

GOVERNMENT SAVINGS BANK
(AMENDMENT) ACT.

Act No. 14, 1931.

George V,
No. 14, 1931. An Act to enable the Commissioners of the Government Savings Bank of New South Wales to make arrangements with the Commonwealth Bank of Australia for advances for the purpose of payment to the depositors or customers in any department of the Government Savings Bank of New South Wales, for other purposes, and to give security for such advances; to provide that such advances shall be guaranteed by the State of New South Wales; to authorise the Colonial Treasurer and the said Commissioners to make arrangements with the
Commonwealth

Commonwealth Bank of Australia and/or the Commonwealth Savings Bank of Australia for amalgamation and the transfer of the whole or any part of the assets, liabilities, and business of the Government Savings Bank of New South Wales; to amend the Government Savings Bank Act, 1906, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 29th April, 1931.]

No. 14, 1931.

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:--

1. (1) This Act may be cited as the "Government Savings Bank (Amendment) Act, 1931," and shall be read with the Government Savings Bank Act, 1906, as amended by subsequent Acts. Short title.

(2) This Act shall be deemed to commence on the twenty-third day of April, one thousand nine hundred and thirty-one.

2. (1) The commissioners may from time to time arrange with the Commonwealth Bank of Australia to make advances to the bank on such terms as may be agreed upon for the purpose of making payments to depositors or customers in any department of the bank. Arrangements as to advances.

(2) Such payments may be made only in such cases and upon such terms as the Commonwealth Bank of Australia in any arrangement may stipulate. Every such payment shall, as between the bank and the depositor or customer and any other creditor of the bank, be deemed a payment lawfully made to such depositor or customer and may be charged to the account of the depositor or customer.

(3) In connection with and as collateral security for amounts advanced under arrangements made in pursuance of this section the commissioners may transfer to the Commonwealth Bank of Australia such securities as that bank may from time to time require.

(4)

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(4) In respect of advances made under any arrangement made in pursuance of this section the Commonwealth Bank of Australia shall rank in priority to any other creditor of the bank, including the Crown in right of the State of New South Wales.

(5) The State of New South Wales guarantees the Commonwealth Bank of Australia against all loss arising out of advances made by it under this section, and such amount as may be necessary to meet any such loss may be paid by the Treasurer out of the Consolidated Revenue Fund without further appropriation than this Act.

Amalgamation.

3. The Treasurer and the commissioners may enter into an arrangement with the Commonwealth Bank of Australia and/or the Commonwealth Savings Bank of Australia for amalgamation and for the transfer to the Commonwealth Bank of Australia or the Commonwealth Savings Bank of Australia as the case may be upon such terms and conditions as are agreed upon between the Treasurer, the commissioners, and the Commonwealth Bank of Australia and/or the Commonwealth Savings Bank of Australia, of the whole or any part of the assets, liabilities, and business of the bank.

No such arrangement shall take effect until ratified by Parliament.

Commissioners to act.

4. The commissioners may continue to exercise all such powers and functions as are given to or imposed on them by any Act.

Other advances.

5. (1) The bank is empowered to obtain from time to time advances from the Commonwealth Bank of Australia for any purpose approved by that bank.

(2) The provisions of subsections three, four, and five of section two shall extend to any advance made under this section.

Ratification of certain indemnity.

6. The action of the Premier in addressing letters dated the twenty-third day of April, one thousand nine hundred and thirty-one, to certain banks indemnifying each of such banks from all liability that such banks may incur by reason of honouring any cheques that may be drawn by the commissioners of the Government Savings Bank of New South Wales or its authorised officers upon any account in such bank is hereby ratified.

7.

7. (1) Until the thirty-first day of December, one thousand nine hundred and thirty-one, or until an earlier date appointed by the Governor and notified by proclamation published in the Gazette, 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 or of any person to receive interest on any stock or debentures issued by the bank shall be deemed to be suspended, and no action or suit shall lie at the suit of or be continued by any person against the bank or the Crown founded on the non-payment of any such deposit or interest since the twenty-second day of April, one thousand nine hundred and thirty-one, and before the said thirty-first day of December or the earlier date so appointed.

(2) No action or suit shall lie founded on the breach of any agreement or promise by the bank to make an advance when the breach has occurred since the twenty-second day of April, one thousand nine hundred and thirty-one, and before the thirty-first day of December, one thousand nine hundred and thirty-one, or the earlier date appointed in pursuance of subsection one of this section.

This subsection shall extend to an action or suit in respect of the dishonour by the bank of any cheque, bill, draft, or note.

(3) The Governor may at any time before the date so appointed in like manner cancel or vary any proclamation made by him under this section.

(4) The Governor may after any date so appointed if Parliament is not in session proclaim a like moratorium in respect of deposits in the bank and other claims against the commissioners.

Such moratorium shall extend only until the expiration of seven sitting days after the commencement of the next session of Parliament but may be revoked in like manner at any earlier date.

8. The Governor may, but only if authorised by a resolution passed by both Houses of Parliament, by proclamation, direct that the bank or any department thereof shall be wound up, and may appoint the commissioners or any of them or any person named in the proclamation to be the liquidator thereof.

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No. 14, 1931. The winding-up shall until Parliament makes further provision in that regard be conducted in such manner as the Governor may by regulations prescribe.

Regulations. **9.** The Governor may make regulations not inconsistent with this Act prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act and without limiting the generality of the foregoing power in particular for the conduct of the winding-up of the bank or any department thereof and the determination of all matters arising therein.
