

New Zealand.



ANALYSIS.

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1925, No. 16.

AN ACT to make Better Provision for the Repayment of the Public Debt. Title.
[29th September, 1925.]

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

1. This Act may be cited as the Repayment of the Public Debt Act, 1925, and shall be deemed to have come into operation on the first day of April, nineteen hundred and twenty-five. Short Title and commencement

2. In this Act, unless a contrary intention appears,— Interpretation.
 “Commission” means the Public Debt Commission constituted under this Act:

“Minister” means the Minister of Finance:

“Moneys” includes securities in which any moneys may for the time being be invested:

“Public debt” means all moneys borrowed by or on behalf of the Government of New Zealand, but does not include—

(a.) Moneys borrowed on the security of Treasury bills issued under section thirty-nine of the Public Revenues Act, 1910; or

(b.) Moneys borrowed in respect of the Advances to Settlers, Advances to Workers, or Advances to Local Authorities Branches of the State Advances Office; or

(c.) Moneys borrowed in respect of the State Coal-mines Account, the Electric-supply Account, the Nauru and Ocean Islands Account, or the Westport Harbour Account; or

(d.) Moneys borrowed under the New Zealand Loan Act, 1863 ; or

(e.) Loans funded by agreement with the Imperial Government under the authority of section eight of the Finance Act, 1922 ; or

(f.) Moneys borrowed under the authority of section twenty-six of the Finance Act, 1921-22 :

“ Superintendent ” means the State Advances Superintendent.

Constitution of
Public Debt
Commission.

3. (1.) For the purposes of this Act there shall be a Commission to be called the Public Debt Commission, constituted as follows :—

(a.) The Minister of Finance :

(b.) The Speaker of the House of Representatives :

(c.) The Paymaster-General :

(d.) The Solicitor-General :

(e.) The Public Trustee :

(f.) One other person to be appointed in that behalf by the Governor-General, and to hold office during pleasure.

(2.) Subject to the provisions of this Act, the Commission shall be charged with the administration of the Repayment Account established by this Act, and shall determine when and how the moneys in that account shall be invested or used towards the redemption of the public debt.

Meetings of
Commission.

4. (1.) In the absence of the Minister from any meeting of the Commission any other Minister may attend such meeting in his stead, and while so attending shall be deemed to be a member of the Commission.

(2.) In the absence from any meeting of the Commission of any member being an officer of the Government service any officer of his Department having authority to act in his place during his absence from office may attend such meeting in his stead, and while so attending shall be deemed to be a member of the Commission.

(3.) The fact that any such officer so attends and acts at any such meeting shall be conclusive proof of his authority so to do.

Chairman of
Commission.

5. (1.) The Minister shall be the Chairman of the Commission.

(2.) In the absence of the Chairman from any meeting of the Commission the members present shall appoint one of their number to be chairman of that meeting.

Quorum.

(3.) Three members shall form a quorum at any meeting of the Commission.

(4.) The Chairman shall have a deliberative vote, and, in case of an equality of votes, shall also have a casting-vote.

Minutes of meetings
to be kept.

6. (1.) The Commission shall at all times cause proper minute-books to be kept, in which shall be entered full and faithful minutes of its proceedings at any meeting.

(2.) The Commission may from time to time make rules regulating the conduct of its business and proceedings.

Audit Office to
furnish annual
certificate as to
amount of debt and
as to redemptions.

7. Within ninety days after the end of each financial year the Controller and Auditor-General shall furnish to the Commission a certificate showing—

(a.) The total amount of the public debt outstanding at the end of that financial year ; and

(b.) The amount of the public debt repaid or redeemed under the provisions of this Act within the financial year aforesaid, and the aggregate amount that has been so repaid or redeemed since the commencement of this Act.

8. (1.) The following moneys are hereby declared, subject to the provisions of the next succeeding subsection, to be capital moneys of the Public Debt Redemption Fund (hereinafter in this Act referred to as the Redemption Fund), that is to say:—

Public Debt
Redemption Fund
constituted.

(a.) All moneys (together with the accumulated interest thereon) held by the Superintendent at the commencement of this Act pursuant to section eleven of the Public Debt Extinction Act, 1910, less an amount equal to the moneys to be paid by the Superintendent to the Advances Office Sinking Fund Account pursuant to the next succeeding section:

(b.) All moneys heretofore transferred by way of loan from the Consolidated Fund to the Discharged Soldiers Settlement Account pursuant to section eight of the Discharged Soldiers Settlement Loans Act, 1920, and section thirty-one of the Appropriation Act, 1920, less any amounts lawfully written off (whether before or after the commencement of this Act) by virtue of the operation of the Discharged Soldiers Settlement Acts:

(c.) All moneys (together with the accumulated interest thereon) held by the Public Trustee at the commencement of this Act pursuant to—

(i.) Section eighty-eight of the Local Bodies' Loans Act, 1908:

(ii.) Section fifty-four of the New Zealand Loans Act, 1908:

(iii.) Section seven of the Naval Defence Act, 1909:

(iv.) Section six of the Finance Act, 1918 (No. 2):

(v.) Subsections four, five, and six of section twenty-six of the State Advances Act, 1913:

(d.) Such other moneys as may, pursuant to any lawful authority, be declared to be capital moneys of the fund.

(2.) In the computation of the Redemption Fund there shall be excluded from the capital moneys referred to in the last preceding subsection all moneys of the classes therein referred to which may have been lawfully expended since the first day of April, nineteen hundred and twenty-five, and before the date of the passing of this Act.

9. Forthwith after the commencement of this Act the Superintendent shall, out of moneys held by him under the Public Debt Extinction Act, 1910, pay into the Advances Office Sinking Fund Account, without further appropriation than this section, an amount, to be certified by the Controller and Auditor-General, equal to the moneys (together with the accumulated interest thereon) which at the commencement of this Act are held by him in respect of loans raised under section eighteen of the State Advances Act, 1913.

Transfer of certain
moneys to
Advances Office
Sinking Fund
Account.

10. (1.) The capital moneys referred to in paragraph (a) of section eight hereof shall continue, as heretofore, to be invested by the Superintendent in loans to settlers, to workers, and to local authorities, pursuant to the provisions of the State Advances Act, 1913.

Investment of
Redemption Fund.

(2.) The moneys referred to in paragraph (c) of section eight hereof shall constitute a separate account, and shall continue to be administered by the Public Trustee in accordance with regulations in that behalf to be made by the Governor-General in Council, and, in the absence of such regulations or so far as they do not extend, shall be administered as if they were moneys in the Common Fund of the Public Trust Office.

(3.) The amount of the moneys referred to in the two last preceding subsections shall be certified to by the Controller and Auditor-General as on the thirty-first day of March, nineteen hundred and twenty-five.

Annual appropriation from Consolidated Fund for benefit of Repayment Account.

11. There shall in each financial year be paid, without further appropriation than this Act, from the Ordinary Revenue Account of the Consolidated Fund to the credit of a separate account within the Public Account, to be called the Public Debt Repayment Account (hereinafter referred to as the Repayment Account), the amounts following:—

(a.) A sum equal to one-half of one per centum of the total amount of the public debt outstanding at the end of the previous financial year, together with an additional amount of one-half of one per centum of the total amount of the public debt theretofore repaid or redeemed under the provisions of this Act:

(b.) A sum equal to three and a half per centum of the total amount of the public debt repaid or redeemed under the provisions of this Act as at the end of the previous financial year, together with an amount computed at the rate of three and a half per centum per annum of the amount so repaid or redeemed during the current financial year for the period elapsing between the date of repayment or redemption and the end of the current financial year.

Certain revenues to be paid to Consolidated Fund in compensation for foregoing charges.

12. There shall, without further appropriation than this Act, be paid to the credit of the Ordinary Revenue Account of the Consolidated Fund, in reduction of the charge on that fund created by the last preceding section,—

(a.) All moneys derived from the investment of any capital moneys in the Redemption Fund:

(b.) Out of moneys (not being loan-moneys) in any separate account within the Public Account or the State Advances Account, an amount to be determined by the Minister of Finance, not exceeding the amount paid out of the Ordinary Revenue Account of the Consolidated Fund pursuant to the last preceding section in respect of so much of the public debt as has been incurred for the purposes of that separate account.

Moneys in Repayment Account to be applied towards repayment of public debt.

13. (1.) The moneys in the Repayment Account shall, as the Commission from time to time determines, be applied, without further appropriation than this Act, in the purchase and redemption, at or before maturity, of debentures or other securities charged on the public revenues of New Zealand in respect of the public debt, and the Minister of Finance is hereby empowered to purchase and redeem any such securities accordingly.

(2.) All securities so purchased and redeemed shall forthwith be cancelled in accordance with section eighteen of the New Zealand Loans Act, 1908.

(3.) Any moneys in the Repayment Account not immediately required for the purposes aforesaid may, by direction of the Commission, be lodged on fixed deposit with any incorporated bank carrying on business in New Zealand or in London, or may be invested in Imperial Treasury bills, or other securities issued or guaranteed by the Imperial Government, save that no such securities shall be purchased except within three years of the date of their maturity, and that no moneys shall be invested under this subsection unless the Commission is satisfied that greater benefit will accrue to the public funds by reason of such investment than would accrue from the application of those moneys to the reduction of the public debt as hereinbefore provided.

(4.) All revenues derived from any such investment as aforesaid shall be paid into the Repayment Account.

14. The Commission shall cause to be kept full and accurate accounts showing the capital funds, the amount of public debt from time to time repaid in pursuance of this Act, and such other information as it may consider necessary. A statement of accounts shall be made up to the last day of each financial year, and shall, together with an account of the proceedings of the Commission and the Controller and Auditor-General's certificate, be laid upon the table of both Houses of Parliament within twenty-eight days if Parliament is then in session, and, if not, then within twenty-eight days after the commencement of the next ensuing session. Commission to keep accounts

15. The enactments mentioned in the Schedule hereto are hereby repealed to the extent indicated in that Schedule. Repeals.

16. (1.) Section eight of the Discharged Soldiers Settlement Loans Act, 1920, is hereby amended by omitting from subsection four the words "within the meaning of the Public Debt Extinction Act, 1910." Consequential amendments.

(2.) Section twenty-six of the State Advances Act, 1913, is hereby amended by omitting from paragraph (d) of subsection three the words "in the manner prescribed by section thirteen of the Public Debt Extinction Act, 1910," and substituting the words "in loans to settlers, to workers, and to local authorities under this Act."

(3.) The said section twenty-six is hereby further amended by repealing subsections one, five, and six thereof.

(4.) Section twenty of the State Advances Amendment Act, 1922, is hereby amended by omitting the words "and for the repayments to the Consolidated Fund to be made pursuant to the proviso to subsection one of section twenty-six of the principal Act."

17. The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:— Regulations.

- (a.) The conduct of the business of the Commission:
- (b.) Prescribing what accounts, registers, and other books shall be kept by the Commission, and in what form:
- (c.) For the proper investment of the fund:
- (d.) Any purpose deemed to be necessary for the efficient administration of this Act.

Schedule.

SCHEDULE.**ENACTMENTS REPEALED.**

Enactments affected.	Extent of Repeal.
1910, No. 8.—The Public Debt Extinction Act, 1910 ..	The whole Act.
1910, No. 44.—The New Zealand Loans Amendment Act, 1910	The whole Act.
1913, No. 58.—The Native Land Amendment Act, 1913	Subsection (5) of section 113.
1918, No. 4.—The Finance Act, 1918 (No. 2).. ..	Section 6.
1923, No. 5.—The State Advances Amendment Act, 1923	Section 9.