

A BILL INTITULED

AN ACT for providing for the better Custody Title.  
of the Public Stores of the Colony of  
New Zealand and for regulating the  
Inspection Issue and Expenditure thereof  
and the Audit of the Accounts relating  
thereto.

WHEREAS it is expedient that better provision should be made for Preamble.  
the custody of the public stores belonging to Her Majesty within this  
Colony of New Zealand and for regulating the issue and expenditure  
5 thereof in the public service and for the return of proper accounts of  
the receipt and expenditure thereof and for the audit of the accounts  
relating thereto

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

10 1. The Short Title of this Act shall be “The Public Stores Act Short Title.  
1867.”

2. It shall be lawful for the Governor to appoint a fit person to be Governor to appoint  
storekeepers.  
the Storekeeper for each department of the Government for the public  
service of which any public stores shall be kept and all such stores in  
15 each department shall be deemed to be in the custody of the Store-  
keeper thereof until he shall be discharged of such custody as  
hereinafter provided.

3. Every other person in whose custody any public stores shall be Every person in  
charge of stores a  
sub-storekeeper.  
placed for the purpose of re-issuing the same shall be deemed to be  
20 a Sub-storekeeper for the purposes of this Act.

Governor may make regulations.

4. It shall be lawful for the Governor in Council from time to time to make and to alter or cancel as may be necessary Regulations not inconsistent with the provisions of this Act for the guidance of all Storekeepers and Sub-storekeepers and for the inspection of the said stores and for the rendering of accounts relating thereto and for the audit of all such accounts and all such Regulations being published in the *New Zealand Gazette* shall have the force of law and a copy thereof shall be laid before both Houses of the General Assembly. 5

Meaning of "Minister."

5. The word "Minister" in this Act shall be taken to mean the member of the Executive Council for the time being administering the department of the Government to which any such stores shall belong. 10

Storekeepers to furnish accounts to the Minister.

6. Every Storekeeper shall at such times and in such form as shall be directed by the Regulations aforesaid transmit to the Minister an account showing in detail all the stores belonging to his department whether in his own custody or in the custody of any Sub-storekeeper specifying the stores in such custody at the commencement of the period to which such account shall relate the stores received and issued during such period and the stores remaining in such custody at the conclusion thereof and shall accompany such account with vouchers duly signed by the person to whom any stores shall have been issued. 15 20

Sub-storekeepers to furnish accounts to storekeepers.

7. Every Sub-storekeeper shall at such times and in such form as aforesaid transmit a similar account together with similar vouchers to the Storekeeper from whom or by whose authority he shall have received any stores into his custody and the Storekeeper shall transmit all such Sub-storekeepers' accounts to the Minister. 25

Storekeepers and sub-storekeepers to make declaration.

8. Every Storekeeper or Sub-storekeeper as the case may be shall transmit with every such account a Declaration which he shall make and sign in the presence of a competent witness to the effect that such account contains a true and complete statement of all the stores received into issued out of or remaining in his custody during the period to which such account shall relate and that he has ascertained by due inspection that the stores stated in such account to be remaining in his custody at the conclusion of such period are in his custody and possession accordingly. 30

Minister to send accounts of stores to Auditor

9. The Minister shall at such times as shall be directed in the said Regulations transmit to the Auditor all the accounts of each Storekeeper and Sub-storekeeper which he shall not theretofore have so transmitted together with all vouchers or other documents in his possession in support of such accounts and the Auditor shall examine all such accounts and shall compare the same with such items in the accounts of the Colonial Treasurer as show the expenditure of public money in the purchase of stores and also with the reports of the Inspectors of stores as hereinafter mentioned and the Auditor shall charge each Storekeeper and Sub-storekeeper with all the stores which shall have been placed in his custody and shall discharge him of all stores which shall have been transferred to the custody of any other Storekeeper or Sub-storekeeper or shall have been duly expended in the public service under the authority of the Minister. 35 40 45

Who shall charge storekeepers with stores in their custody.

Auditor to give certificate of discharge.

10. Whenever the Auditor shall be satisfied by due examination and inquiry that the account of any Storekeeper or Sub-storekeeper contains a true and complete statement of all the stores received into issued out of and remaining in his custody during the period to which such account shall relate the Auditor shall return such accounts vouchers and other documents relating thereto to the Minister accompanied by a Certificate of Discharge for such Storekeeper or Sub-storekeeper for all such stores as he shall have issued expended or transferred under lawful authority and the Minister shall forthwith cause a certified copy of such Certificate of Discharge to be transmitted to the Storekeeper or Sub-storekeeper to whom the same shall relate and such Certificate of Discharge shall be a full and sufficient discharge to such Storekeeper or Sub-storekeeper and 50 55 60

his sureties for all claims on the part of Her Majesty or of any other person in respect of all stores named in such certificate.

11. It shall be the duty of the Minister administering each department for the service of which any public stores shall be kept from time  
5 to time to appoint Inspectors to inspect the stores belonging to such department provided that such Inspectors shall be in no way concerned in the custody or expenditure of such stores or in providing or contracting to provide the same or any part thereof. And every such Inspector shall at such times as the Minister shall direct inspect the  
10 stores of such department or so much thereof as he shall have been instructed to inspect by the Minister. Provided always that a complete inspection of all the public stores in each department shall be held during the month of June in each year.

Ministers to appoint inspectors.

12. It shall be the duty of every Storekeeper and Sub-storekeeper  
15 to afford full information to every such Inspector and to give him free access to all the stores in his custody and to all his books accounts vouchers and other documents relating thereto.

Storekeepers to give inspectors full access to stores &c.

13. It shall be the duty of every such Inspector to prepare a complete and detailed list of all the stores inspected by him in the custody of  
20 each Storekeeper and Sub-storekeeper and to make and sign in the presence of a competent witness a declaration to the effect that the said list contains a full and true statement of all the stores in the custody of such Storekeeper or Sub-storekeeper. And every such Inspector shall forthwith transmit such list with the declaration relating  
25 thereto to the Minister who shall transmit the same to the Auditor.

Inspectors to send lists of stores to Minister.

14. It shall be the duty of such Inspectors to transmit together with such lists any such remarks as they may think fit respecting the condition or state of repair of any public stores subjected to their inspection and of any buildings for the preservation thereof and generally to make  
30 such report thereon as they may think fit.

Inspectors to report generally.

15. If any public stores placed in the custody of any Storekeeper or Sub-storekeeper and for which he shall not have received a Certificate of Discharge from the Auditor or placed in the custody of any other person for use in the public service not having been expended in the  
35 public service under proper authority shall be found to be missing from such custody the said Storekeeper Sub-storekeeper or other person as the case may be shall be deemed to owe to Her Majesty the value in full in money of all such missing stores. And if any such public stores shall be found to be damaged or spoiled by the wilful neglect or  
40 default of the Storekeeper Sub-storekeeper or other person having the custody thereof the said Storekeeper Sub-storekeeper or other person shall be deemed to owe to Her Majesty such sum of money as may be necessary to replace such damaged stores. And all such moneys together with full costs of suit shall be recoverable by action suit or  
45 information in the Supreme Court in like manner as money due to Her Majesty within the Colony.

Storekeepers to owe the value of missing or damaged stores to Her Majesty.

16. So soon as and so often as the Auditor shall ascertain that any money has become due to Her Majesty under the provisions of the  
50 fifteenth clause of this Act it shall be the duty of the Auditor by a notice in writing to call upon the Storekeeper Sub-storekeeper or other person owing the same to pay the money so due into the Public Account as a debt due to Her Majesty and if such money shall not be so paid within three months after the date of such notice it shall be the duty of the Attorney-General upon the instruction of the Auditor  
55 which instruction the Auditor is hereby authorized and required forthwith to issue to take all such steps as may seem to him most fitting to recover such debt to the use of Her Majesty and all moneys so recovered shall be paid into the Public Account.

Auditor to instruct Attorney-General to recover debts due to Her Majesty.

17. Every person who shall make any declaration required to be  
60 made by this Act knowing the same to be false shall be deemed to be guilty of wilful and corrupt perjury.

False declaration—perjury.

Penalty for not  
making returns.

18. Every Storekeeper or Sub-storekeeper who shall refuse or neglect to make any return or account required to be made by this Act or the regulations to be issued under the authority thereof shall be liable to a penalty not exceeding twenty pounds.

If property  
fraudulently  
misapplied offender  
to be prosecuted.

19. If it shall appear to the Auditor after due inquiry that any person having custody of any public property shall have fraudulently applied or caused or permitted to be applied the same or any part thereof to other than the public service it shall be the duty of the Auditor forthwith to instruct the Attorney-General in the matter who shall thereupon take all such steps as may seem to him most fitting to prosecute the person so offending according to law Provided always that nothing in this Act shall be taken to invalidate any proceeding whether of a criminal or civil nature which may be instituted by the Attorney-General although the same may not be taken at the instance of the Auditor.

Clauses 62 and 76 of  
Public Revenues Act  
to apply.

20. The sixty-second and seventy-sixth clauses of "The Public Revenues Acts 1867" shall equally apply to all matters arising under this Act and shall be read as a part thereof.

Storekeepers to find  
security.

21. Every Storekeeper and Sub-storekeeper shall be required to find security in such form and to such amount as the Governor shall direct by himself and two sureties or by the guarantee of an approved insurance society for the faithful performance of his duties.