

Estate and Gift Duties Amendment Act 1979

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An Act to amend the Estate and Gift Duties Act 1968

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1 Short Title, commencement, etc

- (1) This Act may be cited as the Estate and Gift Duties Amendment Act 1979, and shall be read together with and deemed part of the Estate and Gift Duties Act 1968 (hereinafter referred to as the principal Act).
- (2) Except as otherwise provided in this Act, this Act shall be deemed to have come into force on the 21st day of June 1979, and shall apply to the estates of all persons dying on or after that date.

2 Repeal of provisions relating to orphan infant children

- (1)
- (2)
- (3)
- (4) Sections 2 and 7 of the Estate and Gift Duties Amendment Act 1974 are hereby consequentially repealed.

3 Amendment to method of calculating allowance for charitable succession

- (1) *This subsection inserted the definition of **charitable allowance** in the principal Act.*
- (2) *This subsection repealed section 4(2) of the principal Act.*
- (3) *This subsection substituted section 5 of the principal Act.*
- (4) *This subsection repealed section 39A of the principal Act.*
- (5) *This subsection amended item c of section 40(2) of the principal Act.*
- (6) Sections 5 and 6 of the Estate and Gift Duties Amendment Act 1972 and section 4 of the Estate and Gift Duties Amendment Act 1976 are hereby consequentially repealed.

4

Section 4 was repealed, as from 1 April 1982, by section 2(2)(a) Estate and Gift Duties Amendment Act 1981 (1981 No 19).

5 Repeal of reliefs for wife, husband, infant children, and deceased servicemen

- (1) This subsection repealed sections 36, 37, 38, and 39 of the principal Act.
- (2) Sections 5 and 6 of the Estate and Gift Duties Amendment Act 1974 are hereby consequentially repealed.

6**7 Relief from successive estate duties**

- (1) *Subsections (1) and (2) amended item c of section 41(3) and (4), and repealed section 41(6), of the principal Act*
- (2) *Subsections (1) and (2) amended item c of section 41(3) and (4), and repealed section 41(6), of the principal Act*
- (3) For the purposes of section 41 of the principal Act, in relation to the estate of a deceased predecessor who has died before the commencement of this Act, the reference in subsection (3) of that section (as amended by subsection (1) of this section) to deductions made under sections 40 and 41 of the principal Act shall be read as a reference to deductions made under sections 36 to 41 of the principal Act (before the repeal of sections 36 to 39A of that Act by this Act).

8

Section 8 was repealed, as from 17 December 1986, by section 2(2) Estate and Gift Duties Amendment Act (No 2) 1986 (1986 No 119).

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Section 9 was repealed, as from 4 July 1980, by section 2(4) Estate and Gift Duties Amendment Act 1980 (1980 No 22).

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Section 10 was repealed, as from 1 April 1984, by section 5(2) Estate and Gift Duties Amendment Act 1983 (1983 No 3). *See* subsection (3) of that section.

11

Sections 11 and 12 were repealed, as from 1 April 1984, by sections 6(2) and 8(3) Estate and Gift Duties Amendment Act 1983 (1983 No 3).

12

Sections 11 and 12 were repealed, as from 1 April 1984, by sections 6(2) and 8(3) Estate and Gift Duties Amendment Act 1983 (1983 No 3).

Schedule 1

Section 4

New Schedule 1 to principal Act*[Repealed]*

Schedule 1 was repealed, as from 3 September 1981, by section 2(2)(a) Estate and Gift Duties Amendment Act 1981 (1981 No 19).

Schedule 2

Section 10

New Schedule 3 to principal Act*[Repealed]*

Schedule 2 was repealed, as from 1 April 1984, by section 5(2) Estate and Gift Duties Amendment Act 1983 (1983 No 3), see subsection (3) of that section.