

**Reprint**  
**as at 1 January 2010**

**Finance Act (No 2) 1995**

Public Act 1995 No 63  
Date of assent 6 December 1995

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

**This Act is administered in the Treasury**

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**An Act to make provision with respect to public finances and other matters**

**BE IT ENACTED by the Parliament of New Zealand as follows:**

- 1 Short Title**  
This Act may be cited as the Finance Act (No 2) 1995.

- Part 1**  
**Amendments to Customs Act 1966**
- 2 Part to be read with Customs Act 1966**  
This Part of this Act and Schedule 1 to this Act shall be read together with and deemed part of the Customs Act 1966 (in this Part referred to as the principal Act).
- 3 Schedule 3 amended**  
(1) Schedule 3 to the principal Act (as substituted by section 4(1) of the Customs Amendment Act 1989) is hereby amended by

inserting, after Note 3 at the beginning of the Schedule, the following Note:

- “4 The term **KTC** means kilogram(s) of tobacco content.”
- (2) The principal Act is hereby amended by repealing so much of Schedule 3 (as substituted by section 4(1) of the Customs Amendment Act 1989) as relates to Excise item numbers 99.60.16D, 99.60.30K, 99.60.40G, 99.65.10G, 99.65.20D, 99.65.30A, 99.65.40J, 99.65.45K, and 99.65.70L, and substituting the Excise item numbers and rates of duty specified in Schedule 1 to this Act.
- (3) The Excise Duty (Tobacco Products Indexation) Amendment Order (No 2) 1995 (SR 1995/264) is hereby consequentially revoked.

## **Part 2**

### **Amendments to Tariff Act 1988**

- 4 Part to be read with Tariff Act 1988**  
This Part of this Act and Schedule 2 to this Act shall be read together with and deemed part of the Tariff Act 1988 (in this Part referred to as the principal Act).
- 5 Tariff amended**
- (1) Schedule 1 to the principal Act is hereby amended by inserting in the list of terms, abbreviations, and symbols in Note 2 at the beginning of the Tariff, after the item **kPa**, the following item:
- |     |                                 |
|-----|---------------------------------|
| KTC | kilogram(s) of tobacco content. |
|-----|---------------------------------|
- (2) Schedule 1 to the principal Act is hereby amended by repealing so much of Part I as relates to Tariff items 2402.10.00, 2402.20.02, 2402.20.08, 2403.10.01, 2403.10.09, 2403.91.01, 2403.91.09, 2403.99.01, and 2403.99.29, and substituting the items, rates of duty, and statistical keys specified in Schedule 2 to this Act.
- (3) The Tariff (Tobacco Products Indexation) Amendment Order (No 2) 1995 (SR 1995/265) is hereby consequentially revoked.

**Part 3**  
**Validations in relation to certain health  
sector bodies**

**6 Validation of appointments to Clinical Dental Technicians  
Disciplinary Tribunal and Dental Technicians  
Disciplinary Tribunal**

**Disciplinary Tribunal**

(1) In this section,—

**the Act** means the Dental Act 1988

**Clinical Dental Technicians Disciplinary Tribunal** means the Clinical Dental Technicians Disciplinary Tribunal constituted under section 47(1) of the Act

**Dental Technicians Disciplinary Tribunal** means the Dental Technicians Disciplinary Tribunal constituted under section 48(1) of the Act

**relevant period** means the period beginning on the 15th day of October 1992 and ending with the close of the 8th day of August 1995

**specified person** means—

- (a) Judith Margaret Waters, of Christchurch, investment consultant;
- (b) Brent Maxwell Smallbone, of Wellington, Disputes Tribunal Referee and trainer:

**tribunal** means—

- (a) the Clinical Dental Technicians Disciplinary Tribunal;
- (b) the Dental Technicians Disciplinary Tribunal.

(2) Notwithstanding that the specified persons were not appointed as members of each Tribunal in accordance with the Act for the relevant period, the specified persons are hereby deemed to have been on the 15th day of October 1992 lawfully appointed—

- (a) under section 47(1)(b) of the Act as members of the Clinical Dental Technicians Disciplinary Tribunal; and
- (b) under section 48(1)(b) of the Act as members of the Dental Technicians Disciplinary Tribunal—

for a term beginning on that day and ending with the expiry of the relevant period.

(3) The validity of—

- (a) every purported meeting of a Tribunal held during the relevant period; and
  - (b) every action and decision of a Tribunal taken during the relevant period—
- shall be determined having regard to subsection (2) of this section.

**7 Validation of proceedings of Nursing Council and other bodies**

- (1) In this section,—

**the Act** means the Nurses Act 1977

**committee** means a committee of the Council appointed under section 13 of the Act

**council** means the Nursing Council of New Zealand continued by section 3 of the Act

**Gillian Grew** means Gillian Dorothy Anne Grew, of Wellington, employee of the Ministry of Health

**Pamela Messervy** means Pamela Anne Messervy, of Wellington, former employee of the Ministry of Health

**Preliminary Proceedings Committee** means the Preliminary Proceedings Committee constituted under section 12 of the Act

**relevant period** means the period beginning on the 1st day of July 1993 and ending with the close of the 13th day of August 1995.

- (2) Notwithstanding that Gillian Grew was not appointed as a member of the Council in accordance with the Act for the relevant period, Gillian Grew is hereby deemed to have been on the 1st day of July 1993 lawfully appointed under section 4(1)(a) of the Act as a member of the Council for a term beginning on that day and ending with the expiry of the relevant period.
- (3) The Act shall apply as if, during the relevant period,—
- (a) the Act had contained a provision—
    - (i) providing for the Director-General of Health to authorise a nurse employed in the Ministry of Health to attend any meeting of the Council in place of the person holding office as a member

- of the Council under section 4(1)(a) of the Act, if that member was unable to attend that meeting; and
- (ii) providing that while any person was attending any meeting of the Council pursuant to that provision, that person was deemed for all purposes to be a member of the Council; and
  - (iii) providing that the fact that any person was so attending any such meeting was sufficient evidence of that person's authority so to do in the absence of proof to the contrary; and
- (b) Pamela Messervy had been authorised, pursuant to that provision, to attend meetings of the Council in place of Gillian Grew.
- (4) Notwithstanding that Pamela Messervy was not appointed, in accordance with the Act, as a member of the Council or the Preliminary Proceedings Committee for the relevant period, Pamela Messervy is hereby deemed, in respect of every meeting of the Preliminary Proceedings Committee attended by her during the relevant period, to have been on the 1st day of July 1993 lawfully appointed—
- (a) under section 4(1)(a) of the Act as a member of the Council; and
  - (b) under section 12(2) of the Act as a member of the Preliminary Proceedings Committee—
- for a term beginning on that day and ending with the expiry of the relevant period.
- (5) The validity of—
- (a) every purported meeting of—
    - (i) the Council;
    - (ii) the Preliminary Proceedings Committee;
    - (iii) a committee—held during the relevant period; and
  - (b) every action and decision of—
    - (i) the Council;
    - (ii) the Preliminary Proceedings Committee;
    - (iii) a committee—taken during the relevant period; and

- (c) every action and decision of the chairman or deputy chairman of the Council taken pursuant to section 5(6) of the Act during the relevant period; and
  - (d) every action and decision of the convenor of the Preliminary Proceedings Committee taken during the relevant period—
- shall be determined having regard to subsections (2) to (4) of this section.

**Part 4**  
**Amendment to Maritime Transport Act**  
**1994**

**8 Part to be read with Maritime Transport Act 1994**

This Part of this Act shall be read together with and deemed part of the Maritime Transport Act 1994 (in this Part referred to as the principal Act).

**9 Regulations, etc, deemed made under this Act**

Section 204(2) of the principal Act is hereby amended by inserting in paragraph (a), after the words “maritime rule”, the words “or regulation”.

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**Schedule 1**  
**Amendments to Schedule 3 to Customs**  
**Act 1966**

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**Schedule 2**  
**Amendments to Schedule 1 to Tariff Act**  
**1988**

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**Notes****1 General**

This is an eprint of the Finance Act (No 2) 1995. It incorporates all the amendments to the Act as at 1 January 2010. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

**2 About this eprint**

This eprint has not been officialised. For more information about officialisation, please *see* “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

**3 List of amendments incorporated in this eprint (most recent first)**

Tariff Amendment Act 2009 (2009 No 62): section 9(6)

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