

A BILL INTITULED

AN ACT to amend "The Public Revenues Act 1867." Title.

**W**HEREAS it is expedient to amend "The Public Revenues Act 1867" Preamble.

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

1. The Short Title of this Act shall be "The Public Revenues Act 1868" and this Act shall be read and construed as part of "The Public Revenues Act 1867" hereinafter referred to as "the said Act." Short Title.

2. It shall be lawful for the Governor by Proclamation published in the *New Zealand Gazette* to proclaim and bring into operation this Act or from time to time any parts thereof at such time as the Governor shall think fit and no part of this Act shall come into operation until such part shall be so proclaimed and brought into operation as aforesaid or until the time fixed in the Proclamation for the coming into operation thereof. Act how brought into operation.

3. The seventh section of the said Act is hereby repealed and in the place thereof the following shall stand and be read as the seventh section of the said Act— Public Trust Fund.

All moneys now or hereafter legally payable to the Colonial Treasurer or to any other person in the Public Service on account of Intestate Estates Estates in Bankruptcy moneys received on account of Native Reserves moneys paid by the Postmaster-General into the Public Account on Post Office Money Order Account and on Post Office Savings Bank Account and all other moneys which shall be paid to the Government to be held in trust for the uses of private persons and which are not liable to be appropriated for the Public Service of the Colony shall for the purposes of this Act and so long as they shall continue to be so held in trust be deemed and taken to be the property of Her Majesty and shall be paid into the Public Account and placed to the credit of the Public Trust Fund Provided that Moneys paid to any Receiver by way of deposit on account of Customs Duties or of Land Fund moneys paid to the Post Office for transmission or to be deposited in the Post Office Savings Bank and all other moneys deposited with any person in the Public Service pending the completion of a transaction whereby the same may become payable to the Government or repayable to the depositors shall so long as they shall continue to be so deposited be deemed to be the property of Her

Majesty and to be a part of the Public Trust Fund but such moneys shall not be paid into the Public Account at the Bank but shall be dealt with and accounted for by the officers having the custody thereof in such manner as shall be directed by the regulations made under the authority of the said Act or of this Act Provided that nothing in this section contained shall be deemed to apply to moneys the custody and control of which is provided for by an Act of the General Assembly passed or intended to be passed in this present Session called "The Courts of Law Trust Moneys Act 1868." 5

Governor may alter regulations.

4. It shall be lawful for the Governor in Council from time to time to alter or rescind any regulations made under the authority of the said Act or of this Act and to make other regulations not inconsistent with the said Act in the place thereof and all such regulations shall be published in the *New Zealand Gazette* and shall come into force upon a day to be named therein and a copy thereof shall be laid before both Houses of the General Assembly. 10 15

Public Moneys to be kept in one Account at the Bank.

5. And whereas it is expedient that the moneys to the credit of the four branches of the Public Account in the said Act described should be kept in one Public Account at the Bank:

Be it therefore enacted— 20

The following words in the ninth section of the said Act that is to say "to the credit of the proper branch of such Account according as the same may have arisen" are hereby repealed and the following words in the thirty-eighth section of the said Act that is to say "to the credit of that branch of the Public Account out of which such moneys shall have been transferred" are hereby repealed and in the place of such last-mentioned words the following words "to the credit of the Public Account" shall stand and be read as a part of the thirty-eighth section of the said Act. 25

Interest on investments for Savings Banks to be paid into Consolidated Fund.

6. The following words in the seventeenth section of the said Act that is to say "excepting that arising from deposits in the Post Office Savings Bank" are hereby repealed. 30

Governor to appoint Receiver-General and Paymaster-General.

7. And whereas it is expedient that the Department of the Treasury should be divided into two branches for the Receipt and Expenditure of Public Money respectively: 35

Be it therefore enacted—

It shall be lawful for the Governor to appoint and from time to time to suspend remove or reappoint two fit and proper officers of the Treasury to be the Receiver-General and Paymaster-General respectively and all returns which by the said Act are required to be made by Receivers of Revenue shall be made to the Receiver-General and all such returns as are required to be made by Paymasters or Sub-Paymasters shall be made to the Paymaster-General and all accounts which by the said Act are required to be prepared by the Colonial Treasurer touching the receipt and expenditure of Public Moneys shall be prepared by the Receiver-General and the Paymaster-General respectively. 40 45

Comptroller to have access to Receiver-General's accounts.

8. The Comptroller of the Public Account shall have full access to all the books and accounts kept in the Department of the Receiver-General. 50

Account of Paymaster-General to be Colonial Treasurer's Account.

9. All moneys transferred from the Public Account shall be transferred to the Account of the Paymaster-General and the Account of the Paymaster-General shall within the meaning and for the purposes of the said Act be taken and deemed to be the Account of the Colonial Treasurer Provided that the Paymaster-General shall make such payments only out of his Account and shall be allowed credit in his accounts for such payments only as he shall have been authorized to make thereout by the Colonial Treasurer and all balances required by the said Act to be repaid into the Account of the Colonial Treasurer shall be repaid into the Account of the Paymaster-General. 55 60

10. The Schedule C. to the said Act is hereby repealed and in the place thereof the Schedule to this Act shall stand and be read in the place thereof.

Schedule C. repealed  
New Schedule.

11. The twenty-eighth section of the said Act is hereby repealed.

Section 28 repealed.

5 12. It shall be lawful for the Colonial Treasurer anything in the said Act to the contrary notwithstanding to direct any Receiver of Land Revenue or of any revenue arising under "The Gold Duty Act 1858" or under an Act passed or intended to be passed in this present Session of Parliament called "The Auckland Gold Duty Act 1868" or  
10 under "The Gold Fields Act 1866" or any Act amending the same or passed for like purposes to pay such revenue or any part thereof to the Provincial Account of the Province or to the Account of the County or District to which the same may be payable by law Provided that all such moneys shall be paid into some Bank in  
15 which such Provincial County or District Account is kept and that such Bank shall give receipts in duplicate for all moneys so paid in And all moneys so paid to the Account of any Province County or District shall be taken and deemed to have been and shall be charged in the Treasurer's Accounts as if the same had been paid into and  
20 issued out of the Public Account.

Land Revenue may  
be paid to Provincial  
Account by  
Receivers.

13. The forty-sixth section of the said Act is hereby repealed and in the place thereof the following shall stand and be read as the forty-sixth section of the said Act—

To stand in place of  
section 46 of Public  
Revenues Act.

25 If it shall appear upon making up the Monthly Account required by the forty-fourth section of the said Act that a balance is due from the Provincial Government of any Province to the General Government the Colonial Treasurer shall withhold all further payments to the Provincial Account of such Province until the said balance shall have been repaid And if any Land Fund shall be so withheld from any  
30 Province it shall be forthwith paid over to the Consolidated Fund in liquidation of the debt so appearing in such Monthly Account.

14. If any money shall have been advanced by the Colonial Treasurer on behalf of the public service of any Province by authority of law or at the request of the Government thereof or if any money  
35 shall become or shall have become payable by the Colonial Government on behalf of any Province the Colonial Treasurer shall withhold all further payments to the Provincial Account of such Province until such advance shall have been repaid and until any money for which the Colonial Government shall have so become liable shall have been  
40 recouped Provided that the Colonial Treasurer shall within thirty days after the close of each month transmit to the Provincial Government of each Province a full and detailed account of all sums which shall during such month have been so advanced and which are to be withheld from the Provincial Account thereof.

Money advanced for  
Provinces may be  
recovered.

45 15. All moneys received from the sale of stores or otherwise to the credit of any service to which money has been appropriated by the General Assembly shall be paid into the Public Account but shall be deemed to have been appropriated to the same service and may be issued and applied accordingly.

Certain moneys to be  
paid into Public  
Account.

### SCHEDULE.

Schedule.

Comptroller's Order No. \_\_\_\_\_ at  
To the Manager of the Bank of \_\_\_\_\_  
IN accordance with the provisions of "The Public Revenue Act 1867" and "The Public Revenue Act 1868" you are hereby authorized and directed at any time on or before the \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_ to transfer any sum or sums not exceeding in the whole the sum of \_\_\_\_\_ from the Public Account to the Account of the Paymaster-General at such times and in such amounts as may be required by the Colonial Treasurer.

Comptroller.  
Colonial Treasurer.