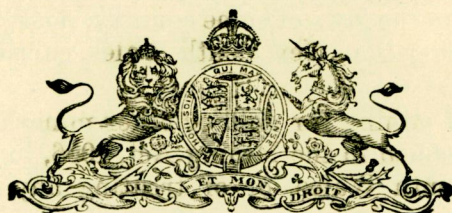


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 2 November, 1944.

New South Wales.



ANNO OCTAVO

GEORGII VI REGIS.

Act No. , 1944.

An Act to amend in certain respects the Companies (Death Duties) Act, 1901, and certain other Acts; and for purposes connected therewith.

BE 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
5 the same, as follows:—

1. (1) This Act may be cited as the "Companies (Death Duties) Amendment Act, 1944." Short title and citation.

(2) The Companies (Death Duties) Act, 1901, as amended by subsequent Acts, is in this Act referred to
10 as the Principal Act.

(3) The Companies (Death Duties) Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Companies (Death Duties) Act, 1901-1944.

*Companies (Death Duties) Amendment.***2.** The Principal Act is amended—

- (a) by omitting from section three all words following the word "association";
- (b) by omitting sections four, five, six, eight and nine;
- (c) by omitting from section seven the words "member of any such company" and by inserting in lieu thereof the words "company incorporated according to the laws of some country, possession or place other than New South Wales, carries on the business—
- (a) of mining for gold or other minerals as defined in the Mining Act, 1906, in New South Wales, or of treating any such minerals;
- (b) of pastoral or agricultural production or timber-getting in New South Wales, and a member of such company";
- (d) (i) by inserting in subsection one of section ten after the words "value of the said shares and stock" the words "where such member has died or dies after the passing of the Stamp Duties (Amendment) Act, 1931, and at the rate set out in the Third Schedule to the Stamp Duties Act, 1920-1931, for an estate the final balance of which is equal to the value of the said shares and stock where such member has died after the passing of the Stamp Duties Act, 1920, and before the passing of the Stamp Duties (Amendment) Act, 1931";
- (ii) by inserting in subsection two of the same section after the words "Commissioner of Stamp Duties" the words "or the Attorney-General";
- (iii) by inserting next after the same subsection the following new subsection:—
- (2A) Any duty under this section payable before this subsection comes into operation and

Amendment of Act No. 30, 1901.

Sec. 3.

(Definitions.)

Repeal of ss. 4-6, 8 and 9.

Sec. 7.

(Consequential amendment.)

Sec. 10.

(Duty on death of members.)

Companies (Death Duties) Amendment.

5 and any duty under the Acts repealed by this Act shall be deemed to have been and to be recoverable by the Attorney-General or by the Commissioner appointed under the Stamp Duties Act, 1898, until the repeal of such Act or by the Commissioner appointed under the Stamp Duties Act, 1920, after the repeal of the Stamp Duties Act, 1898.

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

15 (2) This Act shall be read and construed so as not to exceed the legislative power of the State to the intent that where any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected.

Sec. 11.
(Duty deemed to be paid by company on behalf of member.)

Committee on the Judiciary

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by inserting in the bill of section eleven the following new subsection:

(2) This Act shall be read and construed so as not to exceed the legislative power of the State to the extent that where any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected.

No. , 1944.

A BILL

To amend in certain respects the Companies (Death Duties) Act, 1901, and certain other Acts; and for purposes connected therewith.

[MR. MCKELL;—19 October, 1944.]

BE 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:—

1. (1) This Act may be cited as the "Companies (Death Duties) Amendment Act, 1944." Short title and citation.

(2) The Companies (Death Duties) Act, 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3) The Companies (Death Duties) Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Companies (Death Duties) Act, 1901-1944.

*Companies (Death Duties) Amendment.***2.** The Principal Act is amended—

- (a) by omitting from section three all words following the word “association”;
- 5 (b) by omitting sections four, five, six, eight and nine;
- (c) by omitting from section seven the words “member of any such company” and by inserting in lieu thereof the words “company incorporated according to the laws of some country, possession or place other than New South Wales, carries on the business—
- 10 (a) of mining for gold or other minerals as defined in the Mining Act, 1906, in New South Wales, or of treating any such minerals;
- 15 (b) of pastoral or agricultural production or timber-getting in New South Wales, and a member of such company”;
- 20 (d) (i) by inserting in subsection one of section ten after the words “value of the said shares and stock” the words “where such member has died or dies after the passing of the Stamp Duties (Amendment) Act, 1931, and at the rate set out in the Third Schedule to the Stamp Duties Act, 1920-1931, for an estate the final balance of which is equal to the value of the said shares and stock where such member has died after the passing of the Stamp Duties Act, 1920, and before the passing of the Stamp Duties (Amendment) Act, 1931”;
- 25 (ii) by inserting in subsection two of the same section after the words “Commissioner of Stamp Duties” the words “or the Attorney-General”;
- 30 (iii) by inserting next after the same subsection the following new subsection:—
- 35 (2A) Any duty under this section payable before this subsection comes into operation and

Amendment of Act No. 30, 1901.

Sec. 3.
(Definitions.)

Repeal of ss. 4-6, 8 and 9.

Sec. 7.
(Consequential amendment.)Sec. 10.
(Duty on death of members.)

Companies (Death Duties) Amendment.

5 and any duty under the Acts repealed by this Act shall be deemed to have been and to be recoverable by the Attorney-General or by the Commissioner appointed under the Stamp Duties Act, 1898, until the repeal of such Act or by the Commissioner appointed under the Stamp Duties Act, 1920, after the repeal of the Stamp Duties Act, 1898.

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

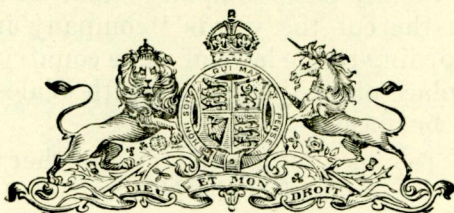
15 (2) This Act shall be read and construed so as not to exceed the legislative power of the State to the intent that where any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected.

Sec. 11.

(Duty deemed to be paid by company on behalf of member.)

(b) If you are a partner in a partnership, you may be able to elect to be treated as an individual for purposes of the estate tax credit for tax on prior transfers.

New South Wales.



ANNO OCTAVO

GEORGII VI REGIS.

Act No. 24, 1944.

An Act to amend in certain respects the Companies (Death Duties) Act, 1901, and certain other Acts; and for purposes connected therewith. [Assented to, 14th November, 1944.]

BE 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:—

1. (1) This Act may be cited as the "Companies (Death Duties) Amendment Act, 1944."

Short title and citation.

(2) The Companies (Death Duties) Act, 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3) The Companies (Death Duties) Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Companies (Death Duties) Act, 1901-1944.

Companies (Death Duties) Amendment.

Amendment of
Act No. 30,
1901.

Sec. 3.
(Defini-
tions.)

Repeal of
ss. 4-6, 8
and 9.

Sec. 7.
(Conse-
quential
amend-
ment.)

Sec. 10.
(Duty on
death of
members.)

2. The Principal Act is amended—

- (a) by omitting from section three all words following the word “association”;
- (b) by omitting sections four, five, six, eight and nine;
- (c) by omitting from section seven the words “member of any such company” and by inserting in lieu thereof the words “company incorporated according to the laws of some country, possession or place other than New South Wales, carries on the business—
 - (a) of mining for gold or other minerals as defined in the Mining Act, 1906, in New South Wales, or of treating any such minerals;
 - (b) of pastoral or agricultural production or timber-getting in New South Wales, and a member of such company”;
- (d) (i) by inserting in subsection one of section ten after the words “value of the said shares and stock” the words “where such member has died or dies after the passing of the Stamp Duties (Amendment) Act, 1931, and at the rate set out in the Third Schedule to the Stamp Duties Act, 1920-1931, for an estate the final balance of which is equal to the value of the said shares and stock where such member has died after the passing of the Stamp Duties Act, 1920, and before the passing of the Stamp Duties (Amendment) Act, 1931”;
- (ii) by inserting in subsection two of the same section after the words “Commissioner of Stamp Duties” the words “or the Attorney-General”;
- (iii) by inserting next after the same subsection the following new subsection:—
 - (2A) Any duty under this section payable before this subsection comes into operation and

Companies (Death Duties) Amendment.

and any duty under the Acts repealed by this Act shall be deemed to have been and to be recoverable by the Attorney-General or by the Commissioner appointed under the Stamp Duties Act, 1898, until the repeal of such Act or by the Commissioner appointed under the Stamp Duties Act, 1920, after the repeal of the Stamp Duties Act, 1898.

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

(2) This Act shall be read and construed so as not to exceed the legislative power of the State to the intent that where any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected.

Sec. 11.
(Duty deemed to be paid by company on behalf of member.)

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1944.

[3d.]

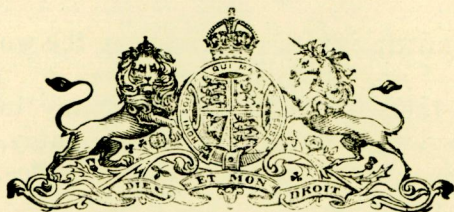
and any other matter which may be referred to the Board of Directors and to be considered by the Board of Directors at their next meeting. The Board of Directors is authorized to take such action as may be deemed proper in the interest of the Corporation.

(2) This Act shall be read and considered by the Board of Directors at their next meeting and the Board of Directors is authorized to take such action as may be deemed proper in the interest of the Corporation. The Board of Directors is also authorized to take such action as may be deemed proper in the interest of the Corporation.

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, 9 November, 1944.

New South Wales.



ANNO OCTAVO

GEORGII VI REGIS.

Act No. 24, 1944.

An Act to amend in certain respects the Companies (Death Duties) Act, 1901, and certain other Acts; and for purposes connected therewith. [Assented to, 14th November, 1944.]

BE 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:—

1. (1) This Act may be cited as the "Companies (Death Duties) Amendment Act, 1944." Short title and citation.
- (2) The Companies (Death Duties) Act, 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.
- (3) The Companies (Death Duties) Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Companies (Death Duties) Act, 1901-1944.

2.

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

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Companies (Death Duties) Amendment.

Amendment of
Act No. 30,
1901.

Sec. 3.
(Defini-
tions.)

Repeal of
ss. 4-6, 8
and 9.

Sec. 7.
(Conse-
quential
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ment.)

Sec. 10.
(Duty on
death of
members.)

2. The Principal Act is amended—

- (a) by omitting from section three all words following the word “association”;
- (b) by omitting sections four, five, six, eight and nine;
- (c) by omitting from section seven the words “member of any such company” and by inserting in lieu thereof the words “company incorporated according to the laws of some country, possession or place other than New South Wales, carries on the business—
 - (a) of mining for gold or other minerals as defined in the Mining Act, 1906, in New South Wales, or of treating any such minerals;
 - (b) of pastoral or agricultural production or timber-getting in New South Wales, and a member of such company”;
- (d) (i) by inserting in subsection one of section ten after the words “value of the said shares and stock” the words “where such member has died or dies after the passing of the Stamp Duties (Amendment) Act, 1931, and at the rate set out in the Third Schedule to the Stamp Duties Act, 1920-1931, for an estate the final balance of which is equal to the value of the said shares and stock where such member has died after the passing of the Stamp Duties Act, 1920, and before the passing of the Stamp Duties (Amendment) Act, 1931”;
- (ii) by inserting in subsection two of the same section after the words “Commissioner of Stamp Duties” the words “or the Attorney-General”;
- (iii) by inserting next after the same subsection the following new subsection:—
 - (2A) Any duty under this section payable before this subsection comes into operation and

Companies (Death Duties) Amendment.

and any duty under the Acts repealed by this Act shall be deemed to have been and to be recoverable by the Attorney-General or by the Commissioner appointed under the Stamp Duties Act, 1898, until the repeal of such Act or by the Commissioner appointed under the Stamp Duties Act, 1920, after the repeal of the Stamp Duties Act, 1898.

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

(2) This Act shall be read and construed so as not to exceed the legislative power of the State to the intent that where any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected.

Sec. 11.
(Duty deemed to be paid by company on behalf of member.)

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

WAKEHURST,
Governor.

*Government House,
Sydney, 14th November, 1944.*

