- (a) by omitting from subsection (1) (b) “ section 216,”;
- (b) by omitting from subsection (1B) “ strike, make,” and substituting “ make ”.

2—Section 27 (5) is amended by omitting “ separate local rate under ” and substituting “ proposal of the kind mentioned in section 186 (1) (e) of ”.

3—Section 41 is amended by omitting from subsections (2), (3), and (4) “ special ”, wherever occurring, and substituting “ separate ”.

4—Section 52 (3) is amended by omitting “ local ”.