

**Reprint
as at 3 June 2017**



Finance Act 1933 (No 2)

Public Act	1933 No 41
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Commencement	22 December 1933

Finance Act 1933 (No 2): repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

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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 1933 (No 2).

Part 1

Public revenues and loans

2 Extending powers of Minister of Finance under New Zealand Debt Conversion Act 1932–33

- (1) This section shall be read together with and deemed part of the New Zealand Debt Conversion Act 1932–33 (hereinafter referred to in this section as “the principal Act”).
- (2) The Minister is hereby authorised, and shall be deemed to have been authorised as from the passing of the principal Act, to agree to the conversion of any existing securities bearing interest at a rate not exceeding 4% per annum, and also any existing securities in respect of which the places fixed as at 31 March 1933 for the payment of interest and for the repayment of principal are both beyond New Zealand.
- (3) Notwithstanding anything contained in the principal Act the Minister may agree, and shall be deemed to have been authorised as from the passing of the principal Act to agree, to the conversion from 31 March 1933 of any existing securities on such terms as to interest, date or dates of maturity, premium, or otherwise as may be mutually agreed upon between the Minister and the holder:

provided that in no case shall the rate of interest exceed the appropriate rate specified in section 16 of the principal Act, and that the premium (if any) on such securities shall not be calculated otherwise than in accordance with the provisions of section 18 of the principal Act.
- (4) All New Zealand Government stock available for payment of death duties heretofore issued in conversion of existing securities is hereby declared to have been lawfully issued notwithstanding that the existing securities were not issued with the condition of availability for payment of death duties attached thereto.

3 Section 48 of New Zealand Loans Act 1932 amended

[Repealed]

Section 3: repealed, on 1 January 1954, by section 73(1) of the New Zealand Loans Act 1953 (1953 No 74).

4 Certain New Zealand stock may be registered in name of Postmaster-General

[Repealed]

Section 4: repealed, on 1 January 1960, by section 250(1) of the Post Office Act 1959 (1959 No 30).

5 Reducing rate of interest on loans to Samoan Treasury*[Repealed]*

Section 5: repealed, on 25 October 1956, by section 42(h) of the Samoa Amendment Act (No 2) 1956 (1956 No 46).

6 As to issue and taking effect of Proclamation under section 15 of Reserve Bank of New Zealand Act 1933*[Repealed]*

Section 6: repealed (with effect on 1 April 1936), on 8 April 1936, by section 25 of the Reserve Bank of New Zealand Amendment Act 1936 (1936 No 1).

7 Section 3 of Motor-spirits Taxation Amendment Act 1928 amended*[Repealed]*

Section 7: repealed, on 29 September 1939, by section 6(10)(v) of the Customs Acts Amendment Act 1939 (1939 No 30).

8 Section 19 of Finance Act 1932–33 (No 2) amended*[Repealed]*

Section 8: repealed, on 5 April 1935, by section 4(11) of the Motor Vehicles Amendment Act 1934–35 (1934–35 No 53).

9 Schedule of Finance Act 1932–33 (No 2) amended*[Repealed]*

Section 9: repealed, on 5 April 1935, by section 4(11) of the Motor Vehicle Amendment Act 1934–35 (1934–35 No 53).

10 Reducing by 10% subsidies payable under section 70 of Rabbit Nuisance Act 1928*[Repealed]*

Section 10: repealed, on 31 July 1936, by section 50(2) of the Finance Act 1936 (1936 No 16).

11 Portion of totalisator duty to be payable to racing clubs during financial year 1934–35*[Repealed]*

Section 11: repealed, on 1 January 1955, by section 175(1) of the Stamp Duties Act 1954 (1954 No 52).

12 Section 26 of Government Life Insurance Act 1908 extended*[Repealed]*

Section 12: repealed, on 1 January 1954, by section 41(1) of the Government Life Insurance Act 1953 (1953 No 58).

13 Provision for an additional member of Government Insurance Board*[Repealed]*

Section 13: repealed, on 1 September 1947, by section 33(2) of the Finance Act 1947 (1947 No 6).

14 Allowance to leader of Official Opposition in House of Representatives

[Repealed]

Section 14: repealed, on 1 January 1951, by section 29(1) of the Civil List Act 1950 (1950 No 99).

15 Authorising payment to be made to member of Parliament as member of Native Rating Committee

The provisions of the Electoral Act 1927, or any other Act as to disqualification of members of Parliament, shall not apply to any payment which, under the authority of any appropriation now or hereafter made by Parliament, has been or may hereafter be received by any member of Parliament by way of remuneration for services rendered by him as a member of and in connection with a Committee appointed on 18 April 1933 to inquire into matters relating to the rating of Native lands.

16 Special provision as to leave of absence for Hon W D Stewart, MP, and Walter Nash, Esq, MP, during current session

For the purposes of section 18 of the Civil List Act 1920, the exemption from deduction for absence during the present session of Parliament for 14 sitting days shall in the case of the Honourable William Downie Stewart, and of Walter Nash, Esquire, members of Parliament, be reckoned from 1 November 1933 and allowed accordingly, and the said members shall be deemed to have been unavoidably absent during the months of September and October while they were participating in international and inter-Empire conferences overseas.

17 Section 28 of Unemployment Amendment Act 1931 amended

[Repealed]

Section 17: repealed, on 1 June 1936, by section 48(1) of the Employment Promotion Act 1936 (1936 No 3).

18 Certain stamp duty and interest tax payments to be deducted from income in assessing emergency unemployment charge

[Repealed]

Section 18: repealed, on 1 June 1936, by section 48(1) of the Employment Promotion Act 1936 (1936 No 3).

19 Agreements under section 28 of Finance Act 1931 (No 4) may provide for payment of interest

[Repealed]

Section 19: repealed, on 1 June 1936, by section 48(1) of the Employment Promotion Act 1936 (1936 No 3).

20 Validating Order in Council varying the rate of interest payable by the Native Trustee on capital moneys invested in the Common Fund of the Native Trust Office

Whereas by an Order in Council (hereinafter referred to as the **said order**), dated 18 September 1933 and published in the *Gazette* of 21 September 1933, the regulations then in force under the Native Trustee Act 1930 were varied in the manner set forth in the Schedule of the said order, as from 1 April 1932:

And whereas doubts have been expressed as to the validity of the said order:

Be it therefore enacted as follows:

The said order is hereby validated and declared to have taken effect according to its tenor as from the said 1 April 1932.

21 Validating payment of subsidy to Hairini and Mangapiko Rabbit Boards

The payments out of the Consolidated Fund during the financial year ended 31 March 1933 to the Hairini Rabbit Board of the sum of 94 pounds 18 shillings and 11 pence, and to the Mangapiko Rabbit Board of the sum of 93 pounds 16 shillings, in each case by way of subsidy on general rates under section 70 of the Rabbit Nuisance Act 1928, are hereby validated and declared to have been lawfully made.

22 Validating certain payments in respect of travelling expenses to members of Transport Licensing Authorities

All payments to members of Licensing Authorities under the Transport Licensing Act 1931, which would have been lawful if the Transport Licensing (Passenger-service) Regulations 1933, made under that Act and published in the *Gazette* of 13 April 1933, had been in force at the time or times such payments were made, are hereby validated and declared to have been lawfully made.

23 Repeal of Kauri-gum Control Act 1925 on date to be fixed in that behalf by Order in Council

- (1) On a date to be fixed in that behalf by the Governor-General by Order in Council (hereinafter referred to as the **said date**), the Kauri-gum Control Act 1925 (hereinafter referred to as the **said Act**), shall be deemed to be repealed, and on the said date all property of the Kauri-gum Control Board (hereinafter called the **Board**), constituted by the said Act, shall be vested in, and all rights, liabilities, and engagements of the Board shall become rights, liabilities, and engagements of, His Majesty.
- (2) For the purpose of enforcing any such right, or discharging any such liabilities and engagements, the Minister of Lands may exercise and perform any of the powers, duties, and obligations of the said Board in all respects as if the said Act had not been repealed.
- (3) All funds standing to the credit of any account of the Board at the said date, and all moneys received by the Minister of Lands under the last preceding sub-

section, shall be paid into a deposit account within the Consolidated Fund, and all moneys which after the said date would, but for the passing of this section, be payable to or by the Board shall be payable into or out of the said deposit account without further appropriation than this section.

24 Amendments of Kauri-gum Industry Act 1908 and its amendments

[Repealed]

Section 24: repealed, on 26 November 1953, by section 9(3) of the Land Amendment Act 1953 (1953 No 67).

25 Special provision as to compensation for damage done to certain lands by railway works, construction of which has been stopped under section 18 of Government Railways Amendment Act 1931

- (1) Where, pursuant to the provisions of section 18 of the Government Railways Amendment Act 1931 work in connection with the construction of any Government railway or part thereof has been stopped, and no Proclamation taking the land affected has been issued, any person having any estate or interest in the land damaged or injuriously affected by such construction shall be entitled to claim compensation in accordance with the provisions of the Public Works Act 1928 for such damage or injurious affection, notwithstanding that a claim has not been lodged within the time prescribed by the provisions of section 45 of the Public Works Act 1928:

provided that no such claim shall be made after a period of 12 months from the passing of this Act:

provided further that in the event of construction work on any such railway as aforesaid being proceeded with at any time and the land affected taken by Proclamation, payment of compensation under this section shall be taken into consideration in assessing the compensation payable therefor.

- (2) Upon receipt of a notice from the Minister of Public Works that any claim for compensation in respect of the land specified therein (being land to which the last preceding subsection relates) has been settled, whether before or after the passing of this Act, the District Land Registrar shall (without fee) endorse on the title to the land affected a memorial accordingly, and it shall not be necessary to record the like memorial on the duplicate instrument of title.

26 Vesting certain land in Corporation of County of Waimairi as a site for a public hall

Whereas the land hereinafter described forms portion of an area vested in His Majesty for housing purposes subject to the provisions of the Housing Act 1919 and known as the Northcote Settlement:

And whereas it is desirable to set aside the said land as a site for a public hall, and to vest the same in the Corporation of the County of Waimairi in trust for such purpose:

Be it therefore enacted as follows:

- (1) The setting apart of the land hereinafter described for the purposes of Part 1 of the Housing Act 1919 is hereby cancelled, and the said land is hereby permanently reserved as a site for a public hall, and declared to be vested in the Chairman, Councillors, and Inhabitants of the County of Waimairi in trust for that purpose.
- (2) The land to which this section relates is particularly described as follows:
All that area in the Canterbury Land District, containing by admeasurement twenty-four and seven-tenths perches, more or less, being Lot 7 of the Northcote Settlement, situated in Block VII, Christchurch Survey District, Canterbury Land District: as the same is delineated on the plan marked L and S 21/255, deposited in the Head Office, Department of Lands and Survey, at Wellington.

27 Authority to postpone the first general regrading of officers in the Public Service, the Post and Telegraph Department, and the Government Railways Department

- (1) The Governor-General may by Order in Council fix a date on which the first general regrading of officers employed in the Public Service, the Post and Telegraph Department, or the Department constituted under the Government Railways Act 1926 shall be made after the passing of this Act, and may by the same or a subsequent Order in Council fix the date on which the several regradings shall take effect. Such last-mentioned date may be the date fixed for the making of the several regradings, or may be a date earlier or later than that date.
- (2) Every Order in Council under this section shall take effect according to its tenor, anything to the contrary in any other Act notwithstanding.

Part 2

Pensions and superannuation funds

28 Operation of Part 2 of National Expenditure Adjustment Act 1932

Part 2 of the National Expenditure Adjustment Act 1932 shall be deemed to have come into force on 1 April 1932.

29 Subsidy to Public Service Superannuation Fund

[Repealed]

Section 29: repealed, on 7 November 1934, by section 19(2) of the Finance Act (No 3) 1934 (1934 No 31).

30 Sections 33 and 78 of Public Service Superannuation Act 1927 amended

[Repealed]

Section 30: repealed, on 1 April 1948, by section 91(1) of the Superannuation Act 1947 (1947 No 57).

31 Enabling J S Barton, Esq, SM, to elect to contribute for superannuation purposes on basis of salary before reductions

[Repealed]

Section 31: repealed, on 1 April 1948, by section 91(1) of the Superannuation Act 1947 (1947 No 57).

32 Authorising payments to retired public servants for special services

[Repealed]

Section 32: repealed, on 1 April 1948, by section 91(1) of the Superannuation Act 1947 (1947 No 57).

Part 3

Public Works Amendment

[Repealed]

Part 3: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

33 This Part to be read with Public Works Act 1928

[Repealed]

Section 33: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

34 Interpretation

[Repealed]

Section 34: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

35 Registration of irrigation agreement against whole property of which irrigated land forms part

[Repealed]

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

36 Moneys payable under irrigation agreement to be a charge on the land and the produce thereof

[Repealed]

Section 36: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

37 Consequential amendments of sections 278 and 280 of principal Act*[Repealed]*

Section 37: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

38 Moneys to be payable under agreements whether water taken or not*[Repealed]*

Section 38: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

39 Power of Minister to enforce agreements, etc*[Repealed]*

Section 39: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

40 Special provisions as to mining privileges*[Repealed]*

Section 40: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

41 Section 238 of principal Act amended*[Repealed]*

Section 41: repealed, on 1 February 1982, by section 248(1) of the Public Works Act 1981 (1981 No 35).

Part 4**Local authorities and other public bodies***[Repealed]*

Part 4: repealed, on 7 October 1994, pursuant to section 96(2) of the Energy Companies Act 1992 (1992 No 56).

42 With consent of Governor-General in Council, local authorities may borrow by issue of stock*[Repealed]*

Section 42: repealed, on 25 October 1955, by section 23(a) of the Local Bodies' Loans Amendment Act 1955 (1955 No 61).

43 Payment out of local authority's general account of interest and sinking fund charges, etc, in certain cases where special rate made over portion of district only is insufficient*[Repealed]*

Section 43: repealed, on 1 April 1957, by section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

44 Saving authority to raise loans where general funds temporarily applied for purposes of such loans

[Repealed]

Section 44: repealed, on 1 April 1957, by section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

45 Local authorities may instead of raising loans advance moneys out of general account for works benefiting defined portions only of their districts

[Repealed]

Section 45: repealed, on 1 April 1957, by section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

46 Section 33 of Finance Act 1928 amended

[Repealed]

Section 46: repealed, on 7 October 1994, by section 96(2) of the Energy Companies Act 1992 (1992 No 56).

47 Watercourses and drains not to be allowed by Drainage Boards to become a nuisance

[Repealed]

Section 47: repealed, on 22 December 1980, by section 3(2) of the Land Drainage Amendment Act 1980 (1980 No 118).

48 Empowering County Councils to purchase and dispose of sodium chlorate for eradication of noxious weeds

[Repealed]

Section 48: repealed, on 1 April 1957, by section 453(1) of the Counties Act 1956 (1956 No 64).

**Part 5
Miscellaneous**

49 Authorising Public Trustee to distribute estate of James Thomson, deceased

The Public Trustee as administrator of the estate of James Thomson, late of Waihi, engine driver, who died intestate on 10 September 1929, is hereby authorised and directed to distribute the residue of the estate, after payment of all debts and death duties, as to one-third thereof to Catherine Thomson, and as to two-thirds thereof equally between James Silaci Thomson, of Waihi, electrician, Alexander Thomson, of Eilerslie, engineer, Archibald Thomson, of Dunedin, electrician, and Roy Maxwell Thomson, of Waihi, iron turner.

- 50 Investment of cash balances of Official Assignees' bank accounts**
[Repealed]
Section 50: repealed, on 1 January 1971, by section 171(1) of the Insolvency Act 1967 (1967 No 54).
- 51 Section 38 of National Expenditure Adjustment Act 1932 amended**
Amendment(s) incorporated in the Act(s).
- 52 Restriction on registration of building societies**
[Repealed]
Section 52: repealed, on 1 January 1966, by section 139(1) of the Building Societies Act 1965 (1965 No 22).
- 53 Certain insurance companies undertaking Motor-vehicles Insurance (Third-party Risks) business to make deposits under Insurance Companies' Deposits Act 1921–22**
[Repealed]
Section 53: repealed, on 11 October 1940, by section 10 of the Insurance Companies Act 1940 (1940 No 27).
- 54 Fee payable in respect of appeals to Government Service Appeal Boards**
[Repealed]
Section 54: repealed, on 1 December 1937, by section 59 of the Finance Act 1937 (1937 No 17).
- 55 Persons employed in Samoan and Cook Islands Public Services to be eligible for appointment or transfer to New Zealand Public Service**
[Repealed]
Section 55: repealed, on 1 September 1958, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).
- 56 Limitation of the liability of insured employers and of insurance companies to pay compensation for injuries to workers due to earthquake**
[Repealed]
Section 56: repealed, on 1 April 1949, by section 35(1) of the Workers' Compensation Amendment Act 1947 (1947 No 58).
- 57 Conditions of fire-insurances policies to be subject to approval by Governor-General in Council**
[Repealed]
Section 57: repealed, on 1 April 1986, by section 12 of the Insurance Law Reform Act 1985 (1985 No 117).

58 Orders made by Arbitration Court for fixing minimum rates of wages to women may be extended

[Repealed]

Section 58: repealed, on 8 June 1936, by section 17(2) of the Industrial Conciliation and Arbitration Amendment Act 1936 (1936 No 6).

59 Authorising payment by New Plymouth Savings-bank Trustees

The trustees of the New Plymouth Savings-bank may in the current financial year out of the profits of the bank for that year make a donation of 100 pounds to the funds of the body in New Plymouth known as the Mayor's Relief Council.

60 Authorising Auckland Savings-bank to make a donation of £250 to Waitangi National Trust Board

The trustees of the Auckland Savings-bank are hereby authorised, and shall be deemed to have been authorised at all relevant times heretofore, to pay out of the profits of the bank to the Waitangi Renovation and Improvement Fund Account of the Waitangi National Trust Board a sum or sums not exceeding 250 pounds.

61 Authorising Auckland Savings-bank to make a donation of £10,000 to the Waikato Land Settlement Society, Incorporated

Notwithstanding anything contained in the Savings-banks Act 1908, the Auckland Savings-bank may, with the consent of the Minister of Finance, pay to the Waikato Land Settlement Society, Incorporated, out of the profits of the bank, a sum or sums not exceeding in all the sum of 10,000 pounds, to be applied by such society for the objects thereof as set out in its rules as at the date of incorporation, and any such sums heretofore so paid with such consent shall be deemed to have been lawfully so paid.

62 Certain donations by savings banks to be allowed as expenses for income-tax purposes

Where any savings bank established under the Savings-banks Act 1908 has since 1 April 1932, but prior to the passing of this Act, made any duly authorised donations out of the profits of such bank for the year ended 31 March 1932 or out of moneys specifically set aside for the purpose out of its profits for the year ended 31 March 1933, the amount of such donation shall be allowed as an expense in arriving at the assessable income of the bank for the year ended on such last-mentioned date.

63 Certain terms used in Rating Act to have the same meanings as in the Valuation of Land Act

[Repealed]

Section 63: repealed, on 1 April 1968, by section 177(1) of the Rating Act 1967 (1967 No 123).

64 Section 18 of Motor Vehicles Act 1924 amended

[Repealed]

Section 64: repealed, on 1 November 1949, by section 169(1) of the Transport Act 1949 (1949 No 7).

65 Commercial Trusts Act 1910 not to apply to tobacco

[Repealed]

Section 65: repealed, on 1 November 1975, by section 133(2) of the Commerce Act 1975 (1975 No 113).

Reprints notes

1 *General*

This is a reprint of the Finance Act 1933 (No 2) 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)
Energy Companies Act 1992 (1992 No 56): section 96(2)
Insurance Law Reform Act 1985 (1985 No 117): section 12
Public Works Act 1981 (1981 No 35): section 248(1)
Land Drainage Amendment Act 1980 (1980 No 118): section 3(2)
Commerce Act 1975 (1975 No 113): section 133(2)
Rating Act 1967 (1967 No 123): section 177(1)
Insolvency Act 1967 (1967 No 54): section 171(1)
Building Societies Act 1965 (1965 No 22): section 139(1)
Post Office Act 1959 (1959 No 30): section 250(1)
Cook Islands Amendment Act 1957 (1957 No 103): section 96(1)
Counties Act 1956 (1956 No 64): section 453(1)
Local Authorities Loans Act 1956 (1956 No 63): section 135(1)
Samoa Amendment Act (No 2) 1956 (1956 No 46): section 42(h)
Local Bodies' Loans Amendment Act 1955 (1955 No 61): section 23(a)
Stamp Duties Act 1954 (1954 No 52): section 175(1)
New Zealand Loans Act 1953 (1953 No 74): section 73(1)
Land Amendment Act 1953 (1953 No 67): section 9(3)
Government Life Insurance Act 1953 (1953 No 58): section 41(1)
Civil List Act 1950 (1950 No 99): section 29(1)
Transport Act 1949 (1949 No 7): section 169(1)
Workers' Compensation Amendment Act 1947 (1947 No 58): section 35(1)

Superannuation Act 1947 (1947 No 57): section 91(1)
Finance Act 1947 (1947 No 6): section 33(2)
Insurance Companies Act 1940 (1940 No 27): section 10
Customs Acts Amendment Act 1939 (1939 No 30): section 6(10)(v)
Finance Act 1937 (1937 No 17): section 59
Finance Act 1936 (1936 No 16): section 50(2)
Industrial Conciliation and Arbitration Amendment Act 1936 (1936 No 6): section 17(2)
Employment Promotion Act 1936 (1936 No 3): section 48(1)
Reserve Bank of New Zealand Amendment Act 1936 (1936 No 1): section 25
Motor Vehicles Amendment Act 1934–35 (1934–35 No 53): section 4(11)
Finance Act (No 3) 1934 (1934 No 31): section 19(2)