

**Reprint  
as at 3 June 2017**



## **Finance Act 1931 (No 2)**

Public Act      1931 No 5  
Date of assent    28 April 1931  
Commencement    28 April 1931

Finance Act 1931 (No 2): repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

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**This Act is administered by the Treasury.**

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## An Act to make provision with respect to public finance and other matters

### 1 Short Title

This Act may be cited as the Finance Act 1931 (No 2).

## Part 1

### Public revenues and services

#### 2 Increasing authority to borrow on Treasury Bills

*Amendment(s) incorporated in the Act(s).*

#### 3 Reparation moneys received before 1 April 1933 may be paid into Consolidated Fund

*[Repealed]*

Section 3: repealed (with effect on 1 April 1947), on 11 November 1947, by section 21 of the New Zealand Loans Amendment Act 1947 (1947 No 25).

#### 4 Section 95 of Post and Telegraph Act 1928 amended

*[Repealed]*

Section 4: repealed, on 1 January 1960, by section 250(1) of the Post Office Act 1959 (1959 No 30).

#### 5 Payment to the Consolidated Fund from the Public Trustee's Account, the Native Trustee's Account, the Government Insurance Account, the State Fire Insurance Account, and the Government Accident Insurance Account of amount of reduction in salaries effected by Finance Act 1931

*[Repealed]*

Section 5: repealed (with effect on 1 April 1934), on 7 November 1934, by section 7(1) of the Finance Act (No 3) 1934 (1934 No 31).

#### 6 Section 5 of Greymouth Harbour Board Amendment Act 1920 amended

*[Repealed]*

Section 6: repealed (with effect on 1 April 1935), on 26 October 1935, by section 6(1) of the Greymouth Harbour Board Amendment Act 1935 (1935 No 26).

#### 7 Reducing annual grant to New Zealand Institute

*[Repealed]*

Section 7: repealed, on 6 December 1933, by section 15(1) of the Royal Society of New Zealand Act 1933 (1933 No 17).

#### 8 Repeal

*Amendment(s) incorporated in the Act(s).*

#### 9 Repeal

*Amendment(s) incorporated in the Act(s).*

#### 10 Section 20 of Finance Act 1928 amended

*[Repealed]*

Section 10: repealed, on 1 January 1954, by section 120(1) of the Public Revenues Act 1953 (1953 No 73).

**11 Special provisions as to taking and release of securities to the Crown**

*[Repealed]*

Section 11: repealed, on 1 January 1954, by section 120(1) of the Public Revenues Act 1953 (1953 No 73).

**12 Governor-General may make regulations regulating the import and export of coined silver**

*[Repealed]*

Section 12: repealed, on 18 October 1963, by section 10 of the Customs Acts Amendment Act 1963 (1963 No 37).

**13 Governor-General in Council may declare certain payments not to be pay or salary for superannuation purposes**

*[Repealed]*

Section 13: repealed, on 27 August 1941, by section 15(7) of the Finance Act 1941 (1941 No 4).

**14 National Provident Fund Act 1926 amended**

*[Repealed]*

Section 14: repealed, on 1 April 1935, by section 6(1) of the Finance Act 1933 (1933 No 33).

**15 Sections 19 and 43 of the National Provident Fund Act 1926 modified in their application to certain persons**

*[Repealed]*

Section 15: repealed (with effect on 30 June 1936), on 31 July 1936, by section 42(1) of the Finance Act 1936 (1936 No 16).

**16 Unclaimed moneys payable out of National Provident Fund to become part of Fund**

*[Repealed]*

Section 16: repealed, on 23 November 1950, by section 80(1) of the National Provident Fund Act 1950 (1950 No 55).

**17 Section 3 of Family Allowances Act 1926 amended**

*[Repealed]*

Section 17: repealed, on 10 May 1932, by section 26(2) of the National Expenditure Adjustment Act 1932 (1932 No 8).

**18 Each Official Assignee to close separate bank accounts for individual estates and to have one bank account for all estates**

*[Repealed]*

Section 18: repealed, on 1 January 1971, by section 171(1) of the Insolvency Act 1967 (1967 No 54).

**19 Public Service Commissioner to control Cook Islands and Samoan Public Services**

*[Repealed]*

Section 19: repealed, on 1 September 1958, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

**20 Restricting right of certain persons to count as time and a half for superannuation purposes service in Cook Islands and Western Samoa**

*[Repealed]*

Section 20: repealed, on 1 April 1948, by section 91(1) of the Superannuation Act 1947 (1947 No 57).

**21 Census and Statistics Act 1926 to be administered by Minister of Industries and Commerce**

*Amendment(s) incorporated in the Act(s).*

**22 Amendments of Marriage Act 1908, etc**

*Amendment(s) incorporated in the Act(s).*

**23 Section 16 of Births and Deaths Registration Act 1924 amended**

*Amendment(s) incorporated in the Act(s).*

**24 Recovery from or crediting to appropriate accounts cost of exchanges and premiums on remittances of certain public moneys**

*[Repealed]*

Section 24: repealed, on 10 May 1932, by section 55(7) of the Finance Act 1932 (1932 No 11).

**25 Land Assurance Deposit Account under section 53 of Finance Act 1930 abolished**

*[Repealed]*

Section 25: repealed, on 1 January 1953, by section 245(1) of the Land Transfer Act 1952 (1952 No 52).

**26 Education Purposes Loans Act 1919 repealed, and special account abolished**

(1) *Amendment(s) incorporated in the Act(s).*

(2) The Education Loans Account established by section 3 of the said Education Purposes Loans Act 1919, is hereby abolished, and all moneys standing to the credit of that account at the commencement of this section shall, without further authority than this section, be transferred to and deemed part of the Public Works Fund, and may from time to time be applied in accordance with appropriations thereof by Parliament:

provided that during the period of 3 months ending on 30 June 1931 there may, without further appropriation than this section, be issued and paid out of the

Public Works Fund, as the Minister of Finance directs, for the purposes for which moneys have heretofore been payable out of the said Education Loans Account an amount not exceeding one-fourth part of the amount of the moneys expended out of that Account during the then preceding year, but all amounts so issued and paid shall be included in the estimates and accounts for the then current financial year.

(3)

(a) *[Repealed]*

(b) *[Repealed]*

(4) *Amendment(s) incorporated in the Act(s).*

(5) This section shall be deemed to have come into force on 1 April 1931.

Section 26(3)(a): repealed, on 1 April 1975, by section 109 of the Children and Young Persons Act 1974 (1974 No 72).

Section 26(3)(b): repealed, on 1 January 1954, by section 73(1) of the New Zealand Loans Act 1953 (1953 No 74).

## 27 Railways Improvement Authorisation Act 1914 Account abolished

(1) The separate account within the Public Account known as the Railways Improvement Authorisation Act 1914 Account (hereinafter referred to as the **separate account**) established pursuant to section 5 of the Railways Improvement Authorisation Act 1914 (hereinafter referred to as the **said Act**), is hereby abolished, and all moneys standing to the credit of the separate account at the commencement of this section shall, without further authority than this section, be transferred to and deemed part of the Public Works Fund.

(2) All moneys which, if this section had not been passed, would be payable into the Public Account to the credit of the separate account shall be paid into the Public Account to the credit of the Public Works Fund.

(3) All moneys which, if this section had not been passed, would be payable out of the separate account shall be paid out of moneys from time to time appropriated by Parliament for the purpose:

provided that in respect of expenditure to be met pursuant to this subsection during the period of 3 months ending on 30 June 1931, for the purposes of section 47 of the Public Revenues Act 1926, the vote Railways Improvement shall be deemed to be a vote out of the Public Works Fund.

(4) This section shall be deemed to have come into force on 1 April 1931.

(5) *Amendment(s) incorporated in the Act(s).*

## 28 Saving of rights of lenders under loan authorities repealed by 2 last preceding sections

*[Repealed]*

Section 28: repealed, on 1 January 1954, by section 73(1) of the New Zealand Loans Act 1953 (1953 No 74).

## Part 2

### Education amendment

#### **29 This Part to be part of Education Act 1914**

*[Repealed]*

Section 29: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).

#### **30 Commencement**

*[Repealed]*

Section 30: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).

#### **31 Abolishing Council of Education and District Advisory Committees**

*[Repealed]*

Section 31: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).

#### **32 Temporary or permanent closing of schools by Minister in certain cases of emergency**

*[Repealed]*

Section 32: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).

#### **33 Section 54 of principal Act amended**

*[Repealed]*

Section 33: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).

#### **34 Section 71 of principal Act amended**

*[Repealed]*

Section 34: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).

#### **35 Abolition of Junior and Senior National Scholarships**

*[Repealed]*

Section 35: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).

#### **36 Minister may establish bursaries for secondary or higher education**

*[Repealed]*

Section 36: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).



**37 Repeal**

*[Repealed]*

Section 37: repealed, on 15 October 1965, by section 204(1) of the Education Act 1964 (1964 No 135).

**38 Altering constitution of Council of Governors of Nelson College and transferring to it control of Nelson Technical School**

Whereas secondary schools in the City of Nelson, being Nelson College, founded by the Deed of Foundation set out in the Schedule of the Nelson College Act 1858, and the Nelson Girls' College, established under the Nelson College Act 1858 Amendment Act 1882, are governed by a Council of Governors (hereinafter referred to as the **Council**), the said Governors being incorporated under the said Nelson College Act 1858:

And whereas in the City of Nelson there is also a school known as the Nelson Technical School carried on under a Board of Managers:

And whereas it is desirable that the work of the technical school and the work of the aforesaid Nelson College and Nelson Girls' College should be combined:

And whereas it is also desirable that other arrangements as hereinafter set out should be carried into effect.

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Acts hereinbefore mentioned, or any other Act, or in the said Deed of Foundation the Council shall, after the passing of this Act, consist of 13 Governors appointed or elected as follows:
  - 2 Governors (of whom at least one shall be a woman) appointed by the Governor-General:
  - 3 Governors elected by the parents of the children attending the schools under the control and management of the Council:
  - 2 Governors elected by associations of employers in local industries:
  - 2 Governors elected by associations of employees in local industries:
  - 1 Governor appointed by the Education Board of the District of Nelson:
  - 1 Governor appointed by the Federated Farmers of New Zealand (Nelson Province) Incorporated:
  - 1 Governor appointed by the Executive of the Old Pupils' Association of Nelson College, Incorporated:
  - 1 Governor appointed by the Executive of the Old Pupils' Association of Nelson Girls' College.
- (2) The Governor-General may by Order in Council prescribe the terms for which the several Governors shall be appointed or elected as aforesaid, and may in

such order fix a shorter or longer term for the first period of office than for the subsequent periods.

- (3) The Governor-General may from time to time, by Order in Council, fix the dates for the making of appointments or the holding of elections, and prescribe the manner of conducting the elections and the manner in which extraordinary vacancies shall be filled, and any other matters necessary or expedient for giving effect to the provisions of this section.
- (4) Notwithstanding anything in the foregoing provisions of this section, the Governors in office on the passing of this Act shall continue in office until the appointment or election of their successors under this section, and their term of office shall then be deemed to be terminated.
- (5) At the first meeting of the new Council constituted as provided in this section a Chairman shall be elected, and thereafter the election shall be held as provided by Order in Council in that behalf.
- (6) Five Governors shall constitute a quorum.
- (7) Any vacancy which may arise in the office of Governor, whether by reason of death, resignation, or otherwise, shall be filled in the same manner as the office was originally filled, and the person appointed or elected to the vacancy shall hold office for the unexpired remainder of the term for which his predecessor was appointed or elected.
- (8) Notwithstanding the variation of its constitution effected pursuant to this section, the Corporation of Nelson College shall at all times hereafter continue to be the same body corporate as that constituted by the Nelson College Act 1858.
- (9) The Nelson Technical School is hereby placed under the control of the Council, and the Corporation of the Board of Managers of the said technical school is hereby dissolved.
- (10) All property of the said Board of Managers shall vest in the Corporation of Nelson College, and all rights and liabilities of the Board of Managers shall become the rights and liabilities of that Corporation.
- (11) The Governor-General may from time to time, by Order in Council, make regulations relating to the maintenance, administration, staffing, and salaries of staffs of the schools to which this section relates.
- (12) The Acts hereinbefore mentioned and every other Act relating to Nelson College and the said Deed of Foundation shall hereafter be read subject to the provisions of this section and any Order in Council and regulations made hereunder.

Section 38(1): amended, on 9 September 1954, by section 2 of the Nelson College Amendment Act 1954 (1954 No 7).

Section 38(1): amended, on 1 June 1952, by section 19(2)(a) of the Statutes Amendment Act 1951 (1951 No 81).

Section 38(1): amended, on 1 June 1952, by section 19(2)(b) of the Statutes Amendment Act 1951 (1951 No 81).

Section 38(1): amended, on 1 June 1952, by section 19(2)(c) of the Statutes Amendment Act 1951 (1951 No 81).

**39 Napier High School Board of Governors to have control of Napier Technical School**

Whereas the Napier High School Board constituted under the Napier High School Act 1882 (hereinafter referred to as the **said Act**), controls the Boys' High School and the Girls' High School at Napier:

And whereas there is also a school known as the Napier Technical School carried on under a Board of Managers:

And whereas it is desirable that the work of the technical school and the work of the aforesaid boys' and girls' high schools should be combined:

And whereas it is also desirable that other arrangements as hereinafter set out should be carried into effect.

Be it therefore enacted as follows:

- (1) *[Repealed]*
- (2) *[Repealed]*
- (3) *[Repealed]*
- (4) *[Repealed]*
- (5) *[Repealed]*
- (6) *[Repealed]*
- (7) *[Repealed]*
- (8) *[Repealed]*
- (9) Notwithstanding the change of name and the variation of its constitution effected pursuant to this section, the governing body of the said boys' high school and the said girls' high school shall at all times hereafter continue to be the same body corporate as that constituted by the said Act.
- (10) The Napier Technical School is hereby placed under the control of the Board, and the Corporation of the Board of Managers of the said technical school is hereby dissolved.
- (11) Save in so far as the same are expressly excepted by the Governor-General by Order in Council gazetted, all property of the said Board of Managers shall vest in the Board, and all rights and liabilities of the Board of Managers shall become the rights and liabilities of the Board. All property, rights, or liabilities so excepted as aforesaid shall be vested or otherwise dealt with in such manner as the Governor-General by the same or a subsequent Order in Council directs, and every such Order in Council shall have effect according to its tenor.
- (12) The Governor-General may from time to time, by Order in Council, make regulations relating to the maintenance, administration, staffing, and salaries of staffs of the said boys' and girls' high schools and technical school.

- (13) The Napier High School Act 1882, is hereby amended by repealing sections 7 and 8 and 11 to 15 thereof. Section 20 of the said Act shall be read subject to any regulations made under the last preceding subsection.

Section 39 heading: amended, on 7 December 1945, by section 56(2) of the Statutes Amendment Act 1945 (1945 No 40).

Section 39(1): repealed, on 7 December 1945, by section 56(4) of the Statutes Amendment Act 1945 (1945 No 40).

Section 39(2): repealed, on 31 May 1961, by section 4(b) of the Napier High School Amendment Act 1960 (1960 No 23).

Section 39(3): repealed, on 31 May 1961, by section 4(b) of the Napier High School Amendment Act 1960 (1960 No 23).

Section 39(4): repealed, on 31 May 1961, by section 4(b) of the Napier High School Amendment Act 1960 (1960 No 23).

Section 39(5): repealed, on 31 May 1961, by section 4(b) of the Napier High School Amendment Act 1960 (1960 No 23).

Section 39(6): repealed, on 31 May 1961, by section 4(b) of the Napier High School Amendment Act 1960 (1960 No 23).

Section 39(7): repealed, on 31 May 1961, by section 4(b) of the Napier High School Amendment Act 1960 (1960 No 23).

Section 39(8): repealed, on 31 May 1961, by section 4(b) of the Napier High School Amendment Act 1960 (1960 No 23).

### Part 3

#### Local authorities and public bodies

##### 40 Replacing of lost or destroyed debentures of local authorities

*[Repealed]*

Section 40: repealed, on 1 April 1957, by section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

##### 41 Borough Councils to make bylaws re design and construction of buildings to resist earthquake shocks

*[Repealed]*

Section 41: repealed, on 1 April 1955, by section 413(1) of the Municipal Corporations Act 1954 (1954 No 76).

##### 42 Authorising remission of additional charge of 10% on unpaid rates

- (1) This section shall apply to rates made and levied for the financial year ending on 31 March 1931, or for any less period falling within that year in respect of which an additional charge of 10% has heretofore been or may hereafter be added pursuant to section 76 of the Rating Act 1925.
- (2) Any local authority which has added such additional charge to unpaid rates may either remit the payment of such charge or postpone the same for such time as it thinks fit.

- (3) Any remission of such charge heretofore made by any local authority is hereby validated.
- (4) The power given by this section may be exercised in respect of all rates or any particular rate or rates, and may be so exercised either generally with respect to all ratepayers liable to pay such charge, or with respect to any particular ratepayer or ratepayers only.
- (5) Any local authority which exercises the power given by this section may refund to any person any amount already paid by that person by way of such additional charge.
- (6) The powers conferred by this section may be exercised by the Minister of Lands in respect of rates made and levied by him under the authority of the Rangitaiki Land Drainage Act 1910 and the Hauraki Plains Act 1926.

**43 Section 10 of Hospitals and Charitable Institutions Act 1926 amended**

*[Repealed]*

Section 43: repealed, on 1 April 1958, by section 158(1) of the Hospitals Act 1957 (1957 No 40).

**44 Fire Boards to be subject to Local Bodies' Finance Act 1921–22**

*[Repealed]*

Section 44: repealed, on 11 October 1949, by section 87 of the Fire Services Act 1949 (1949 No 18).

**Part 4  
Miscellaneous**

**45 Trustee not liable for continuing to hold investment which has ceased to be an authorised investment**

*[Repealed]*

Section 45: repealed, on 18 December 1933, by section 2(2) of the Trustee Amendment Act 1933 (1933 No 32).

**46 Trustees in certain cases may, with consent of court, borrow moneys and apply the same for advancement, etc, of persons entitled to capital of trust property**

*[Repealed]*

Section 46: repealed, on 18 December 1933, by section 3(4) of the Trustee Amendment Act 1933 (1933 No 32).

**47 Publication in the *Gazette* to be sufficient compliance with requirement to publish in the *Kahiti***

It shall be deemed a sufficient compliance with the provisions of any Act or regulation made thereunder requiring or directing that any notice or matter be published in the *Kahiti* or *Maori Gazette* or in the *Gazette* and *Kahiti* or be published in the Maori language if such notice or matter is published or inser-

ted in the *New Zealand Gazette*, in the English language or the Maori language,  
as the case may require.

## Reprints notes

### 1 *General*

This is a reprint of the Finance Act 1931 (No 2) that incorporates all the amendments to that Act as at the date of the last amendment to it.

### 2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### 3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### 4 *Amendments incorporated in this reprint*

Statutes Repeal Act 2017 (2017 No 23): section 3(1)  
Children and Young Persons Act 1974 (1974 No 72): section 109  
Insolvency Act 1967 (1967 No 54): section 171(1)  
Education Act 1964 (1964 No 135): section 204(1)  
Customs Acts Amendment Act 1963 (1963 No 37): section 10  
Napier High School Amendment Act 1960 (1960 No 23): section 4(b)  
Post Office Act 1959 (1959 No 30): section 250(1)  
Cook Islands Amendment Act 1957 (1957 No 103): section 96(1)  
Hospitals Act 1957 (1957 No 40): section 158(1)  
Local Authorities Loans Act 1956 (1956 No 63): section 135(1)  
Municipal Corporations Act 1954 (1954 No 76): section 413(1)  
Nelson College Amendment Act 1954 (1954 No 7): section 2  
New Zealand Loans Act 1953 (1953 No 74): section 73(1)  
Public Revenues Act 1953 (1953 No 73): section 120(1)  
Land Transfer Act 1952 (1952 No 52): section 245(1)  
Statutes Amendment Act 1951 (1951 No 81): section 19  
National Provident Fund Act 1950 (1950 No 55): section 80(1)  
Fire Services Act 1949 (1949 No 18): section 87  
Superannuation Act 1947 (1947 No 57): section 91(1)  
New Zealand Loans Amendment Act 1947 (1947 No 25): section 21  
Statutes Amendment Act 1945 (1945 No 40): section 56(2), (4)  
Finance Act 1941 (1941 No 4): section 15(7)

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- Finance Act 1936 (1936 No 16): section 42(1)  
Greymouth Harbour Board Amendment Act 1935 (1935 No 26): section 6(1)  
Finance Act (No 3) 1934 (1934 No 31): section 7(1)  
Finance Act 1933 (1933 No 33): section 6(1)  
Trustee Amendment Act 1933 (1933 No 32): sections 2(2), 3(4)  
Royal Society of New Zealand Act 1933 (1933 No 17): section 15(1)  
Finance Act 1932 (1932 No 11): section 55(7)  
National Expenditure Adjustment Act 1932 (1932 No 8): section 26(2)