



ANALYSIS

Title	2. Charitable allowance
1. Short Title, commencement, etc.	3. Rates of estate duty

1980, No. 22

An Act to amend the Estate and Gift Duties Act 1968
 [30 September 1980]

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, commencement, etc.—(1) This Act may be cited as the Estate and Gift Duties Amendment Act 1980, and shall be read together with and deemed part of the Estate and Gift Duties Act 1968 (hereinafter referred to as the principal Act).

(2) This Act shall be deemed to have come into force on the 4th day of July 1980, and shall apply to the estates of all persons dying on or after that day.

2. Charitable allowance—(1) Section 28 of the principal Act is hereby amended by inserting, after subsection (1A) (as inserted by section 6 (2) of the Estate and Gift Duties Amendment Act 1976), the following subsection:

“(1B) In any case where a charitable allowance has been made in respect of the dutiable estate of a deceased person, the value of the succession of the charitable successor or, where there is more than one, the value of the aggregate of the successions of all charitable successors shall be diminished by an amount equivalent to the charitable allowance.”

(2) Section 35c of the principal Act (as inserted by section 3 of the Estate and Gift Duties Amendment Act 1971 and amended by section 6 (2) of the Estate and Gift Duties Amendment Act 1979) is hereby amended by inserting, after the words “section 41 of this Act,”, the words “or the amount of any charitable allowance under this Act,”.

(3) Section 54 (1) of the principal Act (as amended by section 9 of the Estate and Gift Duties Amendment Act 1979) is hereby amended by adding the following proviso:

“Provided that where there is more than one charitable succession in the dutiable estate, the amount of any charitable allowance shall be allocated rateably amongst those charitable successions in proportion to their value.”

(4) Section 9 of the Estate and Gift Duties Amendment Act 1979 is hereby consequentially repealed.

3. Rates of estate duty—The First Schedule to the principal Act (as substituted by section 4 (1) of the Estate and Gift Duties Amendment Act 1979) is hereby amended—

(a) By repealing Part C:

(b) By omitting from the heading to Part D the expression “1982”, and substituting the expression “1981”.

This Act is administered in the Inland Revenue Department.
