



ANALYSIS

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1976, No. 24

An Act to make provision with respect to public finances and other matters

[30 September 1976]

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 1976.

2. Excess unauthorised expenditure—All sums in excess of an amount equal to 101.5 percent of the total amount of the sums appropriated by the Appropriation Act 1975 and the Appropriation Act (No. 2) 1975 issued and applied by the Minister of Finance towards the supplies granted to Her Majesty for the services of the year that ended with the 31st day of March 1976 are hereby declared to have been lawfully issued and applied.

3. Transfer from National Development Loans Account to Consolidated Revenue Account—(1) Notwithstanding section 40 (2) of the Public Revenues Act 1953, it is hereby declared that there is no obligation on any person at any time to restore to the National Development Loans Account the amount of \$55,000,000, transferred from that account to the Consolidated Revenue Account on the 31st day of March 1976.

(2) This section shall be deemed to have come into force on the 30th day of June 1976.

4. Subscriptions to South Island Local Bodies' Association (Incorporated)—(1) Section 35 (1) of the Finance Act 1950 is hereby amended by repealing the proviso.

(2) The said section 35 is hereby further amended by adding the following subsections:

“(3) The amount of the annual subscription paid to the Association by a local authority pursuant to subsection (1) of this section shall not exceed such amount as is fixed for the time being by the Governor-General by Order in Council in respect of that local authority or a class of local authority to which that local authority belongs.

“(4) Until such time as an Order in Council is made under subsection (3) of this section, the amount of the annual subscription paid to the Association by a local authority pursuant to subsection (1) of this section shall not exceed:

“(a) In the case of the Christchurch City Council and the Dunedin City Council, \$150:

“(b) In the case of the Council of a Borough or County with a population of more than 20 000, and in the case of any other City Council, \$80:

“(c) In the case of the Council of a Borough or County with a population of more than 10 000 but not more than 20 000, \$60:

“(d) In the case of the Council of a Borough or County with a population of more than 5000 but not more than 10 000, \$40:

“(e) In the case of the Council of a Borough or County with a population of not more than 5000, \$15:

“(f) In the case of a local authority that is not a City Council, Borough Council, or County Council, \$40.

“(5) Every annual subscription paid to the Association by a local authority before the commencement of this subsection (being a subscription which exceeded \$21 but which did not

exceed the maximum prescribed as payable by that local authority or class of local authority by subsection (4) of this section) is hereby validated and declared to have been lawfully made.”

5. Validation of time charter-party and management agreement between Secretary for Transport and Union Steam Ship Company of New Zealand Limited—Whereas on the 27th day of June 1974 the Secretary for Transport (in this section referred to as the Secretary), on behalf of Her Majesty the Queen (in this section referred to as the Crown), and the Union Steam Ship Company of New Zealand Limited (in this section referred to as the Company) entered into first a time charter-party (in this section referred to as the charter) whereby the Company, as charterer of the Turbo Electric Roll-on/Roll-off passenger and car steamer express vessel called *Rangatira* (in this section referred to as the *Rangatira*) sub-chartered the *Rangatira* to the Crown for a period of 6 months commencing on the 1st day of July 1974, and secondly a management agreement (in this section referred to as the contract) whereunder the Company was appointed to manage and be responsible for the operation of the *Rangatira* for the duration of the charter (including any extensions thereof): And whereas by subsequent agreements between the Secretary and the Company the duration of the charter has been extended to the 15th day of September 1976: And whereas the Secretary had no authority to enter into the charter or the contract, or to extend the duration of the charter: And whereas it is desirable that the charter (extended as aforesaid) and the contract be validated: Be it therefore enacted as follows:

(1) The actions of the Secretary in entering into the charter and the contract, and agreeing to extend the duration of the charter, are hereby validated and declared to have been lawful.

(2) The charter (extended as aforesaid) and the contract are hereby declared to have been since the 1st day of July 1974, and to be until the 15th day of September 1976, lawful and binding upon the Crown and the Company according to their tenor.

6. Superannuation contributions by certain contributors to Government Superannuation Fund—(1) This section applies to every person to whom regulation 23 (1) of the Wage

Adjustment Regulations 1974 applied at any time on or after the 9th day of July 1976 who was then a contributor to the Government Superannuation Fund.

(2) In subsection (3) of this section, "the said determination" means the determination implementing the general review of salaries and allowances as at the 1st day of April 1976 required to be made by regulation 27 (4) of the said regulations (as amended by regulation 5 (2) of the Wage Adjustment Regulations 1974, Amendment No. 9 and regulation 10 (2) of the Wage Adjustment Regulations 1974, Amendment No. 10).

(3) Every person to whom this section applies, whether or not he has retired, may, by notice in writing addressed to the Superintendent of the said fund, elect to contribute to that fund as if the said determination had come into force on the 9th day of July 1976.

(4) Every such election shall be made before the 15th day of December 1976 or such later date as the Minister of Finance may determine in respect of any person or class of person.

(5) Section 2 of the Finance Act (No. 2) 1967 is hereby repealed.

7. Superannuation contributions by other classes of contributor—(1) The Governor-General may, by Order in Council, declare that any person who at any time on or after the 9th day of July 1976 belonged to a class of contributor to the Government Superannuation Fund therein specified may, before a date therein specified, elect to contribute to that fund, as from a date therein specified which may be the date of the order or any date before or after the commencement thereof, as if a specified increase in salary agreed to be paid to him but not yet being paid to him were in force from that date; and any such person may so elect accordingly.

(2) This section shall be deemed to have been repealed on the 1st day of December 1977.

8. Payment of superannuation on cost of living allowance—The cost of living allowance paid to the Solicitor-General and members of the House of Representatives under regulation 3 of the Wage Adjustment Regulations 1974 (as substituted by regulation 3 of the Wage Adjustment Regulations 1974, Amendment No. 10) is hereby deemed to be salary for the purposes of the Superannuation Act 1956.

9. Cinematograph film exhibitor's licences—For the avoidance of doubt, it is hereby declared that every fee for the issue of an exhibitor's licence prescribed by regulations made pursuant to the Cinematograph Films Act 1961, or to any of the enactments specified in the Second Schedule thereto, is and has always been a fee required to be paid annually by the holder of any such licence.

This Act is administered in the Treasury
