



Queensland

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



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2018

A Bill

for

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

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Local Government Legislation
(Validation of Rates and Charges) Amendment Act 2018*. 4
5

**Part 2 Amendment of City of Brisbane
Act 2010** 6
7

Clause 2 Act amended 8

This part amends the *City of Brisbane Act 2010*. 9

Clause 3 Insertion of new ch 8, pt 8 10

Chapter 8— 11

insert— 12

**Part 8 Validation provision for
particular rates and
charges** 13
14
15

276 Validation of rates and charges 16

(1) This section applies to a rate or charge— 17

(a) levied or to be levied by the council under 18
this Act, or levied by the council under the 19
repealed *City of Brisbane Act 1924*, for a 20
financial year up to and including the 21
financial year ending 30 June 2018; and 22

-
- (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to be levied by resolution of the council at the council's budget meeting for the financial year under this Act or the repealed *City of Brisbane Act 1924*. 1
2
3
4
5
- (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to levy the rate or charge by resolution at the council's budget meeting for the financial year under this Act or the repealed *City of Brisbane Act 1924*. 6
7
8
9
10
11
12
- (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to levy the rate or charge by resolution at the council's budget meeting for the financial year under this Act or the repealed *City of Brisbane Act 1924*. 13
14
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- Examples of things done or to be done in relation to the rate or charge—* 20
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- the bringing by the council of proceedings against a person 22
23
 - the sale of land, or the taking of steps preparatory to the sale of land, by the council 24
25
 - the acquisition of land, or the taking of steps preparatory to the acquisition of land, by the council 26
27
28
 - the charging of interest on the rate or charge 29

Part 3 **Amendment of Local Government Act 2009** 30
31

Clause 4 **Act amended** 32
This part amends the *Local Government Act 2009*. 33

[s 5]

Clause 5	Insertion of new ch 9, pt 11	1
	Chapter 9—	2
	<i>insert—</i>	3
	Part 11	Validation provision for
		particular rates and
		charges
		6
	315 Validation of rates and charges	7
	(1) This section applies to a rate or charge—	8
	(a) levied or to be levied by a local government	9
	under this Act, or levied by a local	10
	government under a repealed Act, for a	11
	financial year up to and including the	12
	financial year ending 30 June 2018; and	13
	(b) that was not decided to be levied by	14
	resolution of the local government at the	15
	local government’s budget meeting for the	16
	financial year under this Act or a repealed	17
	Act.	18
	(2) It is declared that the rate or charge is taken to be,	19
	and to always have been, as validly levied by the	20
	local government as it would have been if the	21
	local government had decided to levy the rate or	22
	charge by resolution at the local government’s	23
	budget meeting for the financial year under this	24
	Act or a repealed Act.	25
	(3) It is also declared that anything done, or to be	26
	done, in relation to the rate or charge is as valid as	27
	it would have been or would be if the local	28
	government had decided to levy the rate or charge	29
	by resolution at the local government’s budget	30
	meeting for the financial year under this Act or a	31
	repealed Act.	32

<i>Examples of things done or to be done in relation to the rate or charge—</i>	1
	2
• the bringing by a local government of proceedings against a person	3
	4
• the sale of land, or the taking of steps preparatory to the sale of land, by a local government	5
	6
• the acquisition of land, or the taking of steps preparatory to the acquisition of land, by a local government	7
	8
	9
• the charging of interest on the rate or charge	10
(4) In this section—	11
<i>repealed Act</i> means the repealed <i>Local Government Act 1936</i> or the repealed <i>Local Government Act 1993</i> .	12
	13
	14

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