

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 19 October, 1938*

## New South Wales.



ANNO SECUNDO

# GEORGII VI REGIS.

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## Act No. 13, 1938.

An Act to provide for certain exemptions from Special Income Tax and from Wages Tax; to make provision in relation to the discontinuance of the collection of Family Endowment Tax, and the discontinuance of contributions to the County of Cumberland Main Roads Fund by the Municipal Council of Sydney; to amend the Special Income and Wages Tax (Management) Acts, 1936-1937, the Stamp Duties Act, 1920-1933, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 25th October, 1938.]

BE

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. W. HEDGES,  
*Chairman of Committees of the Legislative Assembly.*



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*Finances Adjustment.*

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**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.

- Short title.     **1.** This Act may be cited as the "Finances Adjustment Act, 1938."
- Division into Parts.     **2.** This Act is divided into Parts as follows:—
- PART I.—PRELIMINARY.
- PART II.—AMENDMENT OF THE SPECIAL INCOME AND WAGES TAX (MANAGEMENT) ACTS, 1936-1937.
- PART III.—AMENDMENT OF THE STAMP DUTIES ACT, 1920-1933.
- PART IV.—AMENDMENT OF THE FAMILY ENDOWMENT ACT, 1927-1937.
- PART V.—AMENDMENT OF THE MAIN ROADS ACT, 1924-1937.

PART II.

AMENDMENT OF THE SPECIAL INCOME AND WAGES TAX  
(MANAGEMENT) ACTS, 1936-1937.

- Citation.     **3.** (1) The Special Income and Wages Tax (Management) Acts, 1936-1937, is in this Part of this Act referred to as the Principal Act.
- (2) The Principal Act, as amended by this Part of this Act, may be cited as the Special Income and Wages Tax (Management) Act, 1936-1938.
- Amendment of Act No. 43, 1936.     **4.** The Principal Act is amended—
- (a) (i) by inserting in the definition of "Dependant" in subsection two of section two after the words "sixteen years" the words "In relation to net assessable income derived during
- during
- (Definitions.)



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during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-seven, and to income from wages derived between the first day of December, one thousand nine hundred and thirty-seven, and the thirty-first day of October, one thousand nine hundred and thirty-eight (both days inclusive)."

- (ii) by inserting at the end of the same definition the words "In relation to net assessable income derived during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-eight, and to income from wages derived after the thirty-first day of October, one thousand nine hundred and thirty-eight, a spouse shall be deemed to be wholly maintained if the net amount of income derived by such spouse from all sources during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-eight, did not exceed one hundred pounds."

- (b) by inserting at the end of paragraph (1) of subsection one of section eight the words "unless the Governor by proclamation published in the Gazette in accordance with subsection one of section nine of this Act, declares such State to be a reciprocating State for the purposes of this Act in respect of such part of the income derived from property which is not subject to any such tax."

Sec. 8  
(1) (1).  
(Reciprocal  
arrange-  
ments.)

- (c) by adding at the end of the same section the following new subsection:—

Sec. 8.  
New subsec.

(4) Notwithstanding anything contained in this Act, the income from wages derived after the thirty-first day of December, one thousand nine hundred and thirty-eight, by an employee while he is in receipt of such income at a rate less than four pounds four shillings per week,

(4).  
(Exemp-  
tions.)

or



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or the equivalent hourly or daily rate, shall, if the taxpayer has a dependant and in consequence thereof would, if this subsection had not been enacted, be entitled under section 18A of this Act, to a rebate from Wages Tax payable upon such income, be exempt from tax:

Provided that this exemption shall not apply to any income from wages derived by an employee whose total income from all sources during the year of income ending on the thirtieth day of June, one thousand nine hundred and thirty-nine, is not less than two hundred and nineteen pounds, in which case such income from wages shall be deemed to be net assessable income of the year of income in which it is derived.

Sec. 9 (1).  
(Reciprocal  
arrange-  
ments.)

(d) by inserting in subsection one of section nine after the words "New South Wales" where secondly occurring the words "or is satisfied that the laws of that State do not impose any such tax upon such income or such particular class of income as the case may be, derived by such person."

Sec. 12.  
New subsec.  
(8).  
(Rebates.)

(e) by inserting at the end of section twelve the following new subsection:—

(8) Any person (other than a company) domiciled in this State who has a dependant and in consequence thereof is entitled to a rebate of tax under subsection three of this section, shall, if his total income derived from all sources during the year ended on the thirtieth day of June, one thousand nine hundred and thirty-eight, was less than two hundred and nineteen pounds, be entitled to a further rebate in his assessment upon the income of that year of an amount of tax equal to one half of the tax which would be payable by him if this subsection had not been enacted. The rebate under this subsection shall be calculated upon the amount of tax payable after allowing all other rebates allowable under this Act.

(f)



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- (f) by inserting after paragraph (b) of subsection four of section 18A the following new paragraphs:—

Sec. 18A (4).  
(Rebates—  
Dependant.)

(b1) The rebate from Wages Tax payable upon income from wages derived between the first day of November, one thousand nine hundred and thirty-eight, and the thirtieth day of June, one thousand nine hundred and thirty-nine (both days inclusive) shall be calculated according to the number of dependants of the employee on the first day of November, one thousand nine hundred and thirty-eight.

(b2) The rebate from Wages Tax payable upon income from wages derived during the period commencing on the first day of July, one thousand nine hundred and thirty-nine, and ending on the thirty-first day of October, one thousand nine hundred and thirty-nine, or during any part of such period shall be calculated according to the number of dependants of the employee on the first day of July, one thousand nine hundred and thirty-nine.

- (g) by omitting section nineteen and by inserting in lieu thereof the following section:—

Substituted  
sec. 19.

19. (1) The State of New South Wales may enter into an agreement with the Commonwealth for the deduction by the Commonwealth from periodical payments of wages, salaries or allowances paid to any officer of any tax imposed under the law of this State on those wages, salaries or allowances, and for the payment to this State of any amount deducted in pursuance of such agreement in such manner and at such times as are provided by the agreement.

Agreements  
with the  
Common-  
wealth.

(2) Expressions used in subsection one of this section shall have the meanings which those expressions bear in section 16A of the (Commonwealth) Income Tax Collection Act, 1923-1938.

(3)



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*Finances Adjustment.*

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(3) The officers in respect of whom any such agreement as is referred to in this section may be entered into shall as from the date or dates fixed by the agreement be deemed to be or to have been, as the case may be, employees of the Crown in right of the Commonwealth of Australia, and the Crown in right of the Commonwealth of Australia shall to the extent to which any such agreement provides for the deduction of tax from the wages, salaries or allowances of such persons and as from the date or dates fixed by the agreement be deemed to be or to have been as the case may be an employer who is bound to collect tax from such officers.

PART III.

AMENDMENT OF THE STAMP DUTIES ACT, 1920-1933.

**Citation.** 5. The Stamp Duties Act, 1920-1933, as amended by the Statute Law Revision Act, 1937, and this Part of this Act, may be cited as the Stamp Duties Act, 1920-1938.

**Amendment of Act No. 47, 1920.** 6. The Stamp Duties Act, 1920-1933, is amended—

**Sec. 71.** (a) by inserting at the end of section seventy-one (Sales of annuities, etc.) the following new subsection:—

(2) This section shall not apply and shall be deemed never to have applied to an instrument whereby provision is made for the payment of any annuity, pension or superannuation for the benefit of any person in relation to his employment and/or the dependants of any such person.

The enactment of this subsection shall not entitle any person to a refund of any duty paid by him before the commencement of the Finances Adjustment Act, 1938

(b)



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(b) by inserting in the Second Schedule at the end of the exemptions appearing under the heading "Policies of Insurance" the following new paragraph:— (Second Schedule.) (Policies of insurance.)

(i) Any policy of insurance for the payment of a deferred annuity under any scheme of superannuation for the benefit of any person in relation to his employment and/or the dependants of any such person.

PART IV.

AMENDMENT OF THE FAMILY ENDOWMENT ACT, 1927-1937.

7. The Family Endowment Act, 1927-1937, as amended by the Statute Law Revision Act, 1937, and this Part of this Act, may be cited as the Family Endowment Act, 1927-1938. Citation.

8. The Family Endowment Act, 1927-1937, is amended— Amendment of Act No. 39, 1927.

(a) by inserting at the end of subsection four of section thirty-nine the following paragraph:— (Contributions.)

"Except in relation to any contribution the non-payment of which by an employer is, in the opinion of the Commissioner of Taxation, due to fraud or evasion, this subsection shall cease to have effect on the first day of July, one thousand nine hundred and thirty-nine."

(b) by inserting at the end of subsection one of section 43E the following paragraph:— (Contributions.)

"Except in relation to any contribution, the non-payment of which by an employer is, in the opinion of the Commissioner of Taxation, due to fraud or evasion, this subsection shall cease to have effect on the first day of July, one thousand nine hundred and thirty-nine."

PART



*Finances Adjustment.*

**PART V.**

**AMENDMENT OF THE MAIN ROADS ACT, 1924-1937.**

Citation.

**9.** The Main Roads Act, 1924-1937, as amended by the Statute Law Revision Act, 1937, and this Part of this Act, may be cited as the Main Roads Act, 1924-1938.

Amendment of Act No. 24, 1924.  
Sec. 11.  
New subsec. (9).  
Discontin-  
uance of contribu-  
tion by  
Municipal Council of  
Sydney.

**10.** The Main Roads Act, 1924-1937, is amended by inserting at the end of section eleven the following new subsection:—

(9) No contribution under this section shall be payable by the Municipal Council of Sydney for the year ending on the thirty-first day of December, one thousand nine hundred and thirty-eight, or for any subsequent year.

*In the name and on behalf of His Majesty I assent to this Act.*

F. R. JORDAN,

*By Deputation from His Excellency the Governor.*

Government House,

Sydney, 25th October, 1938.



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY,  
and, having this day passed, is now ready for presentation to the  
LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 14 October, 1938.*

## New South Wales.



ANNO SECUNDO

## GEORGII VI REGIS.

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Act No. , 1938.

An Act to provide for certain exemptions from Special Income Tax and from Wages Tax; to make provision in relation to the discontinuance of the collection of Family Endowment Tax, and the discontinuance of contributions to the County of Cumberland Main Roads Fund by the Municipal Council of Sydney; to amend the Special Income and Wages Tax (Management) Acts, 1936-1937, the Stamp Duties Act, 1920-1933, and certain other Acts in certain respects; and for purposes connected therewith.



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*Finances Adjustment.*


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BE it enacted by the King's Most Excellent Majesty,  
 by and with the advice and consent of the Legis-  
 lative Council and Legislative Assembly of New South  
 Wales in Parliament assembled, and by the authority of  
 5 the same, as follows:—

## PART I.

## PRELIMINARY.

1. This Act may be cited as the "Finances Adjust- Short title.  
 ment Act, 1938."
- 10 2. This Act is divided into Parts as follows:— Division  
 into Parts.
- PART I.—PRELIMINARY.
- PART II.—AMENDMENT OF THE SPECIAL INCOME AND  
 WAGES TAX (MANAGEMENT) ACTS, 1936-1937.
- 15 PART III.—AMENDMENT OF THE STAMP DUTIES ACT,  
 1920-1933.
- PART IV.—AMENDMENT OF THE FAMILY ENDOW-  
 MENT ACT, 1927-1937.
- PART V.—AMENDMENT OF THE MAIN ROADS ACT,  
 1924-1937.

## 20 PART II.

AMENDMENT OF THE SPECIAL INCOME AND WAGES TAX  
(MANAGEMENT) ACTS, 1936-1937.

3. (1) The Special Income and Wages Tax (Man- Citation.  
 agement) Acts, 1936-1937, is in this Part of this Act  
 25 referred to as the Principal Act.
- (2) The Principal Act, as amended by this Part of  
 this Act, may be cited as the Special Income and Wages  
 Tax (Management) Act, 1936-1938.

4. The Principal Act is amended—
- 30 (a) (i) by inserting in the definition of "Depend- Amendment of  
 ant" in subsection two of section two after Act No. 43,  
 the words "sixteen years" the words "In 1936.  
 relation to net assessable income derived Sec. 2.  
 during (Defini-  
 tions.)



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- 5 during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-seven, and to income from wages derived between the first day of December, one thousand nine hundred and thirty-seven, and the thirty-first day of October, one thousand nine hundred and thirty-eight (both days inclusive).”
- 10 (ii) by inserting at the end of the same definition the words “In relation to net assessable income derived during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-eight, and to income from wages derived after the thirty-first day of October, one thousand nine hundred and thirty-eight, a spouse shall be deemed to be wholly maintained if the net amount of income derived by such spouse from all sources during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-eight, did not exceed one hundred pounds.”
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- 20
- 25 (b) by inserting at the end of paragraph (1) of subsection one of section eight the words “unless the Governor by proclamation published in the Gazette in accordance with subsection one of section nine of this Act, declares such State to be a reciprocating State for the purposes of this Act in respect of such part of the income derived from property which is not subject to any such tax.”
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- 35 (c) by adding at the end of the same section the following new subsection:—
- (4) Notwithstanding anything contained in this Act, the income from wages derived after the thirty-first day of December, one thousand nine hundred and thirty-eight, by an employee while he is in receipt of such income at a rate less than four pounds four shillings per week,
- or
- Sec. 8  
(1) (1).  
(Reciprocal  
arrange-  
ments.)
- Sec. 8.  
New subsec.  
(4).  
(Exemp-  
tions.)



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or the equivalent hourly or daily rate, shall, if the taxpayer has a dependant and in consequence thereof would, if this subsection had not been enacted, be entitled under section 18A of this Act, to a rebate from Wages Tax payable upon such income, be exempt from tax:

Provided that this exemption shall not apply to any income from wages derived by an employee whose total income from all sources during the year of income ending on the thirtieth day of June, one thousand nine hundred and thirty-nine, is not less than two hundred and nineteen pounds, in which case such income from wages shall be deemed to be net assessable income of the year of income in which it is derived.

(d) by inserting in subsection one of section nine after the words "New South Wales" where secondly occurring the words "or is satisfied that the laws of that State do not impose any such tax upon such income or such particular class of income as the case may be, derived by such person."

Sec. 9 (1).  
(Reciprocal  
arrange-  
ments.)

(e) by inserting at the end of section twelve the following new subsection:—

Sec. 12.  
New subsec.  
(8).  
(Rebates.)

(8) Any person (other than a company) domiciled in this State who has a dependant and in consequence thereof is entitled to a rebate of tax under subsection three of this section, shall, if his total income derived from all sources during the year ended on the thirtieth day of June, one thousand nine hundred and thirty-eight, was less than two hundred and nineteen pounds, be entitled to a further rebate in his assessment upon the income of that year of an amount of tax equal to one half of the tax which would be payable by him if this subsection had not been enacted. The rebate under this subsection shall be calculated upon the amount of tax payable after allowing all other rebates allowable under this Act.

(f)



*Finances Adjustment.*

(f) by inserting after paragraph (b) of subsection four of section 18A the following new paragraphs:—

Sec. 18A (4).  
(Rebates—  
Dependant.)

5 (b1) The rebate from Wages Tax payable upon income from wages derived between the first day of November, one thousand nine hundred and thirty-eight, and the thirtieth day of June, one thousand nine hundred and thirty-nine (both days inclusive) shall be calculated according to the number of dependants of the employee on the first day of November, one thousand nine hundred and thirty-eight.

10 (b2) The rebate from Wages Tax payable upon income from wages derived during the period commencing on the first day of July, one thousand nine hundred and thirty-nine, and ending on the thirty-first day of October, one thousand nine hundred and thirty-nine, or during any part of such period shall be calculated according to the number of dependants of the employee on the first day of July, one thousand nine hundred and thirty-nine.

(g) by omitting section nineteen and by inserting in lieu thereof the following section:—

Substituted  
sec. 19.

25 19. (1) The State of New South Wales may enter into an agreement with the Commonwealth for the deduction by the Commonwealth from periodical payments of wages, salaries or allowances paid to any officer of any tax imposed under the law of this State on those wages, salaries or allowances, and for the payment to this State of any amount deducted in pursuance of such agreement in such manner and at such times as are provided by the agreement.

Agreements  
with the  
Common-  
wealth.

30 (2) Expressions used in subsection one of this section shall have the meanings which those expressions bear in section 16A of the (Commonwealth) Income Tax Collection Act, 1923-1938.

(3)



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*Finances Adjustment.*

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5 (3) The officers in respect of whom any  
such agreement as is referred to in this section  
may be entered into shall as from the date or  
10 dates fixed by the agreement be deemed to be or  
to have been, as the case may be, employees of  
the Crown in right of the Commonwealth of Aus-  
tralia, and the Crown in right of the  
Commonwealth of Australia shall to the extent  
to which any such agreement provides for the  
deduction of tax from the wages, salaries or  
allowances of such persons and as from the date  
or dates fixed by the agreement be deemed to be  
or to have been as the case may be an employer  
who is bound to collect tax from such officers.

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15 PART III.

AMENDMENT OF THE STAMP DUTIES ACT, 1920-1933.

5. The Stamp Duties Act, 1920-1933, as amended by Citation.  
the Statute Law Revision Act, 1937, and this Part of this  
Act, may be cited as the Stamp Duties Act, 1920-1938.

20 6. The Stamp Duties Act, 1920-1933, is amended—

(a) by inserting at the end of section seventy-one  
the following new subsection:—

25 (2) This section shall not apply and shall be  
deemed never to have applied to an instrument  
whereby provision is made for the payment  
of any annuity, pension or superannuation for  
the benefit of any person in relation to his  
employment and/or the dependants of any such  
person.

30 The enactment of this subsection shall not  
entitle any person to a refund of any duty paid  
by him before the commencement of the Finances  
Adjustment Act, 1938.

Amendment of  
Act No. 47,  
1920.  
Sec. 71.  
(Sales of  
annuities,  
etc.)

(b)



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*Finances Adjustment.*

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(b) by inserting in the Second Schedule at the end of the exemptions appearing under the heading "Policies of Insurance" the following new paragraph:—

(Second Schedule.)  
(Policies of insurance.)

- 5 (i) Any policy of insurance for the payment of a deferred annuity under any scheme of superannuation for the benefit of any person in relation to his employment and/or the dependants of any such person.

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PART IV.

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AMENDMENT OF THE FAMILY ENDOWMENT ACT, 1927-1937.

7. The Family Endowment Act, 1927-1937, as amended by the Statute Law Revision Act, 1937, and this Part of this Act, may be cited as the Family Endowment Act, 1927-1938.

Citation.

8. The Family Endowment Act, 1927-1937, is amended—

Amendment of Act No. 39, 1927.

(a) by inserting at the end of subsection four of section thirty-nine the following paragraph:—

Sec. 39 (4).  
(Contributions.)

20 "Except in relation to any contribution the non-payment of which by an employer is, in the opinion of the Commissioner of Taxation, due to fraud or evasion, this subsection shall cease to have effect on the first day of July, one thousand nine hundred and thirty-nine."

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(b) by inserting at the end of subsection one of section 43E the following paragraph:—

Sec. 43E (1).  
(Contributions.)

30 "Except in relation to any contribution, the non-payment of which by an employer is, in the opinion of the Commissioner of Taxation, due to fraud or evasion, this subsection shall cease to have effect on the first day of July, one thousand nine hundred and thirty-nine."

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PART



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*Finances Adjustment.*

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**PART V.**

**AMENDMENT OF THE MAIN ROADS ACT, 1924-1937.**

**9.** The Main Roads Act, 1924-1937, as amended by the Statute Law Revision Act, 1937, and this Part of this Act, may be cited as the Main Roads Act, 1924-1938. Citation.

**10.** The Main Roads Act, 1924-1937, is amended by inserting at the end of section eleven the following new subsection: — Amendment of Act No. 24, 1924.  
Sec. 11.  
New subsec. (9).

(9) No contribution under this section shall be payable by the Municipal Council of Sydney for the year ending on the thirty-first day of December, one thousand nine hundred and thirty-eight, or for any subsequent year. Discontin-  
uance of  
contribu-  
tion by  
Municipal  
Council of  
Sydney.



New South Wales.



ANNO SECUNDO

GEORGIUS VI REGIS.

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Act No. 13, 1938.

An Act to provide for certain exemptions from Special Income Tax and from Wages Tax; to make provision in relation to the discontinuance of the collection of Family Endowment Tax, and the discontinuance of contributions to the County of Cumberland Main Roads Fund by the Municipal Council of Sydney; to amend the Special Income and Wages Tax (Management) Acts, 1936-1937, the Stamp Duties Act, 1920-1933, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 25th October, 1938.]



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*Finances Adjustment.*

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**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.

- Short title.     **1.** This Act may be cited as the "Finances Adjustment Act, 1938."
- Division into Parts.     **2.** This Act is divided into Parts as follows:—
- PART I.—PRELIMINARY.
- PART II.—AMENDMENT OF THE SPECIAL INCOME AND WAGES TAX (MANAGEMENT) ACTS, 1936-1937.
- PART III.—AMENDMENT OF THE STAMP DUTIES ACT, 1920-1933.
- PART IV.—AMENDMENT OF THE FAMILY ENDOWMENT ACT, 1927-1937.
- PART V.—AMENDMENT OF THE MAIN ROADS ACT, 1924-1937.

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PART II.

AMENDMENT OF THE SPECIAL INCOME AND WAGES TAX  
(MANAGEMENT) ACTS, 1936-1937.

- Citation.     **3.** (1) The Special Income and Wages Tax (Management) Acts, 1936-1937, is in this Part of this Act referred to as the Principal Act.
- (2) The Principal Act, as amended by this Part of this Act, may be cited as the Special Income and Wages Tax (Management) Act, 1936-1938.
- Amendment of Act No. 43, 1936.     **4.** The Principal Act is amended—
- Sec. 2.     (a) (i) by inserting in the definition of "Dependant" in subsection two of section two after the words "sixteen years" the words "In relation to net assessable income derived during
- during



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*Finances Adjustment.*

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during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-seven, and to income from wages derived between the first day of December, one thousand nine hundred and thirty-seven, and the thirty-first day of October, one thousand nine hundred and thirty-eight (both days inclusive).”

- (ii) by inserting at the end of the same definition the words “In relation to net assessable income derived during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-eight, and to income from wages derived after the thirty-first day of October, one thousand nine hundred and thirty-eight, a spouse shall be deemed to be wholly maintained if the net amount of income derived by such spouse from all sources during the year ending on the thirtieth day of June, one thousand nine hundred and thirty-eight, did not exceed one hundred pounds.”
- (b) by inserting at the end of paragraph (1) of subsection one of section eight the words “unless the Governor by proclamation published in the Gazette in accordance with subsection one of section nine of this Act, declares such State to be a reciprocating State for the purposes of this Act in respect of such part of the income derived from property which is not subject to any such tax.”
- (c) by adding at the end of the same section the following new subsection:—
- (4) Notwithstanding anything contained in this Act, the income from wages derived after the thirty-first day of December, one thousand nine hundred and thirty-eight, by an employee while he is in receipt of such income at a rate less than four pounds four shillings per week,

Sec. 8  
(1) (1).  
(Reciprocal  
arrange-  
ments.)

Sec. 8.  
New subsec.  
(4).  
(Exemp-  
tions.)



*Finances Adjustment.*

or the equivalent hourly or daily rate, shall, if the taxpayer has a dependant and in consequence thereof would, if this subsection had not been enacted, be entitled under section 18A of this Act, to a rebate from Wages Tax payable upon such income, be exempt from tax:

Provided that this exemption shall not apply to any income from wages derived by an employee whose total income from all sources during the year of income ending on the thirtieth day of June, one thousand nine hundred and thirty-nine, is not less than two hundred and nineteen pounds, in which case such income from wages shall be deemed to be net assessable income of the year of income in which it is derived.

Sec. 9 (1).  
(Reciprocal  
arrange-  
ments.)

(d) by inserting in subsection one of section nine after the words "New South Wales" where secondly occurring the words "or is satisfied that the laws of that State do not impose any such tax upon such income or such particular class of income as the case may be, derived by such person."

Sec. 12.  
New subsec.  
(8).  
(Rebates.)

(e) by inserting at the end of section twelve the following new subsection:—

(8) Any person (other than a company) domiciled in this State who has a dependant and in consequence thereof is entitled to a rebate of tax under subsection three of this section, shall, if his total income derived from all sources during the year ended on the thirtieth day of June, one thousand nine hundred and thirty-eight, was less than two hundred and nineteen pounds, be entitled to a further rebate in his assessment upon the income of that year of an amount of tax equal to one half of the tax which would be payable by him if this subsection had not been enacted. The rebate under this subsection shall be calculated upon the amount of tax payable after allowing all other rebates allowable under this Act.

(f).



*Finances Adjustment.*

- (f) by inserting after paragraph (b) of subsection four of section 18A the following new paragraphs:—

Sec. 18A (4).  
(Rebates—  
Dependant.)

(b1) The rebate from Wages Tax payable upon income from wages derived between the first day of November, one thousand nine hundred and thirty-eight, and the thirtieth day of June, one thousand nine hundred and thirty-nine (both days inclusive) shall be calculated according to the number of dependants of the employee on the first day of November, one thousand nine hundred and thirty-eight.

(b2) The rebate from Wages Tax payable upon income from wages derived during the period commencing on the first day of July, one thousand nine hundred and thirty-nine, and ending on the thirty-first day of October, one thousand nine hundred and thirty-nine, or during any part of such period shall be calculated according to the number of dependants of the employee on the first day of July, one thousand nine hundred and thirty-nine.

- (g) by omitting section nineteen and by inserting in lieu thereof the following section:—

Substituted  
sec. 19.

19. (1) The State of New South Wales may enter into an agreement with the Commonwealth for the deduction by the Commonwealth from periodical payments of wages, salaries or allowances paid to any officer of any tax imposed under the law of this State on those wages, salaries or allowances, and for the payment to this State of any amount deducted in pursuance of such agreement in such manner and at such times as are provided by the agreement.

Agreements  
with the  
Common-  
wealth.

(2) Expressions used in subsection one of this section shall have the meanings which those expressions bear in section 16A of the (Commonwealth) Income Tax Collection Act, 1923-1938.

(3)



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*Finances Adjustment.*

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(3) The officers in respect of whom any such agreement as is referred to in this section may be entered into shall as from the date or dates fixed by the agreement be deemed to be or to have been, as the case may be, employees of the Crown in right of the Commonwealth of Australia, and the Crown in right of the Commonwealth of Australia shall to the extent to which any such agreement provides for the deduction of tax from the wages, salaries or allowances of such persons and as from the date or dates fixed by the agreement be deemed to be or to have been as the case may be an employer who is bound to collect tax from such officers.

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PART III.

AMENDMENT OF THE STAMP DUTIES ACT, 1920-1933.

Citation.

**5.** The Stamp Duties Act, 1920-1933, as amended by the Statute Law Revision Act, 1937, and this Part of this Act, may be cited as the Stamp Duties Act, 1920-1938.

Amendment of  
Act No. 47,  
1920.

**6.** The Stamp Duties Act, 1920-1933, is amended—

Sec. 71.

(Sales of  
annuities,  
etc.)

(a) by inserting at the end of section seventy-one the following new subsection:—

(2) This section shall not apply and shall be deemed never to have applied to an instrument whereby provision is made for the payment of any annuity, pension or superannuation for the benefit of any person in relation to his employment and/or the dependants of any such person.

The enactment of this subsection shall not entitle any person to a refund of any duty paid by him before the commencement of the Finances Adjustment Act, 1938

(b)



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*Finances Adjustment.*

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- (b) by inserting in the Second Schedule at the end of the exemptions appearing under the heading "Policies of Insurance" the following new paragraph:—
- (Second Schedule.)  
(Policies of insurance.)
- (i) Any policy of insurance for the payment of a deferred annuity under any scheme of superannuation for the benefit of any person in relation to his employment and/or the dependants of any such person.

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PART IV.

AMENDMENT OF THE FAMILY ENDOWMENT ACT, 1927-1937.

7. The Family Endowment Act, 1927-1937, as amended by the Statute Law Revision Act, 1937, and this Part of this Act, may be cited as the Family Endowment Act, 1927-1938. Citation.

8. The Family Endowment Act, 1927-1937, is amended— Amendment of Act No. 39, 1927.

- (a) by inserting at the end of subsection four of section thirty-nine the following paragraph:— Sec. 39 (4).  
(Contributions.)

“Except in relation to any contribution the non-payment of which by an employer is, in the opinion of the Commissioner of Taxation, due to fraud or evasion, this subsection shall cease to have effect on the first day of July, one thousand nine hundred and thirty-nine.”

- (b) by inserting at the end of subsection one of section 43E the following paragraph:— Sec. 43E (1).  
(Contributions.)

“Except in relation to any contribution, the non-payment of which by an employer is, in the opinion of the Commissioner of Taxation, due to fraud or evasion, this subsection shall cease to have effect on the first day of July, one thousand nine hundred and thirty-nine.”



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*Finances Adjustment.*


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## PART V.

## AMENDMENT OF THE MAIN ROADS ACT, 1924-1937.

Citation.

**9.** The Main Roads Act, 1924-1937, as amended by the Statute Law Revision Act, 1937, and this Part of this Act, may be cited as the Main Roads Act, 1924-1938.

Amendment of Act No. 24, 1924.

Sec. 11.

New subsec. (9).

Discontin-  
uance of  
contribu-  
tion by  
Municipal  
Council of  
Sydney.

**10.** The Main Roads Act, 1924-1937, is amended by inserting at the end of section eleven the following new subsection:—

(9) No contribution under this section shall be payable by the Municipal Council of Sydney for the year ending on the thirty-first day of December, one thousand nine hundred and thirty-eight, or for any subsequent year.

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 By Authority:

DAVID HAROLD PAISLEY, Government Printer, Sydney, 1938.  
[32.]