

Hon. Major Atkinson.

PROPERTY ASSESSMENT ACT AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Amendments in the said Act. (1.) Amendment in section 3. (2.) Amendment in subsection 2 of section 26. (3.) Amendment in section 41. (4.) Amendment in section 45. (5.) Amendment in section 59. (6.) Amendment in section 74. (7.) Amendment in section 77.</p> <p>4. Power to abolish or create districts.</p> <p>5. Oath may be administered by Resident Magistrate.</p> <p>6. As to statements required from companies.</p> <p>7. Statements of property to be made as on 12 o'clock noon on 1st October.</p> <p>8. Property to be stated and assessed at full cash value.</p> <p>9. Statements of property by persons to be furnished every third year, commencing in 1883. By companies in every year, commencing in 1881.</p>	<p>10. Statement for gold-mining companies, how made.</p> <p>11. Liability secured on real or personal property, or incurred for purchase of goods not in the colony, or to person not <i>bond fide</i> resident in colony not to be deducted.</p> <p>12. Goods on consignment to be included in statement of consignee.</p> <p>13. Commissioner may purchase property at value mentioned in statement, unless same increased to fair value.</p> <p>14. Property to vest in Crown on payment of purchase-money.</p> <p>15. Person dissatisfied with assessment can compel Commissioner to purchase.</p> <p>16. Colonial Treasurer may pay purchase-money without special appropriation.</p> <p>17. Powers, &c., of Deputy Commissioner may be exercised by Commissioner, and deputy may be appointed for several districts.</p> <p>18. Penalties.</p> <p>19. Repeal of certain sections of "The Property Assessment Act, 1879."</p>
---	---

A BILL INTITULED

AN ACT to amend "The Property Assessment Act, 1879."

Title.

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

- | | |
|---|--|
| <p>1. The Short Title of this Act is "The Property Assessment Act Amendment Act, 1881."</p> <p>5 2. In this Act "the said Act" means "The Property Assessment Act, 1879."</p> <p>3. The following amendments are hereby made in the said Act:—</p> <p>10 (1.) The words "and not portions only thereof" in the fourth line of the third section shall be struck out, and the words "or portions of such outlying districts" shall be inserted in place thereof.</p> <p>(2.) The words "or of any society registered under 'The Building Societies Act, 1880,'" shall be added to subsection two of section twenty-six.</p> <p>15 (3.) The word "lists" in the first line of the forty-first section shall be struck out, and the word "assessments" inserted in place thereof, and all the words from the word "by" in the second line of the said section to the word "roll" in the fourth line thereof, both inclusive, shall be struck out, and the words "and each other division of a district" shall be inserted after the word "district" in the seventh line of the said section.</p> | <p>Short Title.</p> <p>Interpretation.</p> <p>Amendments in the said Act.</p> <p>Amendment in section 3.</p> <p>Amendment in subsection 2 of section 26.</p> <p>Amendment in section 41.</p> |
|---|--|

- Amendment in section 45. (4.) The words from the word "signed" in the second line of the forty-fifth section to the word "copy" in the fourth line of the said section shall be struck out, and the words "same signed by the Commissioner" shall be inserted in lieu thereof.
- Amendment in section 59. (5.) The words "Provided that not less than fourteen days' notice shall be given of the holding of the first meeting of a Board for the hearing of objections" shall be added to section fifty-nine. 5
- Amendment in section 74. (6.) After the word "directed" in the second line of the seventy-fourth section the words "or a copy of or extract from such roll, or of any entry made therein, certified by the Commissioner or Deputy-Commissioner to be a true copy or extract," shall be inserted. 10
- Amendment in section 77. (7.) The words "demand by a notice in writing by the Deputy-Commissioner" in the second and third lines of the seventy-seventh section shall be struck out, and the words "the due date" shall be inserted in place thereof. 15
- Power to abolish or create districts. 4. The Governor in Council may from time to time abolish any district or districts or create new districts.
- Oath may be administered by Resident Magistrate. As to statements required by companies. 5. The oath required to be taken by virtue of section nine of the said Act may be taken before any Resident Magistrate. 20
6. The statements required by the said Act to be made on behalf of companies shall, except in the case of banking or insurance or gold-mining companies, be to the same effect as those required by section thirty-two of the said Act from persons; and, throughout the said Act, wherever the word "person" occurs, and does not include a company, the words "or company" shall be deemed to be added after the word "person:" 25
- Provided always that the property and debts of any such Company shall be returned in such statement at the same value and amount, for the purposes of assessment under the said Act, as are expressed in the last balance-sheet issued to the shareholders of such company prior to the date to which such statement relates, and a copy of such balance-sheet shall be attached to such statement. 30
- Statements of property to be made as on 12 o'clock noon on 1st October. 7. The statements of property required by the said Act to be made by persons, and the statements required by the said Act to be made on behalf of companies, shall be made as if at twelve o'clock noon on the first day of October last previous to the date on which they are respectively required to be made.
- Property to be stated and assessed at full cash value. 8. The value at which property is hereafter to be stated in the statements required under the said Act and this Act, and to be assessed for the purposes of the said Act and this Act, shall be the full value of the same if sold for cash at the date to which the statement relates. 35
- Statements of property by persons to be furnished every third year, commencing in 1883. 9. The statements of property required by the said Act to be furnished by persons are hereby required to be furnished by every person owning, or a trustee or agent for, any property in the colony, whether liable to taxation or not, every third year, commencing in the year one thousand eight hundred and eighty-three, upon public notice being given as prescribed. 40
- By companies in every year, commencing in 1881. The statements required by the said Act to be furnished on behalf of companies are hereby required to be furnished on behalf of every company carrying on business in the colony, every year, commencing in the year one thousand eight hundred and eighty-one, upon public notice being given as prescribed. 45
- Such statements shall also be furnished by persons or on behalf of companies, whether liable to taxation or not, at any time in any year on demand in writing being made by the Commissioner, by posting the same to such person or to the public officer of such company. 50

405

10. The statement to be made by the public officer of every company which carries on or is formed for the purpose of carrying on the business of gold-mining shall, in the prescribed form, in lieu of stating the property of such company, state what is the marketable value of the shares in the company actually issued, and how many of such shares there are; and the property-tax payable by such company shall be payable on the amount of all such shares at such marketable value.

Statement for gold-mining companies, how made.

11. No person or company shall be entitled to claim deduction for any of the following descriptions of liabilities:—

Liability secured on real or personal property, or incurred for purchase of goods not in the colony, or to person not *bond fide* resident in colony not to be deducted.

10 (1.) A liability wholly or in part secured on any real property not in the colony, or on any personal property not in the colony, at the date to which the statement relates.

15 (2.) A liability incurred in respect of the purchase of goods which have not arrived in the colony at the date to which the statement relates, or which have been exported from the colony prior to the date to which the statement relates.

20 (3.) A liability to any person not a *bond fide* resident in the colony, or to any company not carrying on business in the colony, except a liability incurred for the purchase of goods which have arrived in the colony at the date to which the statement relates:

Provided always that a liability to a person not a *bond fide* resident in the colony, or to a company not carrying on business in the colony, may be deducted if it be shown to the satisfaction of the Commissioner by the statement in which the liability is deducted that such person or company has an agent in the colony responsible for the payment of property-tax for such person or company, and who such agent is:

Provided always that if there be no such agent the person or company making the statement shall as between himself or itself and the person or company to whom he or it is so liable be deemed to be his or its agent within the meaning of the third subsection of the nineteenth section of the said Act, and may deduct the tax paid by him or it in respect of such liability out of the next payment which he or it has to make in respect of such liability; and for all purposes whatsoever such deduction shall be a payment in respect of such liability.

35 12. All goods received by any person or company on consignment from any person not a *bond fide* resident in the colony, or from a company not carrying on business in the colony, shall be included in the statement of the person or company to whom the same are consigned as if they were his or its own property, unless he or it shall show to the satisfaction of the Commissioner that the person or company consigning them to him or it has an agent in the colony responsible for the payment of the property-tax, and who such agent is.

Goods on consignment to be included in statement of consignee.

40 13. The Governor in Council, on the recommendation of the Commissioner may, whenever he deems it expedient for the protection of the revenue, purchase and take for the Crown any property of any kind whatsoever or any interest therein mentioned in any statement made under the said Act and this Act, and may pay to the person or company making such statement, and to whom the said property or the interest therein belongs, the sum at which such property is valued in such statement, together with ten pounds per centum thereon, unless such person or company shall consent to have the same assessed for the purposes of the said Act and this Act at the value which the Commissioner shall think the fair cash value thereof.

Commissioner may purchase property at value mentioned in statement, unless same increased to fair value.

50 14. The property or interest therein so purchased shall belong to the Crown from the date of the payment of the purchase-money thereof, and the

Property to vest in Crown on payment of purchase-money.

title thereto shall absolutely vest in the Crown, without any conveyance or assignment, from the date of the publication of a *Gazette* containing a notice by the Governor that he has so purchased it as aforesaid; and the same shall be sold or otherwise dealt with in such manner as the Governor in Council may direct; and the Governor in Council is hereby empowered, in the name of Her Majesty, to convey, assure, assign, or otherwise transfer the same to the purchaser thereof. 5

Person dissatisfied with assessment can compel Commissioner to purchase.

15. If any person shall be dissatisfied with the amount at which the whole or any portion of his property is hereafter assessed, he shall be entitled to call upon the Commissioner either to reduce the assessment to the sum at which it was valued in the statement of such person, or else to purchase the property at the sum at which the same is assessed as aforesaid, which the Commissioner is hereby required to do upon having the same duly conveyed, assured, or assigned to the Crown, and the same shall be sold or otherwise dealt with in such manner as the Governor in Council may direct, and the Governor in Council is hereby empowered in the name of Her Majesty to convey, assure, assign, or otherwise transfer the same to the purchaser thereof. 10 15

Colonial Treasurer may pay purchase-money without special appropriation.

16. The Colonial Treasurer, upon the Governor's warrant, may issue and pay out of the Consolidated Fund, without any specific appropriation, any moneys required to be expended for the purposes of sections *fourteen* and *sixteen* hereof. 20

Powers, &c., of Deputy Commissioner may be exercised by Commissioner, and deputy may be appointed for several districts.

17. All powers and authorities vested in and all duties imposed on Deputy Commissioners by the said Act may be exercised or discharged by the Commissioner in any district, and a Deputy Commissioner may be appointed for the whole or any number of districts. 20

Penalties.

18. If any person fails, neglects, or refuses to do, execute, or perform any act, deed, matter, or thing on the date or within the time when either by the said Act or this Act he ought to do it, then, if no other penalty be prescribed for such offence, he shall be liable to forfeit and pay a sum not less than *five* pounds and not exceeding *one hundred* pounds. 25

Repeal of certain sections of "The Property Assessment Act, 1879."

19. Sections thirteen, fifteen, forty-two, fifty-two, fifty-four, the proviso to section twenty-four, all the words after the word "particulars," in the thirty-second section, and all the words after the word "one" in the third line of the fifty-eighth section of the said Act are hereby repealed. 30