

## New Zealand.



### ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Interpretation.</li> <li>3. When payment lawful.</li> <li>4. Transfer in aid of other vote.</li> <li>5. Increase of limit of unauthorised expenditure.</li> <li>6. Increased expenditure on railways.</li> </ol> | <ol style="list-style-type: none"> <li>7. Unstamped voucher.</li> <li>8. Prevention of delay.</li> <li>9. Difference of opinion as to vote.</li> <li>10. Amendment of section 74 of principal Act.</li> <li>11. Exchange of securities.</li> <li>12. Accountants to find security.</li> <li>13. Terms of conversion of debentures.</li> </ol> |
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1900, No. 60.

Title.

AN ACT to amend the Law relating to the Public Revenues.

[20th October, 1900.]

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

Short Title.

1. The Short Title of this Act is "The Public Revenues Acts Amendment Act, 1900"; and it shall form part of and be read together with "The Public Revenues Act, 1891" (hereinafter called "the principal Act").

Interpretation.

2. In this Act, and also in the principal Act,—

"Estimates" means the statement of proposed expenditure of the public revenue during any financial year or period, as presented to Parliament for its approval.

When payment lawful.

3. In any case where any payment of an item is provided for in the estimates as passed by the House of Representatives, and is included in the total of a vote in the Appropriation Act, such payment of the said item may be lawfully made, anything in any Act to the contrary notwithstanding, and the said payment shall be deemed to be irrespective of any appropriation or limit contained in any such last-mentioned Act: Provided that in no case shall the amount so paid exceed the total sum of the item voted:

Provided further that this section shall apply only to payments which could not lawfully be made if this section were not in operation.

Transfer in aid of other vote.

4. (1.) As and when directed by the Governor, the moneys available in respect of any vote in the Appropriation Act may be transferred in aid of any other vote in the same class: Provided that the total sum voted for any class shall not be thereby exceeded, nor any salary or other charge fixed by permanent Act altered.

(2.) For the purposes of such transfer the Governor may give such directions as he thinks fit from time to time during the financial year, and also during the period thereafter whilst moneys may lawfully be issued and paid under section three of "The Public Revenues Acts Amendment Act, 1896."

(3.) The foregoing provisions of this section are in substitution of those contained in section forty of the principal Act, and that section is accordingly hereby repealed.

5. The total amount which under section forty-eight of the principal Act may in each financial year be issued and paid in excess of or without the appropriation of Parliament is hereby declared to be one hundred and fifty thousand pounds, in lieu of one hundred thousand pounds as specified in that section.

Increase of limit of unauthorised expenditure.

6. (1.) For the purpose of meeting the increased expenditure on working railways where such expenditure is consequent upon increased traffic, the following special provisions shall apply:—

Increased expenditure on railways.

(a.) The amount actually appropriated out of the Consolidated Fund for railway working and maintenance (but not for railway construction) in each year shall, by force of this provision, be deemed to be increased by a sum equal to the excess of the actual over the estimated revenue from railways for the year, or, as the case may be, for such portion thereof as has expired.

(b.) Section three of "The Public Revenues Acts Amendment Act, 1896," shall apply for all the purposes of this section, and the votes and payments therein referred to shall be deemed to be increased accordingly.

(c.) For the purposes of this section the estimated revenue for the expired portion of the year shall be deemed to be duly proportionate to the total estimated revenue for the whole year, and shall be computed and ascertained accordingly.

(d.) For the purposes of this section, in the case of the period during which under the aforesaid section three of "The Public Revenues Acts Amendment Act, 1896," payments may be made after the close of the year, the estimated revenue of any portion of that period shall be deemed to be the same as the estimated revenue for the corresponding period of the preceding year.

(2.) The foregoing provisions of this section are in substitution of those contained in section five of "The Public Revenues Acts Amendment Act, 1898," and that section is accordingly hereby repealed.

7. The Audit Office shall not refuse to pass and allow an account or voucher by reason merely that it is not stamped according to law, except in cases where the Audit Office and the Treasury are of opinion that the omission to stamp was wilful or fraudulent.

Unstamped voucher.

8. It shall be the duty of every department of the public service to prevent delay in authorising the expenditure made by imprestees of the department, and the permanent head of the department shall be liable to be surcharged with any expenditure made by the imprestee if it is not duly authorised for credit, or otherwise dealt with to the satisfaction of the Treasury, within two months after

Prevention of delay.

the accounts have been forwarded to the department for authorisation.

Difference of opinion as to vote.

9. In case any difference of opinion arises between the Audit Office and the Treasury as to the vote, appropriation, fund, account, or other authority to which any expenditure ought to be charged, or as to the proper head of revenue, fund, or account to which any receipt should be credited, the question shall be determined by the Treasurer, and his determination shall be laid before Parliament as provided by section fifty-three of the principal Act :

Provided that if in the opinion of the Audit Office the question involves matter of law, then it shall be determined by the Governor, having before him the opinion of the Attorney-General thereon ; and in such case the objection of the Audit Office, the opinion of the Attorney-General, and the determination of the Governor shall be laid before Parliament as provided by section fifty-three of the principal Act.

Amendment of section 74 of principal Act.

10. Subsection four of section seventy-four of the principal Act is hereby repealed, and the following is hereby substituted in lieu thereof :—

“(4.) It shall be lawful for any Postmaster to pay, out of any balances in his hands, any claims upon the Government which he may be directed by the Postmaster-General to pay : Provided that the total amount of such payments by Postmasters shall not at any time exceed the balance of moneys in the hands of the Postmaster-General impressed to him for the purpose of making such payments, together with the amount of postal or other revenue in the Post Office Account ; such postal or other revenue shall not be held in any way to include the Post-Office Savings-Bank deposits.”

Exchange of securities.

11. In any case where, for the purpose of changing one lawful mode of investment for another, securities are required to be exchanged, the following provisions shall apply, that is to say :—

- (1.) The custodians of the existing securities shall give to the Treasury a certificate that they hold the same available for the purposes of the exchange.
- (2.) Such certificate shall be sufficient authority to the Treasury and the Audit Office to complete the new securities, and they shall be completed accordingly.
- (3.) Upon completion of the new securities the exchange shall be effected, and the old securities shall be cancelled.

Accountants to find security.

12. In the case of any officer charged with the custody or expenditure of public moneys who is not otherwise guaranteed, it shall be lawful for the Treasury to call upon him to provide security, in such manner and form as the Treasury directs, for the due accounting for and payment of all public moneys which come into his charge, custody, or control, and it shall be his duty to provide accordingly.

Terms of conversion of debentures.

13. In every case where under any Act now or hereafter in force the Colonial Treasurer or other person authorised to issue debentures, scrip, or other securities is empowered to agree on the terms of their conversion into inscribed stock, the following special provisions shall apply, anything in section five of “The New

Zealand Consolidated Stock Act, 1877," to the contrary notwithstanding:—

- (1.) He may either specify the terms of the conversion in the securities so issued, or may agree that the terms shall be subsequently arranged.
- (2.) The terms may be either a definite agreement to convert or an option to convert, and in either case the amount of additional stock to be created for the purposes of the conversion may be specified in the securities so issued, and may be created when the conversion is effected.