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.

Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, October, 1973.





ANNO VICESIMO SECUNDO ELIZABETHÆ II REGINÆ

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Act No. , 1973.

An Act to make further provisions with respect to exemptions from, and concessional rates applicable to, death duties; to make provisions with respect to the reduction of death duty upon estates of certain persons; for these purposes to amend the Stamp Duties Act, 1920; and for purposes connected therewith.

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 \mathbf{B}^{E} it enacted by the Queen'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. This Act may be cited as the "Stamp Duties Short title. (Amendment) Act, 1973".

2. The Stamp Duties Act, 1920, is amended—

Amendment of Act No. 47, 1920.

- (a) by inserting at the end of section 101D (4) (c) the Sec. 101D. following new subparagraph :--- (Death duty --local
 - (viii) This paragraph shall, in the case of every estates of person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, whether in New South Wales or elsewhere and who was at the date of his death domiciled in New South Wales, be read and construed as if—

(a) the words "one thousand pounds" and "two thousand five hundred pounds" wherever occurring in subparagraphs (i) and (ii) of this paragraph were omitted therefrom and the words "two thousand dollars" and "the prescribed amount" were respectively inserted instead;

(b) (i) in subparagraph (i) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly dependent

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Stamp Duties (Amendment). dependent widower father or the wholly dependent widowed mother"; (ii) in the same subparagraph there were inserted after the words "such child" the words "or wholly dependent widower father or wholly dependent widowed mother"; (iii) in subparagraph (ii) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother"; and (c) subparagraphs (iii), (iv), (v), (vi) and (vii) of this paragraph were omitted therefrom. (b) by inserting next after section 101D (4) the following new subsection :----(4A) The reference in paragraph (a) of subparagraph (viii) of paragraph (c) of subsection (4) of this section to the prescribed amount is a

- (a) except as provided in paragraph (b) of this subsection, to fifty thousand dollars; or
- (b) where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of death of the deceased, was under the age of twenty-one years or

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was

was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, to the aggregate of fifty thousand dollars and the difference between-

- (i) the product obtained by multiplying four thousand dollars by the number of such persons; and
- (ii) four thousand dollars.

(c) by inserting next after section 112c (3E) the Sec. 112c. (Abatement following new subsection :---

in favour of widow, &c.,

(3F) This section shall, in the case of every in certain cases.) person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if-

- (a) the words "seven thousand five hundred pounds" wherever occurring in subsections (1) and (2) of this section were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead;
- (b) in subsections (1) and (2) of this section there were inserted after the words "twentyone years" wherever occurring the words "or wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother";
- (c) subsection (3) of this section were omitted therefrom and the following subsections were inserted instead :-
 - (3) The proportions referred to in subsections (1) and (2) of this section shall be as follows :-

Where the value of that portion of the final balance referred to in subsection (1) of this section or the value of the property

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	Stamp Duties (Amendment).
	passing to the persons referred to in subsection (2) of this section does not exceed \$52,000, one-tenth prescribed rate.
5	Exceeds \$52,000 but does not exceed \$54,000, two-tenths prescribed rate.
	Exceeds \$54,000 but does not exceed \$56,000, three-tenths prescribed rate.
10	Exceeds \$56,000 but does not exceed \$58,000, four-tenths prescribed rate.
	Exceeds \$58,000 but does not exceed \$60,000, five-tenths prescribed rate.
	Exceeds \$60,000 but does not exceed \$62,000, six-tenths prescribed rate.
15	Exceeds \$62,000 but does not exceed \$64,000, seven-tenths prescribed rate.
	Exceeds \$64,000 but does not exceed \$66,000, eight-tenths prescribed rate.
20	Exceeds \$66,000 but does not exceed \$68,000, nine-tenths prescribed rate.
	(3AA) Notwithstanding the provisions of subsections (1) , (2) and (3) of this section, each amount of money specified in those subsections shall, where the deceased leaves
25	surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of the death of the deceased, was under the age of twenty-one years or was a wholly
30	dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, be increased by the difference between—
35	(a) the product obtained by multiplying four thousand dollars by the number of such persons; and
	(b) four thousand dollars; and (d)

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	Stamp Duties (Amendment).
	 (d) subsections (3A), (3B), (3C), (3D) and (3E) of this section were omitted therefrom.
5	(d) (i) by omitting from section 112D the word Sec. 112D. "Where" and by inserting instead the matter (Non- aggregated "(1) Where";
	 (ii) by omitting from section 112D the words from duty "This section" where firstly occurring and by in certain inserting instead the matter "(2) Subsection (1) of this section";
10	 (iii) by omitting from section 112D the words "This section" where secondly occurring and by inserting instead the matter "(3) Subsection (1) of this section";
15	 (iv) by omitting from section 112D the words "This section" where thirdly occurring and by inserting instead the matter "(4) Subsection (1) of this section";
20	 (v) by omitting from section 112D the words "This section" where fourthly occurring and by inserting instead the matter "(5) Subsection (1) of this section";
25	 (vi) by omitting from section 112D the words "This section" where fifthly occurring and by inserting instead the matter "(6) Subsection (1) of this section";
	(vii) by inserting at the end of section 112D the following new subsection :
30	(7) Subsection (1) of this section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amend- ment) Act, 1973, be read and construed as if—
35	 (a) the words "seven thousand five hundred pounds" were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead; and (b)

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	Stamp Duties (Amendment).
ls nt nt	 (b) the words "or grandchildren" were omitted therefrom and the words "grandchildren, wholly dependent widower father or wholly dependent widowed mother" were inserted instead.
(Reduction of death duty— y rural property.) d , , n e /- d	 (e) by inserting next after section 112H (2) the following new subsection :— (2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.
(Reduction of death duty— y rural property e (non- d aggre- , gated).) , n e ~- d	 (f) by inserting next after section 1121 (2) the following new subsection :— (2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were

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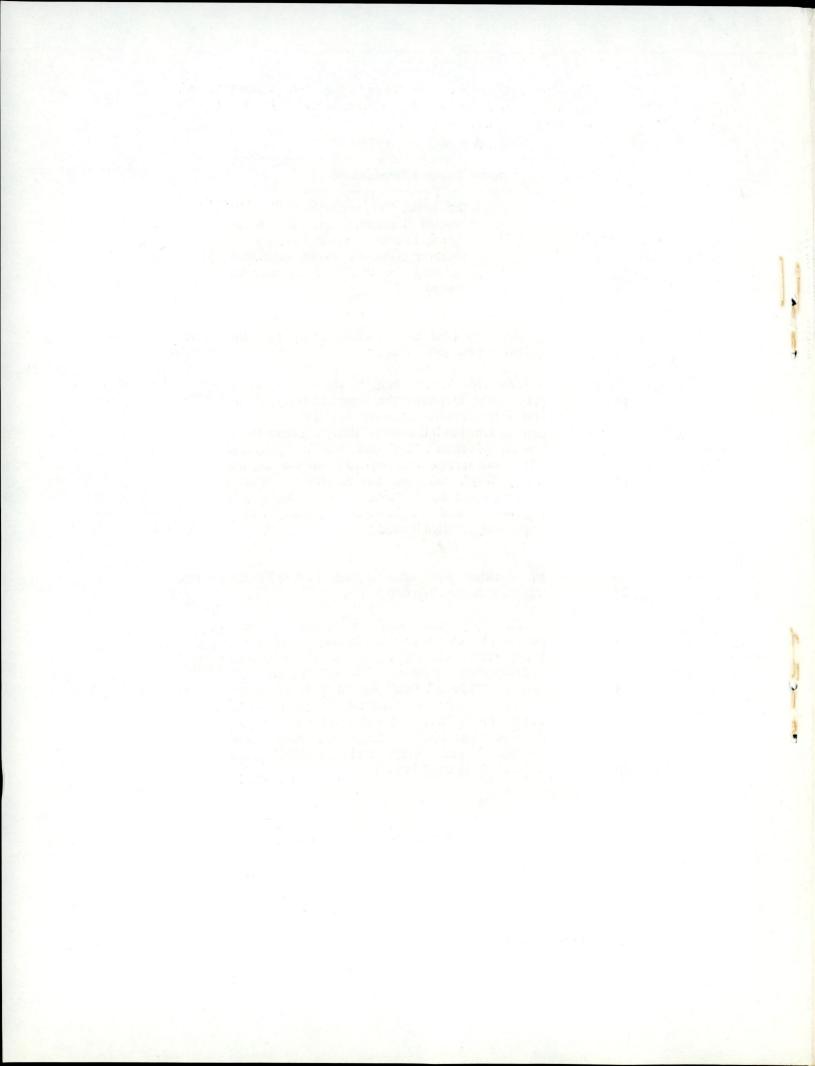
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BY AUTHORITY V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

respectively inserted instead.



No. , 1973.

A BILL

To make further provisions with respect to exemptions from, and concessional rates applicable to, death duties; to make provisions with respect to the reduction of death duty upon estates of certain persons; for these purposes to amend the Stamp Duties Act, 1920; and for purposes connected therewith.

[MR MADDISON on behalf of SIR ROBERT ASKIN—11 October, 1973.]

BE

37167 109-

B^E it enacted by the Queen'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. This Act may be cited as the "Stamp Duties short title. (Amendment) Act, 1973".

2. The Stamp Duties Act, 1920, is amended—

Amendment of Act No. 47, 1920.

- - (viii) This paragraph shall, in the case of every estates of person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, whether in New South Wales or elsewhere and who was at the date of his death domiciled in New South Wales, be read and construed as if—
 - (a) the words "one thousand pounds" and "two thousand five hundred pounds" wherever occurring in subparagraphs (i) and (ii) of this paragraph were omitted therefrom and the words "two thousand dollars" and "the prescribed amount" were respectively inserted instead;
 - (b) (i) in subparagraph (i) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly

dependent

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Act No. , 1973.

Stamp Duties (Amendment). dependent widower father or the wholly dependent widowed mother": (ii) in the same subparagraph there were inserted after the words "such child" the words "or dependent widower wholly father or wholly dependent widowed mother"; (iii) in subparagraph (ii) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother"; and (c) subparagraphs (iii), (iv), (v), (vi) and (vii) of this paragraph were omitted therefrom.

(b) by inserting next after section 101D (4) the following new subsection :---

(4A) The reference in paragraph (a) of subparagraph (viii) of paragraph (c) of subsection (4) of this section to the prescribed amount is a reference—

(a) except as provided in paragraph (b) of this subsection, to fifty thousand dollars; or

(b) where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of death of the deceased, was under the age of twenty-one years or

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was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, to the aggregate of fifty thousand dollars and the difference between—

- (i) the product obtained by multiplying four thousand dollars by the number of such persons; and
- (ii) four thousand dollars.

(c) by inserting next after section 112c (3E) the Sec. 112c. following new subsection :--- (Abatement in favour of

in favour of widow, &c., in certain

(3F) This section shall, in the case of every in certain person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—

- (a) the words "seven thousand five hundred pounds" wherever occurring in subsections
 (1) and (2) of this section were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead;
- (b) in subsections (1) and (2) of this section there were inserted after the words "twentyone years" wherever occurring the words "or wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother";
- (c) subsection (3) of this section were omitted therefrom and the following subsections were inserted instead :—

(3) The proportions referred to in subsections (1) and (2) of this section shall be as follows :—

Where the value of that portion of the final balance referred to in subsection (1) of this section or the value of the property passing

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	passing to the persons referred to in subsection (2) of this section does not exceed \$52,000, one-tenth prescribed rate.
5	Exceeds \$52,000 but does not exceed \$54,000, two-tenths prescribed rate.
	Exceeds \$54,000 but does not exceed \$56,000, three-tenths prescribed rate.
10	Exceeds \$56,000 but does not exceed \$58,000, four-tenths prescribed rate.
	Exceeds \$58,000 but does not exceed \$60,000, five-tenths prescribed rate.
	Exceeds \$60,000 but does not exceed \$62,000, six-tenths prescribed rate.
15	Exceeds \$62,000 but does not exceed \$64,000, seven-tenths prescribed rate.
	Exceeds \$64,000 but does not exceed \$66,000, eight-tenths prescribed rate.
20	Exceeds \$66,000 but does not exceed \$68,000, nine-tenths prescribed rate.
	(3AA) Notwithstanding the provisions of subsections (1) , (2) and (3) of this section, each amount of money specified in those
25	subsections shall, where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of
30	the death of the deceased, was under the age of twenty-one years or was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, be increased by the difference between—
35	 (a) the product obtained by multiplying four thousand dollars by the number of such persons; and
	(b) four thousand dollars; and (d)
	(u)

	Stamp Duties (Amendment).
	(d) subsections (3A), (3B), (3C), (3D) and (3E) of this section were omitted therefrom.
	(d) (i) by omitting from section 112D the word Sec. 112 "Where" and by inserting instead the matter (Non- aggregat "(1) Where";
	 (ii) by omitting from section 112D the words from du "This section" where firstly occurring and by in certai inserting instead the matter "(2) Subsection (1) of this section";
0	 (iii) by omitting from section 112D the words "This section" where secondly occurring and by inserting instead the matter "(3) Subsection (1) of this section";
5	 (iv) by omitting from section 112D the words "This section" where thirdly occurring and by inserting instead the matter "(4) Subsection (1) of this section";
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5	 (vi) by omitting from section 112D the words "This section" where fifthly occurring and by inserting instead the matter "(6) Subsection (1) of this section";
	(vii) by inserting at the end of section 112D the following new subsection :
0	(7) Subsection (1) of this section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amend- ment) Act, 1973, be read and construed as if—
5	 (a) the words "seven thousand five hundred pounds" were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead; and (b)

(b) the words "or grandchildren" were omitted therefrom and the words "grandchildren, wholly dependent widower father or wholly dependent widowed mother" were inserted instead.

(e) by inserting next after section 112H (2) the Sec. 112H. following new subsection :— (Reduction of death

(Reduction of death duty—

(2A) This section shall, in the case of every rural property.) person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

(f) by inserting next after section 112I (2) the Sec. 112I. following new subsection :--- (Reduction of death

of death duty—

(2A) This section shall, in the case of every rural property (nonperson who dies after the commencement of the (non-Stamp Duties (Amendment) Act, 1973, be read aggreand construed as if the words "thirty", "twenty-five", ^{gated}.) "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirtythree and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

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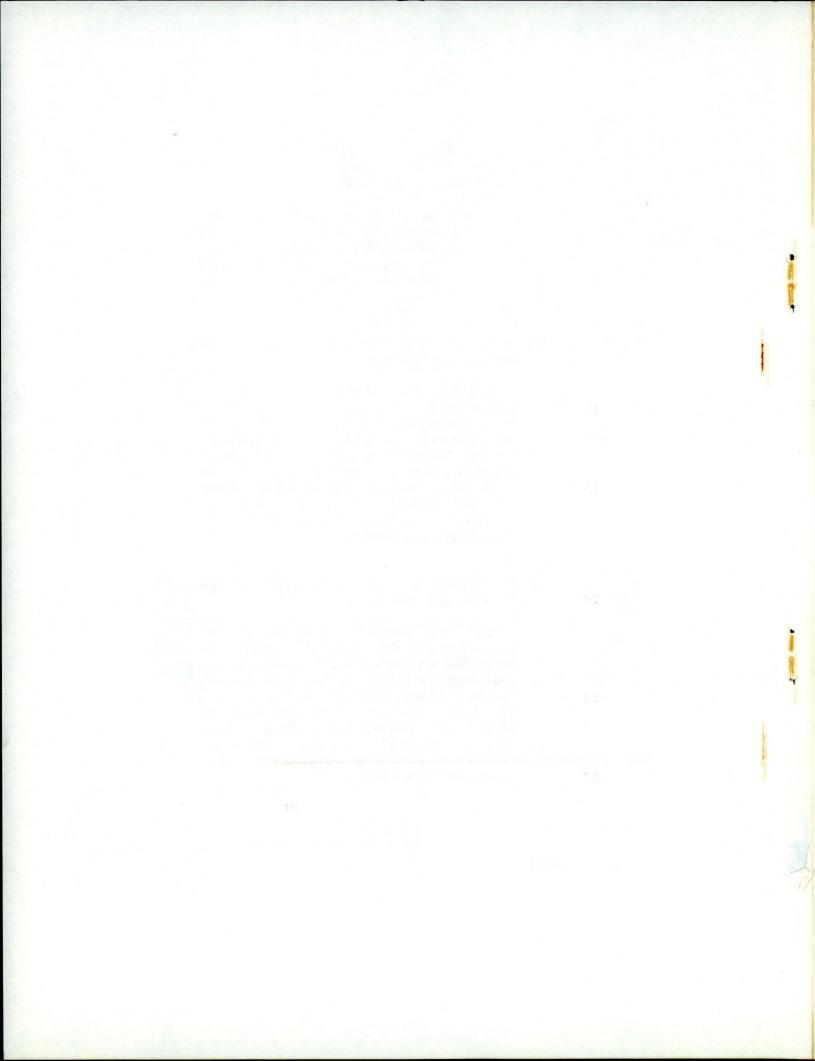
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BY AUTHORITY V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973 [10c]



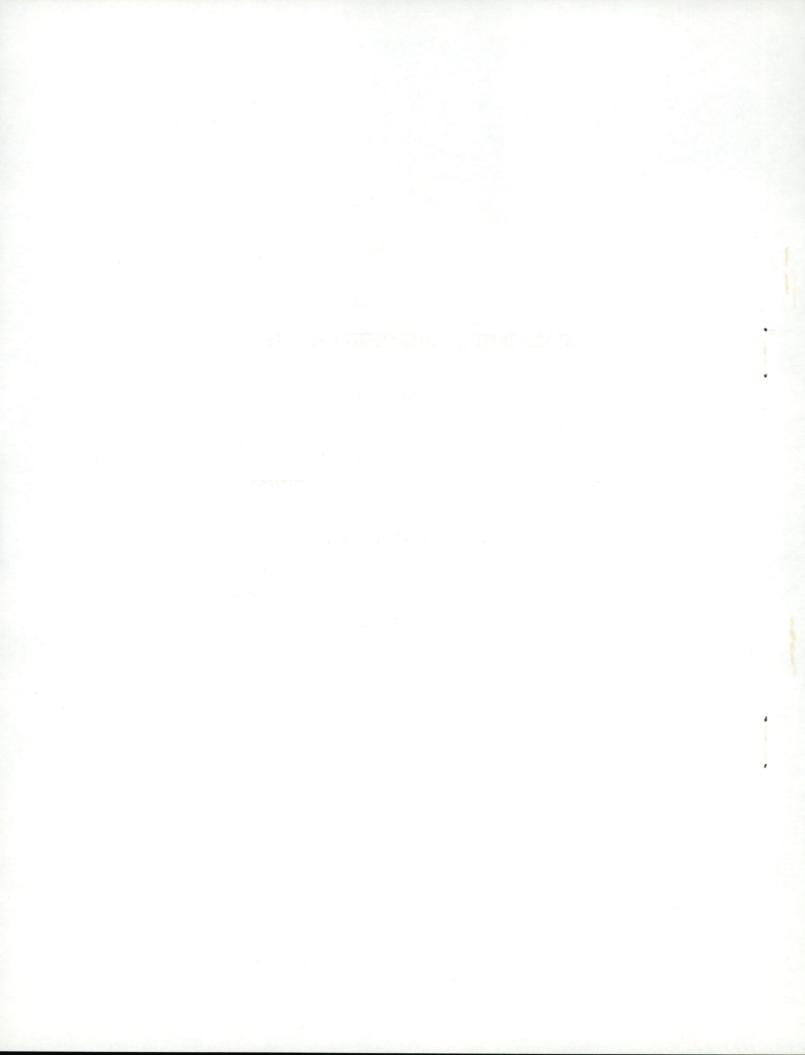
PROOF

STAMP DUTIES (AMENDMENT) BILL, 1973

EXPLANATORY NOTE

THE objects of this Bill are-

- (a) to increase the exemption from death duty in respect of property passing to certain persons from \$30,000 to \$50,000 increased by \$4,000 for each relative, except one, who is the widow or the widower, a child of the deceased under twenty-one years of age, a wholly dependent adult child, the wholly dependent widower father or the wholly dependent widowed mother;
- (b) to increase the amount at which concessional rates for relatives referred to in paragraph (a) cease from \$40,000 to \$68,000 increased in the manner referred to in paragraph (a);
- (c) to provide for a further reduction in certain circumstances of the death duty payable in respect of certain property of a primary producer that passes on his death to his or her spouse, child, parent, brother or sister; and
- (d) to make other provisions of a minor or ancillary nature.



PROOF

No. , 1973.

A BILL

To make further provisions with respect to exemptions from, and concessional rates applicable to, death duties; to make provisions with respect to the reduction of death duty upon estates of certain persons; for these purposes to amend the Stamp Duties Act, 1920; and for purposes connected therewith.

[MR MADDISON on behalf of SIR ROBERT ASKIN—11 October, 1973.]

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1. This Act may be cited as the "Stamp Duties short title. (Amendment) Act, 1973".

2. The Stamp Duties Act, 1920, is amended—

Amendment of Act No. 47, 1920.

- (a) by inserting at the end of section 101D (4) (c) the Sec. 101D. following new subparagraph :— (Death duty —local
 - (viii) This paragraph shall, in the case of every estates of person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, whether in New South Wales or elsewhere and who was at the date of his death domiciled in New South Wales, be read and construed as if—
 - (a) the words "one thousand pounds" and "two thousand five hundred pounds" wherever occurring in subparagraphs (i) and (ii) of this paragraph were omitted therefrom and the words "two thousand dollars" and "the prescribed amount" were respectively inserted instead;
 - (b) (i) in subparagraph (i) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly dependent

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dependent widower father or the wholly dependent widowed mother";

- (ii) in the same subparagraph there were inserted after the words "such child" the words "or wholly dependent widower father or wholly dependent widowed mother";
- (iii) in subparagraph (ii) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother"; and
- (c) subparagraphs (iii), (iv), (v), (vi) and (vii) of this paragraph were omitted therefrom.
- (b) by inserting next after section 101D (4) the following new subsection :---

(4A) The reference in paragraph (a) of subparagraph (viii) of paragraph (c) of subsection (4) of this section to the prescribed amount is a reference—

- (a) except as provided in paragraph (b) of this subsection, to fifty thousand dollars; or
- (b) where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of death of the deceased, was under the age of twenty-one years or

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was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, to the aggregate of fifty thousand dollars and the difference between-

- (i) the product obtained by multiplying four thousand dollars by the number of such persons; and
- (ii) four thousand dollars.

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(c) by inserting next after section 112c (3E) the Sec. 112c. following new subsection :---

(Abatement in favour of widow, &c.,

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(3F) This section shall, in the case of every in certain cases.) person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if-

- (a) the words "seven thousand five hundred pounds" wherever occurring in subsections (1) and (2) of this section were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead;
- (b) in subsections (1) and (2) of this section there were inserted after the words "twentyone years" wherever occurring the words "or wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother";
- (c) subsection (3) of this section were omitted therefrom and the following subsections were inserted instead :----
 - (3) The proportions referred to in subsections (1) and (2) of this section shall be as follows :-

Where the value of that portion of the final balance referred to in subsection (1) of this section or the value of the property passing

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passing to the persons referred to in subsection (2) of this section does not exceed \$52,000, one-tenth prescribed rate.

Exceeds \$52,000 but does not exceed \$54,000, two-tenths prescribed rate.

Exceeds \$54,000 but does not exceed \$56,000, three-tenths prescribed rate.

Exceeds \$56,000 but does not exceed \$58,000, four-tenths prescribed rate.

Exceeds \$58,000 but does not exceed \$60,000, five-tenths prescribed rate.

Exceeds \$60,000 but does not exceed \$62,000, six-tenths prescribed rate.

Exceeds \$62,000 but does not exceed \$64,000, seven-tenths prescribed rate.

Exceeds \$64,000 but does not exceed \$66,000, eight-tenths prescribed rate.

Exceeds \$66,000 but does not exceed \$68,000, nine-tenths prescribed rate.

(3AA) Notwithstanding the provisions of subsections (1), (2) and (3) of this section, each amount of money specified in those subsections shall, where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of the death of the deceased, was under the age of twenty-one years or was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, be increased by the difference between—

(a) the product obtained by multiplying four thousand dollars by the number of such persons; and

(b) four thousand dollars; and

(d)

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	Stamp Duties (Amendment).
	 (d) subsections (3A), (3B), (3C), (3D) and (3E) of this section were omitted therefrom.
5	 (d) (i) by omitting from section 112D the word Sec. 112D. "Where" and by inserting instead the matter (Non-aggregated property—
	 (ii) by omitting from section 112D the words from duty "This section" where firstly occurring and by in certain inserting instead the matter "(2) Subsection (1) of this section";
10	 (iii) by omitting from section 112D the words "This section" where secondly occurring and by inserting instead the matter "(3) Subsection (1) of this section";
15	 (iv) by omitting from section 112D the words "This section" where thirdly occurring and by inserting instead the matter "(4) Subsection (1) of this section";
20	 (v) by omitting from section 112D the words "This section" where fourthly occurring and by inserting instead the matter "(5) Subsection (1) of this section";
25	 (vi) by omitting from section 112D the words "This section" where fifthly occurring and by inserting instead the matter "(6) Subsection (1) of this section";
	(vii) by inserting at the end of section 112D the following new subsection :
30	(7) Subsection (1) of this section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amend- ment) Act, 1973, be read and construed as if—
35	 (a) the words "seven thousand five hundred pounds" were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead; and (b)
	,

(b) the words "or grandchildren" were omitted therefrom and the words "grandchildren, wholly dependent widower father or wholly dependent widowed mother" were inserted instead.

(e) by inserting next after section 112H (2) the Sec. 112H. following new subsection :---(Reduction of death

duty-

(2A) This section shall, in the case of every rural person who dies after the commencement of the property.) Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirtythree and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

(f) by inserting next after section 1121 (2) the Sec. 1121. following new subsection :---(Reduction of death

duty-

(2A) This section shall, in the case of every rural person who dies after the commencement of the (non-Stamp Duties (Amendment) Act, 1973, be read aggre and construed as if the words "thirty", "twenty-five", "gated).) "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirtythree and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

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BY AUTHORITY V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES-1973

Sump Duties (Appendition)

b) the words for grandehildren" were omitted thorefrom and the words "grandehildren, wholly dependent widower futher or wholly dependent widowed inother" were inserted instead.

(2.4) This section shall, in the case of every unit potential with diss after the commencement of the properties ("mentaneme) Act. (973, be read and constructed of the read "iterative", "twenty-five", "iterative", "iterative, "iterative", "iterative, "iterative,

(2.5.) This section half, in the case of every unit person who dire also the communement of the merry from Stanso Batie (Anneadment) Act. 1973, he read areas areas areas areas areas areas areas areas and coestreal to Edie vocats "thing", "twenty-live", and and coestreal to Edie and and "free" in subsection (2.) of this section were omitted therefrom and the words "filted", "fortive no and two thirds", "things," there are and the filter of the and the filter of the areas and and the filter of the areas areas and the filter of the areas and the areas and the filter of th