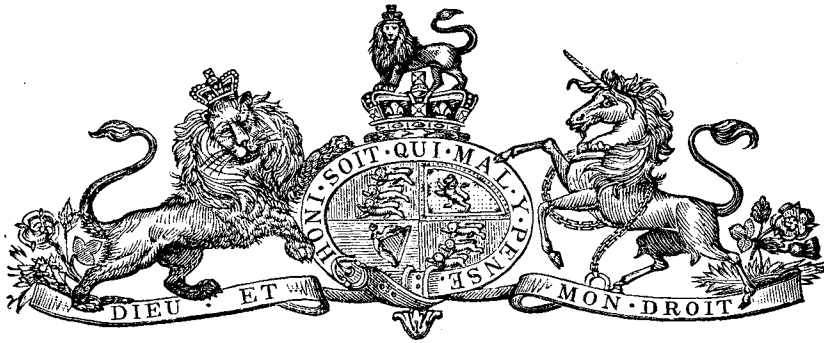


T A S M A N I A.



1892.

ANNO QUINQUAGESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 12.

Amended by 58 Vict. No. 19

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AN ACT to further amend "The Real and Personal Estates Duties Act, 1880." [28 November, 1892.]

WHEREAS it is desirable to further amend "The Real and Personal Estates Duties Act, 1880": PREAMBLE. 43 Vict. No. 12.

Be it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The Real and Personal Estates Duties Amendment Act, 1892." Short title.

2 In this Act, "balancing day" means the day nearest to the First day of October in every year on which the financial half-year of any Company liable to pay Duty under Section Four of this Act ends. Interpretation.

3 The words "Fire, Fidelity, Guarantee, or Marine," in the second line of the Fourth Section of "The Real and Personal Estates Duties Amendment Act, 1880," are hereby repealed, and the said Section shall hereafter apply to such Companies which carry on only Life Assurance or Insurance business in Tasmania. Amendment of Section 4 of 44 Vict. No. 15.

4-(1.) Every Company which has not its head office or chief place of business in Tasmania and which carries on in Tasmania the business of Banking shall pay to the Treasurer of the Colony, on or before the first day of February in every year, in lieu of the Duty and sums of Certain Banking Companies to pay Duty in proportion to Deposits.

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money payable under the Third Section of "The Real and Personal Estates Duties Amendment Act, 1880," a Duty equal to the sum of ~~Nine Pence~~ for every Twenty Shillings, and a proportionate sum for any part of such Twenty Shillings, of so much of the total Dividends declared by such Company during the Twelve months ending on the Thirty-first day of *December* preceding as is proportionate to the amount of money held on deposit by such Company in *Tasmania* on the balancing-day of such Company in the preceding year as compared with the total amount of money held on deposit by such Company in *Tasmania* and elsewhere on the said balancing-day of such Company.

(2.) The Manager or person carrying on the business of every such Company in *Tasmania* shall, on or before the First day of *February* in every year, forward to the Treasurer a Declaration under 8 Wm. IV., No. 2. "The Statutory Declarations Act, 1837," in such form as may be prescribed, under the hand of and made by such Manager or person, showing the amount of money held on deposit by the Company in *Tasmania* on the balancing-day of such Company in the preceding year, the total amount of money held on deposit by the Company in *Tasmania* and elsewhere on such last-mentioned day, the amount of all Dividends declared by the Company during the Twelve months ending the Thirty-first day of *December* preceding, and the dates when such Dividends were respectively declared, and shall at the same time pay to the said Treasurer the Duty hereinbefore mentioned.

(3.) In the year 1893 the said Duty shall be calculated upon the money deposited on the balancing-day of such Company in the year 1892, and the Dividends declared during the Twelve months ending the Thirty-first day of *December*, 1892; and in the year 1894, and in every subsequent year, the said Duty shall be calculated upon the money deposited on the balancing-day of such Company in the preceding year and the Dividends declared during such preceding year.

(4.) Where there are more Managers or persons than one in this Colony carrying on the business of such Company, then such one of the said Managers or persons shall make the said Declaration and pay the said Duty as the said Treasurer may determine.

Insurance Companies other than Life to pay £50 yearly.

5—(1.) Every Company which carries on in *Tasmania* any Fire, Accident, Fidelity, Guarantee, or Marine Assurance or Insurance business whatever shall pay to the Treasurer of the Colony, on or before the First day of *February* in every year, a Duty of Fifty Pounds.

43 Vict. No. 12.

(2.) Such Duty of Fifty Pounds shall be in addition to any Duty or Duties or sum or sums of money payable by such Company under "The Real and Personal Estates Duties Act, 188" or any Amendment thereof, or this Act.

Foreign Insurance Companies other than Life to pay Duty on Premiums received over £1500.

44 Vict. No. 15.

6—(1.) Every Company which has not its head office or chief place of business in *Tasmania* and carries on in *Tasmania* any Fire, Accident, Fidelity, Guarantee, or Marine Assurance or Insurance business whatever, shall pay to the Treasurer of the Colony, on or before the First day of *February* in every year, in lieu of the Duty and sums of money payable under the Third Section of "The Real and Personal Estates Duties Amendment Act, 1880," a Duty of Two Pounds and Ten Shillings for every One hundred Pounds of premiums of any kind whatsoever received or in any manner charged in account by any such Company or by its agent or agents during the Twelve months ending on the Thirty-first day of *December* preceding over and above the sum

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of One thousand five hundred Pounds, and a proportionate sum for any part of such One hundred Pounds of premiums. A.D. 1892.

(2.) Such premiums shall be the net premiums, but shall exclude any portion of such premiums actually paid away by way of re-insurance effected in *Tasmania* with any other Company.

(3.) The principal agent or person carrying on the business of every such Company shall, on or before the First day of *February* in every year, forward to the said Treasurer a Declaration under "The Statutory Declarations Act, 1837," in such form as may be prescribed, under the hand of and made by such agent or person, showing the net premiums received by such Company in *Tasmania* during the said period of Twelve months before mentioned, and shall at the same time pay to the said Treasurer the Duty hereinbefore mentioned in respect of such premiums. 8 Will. 4, No. 2.

(4.) In the year 1893 the said Duty shall be calculated upon such premiums received during the Twelve months ending upon the Thirty-first day of *December*, 1892; and in the year 1894 and in every subsequent year the said Duty shall be calculated upon such premiums received during the preceding year.

(5.) Where there are more agents or persons than one in this Colony carrying on the business of such Company, then such one of the said agents or persons shall make the said Declaration and pay the said sum of money as the said Treasurer may determine.

**7** If any Declaration hereinbefore mentioned is false in any particular to the knowledge of any person who signs the same, such person shall be liable to the same consequences as if he had signed any statement, declaration, or document mentioned in the Forty-fifth Section of "The Real and Personal Estates Duties Act, 1880." Penalty for making false declaration.  
43 Vict. No. 12.

**8** All the provisions contained in "The Real and Personal Estates Duties Act, 1880," in relation to the Duty payable under Schedule B. by any Company chargeable thereunder, shall be applicable for the purpose of procuring and enforcing payment of the Duty or sum of money which by this Act is made payable. Provisions contained in 43 Vict. No. 12 applicable.

**9** Where any Company is in liquidation, or is being wound up, or is ceasing to carry on business, and any sum or sums of money are being distributed to the Shareholders of such Company, such amount thereof as is equivalent to the capital of such Company actually paid up in cash shall not be liable in respect of the Duty imposed and made payable under Schedule B. of "The Real and Personal Estates Duties Act, 1880," but all moneys over and above such amount as aforesaid shall be liable in respect of the said Duty, and such Duty shall be payable thereon. No Duty payable by Company in liquidation, &c.

**10** This Act and "The Real and Personal Estates Duties Act, 1880," and every Act altering or amending the same, shall be read and construed together as one and the same Act. Acts to be read together.

