Right Hon. Sir Joseph Ward, Bart.

FINANCE.

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A BILL INTITULED

AN Acr to amend temporarily the Law relating to the Public Title. Revenues, to fix the Rates of Land-tax and Income-tax for the Year commencing on the First Day of April, nineteen hundred and eighteen, to amend the Law relating to Amusements-tax, to authorize the Raising of Moneys for Purposes of or in connection with the Present War, and to make Provision with respect to certain other Matters.

BE IT ENACTED by the General Assembly of New Zealand 10 in Parliament assembled, and by the authority of the same, as

1. This Act may be cited as the Finance Act, 1918.

Short Title.

PART I.

PUBLIC REVENUES.

Duration. Cf. 1909, No. 1, sec. 2.

Annual appropriations extended to 31st December, 1918. Cf. ibid., sec. 3.

2. This Part of this Act shall, unless sooner repealed, continue in operation until the close of the thirty-first day of December. nineteen hundred and eighteen, and no longer.

3. (1.) While this Part of this Act continues in operation sections forty-three and forty-four of the Public Revenues Act, 1910 (relating to extended appropriations), shall be read and shall operate as if the following amendments had been made therein as from the thirty-first day of March, nineteen hundred and eighteen :-

(a.) The words "period ending on the close of the thirty-first day of December next" shall be deemed to be substituted for the words "space of three months" in subsection one of the said section forty-three:

(b.) The words "the period so ending on the thirty-first day of 15 December" shall be deemed to be substituted for the words "such three months" in subsection one of the said section forty-three:

(c.) The words "bearing the same proportion to the total amount of such vote as the period elapsing between the 20 commencement of the financial year and the close of the thirty-first day of December thereafter bears to the whole financial year" shall be deemed to be substituted for the words "equal to one-fourth part of such vote" in the first proviso to the said section forty-three:

(d.) The words "the period so ending on the close of the thirtyfirst day of December thereafter" shall be deemed to be substituted for the words "the three months thereafter" in paragraph (c) of the said section forty-four.

(2.) This Part of this Act, notwithstanding anything contained 30 therein, shall not be deemed to be an Act granting and appropriating money within the meaning and for the purposes of section forty-three of the Public Revenues Act, 1910.

4. While this Part of this Act continues in operation section three of the Public Revenues Amendment Act, 1915 (relating to 35 unauthorized expenditure), as amended by section thirty-nine of the Finance Act, 1916, shall be read and shall operate as if the following amendments had been made therein as from the thirty-first day of March, nineteen hundred and eighteen:-

(a.) The sum of two hundred and sixty-two thousand five 40 hundred pounds shall be deemed to be substituted for the sum of one hundred and fifty thousand pounds:

(b.) The sum of six hundred and twelve thousand five hundred pounds shall be deemed to be substituted for the sum of three hundred and fifty thousand pounds. 45

PART II.

LAND-TAX AND INCOME-TAX, AND AMUSEMENTS-TAX.

Land-tax.

Rates of land-tax for year commencing 1st April, 1918.

Increase of unauthorized

expenditure.

Cf. ibid., sec. 4.

5. For the year commencing on the first day of April, nineteen hundred and eighteen, land-tax shall be assessed, levied, and paid, 50

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pursuant to Part I of the Finance Act, 1917, at the rates specified in Part I of the Schedule hereto.

Income-tax.

6. For the year commencing on the first day of April, nineteen Rates of income-5 hundred and eighteen, income-tax shall be assessed, levied, and paid, tax for year pursuant to the Land and Income Tax Act, 1916, at the rates 1st April, 1918. specified in Part II of the Schedule hereto.

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Special War-tax.

7. In addition to the rates of income-tax as fixed in Part II of Rates of special 10 the Schedule hereto, there shall be levied and paid for the use of His war-tax. Majesty, for the year commencing on the first day of April, nineteen hundred and eighteen, as a special war-tax, duties by way of incometax at the rates specified in Part III of the Schedule hereto on all assessable income for that year in excess of three hundred pounds.

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Amusements-tax.

8. (1.) Amusements-tax, under Part III of the Finance Act, Exemption from 1917, shall not be charged on payments for admission to any meeting amusements tax in promoted by a society incorporated under the Agricultural and show promoted by Pastoral Societies Act, 1908, and held for any of the objects specified Agricultural and Pastoral Society. 20 in paragraph (h) or paragraph (i) of section ten of that Act.

(2.) For the purposes of this section the expression "payments for admission" means payments for admission to the grounds or building in which any meeting as aforesaid is held, but does not include any other payment.

9. (1.) Section sixty-two of the Finance Act, 1917, is hereby Extending amended as follows:—

(a.) By inserting, after the word "philanthropic" in para-exemptions from graph (a), the word "patriotic"; and

provisions with respect to amusements-tax.

(b.) By repealing paragraph (d), and substituting the following paragraph:—

"(d.) That the entertainment is provided by a society, institution, or committee not conducted or established for profit, and that the proceeds are devoted to the proper purposes of such society, institution, or committee, or are to be used for partly educational and partly scientific purposes, but for no other purpose."

(2.) Section sixty-three of the Finance Act, 1917, is hereby amended by inserting, after the word "philanthropic" in section one, 40 the word "patriotic."

(3.) For the purposes of sections sixty-two and sixty-three of the Finance Act, 1917, as amended by this section, the term "patriotic purposes" includes any purpose for which a war fund may be established under the War Funds Act, 1915, and any other 45 purpose which the Minister of Finance, in his discretion, deems to be a patriotic purpose.

PART III.

WAR-PURPOSES LOAN.

Power to borrow £20.000.000.

10. (1.) The Minister of Finance is hereby empowered to raise on the security of and charged upon the public revenues of New Zealand such sums of money, not exceeding in the whole the sum of 5 twenty million pounds, as he thinks fit.

(2.) This Act shall be deemed to be an authorizing Act within the meaning of the New Zealand Loans Act, 1908; and the moneys herein authorized to be raised shall be raised under and subject to

the provisions of that Act accordingly.

(3.) Subject to the provisions of subsection two of section thirteen and of subsection fourteen of section sixteen hereof, the sums so raised shall bear interest at such rate as the Minister prescribes.

(4.) When any of the moneys authorized to be raised by this section are borrowed from any bank carrying on business in New 15 Zealand or are lodged with any such bank pursuant to an agreement between that bank and the Minister of Finance, the said Minister may, without further appropriation than this section, pay out of the Public Account any commission or interest in respect of those moneys, notwithstanding that such commission or interest 20 may be in respect of a period or periods prior to the payment of those moneys into the Public Account or that at the date of payment of such commission or interest the said moneys had not been received into the Public Account.

(5.) Notwithstanding anything in the foregoing provisions of 25 this section, the amount hereby authorized to be raised, or any part thereof, may be raised by the Minister on the security of Treasury bills, or by agreement with the Imperial Government without formal security, or on such security as may be agreed on with the Imperial Government.

(6.) The limit fixed by section thirty-nine of the Public Revenues Act, 1910, as the total amount that may be outstanding at any time in respect of Treasury bills shall not apply to Treasury bills issued under this section.

(7.) All moneys raised under this section shall be paid into the 35 War Expenses Account established under section eight of the Public

Revenues Amendment Act, 1914.

11. (1.) For the purpose of facilitating the raising in New Zealand of any moneys authorized to be raised by this Part of this Act the following provisions of this section shall apply.

(2.) The Postmaster-General may issue certificates, to be called "war-loan certificates," in such form as may be prescribed by the Minister of Finance. Every such certificate shall be secured by and charged upon the public revenues of New Zealand, and shall be issued for a nominal value of such amount or of such amounts as the 45 Minister of Finance may in his discretion determine.

(3.) Every such certificate shall authorize the payment to the bearer, on the expiration of five years from the date thereof or of such longer period as the Minister may determine, of the nominal value of such certificate, and may be issued by the Postmaster- 50

Minister of Finance may issue war loau certificates in respect of warpurposes loan.

General on payment into the Post Office Account of such less amount than the nominal value as may be prescribed by the Minister of Finance.

- (4.) All moneys paid into the Post Office Account under this 5 section shall from time to time be invested by the Postmaster-General in debentures or other securities issued by the Minister of Finance in respect of the moneys authorized to be raised under this Part of this Act.
- (5.) The total amount for the time being represented by 10 certificates issued under this section and not redeemed, together with the amount represented by outstanding debentures or other securities issued in respect of moneys authorized to be raised under this Part of this Act, shall not at any time exceed the sum of twenty million pounds, or such portion of that sum as may have been 15 authorized to be raised by the Governor-General in Council acting under section five of the New Zealand Loans Act, 1908.

(6.) The costs, charges, and expenses connected with the issue of war-loan certificates under this section shall be deemed to form portion of the costs, charges, and expenses connected with the raising of the loan authorized to be raised by this Part of this Act, and the provisions of section eight of the New Zealand Loans Act, 1908, shall apply accordingly.

12. (1.) The Postmaster-General may agree to issue war-loan War-loan certificates under the last preceding section on condition that the acquired on system purchase-money thereof shall be paid by monthly or other instalments of time-payments. extending over a period not exceeding sixteen months:

Provided that certificates issued under this section shall be issued at such higher price than that at which certificates are issued for immediate payment as the Minister of Finance may in his dis-30 cretion determine.

(2.) Every certificate so issued shall bear date not later than the date of payment of the first instalment of the purchase-money.

(3.) When any person employed in the service of the Government, or of any other employer, agrees to purchase war-loan certifi-35 cates under this section, the purchase-money may, with his consent, be deducted from his salary or wages in such monthly or other instalments as may be agreed on, but so that the time allowed by this section for the completion of the purchase shall not be exceeded.

(4.) Every person who agrees to purchase war-loan certificates 40 under this section may at any time pay off the whole or any portion of the balance of the purchase-money outstanding with respect to those certificates.

(5.) Every person who agrees to purchase war-loan certificates under this section shall be entitled to receive delivery thereof on 45 payment of the final instalment or of any outstanding balance in respect of those certificates, and shall at any time before that date be entitled on demand to receive a certificate under the hand of such officer as may be appointed by the Postmaster-General for the purpose, certifying as to the amount paid by him in respect of war-50 loan certificates under this section and as to the amount of the balance of purchase-money for the time being outstanding in respect thereof.

(6.) Every person who enters into an agreement to purchase warloan certificates under this section may by writing under his hand, in the prescribed form, assign his interest in those certificates to any other person.

(7.) All moneys deducted from the salary or wages of any person in respect of the purchase by him of war-loan certificates under this

section shall be forthwith paid into the Post Office Account.

(8.) The Governor-General may make such regulations as may be necessary for the purpose of carrying into effect the provisions of this section.

13. (1.) For the purpose of raising any portion of the moneys authorized to be raised by this Part of this Act the Minister of Finance may issue stock or other securities (herein referred to as Post Office War Loan Inscribed Stock) for amounts not less than one hundred pounds and not more than five hundred pounds.

(2.) Interest at the rate of five per centum per annum shall be payable half-yearly on all Post Office War Loan Inscribed Stock issued under this section, and shall be computed from such date or dates as the Minister of Finance may prescribe in that behalf.

(3.) Notwithstanding anything to the contrary in section 20 fourteen of this Act, or in any other Act, interest on Post Office War Loan Inscribed Stock shall be assessable for income-tax under the Land and Income Tax Act, 1916.

(4.) No person shall be competent to have issued to him Post Office War Loan Inscribed Stock of a greater nominal value in the 25 aggregate than five hundred pounds, and every applicant for any such stock shall be required to make and subscribe a statutory declaration to the effect that the value of all such stock held by him, together with the value of the stock for which application is made, does not exceed five hundred pounds.

(5.) Every Postmaster or person for the time being acting as a Postmaster, and every other officer of the Post and Telegraph Department authorized in that behalf by the Postmaster-General, shall be competent to take and receive statutory declarations for the purposes of this section, but unless duly authorized under 35 some authority other than this section shall not be competent to take and receive statutory declarations for any other purpose.

(6.) All statutory declarations made for the purposes of this

section shall be exempt from stamp duty.

(7.) All statutory declarations heretofore taken and received 40 with reference to the issue of Post Office War Bonds under section sixty-eight of the Finance Act, 1917, by persons authorized by the Postmaster-General pursuant to this section to take and receive such declarations with reference to the issue of Post Office War Loan Inscribed Stock under this section, shall be deemed to 45 have been validly taken and received.

14. Except as hereinbefore otherwise provided with respect to Post Office War Loan Inscribed Stock, interest derived or received by the holder of any debenture, scrip, stock, or other security issued or created in respect of moneys which the Minister of Finance is 50 empowered by this Part of this Act to raise shall be exempt from taxation under the Land and Income Tax Act, 1916.

Authorizing issue of Post Office War Loan Inscribed Stock bearing interest at rate of 5 per cent. per annum, subject to income-tax.

Exemption from

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purposes loan, may be used for

payment of death

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15. (1.) Of the moneys hereinbefore authorized to be raised, the securities in respect of £50,000, being Minister of Finance may raise by the issue of inscribed stock, but not otherwise, such amount as he thinks fit, not exceeding in the whole the sum of five hundred thousand pounds, subject to the special

5 provisions of this section.

(2.) The administrator of the estate of any deceased person, or other person by whom death duties may be payable in respect of that estate, may pay the whole or any part of the death duties so payable by him in respect of that estate by means of inscribed stock 10 issued subject to the provisions of this section, and the Commissioner of Stamps shall accept such stock accordingly in satisfaction in whole or in part, as the case may be, of the amount of death duties payable

(3.) All stock transferred to the Commissioner of Stamps under 15 this section shall be deemed to mature for payment on the date of transfer, and shall, for the purposes of this section, be deemed to be of the nominal value thereof with the addition of any interest accrued due, but remaining unpaid, at the date of transfer.

(4.) No transfer of stock issued under this section shall be regis-20 tered, and no stock certificate shall be issued in respect thereof, during

the lifetime of the registered holder.

(5.) If the holder of any inscribed stock issued under this section exchanges such inscribed stock for debentures or other securities pursuant to the authority in that behalf of section three of the New 25 Zealand Inscribed Stock Act, 1917, the debentures or other securities so issued in exchange shall not themselves be deemed to be available for the payment of death duties.

(6.) If on the death of the registered holder of any inscribed stock under this section the whole or any portion of that stock is not 30 used for the payment of death duties in respect of the estate of the deceased, such stock so remaining unused shall cease to be stock available for the payment of death duties, and may be dealt with

accordingly.

16. (1.) If the Commissioner of Taxes has reason to believe Taxpayers may be 35 that any person has not subscribed in due proportion to his means required to contribute to to the loan authorized to be raised by this Part of this Act (herein- war-purposes loan after referred to as the war-purposes loan), he may, by direction of this section. the Minister of Finance, by notice in writing under his hand or by successive notices, call upon that person to subscribe to that loan, within such time or times as may be specified in the notice or notices, such amount as may be therein specified. For the purposes of this section, in ascertaining the amount subscribed by any person to the war-purposes loan, the Commissioner of Taxes shall take into account all moneys paid by or on behalf of that person to the 45 Postmaster-General for war-loan certificates under this Act, but shall not take into account any other moneys paid for securities issued in respect of that loan unless those moneys are paid directly to the Minister of Finance or to his agents in respect of the loan.

(2.) Any person upon whom a notice under this section is served 50 as aforesaid may within fourteen days thereafter appeal therefrom to the Board of Appeal hereinafter constituted on such grounds as he may specify in his notice of appeal, and may on appeal produce

such evidence as he thinks fit to show cause why he should not be

bound to comply with the terms of the notice.

(3.) For the purposes of this section there is hereby established a special Board of Appeal, consisting of the Controller and Auditor-General (who shall be the Chairman of the Board), the Commissioner of Taxes, the Secretary to the Treasury, and the Government Insurance Commissioner.

(4.) Three members of the Board shall form a quorum. Every question before the Board shall be decided by a majority of the votes of the members present. The Chairman shall have a deliberative 10 vote, and, in the event of an equality of voting, shall have a casting-vote also.

(5.) In the absence of the Chairman from any meeting of the Board the Commissioner of Taxes shall act as Chairman.

(6.) If at any time any member is absent, or is unable to act, 15 the Minister of Finance may, by warrant under his hand, appoint some person as the deputy of that member during his absence or inability, and, while the warrant of appointment remains unrevoked, the deputy so appointed shall have and may exercise all the powers and functions of the member whose deputy he is.

(7.) Every appeal under this section shall be heard and

determined in private.

(8.) Except as otherwise provided herein, the Board shall

regulate its own procedure.

(9.) For the purposes of an appeal under this section the Board 25 constituted by this section shall have the powers of a Commission appointed under the Commissions of Inquiry Act, 1908.

(10.) On any appeal under this section the Board may, if it thinks fit, exempt the appellant either wholly or in part from his obligation to subscribe to the war-purposes loan, or may allow time 30 for the payment of the whole or any portion of the amount demanded,

or may in its discretion dismiss the appeal.

(11.) If any person on whom a notice is served under this section and who has not appealed or whose appeal has not been allowed refuses or fails to comply with the terms of that notice, or 36 with the terms of that notice as modified by the Board on appeal under this section, he shall be chargeable by way of penalty with an additional tax (herein referred to as a penal tax) equal to double the total amount of the land-tax and income-tax payable by him under the Finance Act, 1917.

(12.) Any amount chargeable by way of penal tax under this section shall be recoverable by the Commissioner as if it were a penal tax chargeable under section one hundred and forty-four of the Land

and Income Tax Act, 1916.

(13.) Payment of the penal tax for failure to comply with the 45 terms of any notice under this section shall relieve the taxpayer

from compliance with the terms of that notice:

Provided that the Commissioner of Taxes may at any time thereafter serve on the taxpayer a further notice or further notices under this section, and the amount paid by way of penal tax shall not 50 be taken into account in determining the amount to be contributed by the taxpayer to the war-purposes loan.

(14.) All moneys invested in the war-purposes loan pursuant to this section shall bear interest at the rate of three per centum per annum.

(15.) The Governor-General may, by Order in Council, make such 5 regulations as may be deemed necessary for the purpose of giving

effect to the provisions of this section.

(16.) The provisions of this section shall apply in respect of any moneys which are authorized to be raised by the War Purposes Loan Act, 1917, as amended by the War Purposes Loan Act, 1917 (No. 2), 10 and which have not been raised on the passing of this Act, in the same manner in all respects as if those moneys were authorized to raised as part of the war-purposes loan under this Part of this Act.

(17.) Section forty of the Finance Act, 1917, is hereby repealed. Repeal.

17. The Minister of Finance is hereby authorized at the date Authorizing issue of 15 of maturity or at the date of cancellation, as the case may be, of informal security, any Treasury bill or other security which may have been issued bills, to Imperial to the Imperial Government under section eight of the Public Revenues Amendment Act, 1914, or under section six of the War Purposes Loan Act, 1917, or which may hereafter be so issued, to 20 issue in lieu thereof a memorandum of agreement or such other security as may be agreed upon with the Imperial Government. Any such memorandum of agreement or other security so issued before

the passing of this Act shall be deemed to have been legally issued

and to have effect according to its tenor.

18. Whereas by the War Purposes Loan Act, 1917, as amended Validating raising by the War Purposes Loan Act, 1917 (No. 2), the Minister of of moneys in excess of authority. Finance was authorized to raise for war purposes moneys not exceeding in the whole the sum of twenty-eight million pounds: And whereas it is desirable to validate the raising of any moneys 30 that may be or may have been raised for the said purposes in excess of the said amount: It is hereby enacted that if the Minister of Finance, acting or purporting to act pursuant to the said authority, raises or has raised any moneys in excess of the aforesaid sum of twenty-eight million pounds, such excess shall be deemed to have 35 been lawfully raised under the authority of this Part of this Act, and to form part of the amount of twenty million pounds authorized to be raised by this Part of this Act accordingly:

Provided that interest on the several amounts comprised in such excess shall be payable by the Minister of Finance from the date or 40 dates when the said amounts were respectively paid into the Public Account, or from such earlier date or dates as may be agreed upon

by the said Minister.

PART IV.

GENERAL.

19. (1.) Notwithstanding anything to the contrary in the Duration of present 45 Legislature Act, 1908, the House of Representatives as existing at extended. the passing of this Act shall, unless the General Assembly is sooner dissolved by the Governor-General pursuant to section forty-four of the Constitution Act, continue until the nineteenth day of December, 50 nineteen hundred and nineteen, and no longer.

Government.

Repeal.

Protection of local authorities in respect of loans falling due during the war or within twelve months thereafter.

Local authorities may raise moneys by way of bank overdraft for investment in war-purposes loan. (2.) The Parliamentary Elections Postponement Act, 1916, is hereby repealed.

20. (1.) So long as a state of war exists in New Zealand, and for twelve months thereafter, no local authority shall be obliged to repay any loan raised by or transferred to it pursuant to any authority in that behalf; and the terms of all such loans that may become due and repayable at any time within the said period, and all special rates, debentures, and other securities in respect of any such loan, are hereby extended accordingly.

(2.) All loans, the terms of which have been extended pursuant 10 to this section, shall become due and repayable immediately on the expiration of the period of twelve months after a state of war has ceased to exist in New Zealand, and in the meantime shall, except so far as may be inconsistent with this section, continue subject to all the terms and conditions affecting such loans on the passing of this 15 Act.

21. Any local authority or public body authorized by section seventy-two of the Finance Act, 1917, to invest moneys in any warpurposes loan may, with the consent of the Minister of Finance, borrow moneys for that purpose by way of overdraft from any bank, 20 notwithstanding that the limits of its authority to borrow by way of overdraft may be thereby exceeded.

SCHEDULE.

Schedule.

11

RATES OF LAND-TAX AND INCOME-TAX (INCLUDING SPECIAL WAR-TAX) FOR THE YEAR COMMENCING ON THE 1ST APRIL, 1918.

Part I. Land-tax.

1. Where the unimproved value on which land-tax is payable does not exceed

£1,000 the rate of land-tax shall be 1d. for every £1 thereof.

2. Where the unimproved value on which land-tax is payable exceeds £1,000 the rate of land-tax shall be 1d. for every £1 thereof increased by one thirty-two-thousandth part of 1d. for every £1 in excess of £1,000, but so as not to exceed in any case the rate of 7d. in the £1.

3. In addition to the land-tax payable as provided in clause 1 or clause 2 of this Part of this Schedule, as the case may be, there shall in every case be payable by way of land-tax an amount equal to 50 per centum of the land-tax so payable.

Part II. Income-tax.

1. On income assessable under subsection (3) of section 112 of the Land and Income Tax Act, 1916, the rate of income-tax shall be 1s. for every £1 thereof.

2. On the taxable income of companies the rates of income-tax shall be as follows:—

(a.) Where the income on which tax is payable does not exceed £1,600 the

rate shall be 1s. for every £1 thereof.

- (b.) Where such income exceeds £1,600 the rate shall be 1s. for every £1 thereof increased by one two-hundredth part of 1d. for every £1 in excess of £1,600, but so as not to exceed in any case the rate of 3s. in the £1.
- 3. On the taxable income of all taxpayers other than those referred to in clauses 1 and 2 hereof the rates of income-tax shall be as follows:—

(a.) Where the income on which tax is payable does not exceed £400 the

rate shall be 6d. for every £1 thereof.

(b.) Where such income exceeds £400 the rate shall be 6d. for every £1 thereof increased by one two-hundredth part of 1d. for every £1 in excess of £400, but so as not to exceed in any case the rate of 3s. in the £1.

Part III. Special War-tax.

1. On income assessable under subsection (3) of section 112 of the Land and Income Tax Act, 1916, the special war-tax shall be at the rate of 1s. 6d. for every £1 thereof.

2. In all cases other than those referred to in the last preceding clause the rate

of special war-tax shall be determined as follows:--

(a.) Where the income on which the special war-tax is payable does not exceed £400 the rate shall be 6d. for every £1 thereof increased as

provided in paragraph (c) hereof.

(b.) Where the income on which the special war-tax is payable exceeds £400 the rate shall be 6d. for every £1 thereof increased by one twohundredth part of 1d. for every £1 in excess of £400, but so as not to exceed 3s. in the £1, and further increased as provided in paragraph (c) hereof.

c.) To the rates prescribed by paragraphs (a) and (b) hereof respectively there shall be added an additional rate equal to 50 per centum thereof, and the total shall be the rate of special war-tax payable by

the taxpayer.

By Authority: MARCUS F. MARKS, Government Printer, Wellington .- 1918.