

Amended by 1928 No. 53.

## New Zealand.



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1927, No. 74.

AN ACT to make Provision with respect to Public Finance and other Matters. Title.  
[5th December, 1927.]

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

1. This Act may be cited as the Finance Act, 1927 (No. 2). Short Title.

## PART I.

## PUBLIC REVENUES AND LOANS.

2. (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 four million pounds. Empowering Minister of Finance to borrow £4,000,000 for certain public works.

(2) The sums so borrowed shall bear interest at such rate as the Minister of Finance prescribes.

(3) All moneys borrowed under the authority of this section shall, as and when borrowed, be paid into the Public Account to the credit of the General Purposes Account of the Public Works Fund, and shall from time to time be applied, in such amounts as may be from time to time appropriated by Parliament, for the following purposes, namely :—

- (a) The construction of railways and additions to open lines :  
 (b) Additional rolling-stock for open lines, and such other works and purposes in connection therewith as may be authorized :  
 (c) Telegraph extension :  
 (d) The construction and improvement of roads (including main highways), tracks, and bridges for the purpose of providing and improving means of access to any lands, developing goldfields, and such other works and purposes in connection therewith as may be authorized :

(e) The construction of irrigation works :

(f) Other public works, including administrative charges in respect of any public works of the classes referred to in this section.

(4) This section shall be deemed to be an authorizing Act within the meaning of the New Zealand Loans Act, 1908, and the moneys herein authorized to be borrowed shall be borrowed under and subject to the provisions of that Act accordingly.

Empowering  
Minister of Finance  
to borrow  
additional  
£2,000,000 for  
purposes of  
Railways  
Improvement  
Authorization Act,  
1914.

3. (1) In addition to all moneys which the Minister of Finance has heretofore been authorized to borrow for the purposes of the Railways Improvement Authorization Act, 1914, the said Minister may for those purposes borrow such further amount, not exceeding <sup>four</sup> two million pounds, as he thinks fit, and all moneys so borrowed shall be dealt with as provided in section five of that Act.

(2) Notwithstanding anything to the contrary in the Railways Improvement Authorization Act, 1914, the Minister of Finance is hereby empowered to borrow in any year so much of the said sum of two million pounds as he may think fit.

4. In addition to all moneys which the Minister of Finance has heretofore been authorized to borrow for the purposes of the Education Purposes Loans Act, 1919, the said Minister may for those purposes borrow such further amount, not exceeding <sup>five</sup> one million pounds, as he thinks fit, and all moneys so borrowed shall be dealt with as provided in section three of that Act.

5. The Minister of Finance is hereby empowered to pay from the Ordinary Revenue Account of the Consolidated Fund, without further appropriation than this section, the sum of one million pounds to the Imperial Government as a contribution from the Government of New Zealand towards the cost of establishing a naval base at Singapore, in such amounts and at such times as may be arranged between the respective Governments.

6. The conditions subject to which the Minister of Finance may make refunds of totalizator duty pursuant to section eight of the Finance Act, 1925, are hereby extended to allow a refund to be made in any case if the Minister is satisfied that the refund is required by the racing club for expenditure during the year in which such refund is made for any of the following purposes, namely—

- (a) The payment by any racing club of interest on moneys borrowed by it for the carrying-out of permanent improvements to its racecourse, or the repayment of any such moneys, or the discharge of any other liabilities incurred by it for such work ; or
- (b) The purchase by any hunt club of land as a site for kennels, or the making of permanent improvements on land used or intended to be used as a site for kennels.

7. (1) Section six of the Rotorua Borough Act, 1922, is hereby amended by omitting from the proviso thereto the words "within the period of five years immediately succeeding the commencement of this Act."

(2) No payment shall be made to the Rotorua Borough Council under the authority conferred by section six of the Rotorua Borough Act, 1922, as amended by the foregoing provisions of this section, in respect of any period after the thirty-first day of December, nineteen hundred and thirty-two.

Empowering  
Minister of Finance  
to borrow  
additional  
£1,000,000 for  
purposes of  
Education Purposes  
Loans Act, 1919.

Authorizing  
payment to  
Imperial  
Government of  
£1,000,000  
towards cost of  
Singapore Naval  
Base.

Extending purposes  
for which totalizator  
duty may be  
refunded under  
section 8 of Finance  
Act, 1925.

Extending period  
of operation of  
section 6 of  
Rotorua Borough  
Act, 1922.

Refer 1931 Inset,  
Refer: 1928 Inset.

Refer 1930 Inset

8. (1) The authority conferred on the Minister of Finance by section four of the Finance Act, 1926, to invest any of the balances of the Public Account, or any part thereof, by way of loan to the Samoan Treasury, is hereby extended to enable the said Minister so to invest in the aggregate not more than forty-six thousand pounds.

Extending authority to invest Public Account balances by way of loan to Samoan Treasury.

(2) Subsection one of the said section four is hereby consequentially amended by omitting the words "sixteen thousand pounds," and substituting the words "forty-six thousand pounds."

9. (1) The profits accrued to the New Zealand Reparation Estates Account for the year ended on the thirty-first day of March, nineteen hundred and twenty-seven, shall, without further appropriation than this section, be applied as follows:—

Application of profits accrued or accruing in Reparation Estates Account.

(a) The sum of twelve thousand pounds shall be paid into and for the purposes of the Samoan Treasury:

(b) Not more than fifty per centum of the residue thereof may from time to time be applied towards the development of the New Zealand Reparation Estates for purposes and in amounts to be approved by the Minister of External Affairs:

(c) The balance shall be credited to the Reserve Fund referred to in section eight of the Samoa Amendment Act, 1926, to be administered as provided in that section.

(2) All moneys paid into the Samoan Treasury pursuant to this section shall form part of the public revenues of Samoa.

10. (1) For the purpose of enabling experiments to be conducted with a view to bringing back to a state of fertility lands of the Crown which have deteriorated or which are naturally lacking in productivity a Land Board may, with the approval of the Minister of Lands, dispose of any such land within its district on such terms and conditions as it thinks fit.

Conferring on Minister of Lands and Land Boards certain special powers with respect to deteriorated lands.

(2) The Minister of Lands may, on the recommendation of the Land Board and without further authority or appropriation than this section, make advances out of the Deteriorated Lands Account for the purpose of carrying out any such experiments as aforesaid and for effecting permanent improvements, and the provisions of the Deteriorated Lands Act, 1925, in that behalf shall apply in respect of all such advances.

(3) The said Minister may, on the recommendation of the Land Board and without further appropriation than this section, remit wholly or in part, or may postpone until such date as he thinks fit, the payment of any interest payable in respect of advances made under this section, or of any rent owing in respect of a lease granted hereunder.

(4) The Governor-General may from time to time, by Order in Council, make such regulations as in his opinion are necessary or expedient for the purpose of giving full effect to the provisions of this section.

(5) This section shall be deemed to have come into operation on the first day of January, nineteen hundred and twenty-six.

11. The authority conferred by subsection two of section fourteen of the Appropriation Act, 1924 (relating to rates levied under the Rangitaiki Land Drainage Act, 1910), shall be deemed to have been continuously in force as from the date of the passing of that Act, and shall continue in force until the said section is specifically repealed.

Revival and extension of duration of section 14 of Appropriation Act, 1924.

Making provision for the partial capitalization of interest payable in respect of moneys borrowed for purposes of Rangitaiki Land Drainage Account.

12. Whereas by the Rangitaiki Land Drainage Act, 1910, and its amendments, the Minister of Lands is empowered to make and levy rates over certain lands within the district constituted by that Act for the repayment of moneys borrowed for the purposes of the said Act, for the payment of interest on such moneys, and for the payment of the expenses of the general administration of that Act: And whereas by section twenty-two of the Finance Act, 1925, the capital sum as at the date of the passing of that Act in respect of which rates were leviable as aforesaid was reduced to the sum of two hundred and five thousand pounds: And whereas it is desired to grant further relief by way of the capitalization of interest charges and the consequent reduction of the rates immediately payable as hereinafter provided: Be it therefore enacted as follows:—

(1) The rates made and levied by the Minister of Lands pursuant to section six of the Rangitaiki Land Drainage Act, 1910, for the year ending on the thirty-first day of March, nineteen hundred and twenty-seven, on any land are hereby reduced by the one-half part thereof, and only the residue thereof shall be payable as rates.

(2) Except as provided in this section, no penalty shall be payable in respect of any such rates made and levied for the aforesaid year and unpaid on the passing of this Act. If any part of the residue of the rates made and levied as aforesaid is unpaid on the expiration of thirty days after the passing of this Act a charge of ten per centum of the amount so unpaid shall, without further authority than this section, be added thereto, and shall be recoverable accordingly.

(3) The total amount by which the rates made and levied for the year ending on the thirty-first day of March, nineteen hundred and twenty-seven, have been reduced as hereinbefore in this section provided is hereby added to the capital sum of two hundred and five thousand pounds referred to in the recital to this section, as from the said date, and, except as hereinafter provided in this section, the total sum ascertained by such addition shall be the capital sum in respect of which rates may thereafter be made and levied.

(4) With respect to the rates to be made and levied in respect of interest on the capital sum, for the period of ten years commencing on the first day of April, nineteen hundred and twenty-seven, the following provisions shall apply:—

(a) For each of the first two years of that period the amount to be recovered by way of rates in respect of interest shall be two thousand pounds.

(b) For each of the succeeding years of the aforesaid period the amount to be recovered by way of rates in respect of interest shall be one thousand pounds in excess of the amount recoverable for the immediately preceding year, so that for the year ending on the thirty-first day of March, nineteen hundred and thirty-seven, the amount to be recovered by way of rates in respect of interest shall be ten thousand pounds.

(c) The difference between the amount recoverable in any year as aforesaid in respect of interest and the amount of interest properly chargeable in respect of the capital sum shall, as

from the thirty-first day of March in that year, be added to the capital sum.

(d) The capital sum shall be further increased by an allowance for compound interest on the amounts from time to time capitalized in respect of interest as hereinbefore provided, computed at such rate as the Minister of Lands may for each year determine.

(5) The total amount of the capital sum as at the thirty-first day of March, nineteen hundred and thirty-seven, together with interest thereon at such rate as the Minister of Lands may determine, shall be recovered by way of a rate levied by the said Minister pursuant to section six of the Rangitaiki Land Drainage Act, 1910. Such rate shall be an annually recurring rate extending over a period of fifty years as from the said thirty-first day of March, nineteen hundred and thirty-seven.

(6) Nothing in this section shall be construed to limit or affect the power of the Minister to make and levy rates in respect of the expenses of the general administration of the Rangitaiki Land Drainage Act, 1910, and the amendments thereof.

13. (1) Where any judicial proceedings in respect of offences are conducted by or on behalf of any local authority or public body, and any fine recoverable thereunder would, if this section had not been passed, have been payable into the Consolidated Fund, the Minister of Finance may, by a general or special direction, which may at any time be revoked, authorize the payment of any such fine into the general fund or account of the local authority or public body conducting such prosecution as aforesaid. Any direction under this subsection shall be subject to the provisions of the next succeeding subsection.

Authorizing payment of fines in certain cases to local authorities or public bodies that conduct prosecutions.

(2) Where by virtue of any direction given by the Minister of Finance under the last preceding subsection, or by virtue of any other authority whatsoever, any fines recoverable in any Court are made payable otherwise than into the Consolidated Fund, there shall be deducted from the amount of such fines and credited to the Ordinary Revenue Account of the Consolidated Fund an amount equal to five per centum thereof, and only the residue thereof after such deduction has been made shall be paid in accordance with any such authority as aforesaid.

14. A sum of five hundred pounds may, without further appropriation than this section, be paid out of the Ordinary Revenue Account of the Consolidated Fund to His Excellency the Governor-General as a grant in aid of special expenditure incurred by him in connection with the recent visit of Their Royal Highnesses the Duke and Duchess of York.

Authorizing payment to the Governor-General in connection with visit of Duke and Duchess of York.

15. Section twenty-six of the [New Zealand Loans Act, 1908, is hereby amended by adding the following as subsection two thereof:—

Section 26 of New Zealand Loans Act, 1908, amended.

“(2) Any payments made as aforesaid out of the Consolidated Fund may in accordance with a direction of the Minister of Finance in that behalf, be recovered without further appropriation than this section from any appropriate funds or accounts.”

16. For the purposes of section eighty-seven of the Public Revenues Act, 1926, the payments referred to therein shall not include transfers of credit balances made pursuant to section forty of the said Act, or investments of any of the balances of the Public Account, but the amount

Modification of section 87 of Public Revenues Act, 1926.

of such transfers and investments outstanding at any accounting period shall be shown in every abstract and account in such manner as the Minister of Finance may direct.

Section 85 of  
Public Revenues  
Act, 1926, amended.

17. Subsection one of section eighty-five of the Public Revenues Act, 1926, is hereby amended by omitting the words "and within thirty days after the end of the last financial quarter in the financial year"; and by omitting the words "during such quarter," and substituting the words "from the beginning of the financial year to the end of such quarter."

Section 22 of  
Finance Act, 1926,  
amended.

18. Section twenty-two of the Finance Act, 1926, is hereby amended as from the date of its coming into force, as follows:—

(a) By repealing subsections one and two, and substituting the following subsections:—

"(1) The amount of any securities issued in respect of any loan raised for the purposes of any account or fund within the Public Account or subject to Part X of the Public Revenues Act, 1926, which are redeemed under the provisions of the Repayment of the Public Debt Act, 1925, shall be deemed to be a liability of such account or fund to the Consolidated Fund, and, if the Minister of Finance so directs, shall bear interest at such rate as he may determine. Payments in respect of such interest may from time to time, without further appropriation than this section, be made out of moneys for the time being standing to the credit of such account or fund, or, as the Minister of Finance directs, out of any other appropriate account or fund.

"(2) Any amounts paid out of any account or fund as aforesaid by way of contribution or recoupment of contribution to any sinking fund now forming part of the Public Debt Redemption Fund, together with an allowance for interest thereon, calculated for such periods and at such rates as the Minister of Finance may determine, shall be deemed to be an asset of the appropriate account or fund to be applied in reduction of any such liability aforesaid as and when the same accrues."

(b) By omitting from subsection three the words "separate account, or fund," and substituting the words "account or fund."

Applying section 22  
of Finance Act,  
1926, in respect of  
redemption of  
securities out of  
Ordinary Revenue  
Account of  
Consolidated  
Fund.

19. Section twenty-two of the Finance Act, 1926, as amended by the last preceding section, shall apply in respect of any securities issued for the purposes of any account or fund within the Public Account or subject to Part X of the Public Revenues Act, 1926, that may hereafter be redeemed out of the Ordinary Revenue Account of the Consolidated Fund otherwise than under the provisions of the Repayment of the Public Debt Act, 1925, and, to such extent as the Minister of Finance may direct, shall also so apply in respect of any such securities which were so redeemed at any time before the passing of this Act.

Provision to recoup  
Consolidated Fund  
in respect of  
payment of subsidy  
to Public Service  
Superannuation  
Fund.

20. Where the salaries of any contributors to the Public Service Superannuation Fund are paid or payable out of any fund or account other than the Consolidated Fund there may from time to time, as the Minister of Finance directs, be paid without further appropriation

than this section out of any such fund or account into the Consolidated Fund such amount as the Minister deems to be properly chargeable to that fund or account to recoup to the Consolidated Fund a proportion of the subsidy paid or payable out of the Consolidated Fund in aid of the Public Service Superannuation Fund.

21. Whereas by paragraph (b) of subsection one of section eight of the Repayment of the Public Debt Act, 1925, the moneys transferred by way of loan from the Consolidated Fund to the Discharged Soldiers Settlement Account pursuant to section eight of the Discharged Soldiers Settlement Loans Act, 1920, and section thirty-one of the Appropriation Act, 1920, were, subject to the exception set out in the said paragraph (b), declared to be capital moneys of the Public Debt Redemption Fund: And whereas it has been held that the said capital moneys consist of the securities in which the loan to the Discharged Soldiers Settlement Account has been invested and not of the capital sum transferred by way of loan to the Discharged Soldiers Settlement Account: And whereas this was not the intention of the said paragraph (b), and it is desirable to make the matter clear: Be it therefore enacted as follows:—

The moneys declared by paragraph (b) of subsection one of section eight of the Repayment of the Public Debt Act, 1925, to be capital moneys of the Public Debt Redemption Fund are hereby declared to be the capital sum transferred by way of loan pursuant to section eight of the Discharged Soldiers Settlement Loans Act, 1920, and section thirty-one of the Appropriation Act, 1920, to the Discharged Soldiers Settlement Account, less the amounts to be deducted pursuant to the said paragraph (b), and the liability of that account in respect of the said loan is not otherwise affected.

22. Whereas capital reductions, remissions of rent, and interest due, and other reductions, remissions, and concessions have been granted under the authority of the Discharged Soldiers Settlement Acts, and certain losses have been occasioned in connection with the operations conducted under those Acts, and it is now desired that the separate accounts concerned should be adjusted accordingly: Be it therefore enacted as follows:—

The Minister of Finance may, without further authority than this section, reduce the capital liability of any separate accounts concerned by remitting any portion of the amounts advanced by way of loan to any such account from the Consolidated Fund, or otherwise as he thinks fit, and make such adjustments as may, in his opinion, be appropriate for the purpose of writing off in such separate accounts:—

- (a) Reductions, remissions, and concessions lawfully granted pursuant to the Discharged Soldiers Settlement Acts;
- (b) The capitalized cost of administering those Acts; and
- (c) Any accumulated losses in the revenue accounts of such separate accounts.

23. (1) Section twenty-five of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1925, is hereby amended as follows:—

- (a) By omitting from the preamble the words "Native Land Settlement Account," and substituting the words "Land for Settlements Account"; and

Declaratory provision as to certain capital moneys in the Public Debt Redemption Fund.

REFER: S. 12 1929 No. 20

Authorizing necessary adjustments of accounts consequent on operations of Discharged Soldiers Settlement Acts.

Section 25 of Reserves and other Lands Disposal and Public Bodies Empowering Act, 1925, amended.



(b) By omitting from subsection two the words "Native Land Settlement Account," and substituting the words: "Land for Settlements Account."

(2) There may, without further appropriation than this section, be paid from the Land for Settlements Account into the Public Works Fund an amount equal to the amount expended out of that fund in respect of the purchase of land to which the section hereinbefore referred to relates, and there may in like manner be paid into the Ordinary Revenue Account of the Consolidated Fund an amount equal to the amount expended out of the Scenery Preservation Account in respect of the said purchase.

All fees, fines, &c., payable to credit of Main Highways Revenue Fund to be paid in first instance to Consolidated Fund.

24. (1) Notwithstanding anything to the contrary in any Act, <sup>Take in addition 1928 Inset.</sup> all moneys which by any Act or other authority are made payable to the Main Highways Revenue Fund (other than moneys referred to in paragraph (d) of section fourteen of the Main Highways Act, 1922) shall be paid in the first instance into the Consolidated Fund. All moneys so paid into the Consolidated Fund shall, without further appropriation than this section, be transferred to the Main Highways Revenue Fund.

(2) There shall, without further appropriation than this section, be paid out of the Consolidated Fund into the Main Highways Revenue Fund from time to time an amount equal to the amount estimated by the Comptroller of Customs to be the amount of Customs duties received in respect of rubber tires and inner tubes of rubber for pneumatic tires attached to or imported with motor-vehicles, tractors, or similar vehicles. <sup>Add s.s. (3) 1929 Inset.</sup>

Validation of transactions in relation to the importation of wheat from Australia in the years 1925 and 1926.

25. All acts done by or on behalf of the Government of New Zealand in relation to the importation and sale of wheat from Australia in the years nineteen hundred and twenty-five and nineteen hundred and twenty-six are hereby declared to have been done with due authority of law.

## PART II.

Refer 1929 Inset

### NATIONAL PROVIDENT FUND.

Special provisions to facilitate schemes of contribution by employers on behalf of persons employed by them.

26. (1) In this section—

"The said Act" means the National Provident Fund Act, 1926:

"The Fund" means the National Provident Fund established under the said Act.

(2) Notwithstanding that by section thirty-eight of the said Act special provision is made for employers becoming contributors to the Fund on behalf of persons employed by them, contributions to the Fund may be made by employers, as defined in the said section, on behalf of all or any of the persons employed by them, in accordance with the provisions of section sixty-two of the said Act as modified by this section.

(3) Any such employer may become a contributor on behalf of any person employed by him as aforesaid—

(a) Notwithstanding that such last-mentioned person may not be under fifty years of age as required by paragraph (c) of section ten of the said Act; or

(b) Notwithstanding that such person may be in receipt of an income exceeding three hundred pounds a year.

(4) Notwithstanding anything in section thirteen of the said Act any employer may contribute to the Fund under the authority of the said section sixty-two and this section so as to secure to the person on whose behalf the contributions are made, when such person attains the age of sixty years, a weekly pension at any of the rates specified in the said section thirteen, or a weekly pension at the rate of fifty shillings, sixty shillings, seventy shillings, or eighty shillings, as the case may be.

(5) Except so far as the rates of contributions required to provide such pensions are prescribed by the principal Act, the rates of contributions shall be as fixed by the Board. The rates so fixed by the Board may be varied from time to time, but not so as prejudicially to affect any contracts then subsisting between the Board and a contributor.

(6) In the event of an employer ceasing to contribute on behalf of any person employed by him as aforesaid, whether the contract of service is terminated or not, such person may, at any time within twelve months thereafter, apply to the Board to be accepted as a contributor to the Fund on his own behalf, and the Board may, on such terms and conditions as it thinks fit, accept him as such contributor as from the date on which the first contribution was paid on his behalf, or as from such later date as the Board may determine, notwithstanding that such person may not be, or may not on such date have been, competent to become a contributor to the Fund :

Provided that no such person shall thereafter be entitled to elect to contribute for an increased amount of pension if such increased amount would exceed the rates prescribed by section thirteen of the principal Act.

(7) In the event of any employer, being a contributor under this section, ceasing to carry on business the following special provisions shall apply :—

(a) All contributions made by him on behalf of persons employed by him shall remain in the Fund.

(b) Every person on whose behalf contributions have been made as aforesaid may in accordance with the last preceding subsection, at any time within twelve months, apply to the Board to be accepted as a contributor to the Fund on his own behalf.

(c) If any person so employed does not become a contributor to the Fund on his own behalf, the following provisions shall apply,—

(i) If the amount of contributions paid on his behalf is sufficient, in accordance with the certificate of the Actuary appointed pursuant to section seventy-three of the said Act, to provide for him on his attaining the age of sixty years a pension at any of the rates prescribed by section thirteen of the said Act or the foregoing provisions of this section, he shall, on attaining such age, be entitled to receive a pension accordingly, and in the meantime shall be entitled to all the benefits receivable by a contributor to the Fund, and any balance in excess of the amount required to provide such pension shall be paid to such person :

(ii) If the amount of contributions paid on his behalf is not sufficient to provide for him on his attaining the age of sixty years as aforesaid a pension of at least ten shillings a

week, the person on whose behalf such contributions were paid shall, save as provided in this paragraph, cease to be entitled to any of the benefits of the said Act. All contributions received on his behalf (less any sums which he has theretofore received from the Fund in respect of the benefits provided) shall be paid to him on his attaining the age of sixty years, or at such earlier date as the Board may decide. In the event of his death before attaining the age of sixty years the amount aforesaid shall be paid to his personal representatives in trust for the persons entitled thereto under his will, or, in case of intestacy, for the next-of-kin or other persons entitled to his estate under the statutes of distribution.

(8) Any person being a contributor to the Fund on his own behalf shall cease to be such contributor if his employer with his consent becomes a contributor to the Fund on his behalf in accordance with this section, and in any such case unless the contributor elects to withdraw his contributions as provided in this Act the contributions theretofore made by him shall be deemed to have been contributions made by his employer on his behalf in accordance with this section. No such person shall be entitled to continue as a contributor on his own behalf while his employer is a contributor on his behalf in accordance with this section.

(9) Except so far as may be expressly provided in this section, the rights and obligations *inter se* of an employer and any person on whose behalf he is a contributor in accordance with the provisions of this section shall be as determined by agreement between them.

(10) No subsidy shall be payable by the Minister pursuant to subsection two of section seventy-four of the said Act in respect of contributions of any of the following classes, namely:—

- (a) Contributions paid pursuant to this section in respect of any person who has attained the age of fifty years at the date on which the first contribution on his behalf is payable under this section:
- (b) Contributions paid to secure an increase of pension in accordance with this section for any person who has attained the age of fifty years at the date on which the first increased contribution is payable:
- (c) So much of any contributions paid under this section to secure for any person a weekly pension of more than forty shillings as exceeds the amount of contributions that would be sufficient to secure for that person a weekly pension of forty shillings in accordance with the scale set forth in the First Schedule to the said Act.

(11) Notwithstanding anything to the contrary in section sixty-seven of the said Act, all moneys received by any person under the said Act by way of pension shall, in so far as such pension exceeds a pension of forty shillings a week, be deemed to be income within the meaning of the Pensions Act, 1926.

(12) Section sixty-two of the said Act is hereby amended by inserting, before the words "this Act" in subsection two, the words "section ten of."

## PART III.

## SCIENTIFIC AND INDUSTRIAL RESEARCH.

27. Whereas one of the functions of the Department of Scientific and Industrial Research established under the Scientific and Industrial Research Act, 1926, is the conduct of scientific investigations in relation to the primary and secondary industries of New Zealand: And whereas towards the fulfilment of this function it has been provisionally agreed between the Council of Scientific and Industrial Research and representatives of persons engaged in the growing and milling of wheat in New Zealand, and related industries, that scientific investigations shall be carried out by the Department in relation to the growing of wheat in New Zealand and its manufacture into flour and bread: And whereas the conduct of such investigations will necessitate the establishment by the Department of laboratories and the employment of scientists, and it has been agreed that contributions towards the expense of carrying out such special work should be made by persons having a proprietary interest in the industries primarily concerned: And whereas, to enable the Council to enter into an effective agreement with the persons concerned, and to enable a scheme to be formulated to give effect to such agreement, it is desired to extend the powers of the Governor-General in Council to make regulations for the purposes of the Scientific and Industrial Research Act, 1926: Be it therefore enacted as follows:—

Making provision for adoption of scheme of voluntary contributions by persons engaged in growing of wheat, and in related industries, towards cost of carrying out scientific investigations by Department of Scientific and Industrial Research.

(1) The power conferred on the Governor-General in Council by section thirteen of the Scientific and Industrial Research Act, 1926, to make regulations for the purpose of giving effect to that Act is hereby extended to include power to make regulations, subject to the provisions of this section, to impose on persons of the classes hereinafter specified an obligation to pay into the ~~Ordinary Revenue Account of the Consolidated Fund, as a credit in aid of the vote of the Department of Scientific and Industrial Research,~~ such levies as may from time to time be prescribed, to be applied towards the cost of establishing laboratories and carrying out scientific researches in connection with the matters hereinbefore referred to. <sup>Take in addition 1929 Inset.</sup>

(2) Levies may be imposed under this section to be payable by—

(a) The producers of any wheat grown in New Zealand, and sold or delivered to a flour-miller, or to a grain-merchant as herein defined;

(b) Persons carrying on business as flour-millers; and

(c) The purchasers or other persons taking delivery of flour or wheatmeal from a flour-mill.

(3) The amount of all levies payable as aforesaid shall be apportioned in accordance with regulations among the classes of contributories referred to in the last preceding subsection, and shall be computed as follows:—

(a) In respect of the levy payable by any producer of wheat, it shall be computed by reference to the quantity of wheat sold or delivered by him to any grain-merchant or flour-miller.

- (b) In respect of the levy payable by a flour-miller, it shall be computed by reference to the quantity of flour or wheatmeal delivered by the flour-miller from his flour-mill.
- (c) In respect of the levy payable by a purchaser or other person taking delivery of flour or wheatmeal from a flour-mill, it shall be computed by reference to the quantity of such flour or wheatmeal.
- (4) The amount of the levies imposed under this section shall not exceed,—
- (a) In the case of a producer of wheat, one penny halfpenny for every fifty bushels of wheat delivered by him to a flour-miller or grain-merchant :
- (b) In the case of a flour-miller, one penny halfpenny for every ton of flour or wheatmeal delivered from the flour-mill :
- (c) In the case of a person taking delivery of flour or wheatmeal from a flour-mill, one penny halfpenny for every ton of such flour or wheatmeal.
- (5) All levies payable pursuant to regulations under this section shall be recoverable in any Court of competent jurisdiction as a debt due to the Crown. Unless otherwise provided in any such regulations, the amount of any levy payable in respect of any wheat may be recoverable in the first place from the grain-merchant or flour-miller to whom such wheat has been delivered by the producer, and the amount of any levy payable by a person taking delivery of any flour or wheatmeal from a flour-mill may be recoverable in the first place from the flour-miller. On payment by a grain-merchant or flour-miller of the amount of any levy on behalf of any other person such grain-merchant or flour-miller shall be entitled to recover the amount of such levy from the person on whose behalf such levy was so paid, as a debt due to him, and may deduct the said amount from any moneys at any time owing by him to any such person.
- (6) No regulations imposing levies in accordance with this section shall be issued unless the Governor-General in Council is satisfied that the imposition of such levies is in accordance with the terms of an arrangement made at a meeting convened by the Council of Scientific and Industrial Research of representatives of persons engaged in the growing or marketing of wheat, the milling of wheat into flour, and the manufacture of flour into bread.
- (7) For the purposes of this section a person whose business or part of whose business is the buying and selling of wheat shall be deemed to be a grain-merchant if the amount of wheat purchased by him in any year exceeds two thousand bushels.
- (8) This section shall continue in force until the thirty-first day of December, nineteen hundred and thirty-three, and shall then be deemed to be repealed.

#### PART IV.

##### LOCAL AUTHORITIES.

28. Whereas it was declared by the Valuation of Land Amendment Act, 1926, that the value of trees was not to be retained on the valuation roll of any local authority after the thirty-first day of March, nineteen hundred and twenty-seven: And whereas the resultant

County Councils  
may make a levy  
on timber produced  
in county

decrease in the rateable value of the land in the districts of a number of local authorities has affected the revenue from rates of those local authorities: And whereas the timber industry benefits by the facilities provided by the local authorities, and it is desirable to recoup to such local authorities the loss sustained by them as aforesaid by means of a levy as hereinafter set out: Be it therefore enacted as follows:—

(1) In respect of standing trees cut in any county and converted from the log into sawn timber there shall be payable in each financial year commencing with the year ending on the thirty-first day of March, nineteen hundred and twenty-eight, to the County Council a levy of such amount as is fixed by the Council but not exceeding the sum of one halfpenny per hundred feet board measure on timber so converted in that year.

(2) The levy shall be recoverable by the County Council as a debt due to it from every miller of such timber at such times and in such manner as the Council directs.

(3) The County Council may require any such miller to furnish returns of timber converted by him, in such form and containing such particulars as the Council directs. Every miller who fails to make any such return when requested commits an offence and is liable to a fine of ten pounds.

(4) The levy imposed by this section shall be payable only in respect of sawn timber from native trees that have not been planted.

29. The payment by the Wellington Harbour Board of the sum of six hundred pounds out of its Harbour Fund Account, being the cost of a full-page advertisement in the supplement to the *Times* newspaper, published in London simultaneously with the arrival in New Zealand of Their Royal Highnesses the Duke and Duchess of York, is hereby validated and declared to have been lawfully made.

Validating payment by Wellington Harbour Board of cost of advertising in the supplement to London *Times*.

30. Whereas by section seventeen of the Appropriation Act, 1923, provision is made for the expenditure out of the Public Works Fund of a sum not exceeding one hundred and fifty thousand pounds on remedial and protective works on behalf of the Taieri River Trust: And whereas half of the cost of such works is to be borne by the Taieri River Trust out of the proceeds of a special loan raised by the Trust with the consent of its ratepayers: And whereas it has been found that additional moneys will be required to complete such works as aforesaid, and it is desirable to make provision in connection therewith as hereinafter appears: Be it therefore enacted as follows:—

Extending authority to expend moneys for purposes of section 17 of Appropriation Act, 1923.

(1) There may be issued and paid out of the Public Works Fund, for the purposes of the works authorized by section seventeen of the Appropriation Act, 1923, an additional amount or amounts not exceeding in the aggregate the sum of sixty-five thousand pounds.

(2) Of the additional amount so expended one-half shall be payable by the Taieri River Trust, which is hereby authorized to borrow the amount so payable by it by way of special loan under the Local Bodies' Loans Act, 1926, but without taking the steps prescribed by sections nine to thirteen of that Act.

31. Whereas by section seventeen of the Appropriation Act, 1923, the Minister of Public Works was empowered to undertake and carry out on behalf of the Taieri River Trust certain remedial and protective works: And whereas by section forty of the Finance Act, 1924, the said

Validating certain transactions in connection with land purchased for Taieri River protection work.

Minister for the purposes of such works was authorized to exercise on behalf of the Trust all such powers as the Trust could exercise on its own behalf, including the power to acquire land: And whereas, purporting to act in exercise of such powers, the said Minister has acquired certain lands in the name and on behalf of His Majesty the King instead of on behalf of the Trust and has granted leases thereof: And whereas it is desired to validate the acquisition and leasing of such lands and to provide for the acquisition in the same manner of further lands and for the disposal of so much of all the lands acquired as is not required for the purposes of the said works: Be it therefore enacted as follows:—

(1) The acquisition in the name of His Majesty the King of all lands heretofore acquired by the Minister of Public Works, purporting to act in exercise of the powers conferred on him by section forty of the Finance Act, 1924, is hereby validated.

(2) Every lease of such lands heretofore granted by the Minister is hereby validated, and the Minister may hereafter grant any further leases of such land.

(3) Notwithstanding anything to the contrary in any Act the Minister of Public Works may, for and on behalf of His Majesty the King, sell any of the lands heretofore acquired and not required for the purposes of the said works in the same manner as the Taijeri River Trust may sell land, other than endowments, vested in it, and may execute any transfer or assurance of the lands so sold.

(4) The net proceeds of the sale or leasing of any such lands by the Minister shall be applied in reduction of the total cost of the said protective works.

(5) Notwithstanding anything to the contrary in the said section forty of the Finance Act, 1924, any further land required for the purposes of the said works may be acquired by the Minister of Public Works in the name of His Majesty the King instead of in the name of the Trust, and with respect to any further land so acquired the provisions of subsections two, three, and four of this section shall apply.

Extended powers of borrowing by way of overdraft in respect of trading undertakings.

32. (1) Subject to the provisions of the next succeeding subsection, a Borough Council may, in respect of any trading undertaking carried on by it for which a separate account has been established pursuant to section seventy-four of the Municipal Corporations Act, 1920, borrow moneys in anticipation of the revenues to be credited to that account in excess of the limits imposed by section three of the Local Bodies' Finance Act, 1921-22.

(2) Before exercising the power conferred by this section a Borough Council shall obtain the sanction of the Local Government Loans Board, which, with respect to any application for such sanction, shall have the same powers of investigation as are conferred on it in respect of applications made to it under the Local Government Loans Board Act, 1926. The Board may, if it grants its sanction, impose such conditions as it thinks fit for the repayment of any amount borrowed in excess of the limits imposed by the said section three of the Local Bodies' Finance Act, 1921-22.

(3) The provisions of this section shall apply to any Board constituted by special Act for carrying on any tramway or gas-lighting

undertaking and to which the Local Bodies' Finance Act, 1921-22, applies.

33. (1) There may, without further appropriation than this section, be paid to the Wellington City Council in each year after the year ending on the thirty-first day of March, nineteen hundred and twenty-eight, out of the Revenue Fund of the Main Highways Account, such amount as may be required by the Council to pay the interest and sinking-fund charges for that year in respect of loans raised under the authority of the Hutt Road Amendment Act, 1917, the Wellington City and Suburban Highways Construction and Hutt Road Amendment Act, 1924, and the Wellington City and Suburban Highways Construction and Hutt Road Amendment Act, 1927.

Provision for special payment to Wellington City Council out of Main Highways Revenue Fund in commutation of fees chargeable in respect of motor-vehicles using Hutt Road.

(2) Notwithstanding anything to the contrary in section nine of the Hutt Road Amendment Act, 1917, or in section five of the Wellington City and Suburban Highways Construction and Hutt Road Amendment Act, 1927, the Wellington City Council shall not collect or receive in any year any part of the fees payable to it pursuant to the said sections if in respect of that year it has received payment of an amount sufficient to satisfy the charges referred to in the last preceding subsection, or has obtained from the Main Highways Board an assurance that it will receive such amount during that year :

Provided that nothing herein shall be construed to limit the power of the Council or of any Receiver to collect the said fees or any part thereof in satisfaction of any loan secured on such fees, or in respect of the interest or other charges payable in respect of such loan.

34. Whereas during the current financial year certain Hospital Boards in lieu of granting charitable aid to applicants for relief have arranged with local authorities within their districts to employ such persons on works being carried out by such local authorities in relief of unemployment and have agreed to pay to such local authorities the difference between the wages paid to such persons while employed on the relief works and the actual value of the work performed by them : And whereas it is desirable to validate such agreements and to authorize the Boards to make the payments agreed on : Be it therefore enacted as follows :—

Validating agreements between Hospital Boards and local authorities for employment of applicants for charitable relief.

(1) Any agreement made as aforesaid between a Hospital Board and any local authority within the hospital district is hereby validated, and the Board is authorized to pay out of its General Fund to any such local authority the sum or sums representing the difference between the wages paid to persons nominated by the Board and employed on relief works pursuant to the agreement and the actual value of the work performed by such persons.

(2) The value of the work performed shall be as fixed by the local authority concerned, save that with respect to work performed after the commencement of this Act the value so fixed shall be subject to the concurrence of any officer appointed by the Minister of Public Works for the purpose.

(3) Any sums paid by a Board as aforesaid before the commencement of this Act are hereby declared to have been lawfully paid.

(4) No payments shall be made pursuant to an agreement as aforesaid in respect of any work performed by any such persons after the thirty-first day of December, nineteen hundred and twenty-seven.



## PART V.

## MISCELLANEOUS.

Special provision with respect to travelling-allowance to members of Commission of Inquiry *re* metropolitan water-supply for Auckland.

35. Notwithstanding anything to the contrary in section one hundred and forty-one of the Public Revenues Act, 1926, an amount of thirty shillings a day, in addition to money paid for passenger fares, may be paid to Archibald William Blair, Esquire, of Wellington, Solicitor, and Arthur Dudley Dobson, Esquire, of Christchurch, Engineer, in commutation of an allowance for travelling-expenses actually incurred by them as members of a Commission appointed under the Commissions of Inquiry Act, 1908, to inquire and report with respect to water-supplies for the City of Auckland and adjoining districts.

Further provisions as to rights, &c., of Eastern Extension Telegraph Company under agreement with Crown pursuant to section 54 of Reserves and other Lands Disposal and Public Bodies Empowering Act, 1916.

36. Whereas by section fifty-four of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1916, the Governor-General, on behalf of His Majesty, was authorized to enter into an agreement with the Eastern Extension Australasia and China Telegraph Company, Limited (hereinafter referred to as the said Company) for the purposes mentioned in that section: And whereas such agreement was duly entered into: And whereas it is expedient to make further provision with respect to the rights, duties, and liabilities of the said company arising out of such agreement: Be it therefore enacted as follows:—

(1) The whole expense of the testing, repair, and maintenance of the cable already laid by the said company from Titahi Bay to Grey Street, in the City of Wellington, pursuant to the said agreement, shall be borne by the said company:

Provided that nothing in this subsection shall limit the right of the said company to recover from any person or corporation damaging or interfering with such cable all loss or expense so occasioned.

(2) For the purpose of testing or repairing and maintaining any such cable the said company may open and break up the soil or pavement of any road or street, or any lands upon which the said cable has been laid, doing as little damage as possible, and on such testing, repair, or maintenance being effected the said company shall without delay restore such road, or street, or land to its former condition.

(3) At all times while any such road or street is opened or broken up the said company shall, for the purpose of preventing accidents, cause the same to be fenced or otherwise guarded, and to be sufficiently lighted at night.

Moneys payable by Fruit-export Control Board to owners may be paid to New Zealand Fruitgrowers' Federation, Limited, as agent of owners.

37. Where any money is payable by the New Zealand Fruit-export Control Board pursuant to the Fruit Control Act, 1924, to an owner of fruit in respect of fruit disposed of or to be disposed of by the Board on account of that owner, the Board may pay the amount to the New Zealand Fruitgrowers' Federation, Limited, as agent for the owner, and the receipt of the Federation shall be a sufficient discharge for the amount so paid by the Board.

Validating and authorizing certain refunds to J. Firth, Esq., C.M.G., by Wellington College Board of Governors.

38. Whereas Joseph Firth, Esquire, C.M.G., expended the sum of five hundred and ninety-three pounds eighteen shillings and sixpence on the upkeep and improvement of the Wellington College grounds during the year nineteen hundred and twenty-one while he was headmaster of the College: And whereas portion of that sum—namely, an amount of one hundred pounds—was refunded to him in the year nineteen hundred

and twenty-three without authority of law : And whereas it is expedient that the balance of that sum—namely, an amount of four hundred and ninety-three pounds eighteen shillings and sixpence—should be refunded to him : Be it therefore enacted as follows :—

(1) The payment by the Wellington College Board of Governors of the said amount of one hundred pounds to the said Joseph Firth, being a refund of portion of the sum expended by him as aforesaid, is hereby validated and declared to have been lawfully made.

(2) The said Board is hereby authorized to refund to the said Joseph Firth the aforesaid balance—namely, an amount of four hundred and ninety-three pounds eighteen shillings and sixpence—of the moneys so expended by him.

39. The payment during the current financial year by the trustees of the Auckland Savings-bank, being a savings-bank constituted under the Savings-banks Act, 1908, of a sum of two hundred and fifty pounds out of the surplus profits of the bank to the fund known as the Mayor of Auckland's Unemployed Relief Fund, is hereby validated and declared to have been lawfully made.

Validating donation by Auckland Savings-bank trustees to Mayor of Auckland's Unemployment Fund.

40. The payment by any Fire Board represented at the conference of Fire Boards held at Wellington in the month of August, nineteen hundred and twenty-seven, of any sum not exceeding thirty shillings towards the cost of holding the conference is hereby validated and declared to have been lawfully made.

Validating payment by Fire Boards towards cost of Fire Boards Conference in Wellington.

41. (1) Notwithstanding anything in the Public Service Classification and Superannuation Act, 1908, payment out of the Public Service Superannuation Fund may be made to the persons hereinafter mentioned of a sum equal in each case to the amount deducted or deductible from his retiring-allowance under the said Act in respect of fees or other payments received or receivable by him for special services rendered to the Government.

Authorizing payments to retired public servants for special services.

(2) The persons to whom this section relates are the following, that is to say :—

William Barr Montgomery, Esquire, C.B.E., in respect of special services rendered in connection with a Committee of Inquiry set up under the Board of Trade Act, 1919, to investigate the proposed operations of the Proprietary Articles Trade Association :

William Stonham Short, Esquire, I.S.O., in respect of special services rendered in connection with a Commission set up in respect of matters affecting Tauranga Harbour :

David Wilson McLeish, Esquire, in respect of special services rendered in connection with Stephens Island and Cape Palliser lighthouses.

42. Whereas by section two of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1910, the Public Trustee was empowered, upon receiving from the persons in Auckland known as the Trades Hall Trustees a sum of at least one thousand pounds as a contribution in aid of the work, to expend by way of advances out of the funds of the Public Trust Office the sum of six thousand pounds for the purposes of acquiring in Auckland a suitable site and erecting thereon a building to be known as the Auckland Trades Hall, to be used for the purposes indicated in a trust deed under which the aforesaid trustees were appointed : And whereas it was further provided that the said property should be vested in the Public Trustee, and that

Making further provision with respect to repayment of a sum of £4,000 owing to the Public Trustee by the Auckland Trades Hall Trustees.

moneys advanced, with interest, should be charged thereon, and that when such advances should have been fully satisfied out of the rents and from the other sources in the said section mentioned the property should be transferred by the Public Trustee to the said trustees to be used for the purposes indicated in the said trust deed or other purposes analogous thereto: And whereas the Public Trustee in pursuance of the powers thereby conferred made the advances aforesaid and acquired a property in Hobson Street, in the City of Auckland, which said property became vested in the Public Trustee under deed of conveyance registered as Number 208270 in the Deeds Register Office at Auckland, and has since been managed by the said trustees as a Trades Hall and for the purposes indicated in the said trust deed: And whereas by section ten of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922, it was provided that all capital moneys advanced by the Public Trustee and outstanding on the first day of January, nineteen hundred and twenty-three, should be repayable on the expiration of five years from the said last-mentioned date: And whereas the balance of capital moneys advanced by the Public Trustee for the aforesaid purposes is, as at the date of the passing of this Act, the sum of four thousand pounds: And whereas the Trades Hall Trustees are unable out of the rents and profits and other sources mentioned in the said recited sections to pay such balance to the Public Trustee within the time limited as aforesaid: And whereas it is desirable that the Public Trustee should convey the said property to the Trades Hall Trustees and should be empowered to advance to the said trustees by way of mortgage the sum of four thousand pounds to enable repayment of such capital moneys to be made in accordance with the aforesaid provisions: Be it therefore enacted as follows:—

(1) The Public Trustee shall convey the said property, being the land described in the said conveyance Number 208270, to the trustees for the time being of the said Auckland Trades Hall to hold such land upon the trusts and for the purposes in the said trust deed set forth.

(2) The Public Trustee is authorized to advance from the Common Fund of the Public Trust Office to the said trustees by way of first mortgage on the said property the said sum of four thousand pounds upon such terms as to interest and repayment by instalments as the Public Trustee thinks fit, subject, however, to the approval of the Public Trust Office Investment Board; and the said trustees are hereby empowered to and shall execute to and in favour of the Public Trustee a good and valid mortgage for the moneys so advanced.

43. Notwithstanding the provisions of section nineteen of the Civil Service Insurance Act, 1893, or any other statutory authority, nothing contained in the said Act shall be deemed to prevent an assignment or disposition by an officer, as defined by the said Act, in favour of the wife and family of such officer, or any of them, to take effect after the death or retirement of the said officer, of the whole or any part of the moneys standing under the provisions of the said Act in the Public Trust Account to the credit of the said officer.

44. Section seventy-seven of the Public Service Superannuation Act, 1927, is hereby amended, as from the date of the passing of that Act, by omitting from subsection one the words "whose length of service exceeds fifteen years and."

Authorizing officers to settle deductions of salary upon family.

Section 77 of Public Service Superannuation Act, 1927, amended.