



LOCAL GOVERNMENT (RATES AND CHARGES REMISSIONS) AMENDMENT ACT 1987

No. 32 of 1987

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AN ACT to amend the Local Government (Rates and Charges Remissions) Act 1977.

[Royal Assent 8 May 1987]

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 Remissions) Amendment Act 1987. Short title.

2—This Act shall commence on 1st July 1987.

Commencement.

Principal Act.

**3**—In this Act, the *Local Government (Rates and Charges Remissions) Act 1977\** is referred to as the Principal Act.

Amendment of  
section 3 of  
Principal Act  
(Interpretation).

**4**—Section 3 of the Principal Act is amended by inserting the following subsection after subsection (4):—

(4A) For the purposes of this Act, where, immediately before becoming an inmate of a prescribed institution, a prescribed pensioner occupied land belonging to him within the meaning of this Act as his principal dwelling-house, that pensioner shall, while he is an inmate of that institution, be deemed to continue to occupy that land as his principal dwelling-house as long as that land is not occupied by any other person.

Amendment of  
Schedule 1 to  
Principal Act.

**5**—Schedule 1 to the Principal Act is amended as follows:—

(a) by inserting the following paragraph before clause 2 (a) of Part II:—

(aa) the spouse of a special pensioner;

(b) by omitting from clause 2 (a) of that Part “the spouse of a special pensioner or his unmarried children,” and substituting “the unmarried children of a special pensioner,”;

(c) by omitting paragraph (c) of clause 2 of that Part and substituting the following paragraph:—

(c) persons who are not special pensioners, the annual income or property of each of whom does not have a value exceeding the appropriate rate of income or property value that would be applicable to him if he were a special pensioner within the meaning of clause 2 of Part IV,

(d) by omitting from clause 1 of Part III “*Social Services Act 1947*” and substituting “*Social Security Act 1947*”;

(e) by omitting from clause 2 of that Part “*Repatriation Act 1920*” and substituting “*Veterans’ Entitlements Act 1986*”;

\* No. 100 of 1977. For this Act, as amended to 1st July 1980, see the continuing Reprint of Statutes. Subsequently amended by No. 100 of 1982, No. 10 of 1985, and No. 58 of 1986

(f) by omitting Part IV and substituting the following Part:—

PART IV  
SPECIAL PENSIONERS

1. In this Part—

“health benefits card” means—

(a) a card known as a “Pensioner Health Benefits Card” issued pursuant to the *Health Insurance Act 1973* of the Commonwealth; or

(b) a card issued pursuant to an Act of the Commonwealth and that is specified by the Governor, by order, as being equivalent to a card referred to in paragraph (a);

“service pension” means a service pension under the *Veterans’ Entitlements Act 1986* of the Commonwealth.

2. A person—

(a) who—

(i) is in receipt of an age pension, an invalid pension, a widow’s pension, or a sheltered employment allowance under the *Social Security Act 1947* of the Commonwealth; or

(ii) would be entitled to receive any such pension or allowance if he were not a person in receipt of a training allowance under section 135D of that Act; and

(b) who holds a current health benefits card by virtue of having an annual income and property the value of which, except in the case of a person who is permanently blind, is less than the appropriate prescribed rate of income and prescribed property value applicable to him pursuant to section 83CA of the *Social Security Act 1947* of the Commonwealth.

3. A person, other than a person to whom clause 5 applies—

(a) who is in receipt of a service pension; and

(b) who holds a current health benefits card by virtue of having an annual income and property the value of which, except in the case of a person who is permanently blind, is less than the appropriate prescribed rate of income and prescribed property value applicable to him pursuant to section 83 of the *Veterans’ Entitlements Act 1986* of the Commonwealth.

4. A person who is in receipt of an allowance under the *Tuberculosis Act 1948* of the Commonwealth.

5. A person in receipt of a special rate of pension as a totally and permanently incapacitated veteran under section 24 of the *Veterans’ Entitlements Act 1986* of the Commonwealth.

6. A person who is the widow of a deceased veteran and who is in receipt of a pension under Part II of the *Veterans' Entitlements Act 1986* of the Commonwealth.