



## ANALYSIS

- |  |   |
|--|---|
| Title<br>1. Short Title<br>2. Validating increase of salaries of heads of overseas missions<br>3. Exemption from duty in certain cases of simultaneous deaths<br>4. Saving rights of certain persons in Cook Islands to object to assessments for income tax<br>5. Extending the time for claiming compensation with respect to Lake Taupo<br>6. Authorisation of railways<br>7. Conn's Creek Branch Railway | 8. Authorising expenditure by local authorities in welcoming and farewelling Governor-General<br>9. Empowering certain local authorities to expend money in connection with Hawke's Bay centennial celebrations<br>10. Arbitration in respect of price to be charged for bulk supply of electrical energy by Electric Power Board to municipal corporation<br>11. Saving of member of Parliament from disqualification Schedule |
|--|---|

1958, No. 38

**An Act to make provision with respect to public finance and other matters** [25 September 1958]

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

**1. Short Title**—This Act may be cited as the Finance Act 1958.

**2. Validating increase of salaries of heads of overseas missions**—(1) Notwithstanding anything to the contrary in any other Act, it is hereby declared that there may be paid without further appropriation than this section to any overseas representative within the meaning of the External Affairs Act 1943 who is the head of a diplomatic mission of the Government of New Zealand in any other country an amount by way of increase of salary from the eighteenth day of November, nineteen hundred and fifty-six, at the rate of forty pounds a year.

(2) This section shall be deemed to have come into force on the nineteenth day of November, nineteen hundred and fifty-six.

**3. Exemption from duty in certain cases of simultaneous deaths**—Where, before the commencement of the Simultaneous Deaths Act 1958, two or more persons have died at the same time or in circumstances which give rise to reasonable doubt as to which of them survived the other or others and, after the commencement of that Act, a person who became entitled to any property on the death of any of them makes a gift of the whole or part of that property (or of property representing that property) to the person who would have become entitled to that property on that death if that Act had then been in force, the gift shall not be taken into account as such under the Estate and Gift Duties Act 1955 either for the purposes of gift duty or for the purposes of estate duty.

**4. Saving rights of certain persons in Cook Islands to object to assessments for income tax**—Nothing in section thirty-four of the Land and Income Tax Amendment Act (No. 2) 1958 shall apply to any person to whom a notice of assessment was given before the passing of that Act in respect of which a notice of objection has been given before the passing of this Act or in respect of which the time for objecting is current at the date of the passing of this Act, and every objection by that person to an assessment shall be heard and determined as if the said section thirty-four had not been passed.

**5. Extending the time for claiming compensation with respect to Lake Taupo**—Notwithstanding anything in section five of the Lake Taupo Compensation Claims Act 1947, a special claim for compensation arising out of the levels of Lake Taupo notified in a notice published in the *Gazette* on the fourteenth day of March, nineteen hundred and fifty-seven, at page 477, may be made under that section at any time not later than the fourteenth day of March, nineteen hundred and fifty-nine, or, with the consent of the Minister of Works, which may be given either before or after the said fourteenth day of March, nineteen hundred and fifty-nine, not later than a day to be specified by the Minister in that behalf, but in any case not later than the fourteenth day of March, nineteen hundred and sixty.

**6. Authorisation of railways**—(1) The Governor-General may from time to time in the name and on behalf of Her Majesty undertake or enter into contracts for the construction of the railways mentioned in the Schedule to this Act to the extent specified in that Schedule.

(2) The cost of constructing those railways shall be paid out of money to be appropriated for that purpose by Parliament.

(3) This section shall be deemed to be a special Act (authorising the construction of those railways to the extent specified in the Schedule to this Act) within the meaning and for the purposes of the Public Works Act 1928, which Act, so far as applicable, is hereby incorporated with this section.

**7. Conn's Creek Branch Railway**—(1) The land on which the Conn's Creek Branch Railway is constructed, which land comprises an area of thirty-five acres one rood five perches, more or less, as more particularly shown on the plan marked L.O. 14807 deposited in the office of the Minister of Railways, shall hereafter be held by Her Majesty the Queen for railway purposes.

(2) The First Schedule to the Government Railways Act 1949, as amended by section four of the Government Railways Amendment Act 1956, is hereby further amended by adding the words "Conn's Creek Branch: A branch line from Waimangaroa to Conn's Creek as described in the Westland and Nelson Coal Fields Administration Amendment Act 1881 and in the Warrant of the Governor dated 5 November 1881, and published in the *Gazette* of 1881, Volume II, page 1470".

**8. Authorising expenditure by local authorities in welcoming and farewelling Governor-General**—It shall be lawful and be deemed always to have been lawful for any local authority or public body to expend money out of its general fund or account in connection with public functions of welcome and farewell to any Governor-General.

**9. Empowering certain local authorities to expend money in connection with Hawke's Bay centennial celebrations**—It shall be lawful and be deemed always to have been lawful for any local authority or public body whose district lies wholly or partly within the boundaries of the Provincial District of Hawke's Bay to expend money out of its general fund or

account towards celebrating and commemorating the hundredth anniversary of the settlement of Hawke's Bay and in connection with the establishment of a centennial memorial or centennial memorials, and to make grants to the body known as the Hawke's Bay Centennial Council for any such purpose.

**10. Arbitration in respect of price to be charged for bulk supply of electrical energy by Electric Power Board to municipal corporation**—Where any Electric Power Board supplies electrical energy to a municipal corporation for distribution by the corporation and the Board and the corporation cannot agree as to the price to be charged and paid for electrical energy supplied as aforesaid during the period beginning with the first day of April, nineteen hundred and fifty-eight, and ending with the thirty-first day of March, nineteen hundred and sixty-three, or during any part of that period, the matter shall be referred to arbitration and, for the purposes of the arbitration, this section shall be deemed to be a submission within the meaning of the Arbitration Act 1908 and the reference shall be deemed to be to two arbitrators, one to be appointed by the Board and one by the Council of the corporation. The two arbitrators shall appoint one umpire immediately they are themselves appointed.

**11. Saving of member of Parliament from disqualification**—The provisions of the Electoral Act 1956 as to the disqualification of members of Parliament or of candidates for election as members of Parliament shall not apply to any payment received by the Honourable William Arthur Fox, member of Parliament, in respect of any remuneration payable to him as a member of the Workers' Compensation Board in respect of any period before the first day of October, nineteen hundred and fifty-eight.

---

**SCHEDULE**  
**RAILWAYS AUTHORISED**

Section 6

Name of Railway	Extent Authorised
Waikato-Thames (Paeroa Connection)	A connecting line leaving the Thames Branch Railway at about 42 miles 25 chains on the railway milage and running generally in a north-easterly direction to junction with the Taneatua Branch Railway at about 0 miles 60 chains on the railway milage. Length about half a mile.
North Auckland (Kioreroa Deviation)	A deviation of the authorised line to the westward between about 125 miles 43 chains and 127 miles 02 chains on the railway milage. Length about 1 mile.
Wellington-Foxton (Manawatu Bridge Deviation)	A deviation of the authorised line to the westward between about 80 miles 70 chains and 82 miles 60 chains on the railway milage. Length about one and a half miles.
Wellington-Foxton (Porirua-Plimmerton Deviation)	A realignment and duplication of the railway between Porirua and Plimmerton. Length about 4 miles.