



ANALYSIS

Title
Preamble

1. Short Title
2. Validation of rates

1981, No. 7—*Local*

An Act to provide for the validation of the rates of the Rotorua District Council for the year ended 31 March 1981
[20 October 1981]

WHEREAS at a duly notified meeting, held on the 5th day of June 1980, the Rotorua District Council (in this Act referred to as the Council) resolved to make and levy rates and fees in respect of the year that ended on the 31st day of March 1981: And whereas that resolution followed consideration by the Council of its annual estimates and was properly a resolution of the Council's intention to make and levy such rates: And whereas in accordance with section 52 of the Rating Act 1967 the Council's intention to make and levy such rates was duly publicly advertised and notice was given of the Council's intention to make and levy those rates at the meeting of the Council to be held on the 24th day of June 1980: And whereas the minutes of the Council meeting of the 5th day of June 1980 were confirmed at the meeting of the Council on the 24th day of June 1980, but no resolution was passed at that or any subsequent meeting of the Council making and levying the said rates: And whereas the Council proceeded to levy and collect the said rates: And whereas doubt has arisen as to the validity and legality of the said rates and as to whether or not they were made and levied: And whereas it is desirable that the making, levying, and collection of the said rates be validated:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Rotorua District (Rates Validation) Act 1981.

2. Validation of rates—(1) The rates specified in the resolution of the Council passed at its meeting held on the 5th day of June 1980 are hereby validated and declared to have been lawfully made, in respect of the year ended with the 31st day of March 1981, to the extent that they would have been valid if—

- (a) At the meeting held on the 5th day of June 1980 the Council had passed a resolution of its intention to make and levy the said rates:
 - (b) Public notice of that intention had been duly given in accordance with section 51 of the Rating Act 1967:
 - (c) At the meeting held on the 24th day of June 1980 the Council had passed a resolution making and levying the said rates under section 53 of the Rating Act 1967.
- (2) All actions of the Council in levying and collecting the rates validated by subsection (1) of this section are hereby validated and declared to have been lawful.
- (3) All money received by the Council in payment of the rates so validated is hereby declared to have been lawfully paid to and received by it.
- (4) Such part of the rates so validated as has not yet been paid shall be lawfully payable to the Council.
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