

**Reprint
as at 3 June 2017**



Finance Act (No 2) 1967

Public Act	1967 No 159
Date of assent	24 November 1967
Commencement	24 November 1967

Finance Act (No 2) 1967: repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

Contents

	Page
Title	2
1 Short Title	2
2 Superannuation contributions by certain contributors to Government Superannuation Fund <i>[Repealed]</i>	2
3 Salary of Ombudsman <i>[Repealed]</i>	2
4 Assignments or settlements of income <i>[Repealed]</i>	2
5 Annual report and accounts of Air New Zealand Limited to be presented to Parliament <i>[Repealed]</i>	2
6 Authorising the taking for a motorway of part of the Bolton Street Cemetery situated in the City of Wellington	2
7 Validating certain Orders in Council under Milk Act 1944	4
8 Empowering certain local authorities to make grants to Societies for the Prevention of Cruelty to Animals	5
9 Electricity Advisory Council Act 1962 repealed	5
10 Master and Apprentice Act 1908 repealed	5

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Treasury.

Schedule 1	6
Enactments repealed	
Schedule 2	7
Regulations revoked	

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 (No 2) 1967.

2 Superannuation contributions by certain contributors to Government Superannuation Fund

[Repealed]

Section 2: repealed, on 30 September 1976, by section 6(5) of the Finance Act 1976 (1976 No 24).

3 Salary of Ombudsman

[Repealed]

Section 3: repealed, on 26 June 1975, by section 33(1) of the Ombudsmen Act 1975 (1975 No 9).

4 Assignments or settlements of income

[Repealed]

Section 4: repealed, on 1 April 1977 (applying with respect to the tax on income derived in the income year commencing on that date and every subsequent year), by section 436(1) of the Income Tax Act 1976 (1976 No 65).

5 Annual report and accounts of Air New Zealand Limited to be presented to Parliament

[Repealed]

Section 5: repealed, on 12 May 1989, by section 26 of the Finance Act (No 2) 1988 (1988 No 128).

6 Authorising the taking for a motorway of part of the Bolton Street Cemetery situated in the City of Wellington

Whereas the land described in subsection (5) (in this section referred to as the **said land**) is part of the closed cemetery known as Bolton Street Cemetery (in this section referred to as the **cemetery**) situated in the City of Wellington:

And whereas by Order in Council made pursuant to the Cemeteries Act 1882 on 28 July 1891, and published in the *Gazette* on the 30th day of that month at page 869, the cemetery was declared closed and vested in the Mayor, Councilors, and Citizens of the City of Wellington (in this section referred to as the **Corporation**):

And whereas section 43 of the Burial and Cremation Act 1964 prevents the said land from being sold or leased or otherwise disposed of or diverted to any purpose other than a closed cemetery:

And whereas the said land is required for the Ngauranga–Basin Reserve Motorway (in this section referred to as the **motorway**):

And whereas it is desirable that special provision be made to authorise the taking of the said land pursuant to the Public Works Act 1928 for the motorway:

And whereas it is desirable that suitable provision be made for the reinterment of human remains removed in preparation for the construction of the motorway and for certain other matters relating to those human remains:

Be it therefore enacted as follows:

- (1) The Governor-General is, pursuant to the powers conferred on him by the Public Works Act 1928, hereby empowered to take the said land or any part of it for the motorway, freed and discharged from all trusts, reservations, and restrictions.
- (2) Notwithstanding anything to the contrary in the Public Works Act 1928 or any other enactment or in any rule of law, no compensation shall be payable to the Corporation by the Crown or any other person in respect of the taking of the said land or any part of it in accordance with subsection (1).
- (3) Notwithstanding anything to the contrary in the Burial and Cremation Act 1964 or any other enactment or in any rule of law, the National Roads Board established under the National Roads Act 1953 may construct a motorway on any part of the said land, and may carry out ancillary works—
 - (a) resulting from the construction of the motorway; and
 - (b) associated with the restoration and the landscaping of any portion of the said land not required for the motorway and of any adjacent land vested in the Crown or the Corporation.
- (4) Notwithstanding anything to the contrary in the Burial and Cremation Act 1964 or any other enactment or in any rule of law, where the construction of the motorway requires the prior removal of any human remains from the said land, the Wellington City Council (in this subsection referred to as the **Council**) shall, with the concurrence of and at the expense of the National Roads Board, but subject to such directions as may be notified to it by the Minister of Health,—
 - (a) arrange for the excavation of any grave and the removal of any headstone, tablet, monument, or surround of any such grave, and provide for the re-erection or disposal in a respectful and fitting manner of any such headstone, tablet, monument, or surround in such manner as it may consider appropriate, having regard to such wishes as may have been made known to the Council by any relative or legal personal representative of the deceased person buried in the grave:

- (b) arrange for the removal of the remains of any such deceased person and, having regard to such wishes as may have been made known to the Council by any surviving relative or legal personal representative of the deceased, cause the remains to be reinterred in a respectful and fitting manner in any part of the said land not required for the motorway or any cemetery under the control of the Corporation or in such other place as may be approved by the Minister of Health:
- provided that the Council, having regard to any wishes that the deceased person or any relative or legal personal representative of the deceased person may have expressed, may authorise the remains of that deceased person to be cremated:
- (c) cause to be compiled as complete a record as practicable of the names of all persons whose remains are removed as aforesaid and of the names of the persons who were their next of kin at their deaths:
- (d) cause to be designed and erected on any part of the said land not required for the motorway, or, if it is not practicable to do so, on any part of the cemetery adjacent to the said land, suitable memorials (including a memorial grave) inscribed with the names of the persons whose remains have been removed as aforesaid.
- (5) The land to which this section relates is more particularly described as follows:
All that area of land in the Wellington Land District situated in the City of Wellington containing 5 acres and 28 perches, more or less, being part Lot 1 on Deposited Plan numbered 8370, being part Public Cemetery No 1 and part Church of England Cemetery No 2, and being part of the land comprised and described in certificate of title, Volume 403, folio 203, Wellington Land Registry; as more particularly shown on SO Plan 26952 lodged in the office of the Chief Surveyor at Wellington, and thereon coloured blue.

7 Validating certain Orders in Council under Milk Act 1944

Whereas under the Milk Act 1944 the Governor-General is authorised, by Order in Council, to constitute, unite, alter the boundaries of, and abolish milk districts, and to constitute and alter the Milk Authority for any milk district:

And whereas by section 15(3) of the Local Government Commission Act 1961 it is provided that where a request or recommendation is made under any enactment other than that Act to the Governor-General asking for or recommending that any action be taken for the purpose of or with a view to giving effect to any proposal which could be provided for in a reorganisation scheme under that Act, the request or recommendation shall be referred to the Local Government Commission and no such action shall be taken under the enactment unless the Commission so recommends, and corresponding provisions formerly appeared in section 15(2) of the Local Government Commission Act 1953 and in section 24(1) of the Local Government Commission Act 1946:

And whereas many Orders in Council have been made under the Milk Act 1944 making provision for matters that could have been provided for in a reorganisation scheme, but the provisions of section 15(3) of the Local Government Commission Act 1961, or, as the case required, the said corresponding former provisions, were not complied with:

And whereas doubts have arisen as to the validity of those Orders in Council and it is expedient that they should be validated: Be it therefore enacted as follows:

Every Order in Council under the Milk Act 1944 made before the passing of this Act making provision for any matter that could have been provided for in a reorganisation scheme under the Local Government Commission Act 1961 or, as the case may require, the Local Government Commission Act 1953 or the Local Government Commission Act 1946, which would have been valid if the provisions of section 15(3) of the Local Government Commission Act 1961 or, as the case may require, section 15(2) of the Local Government Commission Act 1953 or section 24(1) of the Local Government Commission Act 1946, had been complied with and the Local Government Commission had recommended that provision for that matter be made by Order in Council under the Milk Act 1944 is hereby validated and declared to have been lawfully made on and from the date of the making thereof.

8 Empowering certain local authorities to make grants to Societies for the Prevention of Cruelty to Animals

It shall be lawful and be deemed always to have been lawful for any County Council, Borough Council, or Town Council or the Waiheke Road Board to expend money out of its general fund or account to make grants to the bodies known as Societies for the Prevention of Cruelty to Animals.

9 Electricity Advisory Council Act 1962 repealed

The Electricity Advisory Council Act 1962 is hereby repealed.

10 Master and Apprentice Act 1908 repealed

- (1) The enactments specified in Schedule 1 are hereby repealed.
- (2) The regulations specified in Schedule 2 are hereby revoked.

Schedule 1
Enactments repealed

s 10(1)

Crimes Act 1961 (1961 No 43)*Amendment(s) incorporated in the Act(s).***Labour Department Act 1954 (1954 No 71) (1957 Reprint, Vol 6, p 836)***Amendment(s) incorporated in the Act(s).***Master and Apprentice Act 1908 (1908 No 115) (1957 Reprint, Vol 9, p 409)***Amendment(s) incorporated in the Act(s).***State Services Act 1962 (1962 No 132)***Amendment(s) incorporated in the Act(s).***Statutes Amendment Act 1941 (1941 No 26) (1957 Reprint, Vol 9, pp 412 and 419; Vol 15, p 146)***Amendment(s) incorporated in the Act(s).***War Legislation and Statute Law Amendment Act 1918 (1918 No 10) (1931 Reprint, Vol VIII, p 1078; 1957 Reprint, Vol 9, p 416)***Amendment(s) incorporated in the Act(s).*

Schedule 2
Regulations revoked

s 10(2)

Master and Apprentice Amendment Regulations 1937 (SR 1937/169)

**Regulations under the Master and Apprentice Amendment Act 1920 made by
Order in Council on 23 March 1925 (*Gazette* Vol I 1925, p 927)**

**Regulations under the same Act made by Order in Council on 19 December 1932
(*Gazette* Vol III 1932, p 2768)**

Reprints notes

1 *General*

This is a reprint of the Finance Act (No 2) 1967 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Statutes Repeal Act 2017 (2017 No 23): section 3(1)

Finance Act (No 2) 1988 (1988 No 128): section 26

Income Tax Act 1976 (1976 No 65): section 436(1)

Finance Act 1976 (1976 No 24): section 6(5)

Ombudsmen Act 1975 (1975 No 9): section 33(1)