

1893.

NEW ZEALAND.

# LAND AND INCOME TAX.

(REGULATIONS UNDER ACTS OF 1891 AND 1892.)

*Laid before both Houses of the General Assembly in pursuance of section 11 of "The Land and Income Assessment Act, 1891."*

[Gazette No. 8, 2nd February, 1893.]

REGULATION UNDER "THE LAND AND INCOME ASSESSMENT ACT, 1891."

GLASGOW, Governor.—ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-sixth day of January, 1893.

Present: The Honourable Sir P. A. Buckley, K.C.M.G., presiding in Council.

In pursuance and exercise of the powers and authorities conferred by section ten of "The Land and Income Assessment Act, 1891," and of all other powers and authorities enabling him in this behalf, His Excellency the Governor of the Colony of New Zealand doth hereby make the following regulation, under and for the purposes of the said Act, and doth hereby direct that the same shall be read and construed as part of the regulations with reference to the returns of land and mortgages already made and now in force under the said Act, namely:—

*Regulation.*

If the Commissioner shall not be satisfied with any return of land and mortgages furnished by any person or company, and if the Commissioner shall at any time desire further information in respect thereof, he may, in writing, require such person or company to amend such return, or furnish further particulars of any land or mortgages, or of the value thereof respectively; or, if the Commissioner thinks fit, he may require any such person or company to produce, for examination by the Commissioner or by any person appointed by him for that purpose, at such place and time as may be appointed by the Commissioner in that behalf, any books, accounts, papers, documents, writings, or instruments that the Commissioner may consider desirable or necessary to enable the true value of any land or mortgage to be ascertained for the purpose of this Act. For any breach of this regulation every person or company, as the case may be, shall be liable to a penalty not exceeding fifty pounds.

ALEX. WILLIS,

Clerk of the Executive Council.

[Gazette No. 18, 14th March, 1893.]

REGULATIONS UNDER LAND AND INCOME ASSESSMENT ACTS.—SHIPPING AND INSURANCE.

GLASGOW, Governor.—ORDER IN COUNCIL.

At the Government House, at Wellington, this fourteenth day of March, 1893.

Present: His Excellency the Governor in Council.

In pursuance and exercise of all powers and authorities vested in him by or under "The Land and Income Assessment Act, 1891," and "The Land and Income Assessment Act Amendment Act, 1892," His Excellency the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, doth hereby make the following regulations under and for the purposes of the said Acts, that is to say,—

*Regulations.*

1. Every person or company engaged in any business as owner or charterer of shipping shall be assessed for taxation in respect thereof upon income derived from such business as such owner or charterer carried on in New Zealand, and also upon income from any business as such owner or charterer originating in New Zealand and carried on with places beyond New Zealand, but not upon income from any such business originating in places beyond New Zealand and carried on with places within New Zealand.

1—B. 15B.

The Commissioner of Taxes may require such owner or charterer to supply him with any information he may consider necessary to enable him to determine what income of a person or company engaged in business as owner or charterer of shipping is income liable to be assessed for taxation under "The Land and Income Assessment Act, 1891," and its amendment.

2. The income of every insurance company derived from business carried on in New Zealand, and from income from investments in New Zealand other than upon land or mortgages of land, shall be deemed to be the income of such company in New Zealand; and the income of such company shall not include income from business carried on beyond New Zealand, or income from investments beyond New Zealand.

The Commissioner of Taxes may require to be supplied with information he may consider necessary to enable him to determine what income of an insurance company is income in New Zealand and liable to be assessed for taxation under the provisions of the said Acts.

3. Every person or company engaged in business in New Zealand as an owner or charterer of shipping, and every company carrying on business in New Zealand as an insurance company within the meaning of the said Acts, shall be liable to all other provisions of the said Acts, or either of them, or of any regulations now or hereafter in force thereunder, so far as the provisions of the said Acts or regulations are or may be applicable to any such person or company as aforesaid.

J. F. ANDREWS,

Acting Clerk of the Executive Council.

[Gazette No. 39, 12th May, 1893.]

REGULATIONS UNDER "THE LAND AND INCOME ASSESSMENT ACT, 1891," AND ITS AMENDMENTS.  
GLASGOW, Governor.—ORDER IN COUNCIL.

At the Government House at Wellington, this tenth day of May, 1893.

Present: His Excellency the Governor in Council.

IN pursuance and exercise of all the powers and authorities vested in him by or under "The Land and Income Assessment Act, 1891," and "The Land and Income Assessment Act Amendment Act, 1892," His Excellency the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, doth hereby make the following regulations under and for the purposes of the said Acts, that is to say,—

1. The form of Return of Income required by the said Acts to be made by or on behalf of a person shall be that set forth in the Schedule A attached hereto, in lieu of the form prescribed in that behalf by the regulations made by Order in Council bearing date the 26th day of March, 1892:

2. The form of Return of Income required by the said Acts to be made by or on behalf of a company shall be that set forth in the Schedule B attached hereto, in lieu of the form prescribed in that behalf by the regulations made by Order in Council bearing date the 26th day of March, 1892:

And doth hereby direct that the regulations herein contained shall henceforth be read and construed as part of the regulations made on the 26th day of March, 1892, as aforesaid.

SCHEDULE A.

"The Land and Income Assessment Act, 1891," and its Amendments.

IN pursuance of the above Act, and of the regulations made thereunder, every person in receipt of income within the meaning of the said Act is required to fill up the following return as far as is applicable to his particular case, and deliver the same at, or forward it by post to, the office of the Commissioner of Taxes, Wellington.

Commissioner of Taxes.

NOTE.—Any person failing or neglecting to furnish a return at the prescribed time, or any person making a false return, is liable to a penalty of not less than £5 nor more than £100, and to pay treble extra duty.

Return of the Income of

Name in full :  
Postal address :  
Occupation :

made in pursuance of "The Land and Income Assessment Act, 1891," and its amendments, and the regulations thereunder.

Income Derived during the Year ending 31st March, 18 . . .

GROSS Income derived from Business.  
(See Schedule D, page 3.)

|   |   |
|---|---|
| 1. From interest of money deposited or lodged with any bank, society, company, firm or person . . . . . | £ |
| 2. From interest on bonds, debentures, or like instruments . . . . .                                    |   |
| 3. From annuities or other annual payments . . . . .  |   |
| 4. From the trade, business, manufacture, or concern of . . . . ., carried on by me at                  |   |
| 5. From pastoral lands of the Crown . . . . .   |   |
| 6. From mining . . . . .  |   |
| 7. From any source not coming within any of the foregoing heads (state source) . . . . .                |   |
| Total . . . . .   | £ |

N.B.—Dividends from companies should not be included in income.

Income derived from any source whatsoever beyond the colony and received in the colony must be included in this return.

*Deductions.*

Losses, outgoing, and expenses incurred in the production of the gross income stated above ... .. £

(See Schedule F, page 3.)

Net income derived from business ... .. £

N.B.—Interest on mortgages cannot be deducted. Land and Income tax paid cannot be deducted.

Gross Income derived from Employment or Emolument.

(See Schedule E, page 3.)

£

1. From the profession, employment or vocation of ... ..
2. From salary, wages, allowances, bonus, pension, stipend, fees, charge, or annuity of any kind ... ..
3. From commissions or share of profits by way of or in lieu of salary ... ..
4. From any other source not coming within any of the foregoing heads ... ..

Total ... .. £

*Deductions.*

Losses, outgoing, and expenses incurred in the production of the gross income stated above ... .. £

(See Schedule F, page 3.)

Net income derived from employment or emolument ... .. £

I claim deduction on account of amount actually paid by me during the year as life insurance premiums on my own life (not to include accident insurance) ... .. £

N.B.—This deduction is limited to £50, and if the amount paid be less than that sum the exact figures should be entered.

NOTE.—The exemption of £300 allowed by law will be deducted in the office of the Commissioner of Taxes.

Income derived or received by the owner or occupier of land in New Zealand from or out of land, or from the use or produce of such land derived by such owner or occupier, or from mortgages of land in New Zealand, except where otherwise specially provided, should not be included in the gross income; and losses, outgoing, and expenses incurred in the production of such income from land or mortgages cannot be deducted.

I, the person making the foregoing return, do solemnly and sincerely declare that the same, and the statements therein referred to or accompanying such return, contain true and accurate details of the several matters and things set forth, and in particular contain a true and accurate account of all income derived by me during the year ending 31st March, 18 ; and the deductions claimed by me are those which I am legally entitled to deduct. And I make this declaration under the provisions of "The Land and Income Assessment Act, 1891," and its amendments.

Dated this            day of            , 18 .

(Usual signature :)

DEDUCTION claimed on account of Liability to pay Land-tax in respect of Land occupied for Business or Employment, such Deduction being equal to 5 per Cent. on the Amount upon which I am liable to pay Land-tax on such Land.

| Assessment No. | Description of Land used as Place of Business or Employment. | Actual Value. | Value of Improvements. | Amount of Mortgage. | Amount on which Land-tax payable. |
|----------------|--|---------------|------------------------|---------------------|-----------------------------------|
|                |  |               |                        |                     |                                   |

N.B.—No deduction can be Claimed by the owner in respect of premises or portion of premises let to a tenant.

NAMES, Addresses, and Shares of Partners.

(To be filled up in the case of Returns made by or on account of a Firm.)

| Name in full of each Partner. | Address. | Share in Firm. |
|-------------------------------|----------|----------------|
|                               |          |                |

STATEMENT to be made by Persons acting as Attorneys or Agents.  
 DESCRIPTION of every Person for whom I act as Attorney or Agent where Principal is permanently or temporarily absent from the Colony.

| Name in full. | Occupation. | Residence. |
|---------------|-------------|------------|
|               |             |            |

STATEMENT to be made by Government Departments, Local Authorities, Persons, Firms, Companies, and Societies employing Officers, Managers, Travellers, Clerks, Foremen, Workmen, Servants, and Others in New Zealand, whether paid by Salary, Weekly Wage, or otherwise.

List of Persons in my Service or Employ.

| Name in full. | In what Capacity employed. | Place of Residence. | Amount of Pay received, including Salary, Wages, Bonus, Commissions, and Allowances. |
|---------------|----------------------------|---------------------|--|
|               |                            |                     |  |

NOTE.—In the case of any person the total payment to whom does not exceed £160 a year, an entry need not be made.

If there should not be sufficient space in any of the above forms, a sheet giving the required information may be attached.

SCHEDULE B.

“The Land and Income Assessment Act, 1891,” and its amendments.

IN pursuance of the above Act, and of the regulations made thereunder, every company in receipt of income within the meaning of the said Act is required to fill up the following return as far as is applicable to its particular case, and deliver the same at or forward it by post to the office of the Commissioner of Taxes, Wellington.

Commissioner of Taxes.

NOTE.—Any company failing or neglecting to furnish a return at the prescribed time, or any company making a false return, is liable to a penalty of not less than £5 nor more than £100, and to pay treble extra duty.

Return of the Income of

Name of company in full :

Postal address :

made in pursuance of “The Land and Income Assessment Act, 1891,” and its amendments, and the regulations thereunder.

Income derived during the year ending 31st March, 18 : £ , being gains and profits derived or received by the said company during such year.

NOTE.—The income of a company shall include dividends earned, sums carried to reserve fund, and any other profits made or income derived during such year.

N.B.—Income derived or received by the owner or occupier of land in New Zealand from or out of land, or from the use or produce of such land derived by such owner or occupier, or from mortgages of land in New Zealand, except where otherwise specially provided, should not be included in the gross income; and losses, outgoings, and expenses incurred in the production of such income from land or mortgages cannot be deducted.

I, being the duly-appointed public officer of the above-named company, and in that capacity duly authorised to make the above return, do solemnly and sincerely declare that I am well acquainted with the affairs of the said company, and that the said return contains a true and accurate statement of the income of the company for the year ending the 31st March, 18 , and that the copy of a balance-sheet hereto attached is a true copy of the balance-sheet of the said company issued to shareholders, or prepared for issue, last prior to the date of this return.

Dated this day of , 18 .

(Usual signature :)

Return as Agent for Holders of Debentures.

RETURN of the income received or receivable, for the year ending the 31st March, 18 , by the holders of debentures issued by the Company in respect of money borrowed on debentures by the company : £

I, being the duly-appointed public officer of the above-named company, and in that capacity duly authorised to make the above return, do solemnly and sincerely declare that I am well acquainted with the affairs of the said company, and that the said return contains a true and accurate statement of the income for the year ending the 31st March, 18 , of the debenture-holders in respect of money lent to the said company on debentures.

Dated this day of , 18 .

(Usual signature :)

DEDUCTION claimed on Account of Liability to pay Land-tax in respect of Land occupied for Business or Employment, such Deduction being equal to 5 per Cent. on the Amount upon which the Company is liable to pay Land-tax on such Land.

| Assessment No. | Description of Land used as Place of Business or Employment. | Actual Value. | Value of Improvements. | Amount of Mortgage. | Amount on which Land-tax payable. |
|----------------|--|---------------|------------------------|---------------------|-----------------------------------|
|                |  |               |                        |                     |                                   |

N.B.—No deduction can be claimed by the owner in respect of premises or portion of premises let to a tenant.

STATEMENT to be made by Government Departments, Local Authorities, Persons, Firms, Companies, and Societies employing Officers, Managers, Travellers, Clerks, Foremen, Workmen, Servants, and Others in New Zealand, whether paid by Salary, Weekly Wage, or otherwise.

List of Persons in the Service or Employ of the Company.

| Name in full. | In what Capacity employed. | Place of Residence. | Amount of Pay received, including Salary, Wages, Bonus, Commissions, and Allowances. |
|---------------|----------------------------|---------------------|--|
|               |                            |                     |  |

NOTE.—In the case of any person the total payment to whom does not exceed £160 a year, an entry need not be made.

LIST of Directors, Auditors, and Others to whom Payment has been made, and who are not included in the above List.

| Name in full. | In what Capacity employed. | Address. | Amount of Fees, Salary, Bonus, &c. |
|---------------|----------------------------|----------|------------------------------------|
|               |                            |          |                                    |

NOTE.—If there should not be sufficient space in any of the above forms, a sheet giving the required information may be attached.

ALEX. WILLIS,  
Clerk of the Executive Council.

[Gazette No. 45, 8th June, 1893.]

REGULATIONS IN REFERENCE TO THE ASSESSMENT OF MORTGAGES.

GLASGOW, Governor.—ORDER IN COUNCIL.

At the Government House, at Wellington, this sixth day of June, 1893.

Present: His Excellency the Governor in Council.

IN pursuance and exercise of all powers and authorities vested in him by "The Land and Income Assessment Act, 1891," His Excellency the Governor of the Colony of New Zealand, acting by and with the advice and consent of the Executive Council of the said colony, doth hereby make the regulations following for determining the mode in which the actual value of any mortgage liable to taxation under the said Act shall be decided by the Commissioner of Taxes in cases where any difference arises as to such value for the purposes of the said Act.

*Regulations.*

"THE said Act" means "The Land and Income Assessment Act, 1891," and includes any amendment thereof.

1. If any person or company being the mortgagee of land is dissatisfied with the amount at which the actual value of any mortgage to the mortgagee is assessed by the Commissioner of Taxes under the provisions of the said Act, such mortgagee shall send written notice of objection and of the grounds thereof to the Commissioner.

2. The Commissioner shall thereupon appoint a day, time, and place for the hearing of such objection, and shall give to the mortgagee at least seven days' notice thereof.

Upon the day so appointed the Commissioner shall hear, peruse, and consider any evidence, whether verbal or documentary, which the mortgagee may adduce in support of his objection; and the Commissioner, after taking such further evidence of value as he may require, shall thereupon decide what, in his opinion, is the actual value of the mortgage or mortgages under consideration, and shall notify the mortgagee accordingly.

Any such inquiry or hearing may be adjourned from time to time or from place to place, as the Commissioner may determine.

ALEX. WILLIS,  
Clerk of the Executive Council.

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