



Queensland

# **Local Government Legislation (Validation of Rates and Charges) Amendment Act 2018**

**Act No. 4 of 2018**

---

**An Act to amend the City of Brisbane Act 2010 and the Local Government Act 2009 for particular purposes**

**[Assented to 29 March 2018]**





Queensland

# Local Government Legislation (Validation of Rates and Charges) Amendment Act 2018

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title .....	3
<b>Part 2</b>	<b>Amendment of City of Brisbane Act 2010</b>	
2	Act amended .....	3
3	Insertion of new ch 8, pt 8 .....	3
	Part 8 Validation provision for particular rates and charges	
	276 Validation of rates and charges .....	3
<b>Part 3</b>	<b>Amendment of Local Government Act 2009</b>	
4	Act amended .....	4
5	Insertion of new ch 9, pt 11 .....	5
	Part 11 Validation provision for particular rates and charges	
	315 Validation of rates and charges .....	5



---

**The Parliament of Queensland enacts—**

## **Part 1 Preliminary**

### **1 Short title**

This Act may be cited as the *Local Government Legislation (Validation of Rates and Charges) Amendment Act 2018*.

## **Part 2 Amendment of City of Brisbane Act 2010**

### **2 Act amended**

This part amends the *City of Brisbane Act 2010*.

### **3 Insertion of new ch 8, pt 8**

Chapter 8—

*insert—*

## **Part 8 Validation provision for particular rates and charges**

### **276 Validation of rates and charges**

- (1) This section applies to a rate or charge—
  - (a) levied or to be levied by the council under this Act, or levied by the council under the repealed *City of Brisbane Act 1924*, for a financial year up to and including the financial year ending 30 June 2018; and

[s 4]

---

- (b) that was not decided to be levied by resolution of the council at the council's budget meeting for the financial year under this Act or the repealed *City of Brisbane Act 1924*.
- (2) It is declared that the rate or charge is taken to be, and to always have been, as validly levied by the council as it would have been if the council had decided to levy the rate or charge by resolution at the council's budget meeting for the financial year under this Act or the repealed *City of Brisbane Act 1924*.
- (3) It is also declared that anything done, or to be done, in relation to the rate or charge is as valid as it would have been or would be if the council had decided to levy the rate or charge by resolution at the council's budget meeting for the financial year under this Act or the repealed *City of Brisbane Act 1924*.

*Examples of things done or to be done in relation to the rate or charge—*

- the bringing by the council of proceedings against a person
- the sale of land, or the taking of steps preparatory to the sale of land, by the council
- the acquisition of land, or the taking of steps preparatory to the acquisition of land, by the council
- the charging of interest on the rate or charge

## Part 3

## Amendment of Local Government Act 2009

### 4 Act amended

This part amends the *Local Government Act 2009*.

---

**5 Insertion of new ch 9, pt 11**

Chapter 9—

*insert—*

**Part 11 Validation provision for  
particular rates and  
charges**

**315 Validation of rates and charges**

- (1) This section applies to a rate or charge—
  - (a) levied or to be levied by a local government under this Act, or levied by a local government under a repealed Act, for a financial year up to and including the financial year ending 30 June 2018; and
  - (b) that was not decided to be levied by resolution of the local government at the local government’s budget meeting for the financial year under this Act or a repealed Act.
- (2) It is declared that the rate or charge is taken to be, and to always have been, as validly levied by the local government as it would have been if the local government had decided to levy the rate or charge by resolution at the local government’s budget meeting for the financial year under this Act or a repealed Act.
- (3) It is also declared that anything done, or to be done, in relation to the rate or charge is as valid as it would have been or would be if the local government had decided to levy the rate or charge by resolution at the local government’s budget meeting for the financial year under this Act or a repealed Act.

[s 5]

---

*Examples of things done or to be done in relation to the rate or charge—*

- the bringing by a local government of proceedings against a person
- the sale of land, or the taking of steps preparatory to the sale of land, by a local government
- the acquisition of land, or the taking of steps preparatory to the acquisition of land, by a local government
- the charging of interest on the rate or charge

(4) In this section—

*repealed Act* means the repealed *Local Government Act 1936* or the repealed *Local Government Act 1993*.

© State of Queensland 2018