

NEW ZEALAND



ANNO VICESIMO PRIMO ET VICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. 66.

ANALYSIS

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| <p>Title.<br/>Preamble.</p> <p>1. Recited provisions of Constitution Act repealed.</p> <p>2. Mode of ascertaining Surplus Revenue to be paid to Provinces.</p> <p>3. What sums Provinces to be credited with.</p> <p>4. What sums to be debited with.</p> | <p>5. Cases where more than one Province interested.</p> <p>6. What amount payable to each Province.</p> <p>7. What part of Loan of £500,000 shall be deemed a General charge.</p> <p>8. Commencement of Act.</p> <p>9. Short Title.<br/>Schedule.</p> |
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**AN ACT to provide for the distribution of the Surplus Ordinary Revenue amongst the several Provinces of New Zealand. [21st August, 1858.]**

Title.

**WHEREAS** it is amongst other things enacted by the Constitution Act, Section 66, that after and subject to the payments and appropriations therein mentioned, the Surplus Revenue arising from taxes, duties, rates, and imposts, levied in virtue of any Act of the General Assembly shall be divided among the several Provinces for the time being established in New Zealand in the like proportion as the gross proceeds of the said Revenue shall have arisen therein respectively: And whereas it is expedient to alter the said recited provision in manner hereinafter mentioned:

Preamble.

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

I. The said recited provision of the sixty-sixth Section of the Constitution Act is hereby repealed.

Recited provision of Constitution Act repealed.

*Surplus Revenues.*

Mode of ascertaining Surplus Revenue to be paid to Provinces.

II. For the purpose of determining the proportion of Surplus Revenue which shall from time to time be payable to the several Provinces for the time being established in the Colony, the Colonial Treasurer shall keep a Debtor and Creditor Account with every Province in manner herein provided.

What sums Provinces to be credited with.

III. In such Account every Province shall be credited with such portions of the Ordinary Revenue of the Colony, as defined by the "Ordinary Revenue Act, 1858," or by any other law for the time being in force for defining the Ordinary Revenue of the Colony, as shall be levied and received within such Province; which Revenue so to be credited is hereinafter referred to as the Ordinary Revenue of such Province.

What sums to be debited with.

IV. Every Province shall be debited in such account; first, with the expenses authorised by Law of the maintenance within such Province of the several Departments, Courts, Offices, and Services of the General Government, specified in the Schedule, except as in the Schedule is excepted; secondly, with a sum which shall bear the same proportion to the aggregate amount of the other expenses authorised by Law of the General Government, and the general charges on the Revenue of the Colony, as the Ordinary Revenue of such Province shall bear to the Ordinary Revenue of the Colony; and thirdly, with all such other sums as by law are or may be made a special charge against the Ordinary Revenue of such Province.

Cases where more than one Province interested.

V. If any portion of the Ordinary Revenue shall be received, or any part of the cost of the Departments and Services specified in the Schedule, except as therein is excepted, shall be paid, in respect of more than one Province, such an equitable apportionment thereof shall be made between the several Provinces interested as the Governor in Council shall from time to time direct.

What amount payable to each Province.

VI. The Surplus Ordinary Revenue payable to each of the several Provinces of the Colony shall be the balance after deducting the amounts so to be debited from the amount so to be credited in respect of each Province as aforesaid; and such Surplus Revenue shall be paid to the respective Treasurers of such Provinces for the public uses thereof, to be appropriated by the respective Provincial Councils.

What part of Loan of £500,000 shall be deemed a General charge.

VII. For the purposes of this Act, so much only of the Interest and Sinking Fund payable under "The New Zealand Loan Act, 1856," shall be deemed a general charge on the Revenue of the Colony, as shall not by any Law for the time being in force be made a charge upon the Provincial Revenue of any particular Province.

Commencement of Act.

VIII. This Act shall be deemed to have come into operation on the first day of July, 1858.

Short Title.

IX. The Short Title of this Act shall be "The Surplus Revenues Act, 1858."

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*Surplus Revenues.*

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## SCHEDULE:

1. Supreme Court, except the Salaries of the Judges, and the expenses of the Circuit Courts thereof.
2. Courts of Justice of inferior jurisdiction.
3. Resident Magistrates and other Justices of the Peace.
4. Customs.
5. Postal Service, except the cost of carriage of Foreign and Inter-Provincial Mails.
6. Registrars of Marriages.
7. Registrars of Births, Deaths, and Marriages.
8. Sheriffs.
9. Coroners.