

NEW ZEALAND.



TRICESIMO NONO

VICTORIÆ REGINÆ.

No. LXXIV.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Repeal.</p> <p>3. Governor may fix time for bringing Act into operation in any Department.</p> <p>4. Governor may make Regulations.</p> <p>5. Stamps to be impressed or adhesive as Governor directs.</p> | <p>6. Stamps to be affixed to or impressed upon the document in respect of which the fee is payable.</p> <p>7. Document invalid until properly stamped.</p> <p>8. Duties of Officer who receives payment in stamps.</p> <p>9. Penalties.</p> <p>10. Part I. of "Stamp Act, 1875," to be read as part of this Act.</p> |
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AN ACT to provide for the Collection by means of Stamps of Fees payable in the various Departments of the Public Service.

[21st October, 1875.]

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

1. The Short Title of this Act shall be "The Stamp Fee Act, 1875." Short Title.

2. "The Supreme Court and Registration Offices Fees Act, 1866," is hereby repealed. Repeal.

3. The Governor in Council may, by notice published in the *New Zealand Gazette*, direct that after the time specified in such notice all or any of the duties fees fines or penalties for the time being payable in money in any Public Department or office connected with the public service, or to the officers thereof, shall be collected by means of stamps; and after the time so specified, the duties fees fines or penalties therein mentioned shall be received by stamps denoting the sums payable and not in money. Governor may fix time for bringing Act into operation in any Department.

4. The Governor in Council may make alter or repeal Regulations not contrary to this Act for the due administration thereof. Governor may make Regulations.

Stamp Fee Act.

Stamps to be impressed or adhesive as Governor directs. Stamp to be affixed to or impressed upon the document in respect of which the fee is payable.

Document invalid until properly stamped.

Duties of officer who receives payment in stamps.

Penalties.

Part I. of "Stamp Act, 1875," to be read as part of this Act.

5. All or any stamps to be used under this Act shall be impressed or adhesive as the Governor from time to time directs.

6. When any sum comprised in any such notice is payable in respect of a document, the stamps denoting such sum shall be affixed to or impressed on such document. And when such sum is payable otherwise than in respect of a document, the stamps denoting such sum shall be affixed to or impressed on such document as the Governor requires to be used for the purpose.

7. Any document which ought to bear a stamp under this Act shall not be of any validity unless and until it is properly stamped, nor shall any Judge or Justice of any Court allow such document to be used although no exception be raised thereunto until such document has been first duly stamped: Provided that if any such document is through mistake or inadvertence received filed or used without being properly stamped, the Court in which the same is so received filed or used may if it thinks fit order that the same be stamped; and thereupon such document shall be as valid as if it had been properly stamped in the first instance.

8. Every officer whose duty it may be to receive any fee or sum of money for any matter or thing to be done or performed, and for which payment is to be made by stamps, shall, before doing or performing such matter or thing, see that there is attached to the document instrument matter or thing, in respect whereof the fee or sum of money is payable, a stamp of value not less than the fee or sum of money payable for the performance of such matter or thing; and when an adhesive stamp is used shall see that such stamp is duly cancelled, or, if such stamp be not duly cancelled, shall immediately cancel the same by writing or stamping or impressing in ink on the same his name or initials and the date thereof, so as effectually to obliterate and cancel the stamp, and so as not to admit of its being used again.

9. If any person shall without lawful excuse (the proof whereof shall be upon such person) file issue receive procure or deliver any document, or serve or execute any writ rule order matter or proceeding, not properly stamped as required by this Act or any regulations made hereunder, or do or perform, or permit to be done and performed, any act matter or thing in respect whereof a stamp should be used without using such stamp, or shall fail or omit to cancel or obliterate any adhesive stamp at the time and in the manner prescribed by this Act or any regulations to be made hereunder, he shall incur a penalty not exceeding twenty pounds.

10. The sections from six to twenty-six inclusive of "The Stamp Act, 1875," shall apply to the stamps to be used under this Act, and shall be read with and as a part of this Act.

WELLINGTON, NEW ZEALAND:

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