

**Reprint  
as at 29 June 1988**



**Finance Act 1949**

Public Act    1949 No 39  
Date of assent    21 October 1949  
Commencement    21 October 1949

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**This Act is administered by the Treasury.**

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**An Act to make provision with respect to public finance and other matters**

**1 Short Title**

This Act may be cited as the Finance Act 1949.

**Part 1**  
**Public revenues**

**2 Validating excess unauthorized expenditure**

All sums issued under section 58 of the Public Revenues Act 1926 during the financial year that ended on 31 March 1949 in excess of the limits prescribed by subsection (3) of that section (as substituted by section 7 of the Finance Act 1947) are hereby declared to have been lawfully issued and paid.

**3 Export duty on gold abolished**

(1) The following enactments are hereby repealed:

- (a) the Gold Duty Act 1908;
- (b) the Gold Duty Amendment Act 1909;
- (c) the Gold Duty Amendment Act 1912;
- (d)–(f) *Amendment(s) incorporated in the Act(s)*.

(2) All gold duty that became due and payable and all penalties and forfeitures that were incurred before the commencement of this section shall be recovered and enforced in the same manner as if this section had not been passed.

- 4 Amending provisions as to refund of portion of sales tax paid in respect of materials used in manufacture of omnibuses or tramcars**  
*[Repealed]*  
Section 4: repealed, on 25 September 1958, by section 14(6) of the Customs Acts Amendment Act 1958 (1958 No 33).
- 5 Repeal of provision for refund of part of brewery supervision fees**  
*Amendment(s) incorporated in the Act(s).*
- 6 Payment of purchase price for farm land purchased or taken for settlement of discharged servicemen**  
*[Repealed]*  
Section 6: repealed, on 1 April 1978, by section 163(1) of the Public Finance Act 1977 (1977 No 65).
- 7 Government Insurance Commissioner may borrow on overdraft from Reserve Bank**  
*[Repealed]*  
Section 7: repealed, on 1 January 1954, by section 41(1) of the Government Life Insurance Act 1953 (1953 No 58).
- 8 Loans from Government Insurance Account for residential accommodation**  
*[Repealed]*  
Section 8: repealed, on 1 January 1954, by section 41(1) of the Government Life Insurance Act 1953 (1953 No 58).
- 9 Purchase of motor cars for resale to officers of Government Insurance Department**  
*[Repealed]*  
Section 9: repealed, on 1 January 1954, by section 41(1) of the Government Life Insurance Act 1953 (1953 No 58).

**10 Altering date for refunds of deposits under Insurance Companies' Deposits Act 1921–22 in respect of employers' liability insurance**

*[Repealed]*

Section 10: repealed, on 1 April 1957, by section 138(1) of the Workers' Compensation Act 1956 (1956 No 62).

**11 Workers' compensation to be paid at increased rates in all cases where employer is the Crown or is insured with Government Accident Insurance Office**

*[Repealed]*

Section 11: repealed, on 1 April 1957, by section 138(1) of the Workers' Compensation Act 1956 (1956 No 62).

**12 Increasing allowance to Speaker of House of Representatives**

*[Repealed]*

Section 12: repealed, on 1 January 1951, by section 29(1) of the Civil List Act 1950 (1950 No 99).

**13 Salary of Controller and Auditor-General**

*[Repealed]*

Section 13: repealed, on 6 December 1951, by section 15(2) of the Finance Act 1951 (1951 No 78).

**Part 2**

**Local authorities and public bodies**

**14 Application of surplus of separate or special rate**

*[Repealed]*

Section 14: repealed, on 29 June 1988, by section 209(1) of the Rating Powers Act 1988 (1988 No 97).

**15 Milk Authorities Association**

*[Repealed]*

Section 15: repealed, on 1 September 1968, by section 71(1) of the Milk Act 1967 (1967 No 53).

**16 Local authorities may contribute towards cost of holding British Empire Games**

- (1) It shall be lawful and be deemed to have been lawful for any local authority or public body—
- (a) to make contributions from its general fund or account to British Empire Games (N.Z.) Limited, a company incorporated under the Companies Act 1933 and having for its principal object the organization, management, and financial control of the British Empire Games to be held in Auckland in February 1950:
  - (b) to take up and subscribe for shares in the said company:
  - (c) to guarantee any liability incurred or to be incurred by the said company for the purposes of the said Games.
- (2) No gift duty shall be payable in respect of any contribution to the said company under paragraph (a) of the last preceding subsection.

**17 Repealing provisions as to apportionment of expenditure of Thames Hospital Board**

*[Repealed]*

Section 17: repealed, on 1 April 1958, by section 158(1) of the Hospitals Act 1957 (1957 No 40).

**18 Validating payment by Awanui Harbour Board**

The payment of the sum of 25 pounds made during the financial year that ended on 31 March 1949 by the Awanui Harbour Board to Thomas F Walker, an employee of the Board, to assist him to replace his house and belongings which were destroyed by fire is hereby validated and declared to have been lawfully made.

**19 Water-supply agreements and charges**

*[Repealed]*

Section 19: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

### **Part 3**

#### **Miscellaneous**

#### **20 Provisions as to disqualification of members of General Assembly not to apply in certain cases**

The provisions of the Legislature Act 1908, or of the Electoral Act 1927, or of any other Act, as to the disqualification of members of the General Assembly or of candidates for election as members of Parliament, shall not apply with respect to any payment that has been or may hereafter be received out of public moneys—

- (a) by the Honourable Thomas Otto Bishop, member of the Legislative Council, in respect of his services as a member of the Coal Valuation Commission established under the Coal Act 1948:
- (b) by the Honourable Richard Eddy, member of the Legislative Council, in respect of his services as a member of the Royal Commission appointed on 6 August 1947 to inquire into and report upon the sheep-farming industry in New Zealand, or as a member of the Government Service Tribunal established under the Government Service Tribunal Act 1948:
- (c) by George Hamish Ormond Wilson, Esquire, member of Parliament, in respect of the acquisition from him by His Majesty the King in 1949 of certain land in the Rangitoto Survey District, Wellington Land District, for the settlement of discharged servicemen under the provisions of the Land Act 1948:
- (d) by Ernest Bowyer Corbett, Esquire, member of Parliament, in respect of the acquisition from him as one of the executors in the estate of George Edward Goodwin, deceased, by His Majesty the King in the year 1949 of certain land in the Cape Survey District, Taranaki Land District, for the settlement of discharged servicemen under the provisions of the Land Act 1948.

#### **21 Limitation of award to part of industrial district**

*[Repealed]*

Section 21: repealed, on 1 November 1954, by section 224(1) of the Industrial Conciliation and Arbitration Act 1954 (1954 No 72).

**22 Salaries of nominated members of Court of Arbitration***[Repealed]*

Section 22: repealed, on 6 December 1951, by section 11(2) of the Finance Act 1951 (1951 No 78).

**23 Islington Substation Railway authorized***[Repealed]*

Section 23: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

**24 Certain officers of State Advances Corporation not subject to Public Service Act 1912***[Repealed]*

Section 24: repealed, on 1 December 1951, by section 8(3) of the State Advances Corporation Amendment Act 1951 (1951 No 46).

**25 Principal orders of the Government Railways Industrial Tribunal**

- (1) In this section the term **the conforming order** means principal order number 162 made by the Government Railways Industrial Tribunal on 26 August 1949 for the purpose of conforming with the pronouncement of the Court of Arbitration made on 12 April 1949 specifying standard rates of wages.
- (2) All limitations of time applicable to the making of any principal order by the Government Railways Industrial Tribunal, or to any matter ancillary thereto, shall apply in all respects as if the conforming order had not been made.

**26 Amending provisions as to Post and Telegraph Department sick benefit fund***[Repealed]*

Section 26: repealed, on 1 January 1954, by section 5(2) of the Post and Telegraph Amendment Act 1953 (1953 No 48).

**27 Disposal of regimental funds on reconstitution of Territorial Force units***[Repealed]*

Section 27: repealed, on 1 December 1951, by section 160(1) of the New Zealand Army Act 1950 (1950 No 39).

- 28 Preserving superannuation rights of A M Goulding, Esquire, Chairman of the Licensing Control Commission**
- Whereas Arthur Morice Goulding, Esquire (in this section referred to as the **contributor**), was at the time of his appointment as the Chairman of the Licensing Control Commission a contributor to the Government Superannuation Fund as a Magistrate under section 72 of the Superannuation Act 1947: And whereas the office of Chairman of the Licensing Control Commission is not an office to which the Superannuation Act 1947 is applicable, and it is desirable, for the purpose of preserving the superannuation rights of the contributor to the extent hereinafter provided for, that he should continue as hereinafter provided to be a contributor to the said Fund:
- Be it therefore enacted as follows:
- (1) During the period of the contributor's service as the Chairman of the Licensing Control Commission he shall continue to be a contributor to the Government Superannuation Fund under section 72 of the Superannuation Act 1947.
  - (2) For the purposes of section 72 of the Superannuation Act 1947, the service of the contributor as the Chairman of the Licensing Control Commission (whether before or after the passing of this Act) shall be deemed to be service as a Magistrate, and the rate of the salary of the contributor during the period of that service shall be deemed to be the rate of the salary from time to time payable to a Magistrate.
- 29 Validating expenditure by New Plymouth Savings Bank in connection with centennial celebrations**
- It shall be lawful and be deemed to have been lawful for the trustees of the New Plymouth Savings Bank to expend during the financial year ending on 31 March 1950, out of the profits of the bank, any sums of money not exceeding in the aggregate 1,000 pounds for the purpose of celebrating and commemorating the 100th anniversary of the establishment of the Bank.
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**Schedule**

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*[Repealed]*

Schedule: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

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## Notes

### **1** *General*

This is a reprint of the Finance Act 1949. The reprint incorporates all the amendments to the Act as at 29 June 1988, as specified in the list of amendments at the end of these notes. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

### **2** *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### **3** *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted.

For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5** *List of amendments incorporated in this reprint  
(most recent first)*

Rating Powers Act 1988 (1988 No 97): section 209(1)

Public Works Act 1981 (1981 No 35): section 248(1)

Public Finance Act 1977 (1977 No 65): section 163(1)

Milk Act 1967 (1967 No 53): section 71(1)

Customs Acts Amendment Act 1958 (1958 No 33): section 14(6)

Hospitals Act 1957 (1957 No 40): section 158(1)

Workers' Compensation Act 1956 (1956 No 62): section 138(1)

Industrial Conciliation and Arbitration Act 1954 (1954 No 72): section 224(1)

Government Life Insurance Act 1953 (1953 No 58): section 41(1)

Post and Telegraph Amendment Act 1953 (1953 No 48): section 5(2)

Finance Act 1951 (1951 No 78): sections 11(2), 15(2)

State Advances Corporation Amendment Act 1951 (1951 No 46): section 8(3)

Civil List Act 1950 (1950 No 99): section 29(1)

New Zealand Army Act 1950 (1950 No 39): section 160(1)

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