

House of Assembly—No 48

As laid on the table and read a first time, 13 May 2020

South Australia

**Local Government (Public Health Emergency)
(Rate Relief) Amendment Bill 2020**

A BILL FOR

An Act to amend the *Local Government Act 1999*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

5 This Act may be cited as the *Local Government (Public Health Emergency) (Rate Relief) Amendment Act 2020*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Local Government Act 1999*

10 3—Insertion of section 165A

After section 165 insert:

165A—Rebate of rates—COVID-19 public health emergency

- 15 (1) The rates on land being used for the purposes of a business or not-for-profit organisation whose activities on the land cease or are restricted as a result of a relevant direction made due to the outbreak of the human disease named COVID-19 within South Australia will be rebated at 100% during the prescribed period.
- 20 (2) Despite any other provision of this Chapter, the following provisions apply in relation to a rebate under subsection (1):
 - (a) a rebate under subsection (1) applies to rates declared in respect of the 2019/20 financial year (even though rates have already been declared for that year) and any subsequent financial year until the end of the prescribed period;
 - 25 (b) a person or body entitled to a rebate under subsection (1) is not required to apply for the rebate;

- 5 (c) the amount of a rebate under subsection (1) to which a person or body is entitled in respect of a quarter or quarters may be—
- (i) deducted from an amount applying under the next rates notice payable by the person or body; or
- (ii) directly credited to the person or body;
- 10 (d) a rebate under subsection (1) applies whether or not the prescribed period in relation to the rebate commenced before or after the commencement of the *Local Government (Public Health Emergency) (Rate Relief) Amendment Act 2020*.
- (3) Nothing in this section shall give a council a right—
- (a) to alter the employment status (such as by standing down); or
- 15 (b) to reduce the employment conditions, of an employee of the council.
- (4) In this section—
- prescribed period**, in relation to a business or not-for-profit organisation whose activities cease or are restricted as a result of a relevant direction made due to the outbreak of the human disease named COVID-19, means the period—
- 20 (a) commencing on the day on which the cessation or restriction commenced; and
- (b) ending on—
- 25 (i) the day on which the cessation or restriction ended; or
- (ii) the day on which all relevant declarations relating to the outbreak of the human disease named COVID-19 within South Australia have ceased,
- 30 whichever occurs earlier;
- relevant direction** means a direction made under a declaration relating to the outbreak of the human disease named COVID-19.