

ATTACHMENT C

Delegations pursuant to section 132 of the Local Government (Rating) Act 2002

Section/ Regulation/ Rule	Description	Position
27	Duty to keep and maintain rating information base	RM; FM
28	Duty to make the rating information database available for inspection	RM; FM
28C	Power to remove owners particulars from database pursuant to s28B request	RM; RO
29	Power to determine objections to information in the Rating Information Database	RM; RO; FM
33	Duty to update the rating information database in respect of notification of transfer or assignment of lease or licence	RM; RO
35	Power to remove the name of ratepayer entered in rating information databases if satisfied that the name has been removed from the land transfer register, if the entry relates to a rating unit that is entered in that register	RM; RO
36	Duty to update the database in respect of change of name	RM; RO
37	Duty to keep and maintain rates records for each rating unit	RM; RO
38	Power to request confirmation with regard to who may inspect the rates record for a rating unit and duty to make rates record available for inspection at principal public office of the local authority	RM
39	Power to determine objections to information in rates records and, if the objection is upheld, correct the entry in the rates record accordingly	RM; RO; FM
40	Power to correct errors in rating information databases and rates records even though an objection has not been made	RM; RO
41	Duty to issue an amended rates assessment if an error in rating information database or rates records is corrected and to refund to the person who paid the rates any rates paid in excess of the amount payable on the amended assessment	RM; FA; CSGM; CE
41A	Duty to issue an amended rates assessment to give effect to valuation	RM
44	Duty to deliver rates assessments to ratepayers	RM
46	Duty to deliver to the ratepayer a rates invoice for the rating unit for that period.	RM
48	Duty to deliver rates assessments before rates invoices unless the rates assessment includes all information required by section 46 in which case the rates invoice and rates assessment may be delivered together	RM
50	Power to deliver a rates invoice for not more than 25% of the rates that are payable in the previous year	RM
51	Power to deliver a combined rates assessment and combined rates invoice for rating units	RM
52	Power to determine method of payment of rates	RM
54	Power not to collect rates that are uneconomic to collect	RM; RO
57	Power to add penalties for rates not paid by the due date, in accordance with the rates resolution	RM; RO
58	Power to impose penalties when rates are unpaid subject to rates resolution	RM; RO

61	Power of recovery of rates from owner when ratepayer other than owner defaults in paying rates, subject to informing commissioners prior to actioning	CC; RM; FM; CSGM
62	Powers for recovery of rates if owner defaults	CC; RM; FM; CSGM
63	Power to commence proceedings in a court of competent jurisdiction to recover as a debt unpaid rates subject to advising Commissioners prior to actioning	LGL; CE
67	Power to apply to High Court to have judgement for rates enforced by sale or lease of the rating unit subject to advising Commissioners prior to actioning	LGL; CE
72	Authority to sell by private treaty	CE; LGL
77-83	Power to deal with abandoned land	LGL; CE; CSGM
85(1)	Power to remit all or part of the rates on a rating unit in accordance with Council's rates remission policy.	CC; RM; FM; RO
86	Duty to record remitted rates	RM; RO
87	Duty to postpone the requirement to pay all or part of the rates in accordance with Council's rates postponement policy	CC; RM; FM; RO
88	Power to add a postponement fee to postponed rates	NOT DELEGATED Council Only
89(2)	Duty to record the net cost of a postponement as paid by local authority	RM
90(1)	Power to register a notice of charge on a rating unit if the requirement to pay rates for the rating unit under section 87(1) has been postponed	RM
90(4)	Duty to register a notice of release of charge if all postponed rates for a rating unit are paid	RM
99	Power to apply to the Maori Land Court for an order charging the unpaid rates against the land	CC; RM; FM
108	Power to apply to the Maori Land Court to enforce a charging order against land for the amount of unpaid rates and the cost of obtaining the charging order subject to advising Commissioners prior to actioning	CC; RM; FM
114	Power to remit all or part of the rates (including penalties for unpaid rates) on Maori freehold land in accordance with Council policy.	CC; RM; FM; RO
115	Duty to postpone requirement to pay all or part of the rates on Maori freehold land in certain circumstances	CC; RM; RM; RO
135(2)	Power, of chief executive officer or another person who is authorised by the local authority, to sign documents as correct copies of certain documents for the purpose of any proceedings	LGL; RM; FM; CSGM
Part 1 Subpart 2	Powers, duties and functions	NOT DELEGATED Council Only
Part 5 subpart 1	Powers, duties and functions (replacement of rates)	NOT DELEGATED Council Only

Legend

RM:	Rates Manager
FM:	Finance Manager
CSGM:	Corporate Services Group Manager
LGL:	Legal, Audit & Risk Group Manager
RO:	Rates Officer
CC:	Credit Controller
CE:	Chief Executive