

## Act No. 4, 1910.

**LOAN (RAILWAYS).** An Act to authorise the raising of a loan for railway purposes; to provide for a Railway Loan Account in the Treasury, and to amend the Audit Act, 1902; and for purposes consequent thereon and incidental thereto. [6th August, 1910.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**Short title.**

**Definitions.**

**Governor may raise money by issue of Debentures or Stock.**

**Stock may be sold in Sydney.**

**Creation of Stock.**

**Application of Funded Stock Act, 1892, to Stock sold in New South Wales.**

**Railways Loan Account to be kept in Treasury.**

**Moneys borrowed under this Act to be paid to Treasurer.**

**1.** This Act may be cited as the "Loan (Railways) Act, 1910."

**2.** In this Act, the expression "Treasurer" means the Colonial Treasurer for the time being; and "Stock" means Inscribed or Funded Stock.

**3.** The Governor may, by the issue of Debentures or Inscribed Stock, secured upon the Consolidated Revenue Fund and bearing interest at a rate not exceeding four pounds per centum per annum, raise such sums of money not exceeding in the whole two million pounds, to be expended on railway purposes.

**4.** The loans so authorised as aforesaid may be negotiated wholly or in part in the form of Debentures or Inscribed Stock in New South Wales, at such times and for such amounts and for such periods as may be directed by the Governor.

**5.** Any Stock issued under this Act shall be styled "New South Wales Funded Stock," and shall, if sold otherwise than by tender, be purchasable at the Treasury upon any lawful day.

**6.** The provisions of the Funded Stock Act of 1892, relating to the method of inscription and transfer of Stock, and the regulations under such Act, and the forms prescribed in the said regulations are hereby declared to be applicable to, and shall be followed and used, mutatis mutandis, in connection with Stock issued under this Act.

**7. (1)** There shall be an account kept under the Audit Act, 1902, in the Treasury called the Railways Loan Account.

**(2)** Notwithstanding the provisions of section thirty-five of the said Act all moneys borrowed under this Act shall be paid to the

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the Treasurer and shall be by him carried to the Railways Loan Account, and shall be applied to meet the cost of duplicating portions of the main trunk lines of railway, and other works in connection therewith.

(3) In pursuance of the order of the Governor, moneys may be transferred from the Consolidated Revenue Account to the Railways Loan Account by way of advances pending the raising of loans authorised under this Act, and such advances shall be re-transferred to the Consolidated Revenue Account on the payment of such loans to the credit of the Railways Loan Account.

Transference of  
moneys from  
Consolidated  
Revenue Account to  
Railways Loan  
Account.

Any such order shall be laid before Parliament without delay.

(4) No money shall be drawn from the Railways Loan Account except under the authority of this Act.

Withdrawals from  
Railways Loan  
Account.

(5) Section thirty-six of the Audit Act, 1902, shall not apply to an appropriation under this Act.

Application of  
section 36 of Audit  
Act, 1902.

**8.** (1) Section fifty-seven of the Audit Act, 1902, is amended by adding thereto the following paragraph :—

(d) A detailed statement of the receipts and expenditure of the Railways Loan Account for such quarter or year.

Amendment of  
section 57 and  
subsection 1 of  
section 58 of Audit  
Act, 1902.  
*Repealed  
Act No. 35, 1937  
Section 57*

(2) Subsection one of section fifty-eight of the same Act is amended by adding the following paragraph :—

(e) A detailed statement of the receipts and expenditure for such year of the Railways Loan Account.

**9.** Debentures or Stock sold or issued under this Act are hereby declared to be for all purposes Government Securities, and all corporations and other persons whatsoever shall have power to invest in the purchase of such Debentures or Stock, any moneys held by them, whether as trustees or otherwise, which they are not expressly forbidden to invest in Government Stock or Securities, without on that account being liable for a breach of trust and without incurring any liability whatsoever, provided that such investment is in other respects reasonable and proper.

Power to trustees  
and others to invest  
in Debentures or  
Stock.