

AMUSEMENT TAX AMENDMENT BILL

EXPLANATORY NOTE

THE purpose of this Bill is to impose amusement tax in respect of specific types of entertainments and to free those which do not fall within the defined limits. At the present time the tax is imposed on all entertainments except those which are specifically exempted.

Clause 2 defines the types of entertainments that are to be taxed. They are—

- (a) Horse race or dog race meetings:
- (b) Professional boxing or wrestling:
- (c) Any circus, or an animal rodeo where the performers, producers, or managers are paid, not being a rodeo promoted by an agricultural and pastoral society:
- (d) Speedway motor racing where the performers, producers, or managers are paid:
- (e) Motion picture shows, but not lectures illustrated by motion pictures:
- (f) Any stage performance in a theatre or hall where the performers, producers, or managers are paid.

Clause 3 re-enacts section 7 of the principal Act, relating to exemptions, so as to omit those exemptions that are rendered unnecessary by the specific definition of the term "entertainment". The exemptions that are re-enacted are—

- (a) Entertainments of which the proceeds are devoted to charitable, philanthropic, or educational purposes in New Zealand, or to patriotic purposes, where the performers, producers, and managers receive no part of the proceeds and the expenses are reasonable: (This exemption is widened so as to apply even where performers are paid, if they are not paid out of the proceeds.)
- (b) Entertainments promoted by the National Council of Adult Education or by a Regional Council of Adult Education, if the net proceeds are devoted to cultural and educational purposes as approved by the National Council of Adult Education:
- (c) Plays, ballets, and musical entertainments promoted by certain New Zealand non-profit societies, if the proceeds are devoted to the objects of the society, and the expenses are reasonable.

The effect of the Bill is to free from amusement tax all entertainments not included in the new definition. In particular, lectures and wholly amateur concerts, and all games and sports and field events except those specifically mentioned will be exempt.

Hon. Mr Bowden

AMUSEMENT TAX AMENDMENT

ANALYSIS

Title.	2. "Entertainment" defined.
1. Short Title and commencement.	3. Exemptions from amusement tax.

A BILL INTITULED

AN ACT to amend the Amusement Tax Act 1952. Title.

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

1. (1) This Act may be cited as the Amusement Tax Short Title and
commencement.
Amendment Act 1953, and shall be read together with 1952, No. 10
and deemed part of the Amusement Tax Act 1952
(hereinafter referred to as the principal Act).

10 (2) This Act shall come into force on the first day
of *November*, nineteen hundred and *fifty-three*.

2. (1) Section two of the principal Act is hereby "Entertain-
ment" defined.
amended by repealing the definition of the term "enter-
tainment", and substituting the following definition:

15 "Entertainment" means any of the following:
 "(a) A horse race meeting or dog race
 meeting:

“(b) A boxing match or wrestling match or an exhibition of boxing or wrestling, if any person performing or participating therein receives directly or indirectly any fee, reward, or other pecuniary consideration: 5

“(c) A circus, or an animal rodeo which is not promoted by an agricultural and pastoral society, if any person performing therein or any promoter, producer, or manager thereof receives directly or indirectly any fee, reward, or other pecuniary consideration: 10

“(d) A motor car or motor cycle race or exhibition staged on a speedway or other enclosed track, if any person performing or participating therein or any promoter, producer, or manager thereof receives directly or indirectly any fee, reward, or other pecuniary consideration: 15

“(e) An exhibition of a cinematograph film which is not merely illustrative of a lecture or talk delivered contemporaneously with the exhibition: 20

“(f) A stage performance, if any person performing or participating therein or any promoter, producer, manager, instructor, or conductor thereof receives directly or indirectly any fee, reward, or other pecuniary consideration:” 25

(2) Section two of the principal Act is hereby further amended by adding the following definition: 30

“‘Stage performance’ means a play, ballet, performance of vocal or instrumental music, variety show, or other performance or exhibition, in a theatre or hall, not being a lecture or talk or a band contest.” 35

Exemptions
from
amusement tax.

3. The principal Act is hereby amended by repealing section seven, and substituting the following section:

“7. Amusement tax shall not be charged in respect of admission to— 40

“(a) Any entertainment the proceeds or the net proceeds of which are devoted to charitable, philanthropic, or educational purposes in New Zealand, or to patriotic purposes,

5 if, in any case where the net proceeds only
are so disposed of, the Commissioner is
satisfied that the expenses incurred in
connection with the entertainment are
reasonable, and that no part of the proceeds
is used directly or indirectly in or towards
providing a fee or reward or other pecuniary
consideration for any performance in the
entertainment or for the services of any
10 promoter or producer thereof:
“(b) Any entertainment promoted, conducted, or
controlled by the National Council of
Adult Education or by a Regional Council
of Adult Education, if the net proceeds are
15 devoted to cultural and educational purposes
in a manner approved by the National
Council of Adult Education:
“(c) Any play, ballet, or performance of vocal or
20 instrumental music promoted by a New
Zealand dramatic, theatrical, operatic, ballet
dancing, choral, or musical society or insti-
tution not established for profit, or any
other New Zealand society or institution
of a like nature not established for profit,
25 if the proceeds or the net proceeds are
devoted to the objects of the society or
institution and if, in any case where the
net proceeds only are so disposed of, the
Commissioner is satisfied that the expenses
30 incurred in connection with the entertain-
ment are reasonable.”