

Finance Act 1920

Public Act 1920 No 83
Date of assent 11 November 1920

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An Act to make Provision with respect to certain Matters relating to Finance.
[11th November, 1920.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title.

This Act may be cited as the Finance Act, 1920.

**Part I
PENSIONS**

War Pensions

2 War Pensions Medical Appeal Board.

- (1.) There shall be a War Pensions Medical Appeal Board (hereinafter referred to as the Appeal Board), consisting of three registered medical practitioners, to be appointed by the Minister of Defence, and to hold office during his pleasure.
- (2.) There shall be an appeal to the Appeal Board from the decisions of the War Pensions Board in so far as they consist in—
 - (a.) The rejection of any claim for a pension on the ground that the death or disablement of the member of the Forces in respect of whose death or disablement the claim is made was not due, directly or indirectly, to his employment as a member of the Forces, or, in the case of disablement, that the condition of disablement was not aggravated by such employment; and
 - (b.) The assessment of a pension granted to any member of the Forces in so far as the assessment is based on medical grounds.
- (3.) On any appeal under this section the Appeal Board may confirm the decision of the War Pensions Board, or may grant a pension, or may increase or reduce the amount of any pension.
- (4.) The Governor-General may, by Order in Council, make regulations prescribing the procedure of the Appeal Board, and, in the absence of such regulations or in so far as they do not extend, the Board may regulate its own procedure.
- (5.) The decision of the Appeal Board shall be final, and shall be binding on the War Pensions Board.

3 Provision for increased payment to totally disabled members of Expeditionary Force.

Notwithstanding anything in section five of the War Pensions Act, 1915, and in the Second Schedule to the War Pensions Amendment Act, 1917, if the War Pensions Board is satisfied, by reason of special circumstances affecting any member of the Forces who is in receipt of a pension in respect of his total disablement, that such pension is insufficient, it may grant to that member an additional pension of such amount as it thinks fit, but so that the total

amount granted under this section shall not exceed fifty thousand pounds in any financial year.

Civil Pensions

4 Section 2 of Pensions Act, 1913, amended.

(1.) The definition of the term “income” in section two of the Pensions Act, 1913, is hereby amended as follows:—

(a.) By omitting paragraph (*d*), and substituting the following paragraph:—

“(d.) Any pension payable under the Miner’s Phthisis Act, 1915.”

(b.) By repealing paragraph (*i*), and substituting the following paragraph:—

“(i.) Any payment not exceeding fifty-two pounds in any year from any relative of the applicant (including his or her wife or husband).”

(c.) By adding the following paragraphs:—

“(j.) Any pension payable under the War Pensions Act, 1915; and

“(k.) Any other moneys received by the applicant, not exceeding thirty-nine pounds in any year.”

(2.) Where any applicant for a pension has received in any year payments under two or more of the following paragraphs of the definition of “income” as amended by this section—namely, paragraphs (*c*), (*d*), (*i*), (*j*) and (*k*)—the exemptions shall be alternative and not cumulative, but the applicant shall be entitled to the exemption which will allow the greater amount of pension.

Consequential repeals.

(3.) The following provisions are consequentially repealed, namely:—

(a.) Paragraph (*a*) of section two of the Pensions Amendment Act, 1914; and

(b.) Section twenty-nine of the War Legislation Amendment Act, 1916.

5 Section 8 of Pensions Act, 1913, amended.

Section eight of the Pensions Act, 1913, is hereby amended as follows:—

(a.) By omitting from paragraph (*g*) the words “sixty pounds,” and substituting the words “seventy-eight pounds”; and

(b.) By omitting from paragraph (*h*) the words “two hundred and sixty pounds,” and substituting the words “three hundred and ninety pounds.”

6 Section 9 of Pensions Act, 1913, amended.

(1.) Section nine of the Pensions Act, 1913, is hereby amended as follows:—

(a.) By omitting the words “twenty-six pounds,” and substituting the words “thirty-nine pounds”; and

(b.) By omitting from paragraph (*a*) the words “above thirty-four pounds,” and substituting the words “as defined.”

Consequential repeals.

- (2.) Section eighty-three of the Finance Act, 1917, and section nine and subsection four of section ten of the Finance Act, 1919, are hereby repealed.

7 Section 10 of Pensions Act, 1913, amended.

Section ten of the Pensions Act, 1913, is hereby amended by omitting from subsection two, wherever they occur, the words “three hundred and forty pounds,” and substituting the words “three hundred and ninety pounds.”

8 Section 13 of Pensions Act, 1913, amended.

Section thirteen of the Pensions Act, 1913, is hereby amended by inserting, after the words “one hundred” in paragraph (b), the words “and thirty.”

9 Increase of rates of Maori War pensions.

Section twenty-five of the Pensions Act, 1913, is hereby amended by omitting the words “thirty-six pounds,” and substituting the words “forty-nine pounds.”

10 Section 48 of Pensions Act, 1913, amended.

Section forty-eight of the Pensions Act, 1913, is hereby amended by adding to paragraph (c) the following proviso:—

“Provided that no instalments of pension shall be forfeited in respect of any period of absence from New Zealand which does not exceed two years.”

11 Date of payment of pensions.

Section eighty-four of the Finance Act, 1917, is hereby amended by repealing subsection two thereof.

12 Section 3 of Miner’s Phthisis Act, 1915, amended.

Section three of the Miner’s Phthisis Act, 1915, as amended by section seven of the Finance Act, 1919, is hereby amended by omitting the words “thirty shillings,” and substituting the words “thirty-five shillings”; and by omitting the words “one pound,” and substituting the words “twenty-five shillings.”

13 Section 8 of Miner’s Phthisis Act, 1915, amended.

Section eight of the Miner’s Phthisis Act, 1915, is hereby amended by adding to subsection two the following proviso:—

“Provided that no instalments of pension shall be forfeited in respect of any period of absence from New Zealand which does not exceed two years.”

14 Limitation of right to receive pension under Miner’s Phthisis Act.

Notwithstanding anything to the contrary in the Miner’s Phthisis Act, 1915, no pension shall be paid under that Act to any person who is in receipt of a pension under the War Pensions Act, 1915, in respect of the death or disablement of a member of the Expeditionary Forces due to miner’s phthisis.

Part II
LOANS FOR PUBLIC WORKS AND OTHER PURPOSES, AND
GENERAL PROVISIONS RELATIVE TO PUBLIC LOANS

15 Minister of Finance may borrow £6,600,000 for purposes of electric power works and other public purposes.

- (1.) The Minister of Finance is hereby empowered to borrow, on the security of and charged upon the public revenues of New Zealand, such sums of money as he thinks fit, not exceeding in the aggregate the sum of three million five hundred thousand-pounds, for the purposes of electric-power works, and the sum of two million five hundred thousand pounds for certain other public works, and the sum of six hundred thousand pounds for the purpose of providing funds for carrying on trade in phosphates from Nauru and Ocean Islands.
- (2.) The sums so borrowed shall bear interest at such rate as the Minister of Finance prescribes.
- (3.) This Act shall be deemed to be an authorizing Act within the meaning of the New Zealand Loans Act, 1908, and the moneys hereby authorized to be borrowed shall be borrowed under and subject to the provisions of that Act accordingly.
- (4.) All moneys borrowed under the authority of this section for the purposes of electric-power works shall, as and when borrowed, be paid into the Public Account to the credit of the Electric Supply Account established under the State Supply of Electrical Energy Act, 1917, and shall from time to time be applied for the purposes specified in Part I of the Schedule hereto in such amounts as may from time to time be appropriated by Parliament for those purposes.
- (5.) All moneys borrowed under the authority of this section for public works other than electric-power works shall, as and when borrowed, be paid into the Public Account to the credit of the Public Works Fund, and shall from time to time be applied for the purposes specified in Part II of the Schedule hereto in such amounts as may from time to time be appropriated by Parliament for those purposes.
- (6.) All moneys borrowed under the authority of this section for purposes of the trade in phosphates from Nauru and Ocean Islands shall be paid into the Consolidated Fund to the credit of a separate account to be called the "Nauru and Ocean Islands Account," to which shall be paid all revenues accruing from sales or the management of the phosphate deposits, and which shall be charged with the costs of administration, including—
 - (a.) The salaries of persons engaged in such management, and contingent expenses relating thereto:
 - (b.) The purchase of the rights of the Pacific Phosphate Company:

- (c.) The repayment of all moneys borrowed for the purposes of the said account, and the interest and sinking fund thereon.
- (7.) The Minister of Finance shall cause full accounts to be kept of all moneys received and expended under this section in respect of the Nauru and Ocean Islands Account, and of all assets and liabilities and of all profits and losses in respect thereof.
- (8.) The Minister of Finance shall, in connection with the Nauru and Ocean Islands Account, cause a balance-sheet for each financial year to be prepared, together with a statement of accounts (including a capital account and a profit and loss account) to show fully the financial position of the undertaking and the financial result of the operations for the year. Such balance-sheet and statement shall be submitted to the Audit Office for audit, and shall be certified by the Audit Office either wholly or with such exceptions as may be necessary.
- (9.) The balance-sheet and statement of accounts aforesaid duly audited shall, within fourteen days after the receipt thereof by the Minister, be laid before Parliament if Parliament is then in session, and, if not, then within fourteen days after the commencement of the next ensuing session.

16 Increased power to borrow money for certain specified public purposes.

The authority conferred on the Minister of Finance by the several enactments mentioned in Part III of the Schedule hereto, as from time to time extended, to borrow moneys for the several purposes specified in the said enactments is hereby extended so as to authorize the borrowing of such further amounts as may be required for those purposes, not exceeding in the aggregate in any case the amount specified in the third column of the said Part III of the Schedule hereto and set opposite the reference to the authorizing Act.

17 Authority to issue Post Office Investment Certificates.

- (1.) The Postmaster-General may from time to time issue certificates, to be called "Post Office Investment Certificates," in such form as may from time to time be prescribed by the Minister of Finance.
- (2.) Such certificates shall be issued for a nominal value of such amount or of such amounts as the Minister of Finance may, in his discretion, determine, and may be issued by the Postmaster-General on payment into the Post Office Account of such less amount than the nominal value as may be prescribed by the Minister of Finance.
- (3.) Every such certificate shall authorize the payment to the bearer, on the expiration of five years from the date thereof, or of such longer period as the Minister may determine, of the nominal value of such certificate. Such payment shall be made out of the Post Office Account without further appropriation than this section.
- (4.) If at any time the moneys in the Post Office Account are insufficient to meet the charges thereon in respect of certificates issued under this section, it shall

be the duty of the Minister of Finance to issue the amount of such deficiency out of the Consolidated Fund without further appropriation than this section, and to report such deficiency to Parliament.

- (5.) All moneys paid into the Post Office Account for the purchase of certificates under this section shall from time to time be invested by the Postmaster-General in debentures or other securities issued by the Minister of Finance in respect of the moneys authorized to be borrowed under any authorizing Act.
- (6.) The costs, charges, and expenses connected with the issue of Post Office Investment Certificates under this section shall be deemed to form portion of the costs, charges, and expenses connected with the raising of any loan in which the receipts from the sale of the said certificates have been invested pursuant to the foregoing provisions of this section, and the provisions of section eight of the New Zealand Loans Act, 1908, shall apply accordingly.
- (7.) Any certificates under this section may be redeemed at any time before maturity on such terms and conditions as may be prescribed in that behalf by the Governor-General in Council.
- (8.) Any regulations under the last preceding subsection may be applied so as to authorize the redemption before maturity of any War Loan Certificates issued by the Postmaster-General pursuant to any lawful authority.

18 Modification of procedure as to issue of Government debentures.

- (1.) It shall be sufficient compliance with the provisions of section fourteen of the New Zealand Loans Act, 1908, requiring the signature of the Minister of Finance to be subscribed on debentures, scrip, and other Government securities, if the name and designation of the Minister of Finance is stamped on those securities, as required by section three of the New Zealand Loans Amendment Act, 1915, in the case of securities issued under that Act
- (2.) Section four of the New Zealand Loans Amendment Act, 1915, is hereby repealed.

Part III
PUBLIC REVENUES

19 Section 4 of Finance Act, 1919 (relating to transfers from special accounts to Consolidated Fund), amended.

Section four of the Finance Act, 1919, is hereby amended by omitting the words "revenues accrued to," and substituting the words "moneys at any time standing to the credit of."

20 Moneys in War Expenses Account to be expended pursuant to appropriation by Parliament.

- (1.) All moneys in the War Expenses Account constituted by section two of the Finance Act, 1918 (No. 2), shall, after the passing of this Act, be expended for the purposes specified in section four of that Act, or for any other lawful purposes, in such amounts as may from time to time be appropriated by Parliament for those purposes.

Consequential amendments.

- (2.) Section four of the Finance Act, 1918 (No. 2), is hereby amended by omitting the words “without further appropriation than this Act, but.”
- (3.) Section seven of the Expeditionary Forces Amendment Act, 1918, is hereby amended by omitting from subsection one the words “without further appropriation than this Act.”
- (4.) Section eleven of the Repatriation Act, 1918, is hereby amended by omitting the words “without further appropriation than this Act.”

21 Provision for disposal of canteen profits and other regimental funds

- (1.) All moneys paid into the Public Account by or on behalf of any unit of the New Zealand Expeditionary Force as mess funds, regimental funds, or canteen profits and unexpended on the passing of this Act may, without further appropriation than this Act, be paid to a Board appointed by the Minister of Defence to administer and distribute such funds.
- (2.) The Minister of Finance is hereby empowered, without further authority than this section, to pay interest to the said Board at the rate of four per centum per annum on such moneys or any portion of them and for such periods as he thinks fit.

22 Distribution of bonus payable by Imperial Government in New Zealand.

All payments made or to be made by His Majesty’s Government of the United Kingdom to the New Zealand Government as a bonus on wool purchased under any scheme of requisition and purchase shall, notwithstanding the provisions of any such scheme, be distributed or be distributable among all wool-growers and persons licensed to purchase oddments of wool who have sold wool of the 1916–17, 1917–18, 1918–19, and 1919–20 clips to the Government under any such scheme, and shall, as nearly as may be, be divided among them in proportion to the aggregate amounts paid to each of them by way of purchase-money for such wool under such schemes. The bonus to licensees as aforesaid shall be paid only in respect of wool that has been purchased under the conditions of the license.

23 Minister of Finance may guarantee advances made by banks to producers.

- (1.) Where any bank carrying on business in New Zealand has, with the approval of and subject to conditions imposed by the Minister of Finance, advanced any

moneys to persons engaged in New Zealand in the production of wool, meat, dairy-produce, or other primary products on the security of such products, the Minister of Finance may from time to time enter into agreements with such bank to guarantee to the bank the repayment of such advances and of the interest and other charges in respect thereof.

- (2.) In the event of default being made by any person in the repayment of any such advance, or of the interest or other charges thereon, or of any portion thereof, the Minister of Finance may, without further appropriation than this section, pay to the bank out of the Consolidated Fund such amount as may be payable by him pursuant to the terms of the guarantee.

24 Authority to guarantee advances made by banks for investment in Discharged Soldiers Settlement Loan.

- (1.) Where any bank carrying on business in New Zealand has, with the approval of and subject to conditions imposed by the Minister of Finance, advanced any moneys to any person to be invested by him in the loan authorized to be raised by the Minister of Finance under the Discharged Soldiers Settlement Loans Act, 1920, the Minister of Finance may from time to time enter into agreements with such bank to guarantee to the bank the repayment of such advances and of the interest and other charges in respect thereof.
- (2.) In the event of default being made by any person in the repayment of any such advance, or of the interest or other charges thereon, or of any portion thereof, the Minister of Finance may, without further appropriation than this section, pay to the bank out of the Consolidated Fund such amount as may be payable by him pursuant to the terms of the guarantee.

25 Disposal of totalizator fractions.

- (1.) All moneys received from investments on the totalizator at any race meeting and not disposed of pursuant to section thirty-five of the Gaming Act, 1908, shall, within seven days after the conclusion of the race meeting, be paid into the Public Account, and shall form part of the Consolidated Fund.
- (2.) This section shall come into operation on the first day of July, nineteen hundred and twenty-one.

26 Rate of interest payable by Public Trustee on moneys in Common Fund.

Section eight of the Public Trust Office Amendment Act, 1912, is hereby amended by omitting all words after the words "not exceed," and substituting the words "such rate or rates as may from time to time be fixed in that behalf by the Minister of Finance."

27 Governor-General may impose duty on wheat and flour imported into New Zealand.

- (1.) If at any time the Governor-General is satisfied, on the report of the Board of Trade, that competition on unfair lines is being carried on in New Zealand by

importers of wheat or flour, the Governor-General may, by Order in Council, increase the rates of duty payable on the importation into New Zealand of wheat or of flour, as the case may be, but so that the rates of duty (exclusive of primage duty) shall not at any time exceed one shilling and threepence for each bushel of wheat, or two pounds ten shillings for each ton of flour.

- (2.) Every such Order in Council and the rates of duty imposed thereby shall be deemed to form part of the tariff within the meaning of the Customs Duties Act, 1908.
- (3.) Every Order in Council under this section shall forthwith be in like manner revoked so soon as the Governor-General is satisfied that the prices at which wheat and flour are commonly sold for home consumption in New Zealand are, in the opinion of the Board of Trade, sufficient to provide an adequate remuneration to persons engaged in the production of wheat or flour in New Zealand.

28 Section 38 of Public Revenues Act, 1910, amended.

Section thirty-eight of the Public Revenues Act, 1910, is hereby amended by adding the following subsection:—

- “(3.) Where, in the opinion of the Treasury, it is not practicable to charge any investment as aforesaid against the appropriate account the Treasury may invest any portion of the surplus balance of the Public Account in any securities in which balances of the Public Account may be lawfully invested. All such investments shall be charged against a separate account to be called the ‘Public Account Cash Balance Investment Account,’ and any interest earned thereon shall be credited to the Consolidated Fund.”

29 Section 75 of Public Revenues Act, 1910, amended.

- (1.) Section seventy-five of the Public Revenues Act, 1910, is hereby amended by repealing subsection one, and substituting the following subsection:—

- “(1.) Moneys required to be transferred to the Foreign Imprest Account shall as far as practicable be charged in the voucher and requisition against the Act, vote, or other authority for the service for which such imprest is required; but the Treasury may charge by way of ‘General Services’ against the relative fund or account in lieu of an Act, vote, or other authority, and in such case the amount so charged shall be issued accordingly:

“Provided that the total amount outstanding in the books of the Treasury and Audit Office for ‘General Services’ shall not at any time exceed five hundred thousand pounds.”

Consequential repeals.

- (2.) Paragraph (a) of section twenty-one of the Public Revenues Amendment Act, 1913, and section ten of the Public Revenues Amendment Act, 1914, are hereby repealed.

30 Bank may be registered as holder of inscribed stock for which it has advanced purchase-money.

- (1.) In the event of any bank carrying on business in New Zealand advancing money to any person for investment in New Zealand inscribed stock the Minister of Finance may, on the application of the bank, inscribe the stock in the name of the bank, and the bank shall be deemed to be the registered holder of such stock.
- (2.) Any “Death Duty” stock so registered may be at any time transferred by the bank to the person on whose behalf the advance was made and be available for payment of death duties on account of such person.
- (3.) Any inscription of stock in the name of a bank made prior to the passing of this Act is hereby validated, and the provisions of section seventy-six of the Finance Act, 1917, and section fifteen of the Finance Act, 1918, are hereby modified accordingly.

31 Amendment of provisions relating to stamp duty on agreements for sale of land.

- (1.) Subsection nine of section seventy-six of the Finance Act, 1915, and section fifty-five of the Finance Act, 1916, and sections fourteen and fifteen of the Finance Act, 1918 (No. 2), are hereby repealed.
- (2.) The following subsections are substituted as subsections nine and ten of the said section seventy-six of the Finance Act, 1915:—
 - “(9.) Ad valorem duty on any agreement of sale of land paid under this section, and ad valorem duty paid in respect of any agreement to mortgage to secure any balance of the purchase-money payable by any purchaser to the vendor that may be contained in the agreement of sale, may be refunded to the person who has paid such duty—
 - “(a.) If the Commissioner of Stamp Duties is satisfied that the agreement of sale of land has been rescinded or annulled and has not been substantially performed or carried into effect either directly or indirectly in favour of the purchaser or of any other person claiming under the purchaser or otherwise; and
 - “(b.) If application for such refund is made by or on behalf of such person within six months from the date of the making of the agreement of sale.
 - “(10.) Every agreement in writing whereby an option or right of purchase of land is created shall for the purposes of this section be deemed to be an agreement in writing for the sale of that land to the person to whom such option or right of purchase is granted, and the terms “seller” and “purchaser” as used in this section shall be construed accordingly. The determination of any such right or option of purchase by failure to exercise the same within the time limited for such exercise shall be deemed for the purposes of this section to be a rescission of such agreement of sale of land, and the provisions of the last preceding

subsection shall apply accordingly, except that in the cases provided for by this subsection application for refund of ad valorem duty may be made at any time within six months after the election of the purchaser not to exercise such option or right or the expiration of the time limited by the agreement for such election, whichever is the earlier in date.”

32 Transfer of moneys in Consolidated Fund for investment in Reserve Fund securities.

Subsection three of section two of the Finance Act, 1919, is hereby amended as follows:—

- (a.) By omitting the word “invest,” and substituting the word “transfer”; and by omitting the word “invested,” and substituting the word “transferred”; and
- (b.) By inserting, after the word “appropriated,” the words “to the Reserve Fund Account for investment.”

Part IV

LOCAL AUTHORITIES AND PUBLIC BODIES

33 Minister of Finance may increase rate of interest to be paid by local authorities in respect of certain loans.

Notwithstanding anything to the contrary in any Act or in any rule of law, where a local authority or public body has been authorized before the passing of this Act or is hereafter authorized to borrow money, whether pursuant to a poll of ratepayers or otherwise howsoever, at a specified rate of interest, and such money or any part thereof has not been borrowed, the local authority may, with the precedent consent of the Minister of Finance, borrow such money, or such part thereof as has not been borrowed, at such rate of interest as may be prescribed by the Governor-General in Council.

34 Section 15 of Finance Act, 1919 (relating to war memorials), amended.

Section fifteen of the Finance Act, 1919, is hereby amended by inserting, after the words “Town Board” in the definition of “Local body,” the words “Domain Board.”

35 Authorizing Hokitika Savings-bank trustees to contribute to war memorial.

The trustees of the Hokitika Savings-bank, being a savings-bank constituted under the Savings-banks Act, 1908, are hereby authorized to contribute out of the surplus profits of the bank a sum not exceeding two hundred pounds towards the erection of a war memorial approved pursuant to section fifteen of the Finance Act, 1919.

36 Authorizing contribution by Auckland Savings-bank to War Memorial Fund.

The trustees of the Auckland Savings-bank are hereby authorized and empowered to pay to the trustees of the Auckland Museum and War Memorial Building Fund, out of the profits of the said savings-bank, the sum of twenty-five thousand pounds as a donation towards the erection of the Auckland Museum and War Memorial Building.

37 Authorizing Auckland City Council to contribute £10,000 to war memorial.

- (1.) The Auckland City Council is hereby empowered to pay out of its general funds such sum or sums as it thinks fit, not exceeding in the whole the sum of ten thousand pounds, towards the cost of erecting a War Memorial Museum on Observation Hill in the Auckland Domain.
- (2.) The authority conferred by this section shall be exercised only pursuant to a special order.

38 Authorizing Auckland Harbour Board to contribute £5,000 to war memorial.

- (1.) The Auckland Harbour Board is hereby empowered to pay out of the Harbour Fund such sum or sums as it thinks fit, not exceeding in the whole the sum of five thousand pounds, towards the cost of erecting a War Memorial Museum on Observation Hill in the Auckland Domain.
- (2.) The authority conferred by this section shall be exercised only pursuant to a resolution passed at a special meeting of the Board, and confirmed at a subsequent meeting held not sooner than the twenty-eighth day after the day of such special meeting, public notice of the place and date of such subsequent meeting and of the resolution having been given once in each full week intervening between the two meetings.

39 Authority to increase borrowing-powers of Fire Boards.

The Governor-General in Council may, on the application of any Fire Board established under the Fire Brigades Act, 1908, extend the powers of that Board to borrow moneys in excess of the limits fixed by section six of the Fire Brigades Amendment Act, 1908, but not so as to exceed in the case of the Fire Boards for the cities of Auckland, Christchurch, and Dunedin respectively the sum of thirty thousand pounds, and in the case of any other Fire Board the sum of twenty thousand pounds.

40 Section 121 of Public Revenues Act, 1910, extended.

The authority conferred by section one hundred and twenty-one of the Public Revenues Act, 1910 (relating to the unauthorized expenditure of County Councils, Town Boards, River Boards, Drainage Boards, and Road Boards), is hereby extended in the case of County Councils as if the reference in the said

section to “fifty pounds” were a reference to “one hundred pounds,” and as if the reference to “fifteen pounds” were a reference to “thirty pounds.”

41 Governor-General may appoint Commission to inquire as to advisability of extending the rating-powers of Huntly Town Board.

Whereas it has been represented that the rating-powers of the Huntly Town Board are insufficient for the purpose of providing funds for the carrying-out of essential works and services within the district of the Board: And whereas it is deemed expedient that a Commission of Inquiry be appointed to inquire and report as to the financial position of the said Board and as to its resources, and that authority should be conferred to give effect, if so desired, to the report and recommendations of the Commission: Be it therefore enacted as follows:—

- (1.) The Governor-General in Council may, if he thinks fit, appoint a Commission under the Commissions of Inquiry Act, 1908, to inquire into and report as to the financial position of the Huntly Town Board, with special reference to the sufficiency of the rating-powers of the said Board to supply funds for essential public works and services.
- (2.) On receipt of a recommendation by the Commission that the rating-powers of the said Board be increased the Governor-General may, by Order in Council, increase such rating-powers to such extent as he deems advisable, anything to the contrary in any Act notwithstanding.

42 Minister of Finance may authorize trustees of high schools to pay increased rate of interest on bank overdraft.

The trustees of any high school within the meaning of the Education Reserves Act, 1908, may, with the consent of the Minister of Finance, and subject to such conditions as may be imposed by him, borrow money by way of bank overdraft at a rate of interest in excess of the rate specified in section seventeen of the Education Reserves Act, 1908, as amended by section two of the Education Reserves Amendment Act, 1913.

43 Additional annual grant to Canterbury College.

In addition to the annual payment to be made to Canterbury College pursuant to section thirty-one of the New Zealand University Amendment Act, 1914, as amended by section three of the New Zealand University Amendment Act, 1919, there may be paid annually to that College, out of the Consolidated Fund, without further appropriation than this section, the sum of two thousand pounds, of which one thousand seven hundred and fifty pounds shall be regarded as an additional specialization grant for the Engineering School and two hundred and fifty pounds as a contribution towards the salary of the Professor of Education.

44 Application of Part IV of the Local Bodies' Loans Act, 1913, to loan proposed to be raised by Southland Electric-power Board.

Whereas the Southland Electric-power Board, constituted under the Electric-power Boards Act, 1918, has been duly authorized to raise a loan of one million five hundred thousand pounds: And whereas it is deemed advisable to apply to the said loan the provisions of Part IV of the Local Bodies' Loans Act, 1913 (relating to State-guaranteed loans), and otherwise to assist the said Board in procuring funds for the purpose of carrying out the undertakings for which authority to raise the aforesaid loan was given: Be it therefore enacted as follows:—

- (1.) The provisions of Part IV of the Local Bodies' Loans Act, 1913, are hereby declared to be applicable to the proposed loan of one million five hundred thousand pounds hereinbefore referred to, save that the limit imposed by section seventy-seven of the said Act shall not apply.
- (2.) Pending the borrowing of the said moneys, the Minister of Finance may advance to the Southland Electric-power Board from the Consolidated Fund, without further appropriation than this section, and on such terms and conditions as to payment of interest, security, and other matters as he thinks fit, such sum or sums as may be required by the Board for the purpose of meeting its obligations and engagements in respect of the undertakings aforesaid, or may guarantee the repayment of any moneys that may be advanced for such purpose by any bank carrying on business in New Zealand, and the payment of interest and other charges thereon.

45 Authorizing local authorities, subject to conditions, to use credits in Loan Account in lieu of bank overdraft.

- (1.) Any local authority within the meaning of the Local Bodies' Loans Act, 1913, may, in anticipation of its revenue receivable under the General Account, temporarily transfer to its General Account any balance of a Loan Account, or any part thereof, for such period and on such terms as the Governor-General in Council may authorize.
- (2.) The moneys so transferred shall be deemed to be a liability of the General Account, and shall be repaid to the Loan Account from which the transfer was made within the same financial year.
- (3.) The total amount so transferred shall be deemed to form part of the amount which a local authority is empowered to borrow by way of bank overdraft, and shall be subject to the same limitations.
- (4.) A statement of the particulars of every such transfer shall be forwarded to the Controller and Auditor-General within ten days after such transfer.
- (5.) The provisions of section fifty-three of the Local Bodies' Loans Act, 1913, shall, with the necessary modifications, apply to moneys borrowed under this section.

Part V GENERAL

46 Governor-General may approve institutions for investment of trust funds.

- (1.) In this section “approved institution” means any savings-bank, Borough Council, County Council, building society, investment company, or public company approved for the purposes of this section by the Governor-General in Council as herein provided.
- (2.) For the purposes of this section the Governor-General may, by Order in Council, approve any savings-bank, Borough Council, County Council, building society, investment company, or public company as an institution with which trust funds may be invested on deposit.
- (3.) The approval of an institution under this section may be subject to such conditions as the Governor-General may by the same or a subsequent Order in Council impose, and any such Order in Council may be at any time in like manner revoked.
- (4.) Section ninety-five of the Trustee Act, 1908, is hereby consequentially amended by adding to subsection one the following paragraph:—

“(e.) On deposit at interest with any approved institution.”

Section 92 of Trustee Act, 1908 (relating to maintenance of children out of trust estate), amended.

- (5.) Section ninety-two of the Trustee Act, 1908, is hereby amended by omitting the words “two hundred pounds,” and substituting the words “three hundred pounds.”

47 Validating investments heretofore made by trustees in Harbour Board securities.

Whereas, except as may be otherwise provided in any special Act or in any instrument creating a trust, the investment of trust-moneys in securities issued by a Harbour Board is not an investment authorized by law: And whereas certain trustees have in good faith invested trust-moneys in Harbour Board securities without lawful authority, and it is desired to validate such investments: Be it therefore enacted as follows:—

- (1.) All investments of trust-moneys heretofore made by trustees shall be deemed to have been as lawfully made as if such investments were authorized by section ninety-five of the Trustee Act, 1908.
- (2.) Nothing in this section shall be so construed as to authorize any investment of trust-moneys in Harbour Board securities made after the commencement of this Act, or the renewal of any Harbour Board securities now held by trustees.

48 Offence to melt down or use gold or silver coin except as currency.

Every person commits an offence and is liable to a fine not exceeding ten pounds who, without the consent of the Minister of Finance, melts down, breaks up, or uses otherwise than as currency any gold or silver coin which is for the time being current in New Zealand.

49 Transfer of stock from London to New Zealand registers

- (1.) The Governor-General may from time to time, by Order in Council, make regulations for enabling the holders of any inscribed stock, debentures, or Treasury bills of the New Zealand Government which are redeemable in London to have such stock, debentures, or bills transferred from the registers kept in London to registers to be kept in the Treasury at Wellington, and for prescribing the fees chargeable for any such transfers.
- (2.) After the registration in Wellington of any such stock, debentures, or bills so transferred, such stock, debentures, or bills shall at maturity be redeemable in Wellington, and all interest falling due thereon after the date of such registration shall be payable in Wellington, notwithstanding anything to the contrary printed upon the debentures, bills, or upon any interest coupons relating thereto.

50 Declarations for purposes of revision of tariff.

The provisions of section two hundred and eighty-one of the Customs Act, 1913 (relative to declarations under that Act), shall apply to any declarations made for any purpose relative to the revision of the tariff under the Customs Duties Act, 1908.

51 Discretionary powers of Public Service Superannuation Board defined.

The powers conferred on the Public Service Superannuation Board by section thirty-three of the Public Service Classification and Superannuation Act, 1908, to determine whether any person is a member of the Public Service, or whether any person is, or is entitled or bound to become, a contributor to the Public Service Superannuation Fund, or as to the length of service of any contributor, is hereby declared to include, and at all times since the passing of that Act to have included, the power to allow, as portion of the length of service of any contributor, any period by which his service may have been interrupted.

52 Section 35 of Public Service classification and Superannuation Act, 1908, amended.

Section thirty-five of the Public Service Classification and Superannuation Act, 1908, is hereby amended by inserting, after the proviso to subsection one as amended by section seven of the Public Service Classification and Superannuation Amendment Act, 1909, the following proviso:—

“Provided also that the Minister in charge of the Department of Defence may extend the provisions of this section to the case of any contributor who holds

a substantive commission in the New Zealand Permanent Forces dated prior to the first day of November, nineteen hundred and twenty, and whose age is not less than fifty-five years.”

53 Extending provisions of section 17 of War Legislation Amendment Act, 1916 (restoring superannuation rights of certain contributors to Superannuation Funds who resigned from service for purpose of enlisting).

- (1.) Section seventeen of the War Legislation Amendment Act, 1916, is hereby extended so as to apply to contributors to any of the Superannuation Funds therein mentioned who, on or after the seventh day of August, nineteen hundred and sixteen (being the date of the passing of that Act), voluntarily retired from any of the services therein mentioned for the purpose of joining the New Zealand Expeditionary Force or other portion of His Majesty's Forces for service in the war with Germany.
- (2.) For the purposes of this section it shall be sufficient compliance with the said section seventeen if the amount required to be paid into a Superannuation Fund on account of any contributor is so paid within twelve months from the date of his reappointment or the passing of this Act (whichever is the later).

54 Release of securities under Repatriation Act, 1918.

- (1.) The power to make regulations conferred on the Governor-General in Council by section fifteen of the Repatriation Act, 1918, shall be deemed to include power to make regulations for the appointment of officers of the Repatriation Department or other persons to release mortgages and other securities given or executed by any person in respect of the grant of financial assistance under that Act.

Consequential repeal.

- (2.) Section ten of the Discharged Soldiers Settlement Amendment Act, 1919, is hereby amended by omitting the words “or under the Repatriation Act, 1918.”

Schedule

Part I ELECTRIC-POWER WORKS

Works and Purposes.		Amounts appropriated.
		£
1.	In respect of the Waikaremoana electric-power works	2,600,000
2.	In respect of the Kaituna River electric-power works	150,000
3.	In respect of the extension of the Lake Coleridge electric-power works	720,000
4.	In respect of surveys and preliminary investigations for other electric-power schemes	30,000
		£3,500,000

Part II OTHER PUBLIC WORKS

Works and Purposes.		Amounts appropriated.
		£
1.	In respect of railway-construction	1,250,000
2.	In respect of telegraph-extension	500,000
3.	In respect of other public works	750,000
		£2,500,000

Part III

Authorizing Enactment.	Limit of Loan Authority as fixed by Prior Enactments.	Limit of Loan Authority as fixed by this Act.
	£	£
1.	The Coal-mines Act, 1908: Section 114	280,000
2.	The Hauraki Plains Amendment Act, 1913: Section 2	400,000
3.	The Rangitaiki Land Drainage Amendment Act, 1913: Section 2	350,000
4.	The Finance Act, 1916: Section 50 (for afforestation purposes)	500,000