



## THE INCOME TAX ACT (EXEMPT UNIT TRUSTS) ORDER 1990

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PAUL REEVES, Governor-General

### ORDER IN COUNCIL

At Wellington this 24th day of September 1990

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 211 (1) (i) of the Income Tax Act 1976, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

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### ORDER

**1. Title and commencement**—(1) This order may be cited as the Income Tax Act (Exempt Unit Trusts) Order 1990.

(2) This order shall come into force on the 1st day of October 1990.

**2. Approved unit trusts not subject to section 211 of Income Tax Act 1976**—Every approved unit trust within the meaning of section 3 of the Finance Act (No. 2) 1990 is hereby declared not to be a unit trust for the purposes of section 211 of the Income Tax Act 1976.

MARIE SHROFF,  
Clerk of the Executive Council.

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## EXPLANATORY NOTE

*This note is not part of the order, but is intended to indicate its general effect.*

This order declares that approved unit trusts (within the meaning of section 3 of the Finance Act (No. 2) 1990) are not to be unit trusts for the purposes of section 211 of the Income Tax Act 1976.

An approved unit trust is a unit trust established under the Unit Trusts Act 1960 of which Post Office Bank Limited or a related company is the manager that is approved for the purposes of the Finance Act (No. 2) 1990 by the Minister of Finance.

That Act provides for the establishing of a unit trust or unit trusts by Post Office Bank Limited or a related company, for the approval of the trust or trusts by the Minister of Finance, and for the conversion of the rights and interests of the holders of bonus bonds into interests under such a trust or trusts.

The effect of this order is that such trusts will not be treated as companies for income tax purposes and the holders of units in such trusts will not be treated as shareholders in a company for income tax purposes.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 27 September 1990.  
This order is administered in the Inland Revenue Department.