

GOVERNMENT SAVINGS BANK
(FURTHER AMENDMENT) ACT.

Act No. 34, 1931.

An Act to provide for the retirement of the three Commissioners of the Government Savings Bank of New South Wales; to make further provision for the management of the Bank; to amend the Government Savings Bank Act, 1906, and certain other Acts; and for purposes connected therewith. [Assented to, 28th August, 1931.]

George V,
No. 34, 1931.

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**Government Savings Bank (Further Amendment)
Act.**

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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 :—

PART I.

PRELIMINARY.

Short title
and com-
mencement.

1. (1) This Act may be cited as the "Government Savings Bank (Further Amendment) Act, 1931."

(2) This Act shall be read and construed with the Government Savings Bank Act, 1906, as amended by subsequent Acts.

(3) The Government Savings Bank Act, 1906, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(4) This Act shall commence upon a date to be appointed by the Governor and notified by proclamation published in the Gazette.

Division into
Parts.

2. This Act is divided into Parts as follows :—

PART I.—PRELIMINARY.

PART II.—COMMISSIONERS OF THE GOVERNMENT
SAVINGS BANK OF NEW SOUTH WALES.

PART III.—MANAGEMENT.

PART II.

COMMISSIONERS OF THE GOVERNMENT SAVINGS BANK
OF NEW SOUTH WALES.

Amendment of
Act No. 48, 1906,
Part II.

3. (1) The Principal Act is amended—

Sec. 6.
(Commis-
sioners.)

(a) (i) by omitting from section six the word "Three" and by inserting in lieu thereof the word "Five";

(ii) by omitting from the same section the words "One of such commissioners shall be so appointed president";

(b)

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- (b) by omitting section seven and by inserting in Sec. 7.
lieu thereof the following section :—

7. (1) Each commissioner shall be appointed **Appointment
and term of
office of
commis-
sioners.**
by the Governor.

(2) Of the five commissioners first
appointed in pursuance of this section—

One shall retire at the expiration of a term
of seven years.

Two shall retire at the expiration of a term
of five years.

Two shall retire at the expiration of a term
of three years.

(3) Upon the expiration of the term of
office of a commissioner the Governor shall
appoint a person to fill the vacancy so arising.

Such person shall be appointed for a term of
seven years.

The retiring commissioner shall, if not
otherwise disqualified under this Act, be eligible
for such appointment.

An appointment under this subsection shall
be made only on the nomination of the com-
missioners under their common seal.

(4) A commissioner may resign his office
by writing under his hand addressed to the
Governor.

(5) In the event of the office of any com-
missioner becoming vacant otherwise than by
the expiration of his term of office the
Governor shall appoint a person to fill the
vacancy so arising.

Such person shall be appointed for the
remainder of the term of office of his
predecessor.

An appointment under this subsection shall
be made only on the nomination of the com-
missioners under their common seal.

(6) Every appointment under this section
shall be made by the Governor by commission
in His Majesty's name.

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(7)

(7) No act or proceeding of the commissioners shall be invalidated or prejudiced by reason only of the fact that at the time when such act or proceeding was done, taken, or commenced there was a vacancy in the office of any commissioner.

Sec. 8.
(Disqualifi-
cation of
commis-
sioners.)

(c) by omitting paragraph (a) of section eight and by inserting in lieu thereof the following paragraph :—

(a) absents himself from the meetings of the commissioners during any period of six consecutive weeks without the leave of the commissioners ;

Sec. 9.
(Appoint-
ment of
deputies.)

(d) by omitting from section nine the words “ If under this section one of the other commissioners is appointed deputy of the president, the Governor may appoint a deputy of such commissioner ” ;

Sec. 10.
(Removal
from office.)

(e) by inserting at the end of section ten the following paragraph :—

The power conferred by paragraph (a) of this section shall be exercised only upon the recommendation of the commissioners under their common seal.

Secs. 11, 12.

(f) by omitting sections eleven and twelve and by inserting in lieu thereof the following sections :—

President
and vice-
president.

11. (1) The commissioners shall from time to time as occasion may require elect by a majority of votes one of their number to be president and another to be vice-president.

(2) The president and vice-president shall hold office for such periods respectively as the commissioners may from time to time appoint.

(3) Whenever a vacancy occurs in the office of president or vice-president by death, resignation, or otherwise, the commissioners shall in like manner elect one of their number to fill the office.

(4)

(4) A retiring president or vice-president who is still a commissioner shall be eligible for re-election as often as the commissioners may think fit.

(5) In the case of the illness, suspension, or absence of the president, the vice-president shall act in his stead during such illness, suspension, or absence, and while so acting shall have the powers and duties of the president.

(6) In the case of the illness, suspension, or absence of the vice-president the commissioners may elect by a majority of votes one of their number to act in his place during such illness, suspension, or absence, and while so acting the commissioner so elected shall have the powers and duties of the vice-president.

12. (1) At any meeting of the commissioners ^{Meetings.} three commissioners shall form a quorum.

(2) At every meeting of the commissioners the president, or in his absence the vice-president, shall be chairman.

(3) If at any meeting the votes are equal, the chairman shall, in addition to his deliberative vote, have a second or casting vote.

12A. (1) Each commissioner shall be entitled ^{Fees of com-} to receive as remuneration for his services the ^{missioners.} following fees:—

(a) In the case of the president—six guineas for each meeting attended by him.

The maximum amount payable to the president shall be seven hundred and fifty pounds per annum.

(b) In the case of any commissioner other than the president—four guineas for each meeting attended by him.

The maximum amount payable to a commissioner under this paragraph shall be five hundred pounds per annum.

Sec. 32.
(Appoint-
ment of
officers.)

Sec. 33.
(Regula-
tions.)

(2) Such fees shall be paid out of the funds of the bank.

(g) by inserting in section thirty-two after the word "officers" where firstly occurring the words "(including a general manager)";

(h) by omitting from paragraph (b) of section eighty-three the words "and the quorum necessary for the transaction of business."

(2) The first five commissioners to be appointed in pursuance of Part II of the Principal Act as amended by subsection one of this section shall be the following persons, that is to say:—

Sir William Vicars, Knight Bachelor;
Sir Joseph Clifton Love, Knight Bachelor;
Sir John Henry Butters, Knight Bachelor, Com-
panion of the Most Distinguished Order of
Saint Michael and Saint George;
William Henry O'Malley Wood, Esquire; and
Mark Baker Young, Esquire.

The said William Henry O'Malley Wood, Esquire, shall be entitled to receive fees under this Act as well as the pension payable to him in pursuance of the Government Savings Bank (Housing) Amendment Act, 1928.

(3) The first meeting of the commissioners so appointed shall be held on the date of the commencement of this Act, and at that meeting or an adjournment thereof the order of retirement of the commissioners shall be determined.

(4) As soon as is reasonably practicable after the commencement of this Act the commissioners so appointed shall proceed to elect by a majority of votes one of their number to be president, and another to be vice-president.

Retirement
of existing
commis-
sioners.

4. (1) The persons holding office as commissioners immediately before the commencement of this Act, that is to say, Herbert Duncan Hall, Esquire, Robert Williams May, Esquire, and Alfred William Turner, Esquire, shall upon such commencement cease to hold such office.

(2)

(2) (a) The said Herbert Duncan Hall shall, subject to this subsection, be entitled, upon the commencement of this Act, to be paid out of the funds of the bank the retiring allowance, annual pension, and cash allowance in lieu of leave of absence to which he would have been entitled if on the date of such commencement he had retired by reason of permanent disability before attaining the age of sixty-five years and this Act had not been enacted.

(b) If within one month after the commencement of this Act the said Herbert Duncan Hall becomes an officer of the bank, he shall not be entitled to be paid the retiring allowance, annual pension, or cash allowance referred to in paragraph (a) of this subsection until he ceases to hold such office.

(c) If at any time after the commencement of this Act the said Herbert Duncan Hall becomes an officer of the bank, he shall not be entitled to be paid the annual pension referred to in paragraph (a) of this subsection in respect of the period during which he holds such office.

(3) (a) Each of the following persons, that is to say:—

The said Robert Williams May, Esquire, and the said Alfred William Turner, Esquire, shall, subject to this subsection, be entitled upon the commencement of this Act to be paid out of the funds of the bank—

(i) the annual pension to which he would have been entitled if upon the date of such commencement he had served as a commissioner for five years and had on such date retired by reason of permanent disability before attaining the age of sixty-five years and this Act had not been enacted;

(ii) any cash allowance in lieu of leave of absence to which he would have been entitled if upon the date of such commencement he had retired by reason of permanent disability before attaining the age of sixty-five years and this Act had not been enacted.

(b)

(b) If within one month after the commencement of this Act either of the persons mentioned in paragraph (a) of this subsection becomes an officer of the bank, such person shall not be entitled to be paid the annual pension or cash allowance referred to in that paragraph until he ceases to hold such office.

(c) If at any time after the commencement of this Act either of the persons mentioned in paragraph (a) of this subsection becomes an officer of the bank, such person shall not be entitled to be paid the annual pension referred to in subparagraph (i) of paragraph (a) of this subsection in respect of the period during which he holds such office.

(4) The said Robert Williams May, Esquire, and the said Alfred William Turner, Esquire, being respectively contributors to the State Superannuation Fund, in consideration of the annual pension provided for each of them in subsection three of this section, shall not be eligible for a pension from the said fund, and the contributions already made by each of them respectively to such fund shall be refunded to him on the date of the commencement of this Act.

In the event of either of such persons being appointed as an officer of the bank at any time after the commencement of this Act the person so appointed shall not in his capacity as such officer be liable to contribute to the State Superannuation Fund nor shall he be eligible to receive any pension from the said fund in respect of his service as such officer.

Continuity
of body
corporate.

5. Nothing in this Act shall prejudice or affect the continuity of the body corporate constituted under the name of the "Commissioners of the Government Savings Bank of New South Wales" under the provisions of the Principal Act.

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PART III.

MANAGEMENT.

6. (1) The Principal Act is amended by inserting next after section twenty-three the following new sections :—

Further amendment of Act No. 48, 1906, New ss. 23A, 23B, 23C, 23D.

23A. (1) After the commencement of the Government Savings Bank (Further Amendment) Act, 1931, the Savings Bank Department shall be administered in two divisions, to be known as the Savings Bank Department (Old Business Division) and the Savings Bank Department (New Business Division), and in accordance with and subject to the provisions following, that is to say :—

Special provisions as to the Savings Bank Department.

- (a) All assets and liabilities of the Savings Bank Department as at the date of the said commencement shall be administered in and belong to the Savings Bank Department (Old Business Division), and all deposits received after the said commencement and the investments thereof shall be administered in and belong to the Savings Bank Department (New Business Division).
- (b) No moneys, investment, or assets belonging to the Savings Bank Department (New Business Division) shall be liable to any claim against or relating to the Savings Bank Department (Old Business Division) or any other department of the bank.
- (c) Separate accounts shall be kept and separate balance sheets compiled in respect of each division.
- (d) The commissioners shall apportion between the two divisions the costs of administration of both divisions in an equitable manner.

(2) With regard to the Savings Bank (Old Business Division) the following special provisions shall apply :—

- (a) All deposits in the Savings Bank Department at the commencement of the Government Savings Bank (Further Amendment) Act, 1931, together with the interest credited

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on the first day of July, one thousand nine hundred and thirty-one, shall be deemed capitalised and repayable only at the option of the commissioners in some manner authorised by this section.

Such deposits shall out of the earnings of the Savings Bank Department (Old Business Division) carry interest at a rate to be fixed by the commissioners.

- (b) The income from investments and the proceeds of the realisation of such assets as the commissioners think fit shall be applied towards the payment of all liabilities of the Savings Bank Department (Old Business Division) and the interest upon deposits and in repayment of such deposits.
- (c) No fresh deposits shall be received in the Savings Bank Department (Old Business Division).
- (d) The commissioners shall apply moneys of the Savings Bank Department (Old Business Division) in their hands which they consider available for the repayment of deposits equitably among the depositors in the Savings Bank Department (Old Business Division).

In such application the commissioners shall pay the amount to be applied in respect of each deposit to a new deposit account in the Savings Bank Department (New Business Division) in the name of the person who by the books of the Savings Bank Department (Old Business Division) is the person entitled to the deposit in respect of which the payment is made, or to his account in the Savings Bank Department (New Business Division) if he is already a depositor therein.

- (e) The commissioners may in their discretion and with the consent of a depositor repay the whole or such proportion of a deposit as they think fit by the transfer of Advances for Homes debentures or inscribed stock or
Rural

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Rural Bank debentures or inscribed stock held by the Savings Bank Department (Old Business Division), or by the issue of Savings Bank Department (Old Business Division) inscribed stock or debentures.

The transfer or issue shall be taken as the repayment of an amount equivalent to the par value of the stock transferred or issued or of the debentures.

Repayment in this manner shall be made only if the whole of the depositors are given in the manner prescribed by the regulations an opportunity to avail themselves of this manner of repayment.

- (f) It shall be competent for a person entitled to a deposit in the Savings Bank Department (Old Business Division) to assign the whole or any part of his deposit in such form as may be prescribed by the regulations. Notice of the assignment shall be given to the commissioners in accordance with the regulations.

An assignee of a deposit shall for the purposes of the assignment and in respect of such deposit be eligible to have a deposit with the Bank notwithstanding any other provision of this Act.

- (g) A set-off of a debt to the Savings Bank Department (Old Business Division) shall be allowed against a deposit in that division or in any department or division of a department in the bank if the commissioners by resolution agree to such set-off in a particular case or in a class of cases in which the particular case in question is included.
- (h) The provisions of section forty-seven shall not be construed to require the commissioners to keep any money upon fixed deposit or upon deposit at call in the Treasury or to invest the funds of the Savings Bank Department (Old Business Division) otherwise than with a trading bank.

(i)

- (i) No loans shall be made from the Savings Bank Department (Old Business Division) save loans to trading banks or to the Savings Bank Department (New Business Division), but this paragraph shall not operate to prevent the renewal or extension of any mortgage or other security or any loan in connection with the realization of any security or to the transferee of the subject-matter of a security or part thereof, where the aggregate amount of the debt to the Savings Bank Department (Old Business Division) is not increased or a loan for the maintenance of or for such expenditure as is in the opinion of the commissioners reasonably incurred in the preservation of the subject-matter of the security, or to prevent the conversion of any State or Commonwealth stock if the commissioners consider such course desirable.

No purchaser, nor the Registrar-General, Crown Solicitor, or other person registering or certifying title shall be concerned to inquire whether any loan made is within the authority of the commissioners.

(3) As from the first day of July, one thousand nine hundred and thirty-one, the Treasurer shall, out of funds to be provided by Parliament, pay upon the sum of seven millions one hundred and twelve thousand five hundred and sixty-five pounds now held by him on deposit from the commissioners or upon so much thereof as is for the time being unpaid interest at the rate of four per centum per annum payable half-yearly on the first day of January and the first day of July in each year. Such rate is fixed having regard to and in anticipation of probable legislative action for the reduction of interest generally, and is not to be affected by any such general provision unless specific provision is made in that behalf.

The principal amount of the deposit shall be repaid by the Treasurer to the commissioners by
forty

forty equal half-yearly payments, the first of which is to be made on the first day of July, one thousand nine hundred and thirty-four.

The Treasurer may repay the whole or any portion of the principal amount at any time upon payment of interest to the date of repayment.

The interest and any amount of principal repaid shall be carried by the commissioners to the credit of the Savings Bank Department (Old Business Division).

23B. (1) After the commencement of the Government Savings Bank (Further Amendment) Act, 1931, the Rural Bank Department shall be administered in two divisions to be known as the Rural Bank Department (Old Business Division) and the Rural Bank Department (New Business Division), and in accordance with and subject to the provisions following, that is to say:—

- (a) All assets and liabilities of the Rural Bank Department as at the date of the said commencement shall be administered in and belong to the Rural Bank Department (Old Business Division), and all deposits received after the said commencement and the investments thereof and all new business shall be administered in and belong to the Rural Bank Department (New Business Division);
- (b) no moneys, investment, or assets belonging to the Rural Bank Department (New Business Division) shall be liable to any claim against or relating to the Rural Bank Department (Old Business Division) or any other department of the bank;
- (c) separate accounts shall be kept and separate balance sheets compiled in respect of each division;
- (d) the commissioners shall apportion between the two divisions the costs of administration of both divisions in an equitable manner.

(2)

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(2) With regard to the Rural Bank Department (Old Business Division) the following special provisions shall apply :—

- (a) All deposits in the Rural Bank Department at the commencement of the Government Savings Bank (Further Amendment) Act, 1931, whether fixed for a term or on current account, shall be repayable only at the option of the commissioners in some manner authorised by this section, and until repaid shall bear interest at a rate fixed by the commissioners. Fixed deposits overdue or otherwise shall be capitalised with interest due or accrued as at the first day of July, one thousand nine hundred and thirty-one, and thereafter bear interest. Deposits on current account shall bear interest as from the first day of July, one thousand nine hundred and thirty-one.

Interest payable under this paragraph shall be paid out of the earnings of the Rural Bank Department (Old Business Division).

- (b) The income from investments of and the proceeds of the realization of such assets of the Rural Bank Department (Old Business Division) as the commissioners think fit shall be applied towards the payment of all liabilities of the Rural Bank Department (Old Business Division) and in repayment of the interest upon deposits and of such deposits.
- (c) The commissioners may apply the proceeds of the realization of the investments of any reserve fund belonging to the division towards the same objects.
- (d) No fresh fixed deposits shall be received or current accounts opened in the Rural Bank Department (Old Business Division).
- (e) The commissioners may apply moneys of the Rural Bank Department (Old Business Division) in their hands which they consider available

available for the repayment of deposits equitably among the depositors in the Rural Bank Department (Old Business Division).

In such application the commissioners shall pay the amount to be applied in respect of each deposit to a new account in the Rural Bank Department (New Business Division) in the name of the person who by the books of the Rural Bank Department (Old Business Division) is the person entitled to the deposit in respect of which the payment is made, or to the credit of his account in the Rural Bank Department (New Business Division) if he already has an account therein.

- (f) The commissioners may in their discretion and with the consent of a depositor repay the whole or such proportion of a deposit as they think fit by the issue of Rural Bank inscribed stock or debentures.

The issue shall be taken as the repayment of an amount equivalent to the par value of the stock or debentures.

Repayment in this manner shall be made only if the whole of the depositors are given in the manner prescribed by the regulations an opportunity to avail themselves of this manner of repayment.

- (g) It shall be competent for a person entitled to a deposit in the Rural Bank Department (Old Business Division) to assign the whole or any part of his deposit in such form as may be prescribed by the regulations. Notice of the assignment shall be given to the commissioners in accordance with the regulations.
- (h) A set-off of a debt to the Rural Bank Department (Old Business Division) shall be allowed against a deposit in that division or in any department or division of a department in the Bank if the commissioners
by

by resolution agree to such set-off in a particular case, or in a class of cases, in which the particular case in question is included.

- (i) The provisions of section 48B shall not be construed to require the commissioners to keep any money of the Rural Bank Department (Old Business Division) upon fixed deposit or upon deposit at call.
- (j) No loans shall be made from the Rural Bank Department (Old Business Division), save loans to trading banks or to the Rural Bank Department (New Business Division), but this paragraph shall not operate to prevent the renewal or extension of any mortgage or other security or any loan in connection with the realisation of any security or to the transferee of the subject-matter of a security or part thereof where the aggregate amount of the debt to the Rural Bank Department (Old Business Division) is not increased or a loan for the maintenance of or for such expenditure as is in the opinion of the commissioners reasonably incurred in the preservation of the subject-matter of the security or to prevent the conversion of any State or Commonwealth stock if the commissioners consider such course desirable.

No purchaser, nor the Registrar-General, Crown Solicitor, or other person registering or certifying title shall be concerned to inquire whether any loan made is within the authority of the Commissioners.

- (k) In the application of moneys in or towards the repayment of deposits, the commissioners may, if they think fit, after payment of amounts which by law have preference, give preference in repayments to persons entitled to interest upon Rural Bank stock or debentures, persons having money to
their

their credit at current account, or various classes of fixed deposits fixed by the commissioners, having regard to the due dates of the deposits. Within any such class all depositors shall receive similar treatment.

(3) As from the first day of July, one thousand nine hundred and thirty-one, the Treasurer shall, out of funds to be provided by Parliament, pay upon the sum of five hundred thousand pounds now held by him in deposit from the commissioners, or upon so much thereof as is for the time being unpaid, interest at the rate of four per centum per annum, payable half-yearly on the first day of January and the first day of July in each year. Such rate is fixed having regard to and in anticipation of probable legislative action for the reduction of interest generally, and is not to be affected by any such general provision unless specific provision is made in that behalf.

The principal amount of the deposit shall be repaid by the Treasurer to the commissioners by forty equal half-yearly payments, the first of which is to be made on the first day of July, one thousand nine hundred and thirty-four.

The Treasurer may repay the whole or any portion of the principal amount at any time upon payment of interest to the date of repayment.

The interest and any amount of principal repaid shall be carried by the commissioners to the credit of the Rural Bank Department (Old Business Division).

23c. (1) After the commencement of the Government Savings Bank (Further Amendment) Act, 1931, any new business of the Rural Bank Department (New Business Division) or the Advances for Homes Department by way of loans or advances to customers or applicants shall be undertaken only if and to the extent of any funds which may be advanced by the Treasurer out of funds provided by Parliament.

Special provisions as to Rural Bank (New Business Division) and Advance for Homes Department.

(2)

(2) This section shall not affect the right of the commissioners to receive deposits and carry on the business of the Rural Bank Department (New Business Division) nor preclude the commissioners from making from the Rural Bank Department (New Business Division) advances to customers of the Rural Bank Department (Old Business Division) or to transferees of such customers, either by way of new or additional or further advance, or from the Advances for Homes Department to persons by way of further advance where the commissioners deem such course desirable.

Set-off.

23D. A set-off of a debt to the Advances for Homes Department shall be allowed against a deposit in any department or division of a department in the Bank if the commissioners by resolution agree to such set-off in a particular case or in a class of cases in which the particular case in question is included.

Further amend-
ment of A No.
48, 1906.

Sec. 26.
(Reserve
Fund, Rural
Bank.)

Sec 47.
(Invest-
ments)
(Savings
Bank.)

Sec. . .
(Rural
Bank.)

(2) The Principal Act is further amended—

- (a) by omitting from section twenty-six the words “and shall invest such fund in fixed deposits with trading banks or the Treasury, or in any of the investments provided for in section forty-seven, paragraph (b) (iii) and (v) ”;
- (b) (i) by omitting from paragraph (a) of section forty-seven the word “twenty” and by inserting in lieu thereof the word “twenty-five”;
- (ii) by omitting from the same paragraph the words “in the Treasury and”;
- (iii) by omitting from the same paragraph the words “or Rural Bank Department”;
- (iv) by omitting from paragraph (b) of the same section the words “or of New South Wales or of any other State in the Commonwealth”;
- (v) by omitting subparagraph (vi);
- (c) by omitting from paragraph (i) of section 48A the words “in the Treasury or.”

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(3) The Government Savings Bank Amendment Act, 1913, as amended by subsequent Acts, is amended by omitting from section fifteen the words "and shall invest such fund in deposits with trading banks or the Rural Bank Department or the Treasury, or in any of the investments provided for in section forty-seven, paragraph (b) (iii) and (v) of the Principal Act, or in debentures issued by the Rural Bank Department."

Amendment
of Act No. 13,
1913, s. 15.
(Reserve
Fund.)

(4) The transfer of accounts or of any part thereof belonging to depositors in the Savings Bank Department (Old Business Division) may be made to any other account in the same division of the Savings Bank Department.

7. The Principal Act is further amended by inserting next after section forty-six the following new sections :—

Further
amendment of
Act No. 48, 1906.
New ss. 46A -
46L.

46A. (1) The commissioners may from time to time issue out of the Savings Bank Department (Old Business Division) debentures or inscribed stock.

Issue of
debentures.

(2) The due payment of such debentures or inscribed stock and the interest thereon shall be a charge on all moneys and securities held by the commissioners on behalf of the said division, and is hereby guaranteed by the Government.

Charge of
liability ;
guarantee by
Government.

Any liability arising from such guarantee shall be payable out of the Consolidated Revenue Fund.

Provided that such charge shall not prejudice or affect the powers of the commissioners to reconvey, release, or discharge any of such securities, or the properties comprised therein, or to sell or convey such properties, or to foreclose such securities or properties, or to deal with the same under this Act, or to hypothecate any securities belonging to the division for the purposes of securing any moneys borrowed in pursuance of section forty-five.

46B.

Amount of
issue.

46B. The total amount of such debentures and inscribed stock so issued and uncanceled shall not at any time exceed, except with the consent of the Governor, ten million pounds.

Series.

46C. Such debentures may be issued in different series. Each series shall be numbered consecutively, beginning with the number one and proceeding arithmetically by units.

Signature.

46D. Each debenture shall be signed by the commissioners or by any one of the commissioners in pursuance of the powers conferred by this Act, and shall be countersigned by an officer authorised by the commissioners.

Amount of
debentures.

46E. Debentures shall be issued and stock inscribed in sums of ten pounds or multiples thereof and shall have such currency and bear such interest as the commissioners may fix before the issue or inscription thereof.

Issue and re-
demption of
debentures.

46F. Debentures or inscribed stock shall be issued at a minimum price to be fixed by the commissioners, and redeemed out of moneys in the Savings Bank Department (Old Business Division) at their face values.

(a) The Treasurer is empowered to purchase such debentures or inscribed stock.

(b) At the request of the bearer of a debenture or the holder of inscribed stock the commissioners may, in lieu thereof, issue to him inscribed stock or debentures as the case may be of the same currency and bearing the same interest.

Debentures
transferable
by delivery.

46G. Every such debenture shall be transferable by delivery without assignment or endorsement, and shall entitle the bearer of the same to be paid according to the tenor thereof.

Purchase of
debentures.

46H. (1) Debentures and inscribed stock may be purchased by the commissioners out of moneys in the Savings Bank Department (Old Business Division) at or below their face value.

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(2) All debentures and inscribed stock redeemed or purchased by the commissioners under this Act shall be cancelled. Cancellation.

46I. If any debenture is defaced by accident the commissioners may cancel the same and cause a new debenture to be made in lieu thereof, and such cancelled debenture shall be filed in the bank. Such new debenture shall be to the like purport, and be in all respects subject to the same rules, methods, and continuance, and bear the same number, date, principal sum, and rate of interest as such cancelled debenture. Defaced debenture may be exchanged.

46J. Upon proof being made on oath before a judge of the Supreme Court by any credible person that any debenture issued under this Act and held by him, the number and sum whereof is specified by him in his evidence, has been lost or accidentally burnt or otherwise destroyed before the same has been paid off, and upon such judge certifying that he is satisfied with such proof, the commissioners may cause a new debenture to be made bearing the same number, date, principal sum, and rate of interest as the debenture so lost or destroyed, and to be delivered to such person upon his giving sufficient security to the commissioners to indemnify them against any double payment if the missing document should thereafter be presented for payment. Provisions for debentures lost, &c.

46K. All debentures and inscribed stock issued under this Act shall have the status of "Government Securities" within the meaning of the Trustee Act, 1925, and of any Act in force for the time being relating to friendly societies; and all corporations, companies, or co-partnerships, and all trustees, executors, and administrators, whether incorporated, established, or appointed before or after the commencement of the Government Savings Bank (Further Amendment) Act, 1931, not expressly forbidden to invest their funds in the purchase Power to trustees to invest.

purchase of Government stock or securities by their charter, Act of incorporation, deed of settlement, or of partnership, trust deed, settlement, testamentary, or other instrument whatsoever respectively, are hereby authorised and empowered to invest such funds in the purchase of and to hold such debentures and inscribed stock as aforesaid without incurring or committing any breach of trust or of any condition, restriction, or provision contained in any such Act, charter, or other instrument whatsoever as aforesaid.

Application
of proceeds.

46L. The proceeds of the sale of debentures and inscribed stock shall be carried to the Savings Bank Department (Old Business Division) and applied exclusively for the purposes of such division.

Further
amendment
of Act No. 48,
1906, s. 39.
(Interest on
deposits.)

8. (1) The Principal Act is further amended by inserting at the end of subsection two of section thirty-nine the following words:—

In the calculation a deposit made on the first business day of a month shall be regarded as having been made on the last day of the preceding month, and an amount withdrawn on the last business day of a month shall be regarded as withdrawn on the first day of the succeeding month.

(2) Subsection one of this section shall be deemed to have commenced on the twenty-third day of July, one thousand nine hundred and thirty.

(3) Any deposit made during the first seven days of any of the months of September, October, or November of the year one thousand nine hundred and thirty-one, shall, for the purposes of the calculation of interest, be deemed to have been made on the last day of the month preceding the deposit.

(4) The Principal Act is further amended—

(a) by inserting at the end of section sixty-nine the following new subsection:—

(8) The commissioners may, whilst the land remains vested in them, lease or otherwise manage any such forfeited holding,

Sec. 69.
(Forfeited
Crown land
securities.)

**Government Savings Bank (Further Amendment)
Act.**

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No. 34, 1931.

holding, and any sum received by way of rental or otherwise shall be applied in reduction of the amount due to the bank in respect of such holding.

- (b) by inserting next after section 75D the following new section :—

75E. In all cases where the commissioners exercise their power of sale as mortgagees under or by virtue of any mortgage or other security, of any land held under the provisions of the Crown Lands Acts, the transfer by way of sale under the said Acts and made in exercise of such power as aforesaid shall be registered by the Minister for Lands (or the Water Conservation and Irrigation Commission if the land is within an irrigation area), notwithstanding the non-payment at the time of registration of any amounts owing for arrears of Crown dues :

Provided that the purchaser acquiring the holding in pursuance of any such transfer shall undertake to pay the amount of arrears so outstanding at the times and in the manner to be agreed upon by the Minister (or the Water Conservation and Irrigation Commission if the land is within an irrigation area) and the commissioners.

9. The Government Savings Bank (Amendment) Act, 1931, is amended—

Amendment
of Act No.
14, 1931.

- (a) by inserting at the end of section two the following new subsection :—

Sec. 2, new
subsec. (6).

(6) Neither this section nor any arrangement made thereunder shall be construed to give the Commonwealth Bank of Australia any rights against or in respect of any asset of the Savings Bank Department (New Business Division) or the Rural Bank Department (New Business Division) or any moneys deposited therein.

(b)

- (b) (i) by omitting from subsection one of section seven the words “until the thirty-first day of December, one thousand nine hundred and thirty-one, or until an earlier date” and by inserting in lieu thereof the words “until a date”;
- (ii) by omitting from the same subsection the words “said thirty-first day of December or the earlier”;
- (iii) by omitting from subsection two of the same section the words “thirty-first day of December, one thousand nine hundred and thirty-one or the earlier”;
- (iv) by inserting at the end of the same section the following new subsection:—

(5) This section shall not extend to any action or suit brought in respect of any deposit in the Savings Bank Department (New Business Division) or the Rural Bank Department (New Business Division) or in respect of any claim arising out of business transacted in either of such divisions, or in respect of any interest on inscribed stock or debentures issued after the commencement of the Government Savings Bank (Further Amendment) Act, 1931.

New s. 7A.

- (c) by inserting after section seven the following new section:—

**Guarantee by
Crown.**

7A. (1) No moratorium proclaimed under this Act and nothing contained in the Government Savings Bank (Further Amendment) Act, 1931, shall take away the right of any depositor or customer in any department of the Bank to receive payment of all or any part of his deposit or interest thereon at any time after the thirty-first day of December, one thousand nine hundred and thirty-three, or the right of any person to receive payment after that date of all or any part of the moneys or interest secured by any stock or debentures issued by the Bank.

**Wild Flowers and Native Plants Protection
(Amendment) Act.**

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No. 34. 1931.

(2) Nothing contained in this Act or in the Government Savings Bank (Further Amendment) Act, 1931, shall suspend for any time after the thirty-first day of December, one thousand nine hundred and thirty-three, any liability of the Crown arising from any guarantee referred to in the Government Savings Bank Act, 1906, as amended by subsequent Acts.
