

## FINANCES ADJUSTMENT ACT.

Act No. 16, 1937.

**George VI,  
No. 16, 1937.**

An Act to make further provisions in relation to certain statutory endowments and scholarships; to define the rate of interest payable respectively by the Metropolitan Water, Sewerage and Drainage Board and the Hunter District Water Supply and Sewerage Board upon the capital indebtedness of those Boards to the State; to validate certain matters; to amend the Metropolitan Water, Sewerage and Drainage Acts, 1924-1935, the Hunter District Water and Sewerage (Amendment) Act, 1928, the Finances Adjustment (Further Provisions) Act, 1933, the Widows' Pensions Act, 1925-1932, the Sydney Harbour Bridge Act, 1922, the  
Special

Special Income and Wages Tax (Management) Act, 1936-1937, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 30th November, 1937.]

No. 16, 1937.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Finances Adjustment Act, 1937."

Short title.

2. This Act is divided into Parts as follows:—

Division into Parts.

PART I—PRELIMINARY.

PART II—STATUTORY ENDOWMENTS AND SCHOLARSHIPS.

PART III—AMENDMENT OF THE METROPOLITAN WATER, SEWERAGE AND DRAINAGE ACTS, 1924-1935, AND THE HUNTER DISTRICT WATER AND SEWERAGE (AMENDMENT) ACT, 1928.

PART IV—AMENDMENT OF THE FINANCES ADJUSTMENT (FURTHER PROVISIONS) ACT, 1933.

PART V—AMENDMENT OF THE WIDOWS' PENSIONS ACT, 1925-1932.

PART VI—AMENDMENT OF THE SYDNEY HARBOUR BRIDGE ACT, 1922.

PART VII—AMENDMENT OF THE SPECIAL INCOME AND WAGES TAX (MANAGEMENT) ACT, 1936-1937.

PART VIII—VALIDATION OF CERTAIN PAYMENTS.

PART IX—AMENDMENT OF FAMILY ENDOWMENT ACT, 1927-1932.

SCHEDULE.

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PART

## PART II.

## STATUTORY ENDOWMENTS AND SCHOLARSHIPS.

Commence-  
ment of  
Part II.

3. This Part of this Act shall be deemed to have commenced on the thirtieth day of June, one thousand nine hundred and thirty-four.

Reduction of  
certain  
statutory  
endow-  
ments.

4. The amount of the annual endowments payable out of the Consolidated Revenue Fund in pursuance of the enactments mentioned in the Schedule to this Act shall in the financial year commencing on the first day of July, one thousand nine hundred and thirty-four, and in the financial year commencing on the first day of July, one thousand nine hundred and thirty-five, and in the financial year commencing on the first day of July, one thousand nine hundred and thirty-six, and in respect of the period commencing on the first day of July, one thousand nine hundred and thirty-seven, and ending on the thirty-first day of December, one thousand nine hundred and thirty-seven, be reduced by twenty per centum.

Reduction of  
certain  
scholar-  
ships.

5. The following scholarships at the University shall be reduced in the financial year commencing on the first day of July, one thousand nine hundred and thirty-four, and in the financial year commencing on the first day of July, one thousand nine hundred and thirty-five, and in the financial year commencing on the first day of July, one thousand nine hundred and thirty-six, and in respect of the period commencing on the first day of July, one thousand nine hundred and thirty-seven, and ending on the thirty-first day of December, one thousand nine hundred and thirty-seven, as follows:—

The Alexander Scholarship from ninety pounds per annum to eighty pounds per annum.

The Riverina Scholarship from seventy-five pounds per annum to sixty-five pounds per annum.

The Waradgery Scholarship from ninety pounds per annum to eighty pounds per annum.

PART III.

AMENDMENT OF THE METROPOLITAN WATER, SEWERAGE AND DRAINAGE ACTS, 1924-1935, AND THE HUNTER DISTRICT WATER AND SEWERAGE (AMENDMENT) ACT, 1928.

6. This Part of this Act shall be deemed to have commenced on the thirtieth day of June, one thousand nine hundred and thirty-four.

Commencement of Part III.

7. (1) The Metropolitan Water, Sewerage, and Drainage Acts, 1924-1935, is amended by inserting next after subsection one of section seventy the following new subsection:—

Amendment of Act No. 50, 1924. Sec. 70. (Interest on capital indebtedness.)

(1A) Notwithstanding the provisions of subsection one of this section relating to the rate of interest payable by the board upon its capital indebtedness, the interest so payable by the board shall be at the rate of four pounds per centum per annum for the financial year ending on the thirtieth day of June, one thousand nine hundred and thirty-four, and at the rate of three pounds ten shillings per centum per annum for any subsequent financial year.

(2) The Metropolitan Water, Sewerage and Drainage Acts, 1924-1935, as amended by this Act, may be cited as the Metropolitan Water, Sewerage and Drainage Act, 1924-1937.

Citation.

(3) The Hunter District Water and Sewerage (Amendment) Act, 1928, is amended by inserting at the end of section four the following new subsection:—

Amendment of Act No. 44, 1928. Sec. 4. (Interest on capital indebtedness.)

(2) Notwithstanding the provisions of subsection one of this section relating to the rate of interest payable by the board upon its capital indebtedness, the interest so payable by the board shall be at the rate of four pounds per centum per annum for the financial year ending on the thirtieth day of June, one thousand nine hundred and thirty-four, and at the rate of three pounds ten shillings per centum per annum in any subsequent financial year.

## PART IV.

## AMENDMENT OF THE FINANCES ADJUSTMENT (FURTHER PROVISIONS) ACT, 1933.

Amendment  
of Act No.  
19, 1933.  
Subst. sec. 9.

8. (1) The Finances Adjustment (Further Provisions) Act, 1933, is amended by omitting section nine and by inserting in lieu thereof the following section:—

Provision  
for repay-  
ment of  
certain  
amounts  
by the  
Superan-  
nuation  
Board.

9. (1) The Superannuation Board shall repay to the Colonial Treasurer all moneys paid before the commencement of the Superannuation (Amendment) Act, 1930, as employers' contributions pursuant to sections sixteen and seventeen of the Superannuation Acts, 1916-1928, by the Government of New South Wales, the Water Conservation and Irrigation Commission, and the Sydney Harbour Trust Commissioners, less all sums payable by the Government of New South Wales, the Water Conservation and Irrigation Commission, and the Sydney Harbour Trust Commissioners pursuant to section two of the Superannuation (Amendment) Act, 1930, as amended by this Act, during the period commencing on the first day of July, one thousand nine hundred and nineteen, and ending on the thirtieth day of June, one thousand nine hundred and twenty-nine, both inclusive.

Interest at the rate of three and one-half per centum per annum shall be paid in respect of such moneys, and allowed in respect of such sums during the period up to and including the thirtieth day of June, one thousand nine hundred and thirty-three.

(2) The balance repayable in accordance with subsection one of this section, ascertained as at the thirtieth day of June, one thousand nine hundred and thirty-three, amounts to three million eight hundred and thirty-two thousand pounds.

(3) The amount specified in subsection two of this section shall be repayable on and from the first day of July, one thousand nine hundred and thirty-three, and shall be repaid, with interest at the rate  
of

of three and one-half per centum per annum on the balance from time to time unpaid, by equal monthly instalments over a period of fifteen years and the first of such instalments shall be deemed to have become due on the thirty-first day of July, one thousand nine hundred and thirty-three.

(4) The instalments paid from time to time pursuant to subsection three of this section shall be credited by the Colonial Treasurer to the Consolidated Revenue Fund, and the Sydney Harbour Trust Fund, in such manner as to him appears just, having regard to the moneys paid out of each of such Funds by way of employers' contributions and to any moneys paid or credited pursuant to section two of the Superannuation (Amendment) Act, 1930, or to that section as amended by this Act.

(2) This section shall be deemed to have commenced on the twelfth day of December, one thousand nine hundred and thirty-three.

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PART V.

AMENDMENT OF THE WIDOWS' PENSIONS ACT, 1925-1932.

**9.** This Part of this Act shall be deemed to have commenced on the sixth day of October, one thousand nine hundred and thirty-seven. Commence-  
ment of Part  
V.

**10.** The Widows' Pensions Act, 1925-1932, as amended by this Act, may be cited as the Widows' Pensions Act, 1925-1937. Citation.

**11.** (1) The Widows' Pensions Act, 1925-1932, is amended— Amendment  
of Act No.  
25, 1925.

(a) by omitting from subsection one of section fourteen the words "seventeen shillings and sixpence" and by inserting in lieu thereof the words "one pound";

(b)

Sec. 14.

**Finances Adjustment Act.**

No. 16, 1937.

(b) by omitting from the same subsection the words "eight shillings and nine pence" and by inserting in lieu thereof the words "ten shillings."

Consequen-  
tial amend-  
ment of Act  
No. 27, 1932,  
s. 6.

(2) The Finances Adjustment Act, 1932, is amended by omitting sub-paragraphs (i) and (ii) of paragraph (b) of section six.

**PART VI.****AMENDMENT OF THE SYDNEY HARBOUR BRIDGE ACT, 1922.**

Citation.

**12.** The Sydney Harbour Bridge Act, 1922, as amended by subsequent Acts and by this Act, may be cited as the "Sydney Harbour Bridge Act, 1922-1937."

Amendment  
of Act No.  
28, 1922,  
s. 9 (1).

**13.** The Sydney Harbour Bridge Act, 1922, as amended by subsequent Acts, is amended by omitting from subsection one of section nine the words "one thousand nine hundred and thirty-nine" and by inserting in lieu thereof the words "one thousand nine hundred and thirty-seven."

**PART VII.****AMENDMENT OF SPECIAL INCOME AND WAGES TAX  
(MANAGEMENT) ACT, 1936-1937.**

Citation.

**14.** (1) The Special Income and Wages Tax (Management) Act, 1936-1937, is in this Part referred to as the Principal Act.

(2) The Principal Act, as amended by this Act, may be cited as the "Special Income and Wages Tax (Management) Acts, 1936-1937."

Amendment  
of Act No. 43,  
1936.  
Sec. 2.  
(Defini-  
tions.)

**15.** The Principal Act is amended—

(a) by omitting from the definition of "Dependant" in subsection two of section two the words "her from all sources does" and by inserting in lieu thereof the words "such spouse from all sources during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-seven did";

(b)

- (b) by omitting paragraph (j) of subsection one of section eight and by inserting in lieu thereof the following paragraphs:—

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Sec. 8.  
(Exemptions.)

“(j) the income from wages derived by any person after the thirty-first day of October, one thousand nine hundred and thirty-seven, from employment upon any work declared by the Governor in accordance with section 8B of the Industrial Arbitration (Eight Hours) Amendment Act, 1930, as amended by subsequent Acts, to be a work for the unemployed.

This exemption shall extend only to the income of persons who are in receipt of wages and bonuses at the rates directed by the Minister pursuant to section 8B of the Industrial Arbitration (Eight Hours) Amendment Act, 1930, as amended by subsequent Acts;

(j1) the income from wages derived by any person after the thirty-first day of October, one thousand nine hundred and thirty-seven, upon approved works within the meaning of section five of the (Commonwealth) Loan (Unemployment Relief Works) Acts, 1932.”

- 16.** The Special Income and Wages Tax (Management) Amendment Act, 1937, is amended by inserting at the end of subsection two of section three the following proviso:—

Amendment of Act No. 13, 1937, s. 3.

Provided that where the income derived from a pension is income from wages the amendment effected by paragraph (d) of subsection one of this section shall apply to such income from the pension derived after the thirtieth day of November, one thousand nine hundred and thirty-seven.

- 17.** The Principal Act is further amended—

Further amendment of Act No. 43, 1936.

- (a) (i) by omitting from subsection six of section twelve all the words after “him” and by inserting in lieu thereof the words “The rebate under this subsection shall be deemed

Sec. 12.  
(Rebate of tax.)

to



to be allowed in respect of the income derived during the period commencing on the first day of December, one thousand nine hundred and thirty-six, and ending on the thirtieth day of June, one thousand nine hundred and thirty-seven (or in respect of the final seven months where a return is furnished for the twelve months ending on a date other than the thirtieth day of June, one thousand nine hundred and thirty-seven)";

(ii) by inserting in subsection seven of the same section after the word "thirty-seven" the words "exceeded one hundred and fifty-six pounds but";

Sec. 18A.  
(Rebate.)

(b) (i) by inserting in subsection one of section 18A after the word "shall" the words "in respect of income from wages derived after the thirtieth day of November, one thousand nine hundred and thirty-seven";

(ii) by omitting subsections four and five of the same section and by inserting in lieu thereof the following subsections:—

(4) (a) The rebate from Wages Tax payable upon income from wages derived prior to the first day of June, one thousand nine hundred and thirty-eight, shall be calculated according to the number of dependants of the employee on the first day of December, one thousand nine hundred and thirty-seven.

(b) The rebate from Wages Tax payable upon income from wages derived between the first day of June, one thousand nine hundred and thirty-eight and the thirty-first day of October, one thousand nine hundred and thirty-eight, both days inclusive, shall be calculated according to the number of dependants of the employee on the first day of June, one thousand nine hundred and thirty-eight.

(c)

(c) Where an employee ceases to be <sup>No. 16, 1937.</sup> entitled to a rebate under this section in respect of any person claimed as a dependant in the prescribed declaration furnished by him to his employer such employee shall, within the time and in the manner prescribed furnish to his employer a further declaration as prescribed.

(d) Every employee who claims a rebate in respect of an additional dependant shall, within the time and in the manner prescribed, furnish to his employer a further declaration as prescribed.

(5) Where an arrangement satisfactory to the Commissioner is made between any employer and the Commissioner, or between any group of employers and the Commissioner, the Commissioner may approve, subject to such terms and conditions as he may think fit, of such modifications of the provisions of this section relating to the furnishing of declarations as he considers necessary to meet the circumstances of the particular case. Where the Commissioner so approves he shall in writing notify the employer, or group of employers, of such modifications and of the terms and conditions to which the approval of such modifications is subject.

- (iii) by omitting from subsection seven of the same section the words "furnish to his employer within fourteen days after any person ceases to be a dependant of that employee a further declaration in the prescribed manner" and by inserting in lieu thereof the words "comply with the provisions of paragraph (c) of subsection four of this section";
- (iv) by omitting from subsection eight of the same section the words "furnish to his employer within fourteen days after any person

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person ceases to be a dependant a further declaration as required by" and by inserting in lieu thereof the words "comply with the provisions of paragraph (c) of subsection four of."

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### PART VIII.

#### VALIDATION OF CERTAIN PAYMENTS.

Validation. **18.** The payment by the Deputy Commissioner for Road Transport and Tramways during the period commencing on the second day of March, one thousand nine hundred and thirty-seven, and terminating on the eighth day of August, one thousand nine hundred and thirty-seven, of sums for or in relation to estate in lands used in connection with, or profits or earnings derived from, the operation of motor omnibus services for which the service licenses were cancelled as from the first day of March, one thousand nine hundred and thirty-seven, is hereby validated.

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### PART IX.

#### AMENDMENT OF FAMILY ENDOWMENT ACT, 1927-1932.

Citation  
and con-  
mencemen'.

**19.** (1) The Family Endowment Act, 1927-1932, as amended by this Act, may be cited as the "Family Endowment Act, 1927-1937."

(2) This Part of this Act shall be deemed to have commenced on the first day of November, one thousand nine hundred and thirty-six.

Amendment  
of Act No.  
39, 1927.  
Sec. 41.

**20.** The Family Endowment Act, 1927-1932, is amended—

(a) by omitting from subsection two of section forty-one the figures "1928" and by inserting in lieu thereof the figures "1936";

(b)

(b) by inserting at the end of the same section the following new subsection:—

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(3) The provisions of section three hundred and one and of section three hundred and two of the Income Tax (Management) Act, 1936, shall apply to and in respect of any contributions payable under this Act (whether payable before or after the commencement of the Income Tax (Management) Act, 1936) in the same manner and in all respects as if such contributions were tax within the meaning of those sections.

SCHEDULE.

No. of Act.	Short Title.
No. 22, 1900 ...	University and University Colleges Act, 1900, section 24.
No. 92, 1902 ...	University and University Colleges (Amendment) Act, 1902, section 2.
No. 52, 1912 ...	University (Amendment) Act, 1912, section 6.
No. 78, 1916 ...	University (Amendment) Act, 1916, section 2.
No. 54, 1899 ...	Library and Art Gallery Act, 1899, sections 15 and 29.
No. 61, 1902 ...	The Australian Museum Act, 1902, section 12.