

**COMMONWEALTH AND STATE
BANK AGREEMENT RATIFICA-
TION ACT.**

Act No. 41, 1937.

**George VI,
No. 41, 1937.**

An Act to ratify an agreement made between the State of New South Wales of the one part and the Commonwealth Savings Bank of Australia of the other part; to provide for the carrying into effect of the said agreement and for other purposes; to vary the agreements ratified by the Commonwealth and State Banks Agreements Ratification Act, 1931, and by the Commonwealth and State Banks Agreement Ratification Act, 1935; and for purposes connected therewith. [Assented to, 23rd December, 1937.]

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. **1.** This Act may be cited as the "Commonwealth and State Bank Agreement Ratification Act, 1937."

Ratification and carrying into effect of agreement. **2.** (1) The agreement a copy of which is set out in the Schedule to this Act is hereby ratified and may be carried into effect notwithstanding the provisions of any other Act, or of the agreements ratified by the Commonwealth and State Banks Agreements Ratification Act, 1931, or by the Commonwealth and State Banks Agreement Ratification Act, 1935.

(2) All acts, matters and things for or with respect to which provision is made in the agreement a copy of which is set out in the Schedule to this Act or which by that

Commonwealth and State Bank Agreement Ratification Act.

517

No. 41, 1937.

that agreement are agreed, directed, authorised or permitted to be done or performed by or on behalf of the State, are hereby sanctioned, authorised and confirmed.

3. All moneys payable or to become payable by the State under or by virtue of the agreement shall be payable out of the Consolidated Revenue Fund which is hereby appropriated accordingly.

Appropriation of Consolidated Revenue Fund.

SCHEDULE.

Sec. 2.

THIS AGREEMENT made the twenty-ninth day of November one thousand nine hundred and thirty-seven BETWEEN the STATE OF NEW SOUTH WALES (hereinafter called "the Government") of the one part and the COMMONWEALTH SAVINGS BANK OF AUSTRALIA (hereinafter called "the Bank") of the other part WHEREAS an Agreement (hereinafter called "the First Agreement") was made the first day of December one thousand nine hundred and thirty-one between the Government of the first part the Commissioners of the Government Savings Bank of New South Wales of the second part and the Bank of the third part the said Agreement being set out at length in the First Schedule to and ratified by the Commonwealth and State Banks Agreements Ratification Act 1931 of the said State AND WHEREAS the First Agreement was varied by an agreement made the twenty-sixth day of March one thousand nine hundred and thirty-five between the Government of the first part the Rural Bank of New South Wales of the second part the Bank of the third part and the Commonwealth Bank of Australia of the fourth part such agreement being set out at length in the Schedule to and ratified by the Commonwealth and State Banks Agreement Ratification Act 1935 AND WHEREAS by clause 5 of the First Agreement it is provided that the Government will repay to the Bank the Treasury deposit appearing in the balance-sheet therein referred to by forty equal half-yearly payments the first of such payments to be made on the 30th November 1936 and that interest will be payable half-yearly at 4 per centum per annum on the 1st January and 1st July subject to the proviso that there should be an adjustment made between the Bank and the Government under which the net rate of interest paid by the Government and received by the Bank for each half-year ending 30th June and 31st December shall be one per centum per annum above the highest rate of interest allowed on depositors' balances during that half-year AND WHEREAS it is desired by the Government and the Bank to vary as hereinafter provided

Commonwealth and State Bank Agreement Ratification Act.

No. 41, 1937.

provided the provisions of the said clause 5 of the First Agreement AND WHEREAS the half-yearly payments and interest which became due and payable by the Government to the Bank under that clause prior to the date of this Agreement have been paid or otherwise satisfied NOW IT IS HEREBY AGREED by and between the parties hereto as follows:—

1. (a) In consideration of the agreement by the Government in clause 2 (a) hereof the Bank will defer for a period of twenty years payment of part namely £95,000 0s. 0d. (hereinafter called the "deferred part payment") of each and every half-yearly instalment of principal becoming due and payable after the 31st May 1937 by the Government to the Bank under clause 5 of the First Agreement in repayment of the Treasury Deposit referred to in that clause. PROVIDED ALWAYS that the Bank shall not be bound to defer payment of any part of any such instalment aforesaid unless—
 - (a) The balance of such instalment shall be paid on or before the date fixed for payment thereof under the said clause 5,
 - (b) All interest due in respect of the balance of the said treasury deposit shall have been previously paid, and
 - (c) All principal and interest payments due at or prior to the date fixed for payment of the said instalment to the Commonwealth Bank of Australia under clause 11 of the Agreement a copy whereof is set out at length in the Second Schedule to the Commonwealth and State Banks Agreements Ratification Act 1931 shall have been paid.
- (b) The said period of twenty years shall in respect of each deferred part payment be the period of twenty years from the date upon which it would have been payable under the said clause 5 if this agreement had not been made.
2. (a) In consideration of the agreement by the Bank in clause 1 (a) hereof the Government will pay to the Bank half-yearly on the 1st day of January and the 1st day of July in each year interest on each deferred part payment whereof payment is deferred under clause 1 (a) (or the amount thereof for the time being unpaid) at a rate equivalent to 1½ per centum per annum above the highest rate of interest allowed by the Bank to its depositors on their Savings Bank deposits during the half-year terminating on the day immediately preceding the day on which the interest shall be so payable PROVIDED ALWAYS that such interest shall not be payable in the case

Commonwealth and State Bank Agreement Ratification Act.

519

No. 41, 1937.

case of any deferred part payment (or any part thereof) for or in respect of any time prior to the day following the date upon which the deferred part payment would have been payable under the said clause 5 if this agreement had not been made.

(b) The interest agreed by this clause to be paid by the Government to the Bank on any deferred part payment shall be in lieu of interest thereon under the said clause 5 for or in respect of any time after the date upon which the deferred part payment would have been payable under the said clause 5 if this agreement had not been made.

3. Save as varied by this agreement the provisions of the said clause 5 shall continue in force.
4. This Agreement shall not be of any force or effect until ratified by an Act of the Parliament of the said State.

IN WITNESS whereof the parties hereto have executed these presents the day and year first above written.

Signed for the State of New South Wales by the Honourable Bertram Sydney Barnsdale Stevens Premier of the State in the presence of:

B. S. STEVENS.

T. D. KELLY J.P.

THE COMMON SEAL of the Commonwealth Savings Bank of Australia was affixed hereto by the authority of the Board of Directors in the presence of:

(L.S.)
C. H. READING
Director.

E. C. RIDDLE
Director:

E. B. RICHARDSON Acting Secretary.

I, Richard Gardiner Casey, the Treasurer of the Commonwealth of Australia hereby approve of the above Agreement whereon this approval is endorsed.

Dated at Canberra this 30th day of November 1937.

R. G. CASEY.

Witness: H. J. SHEEHAN.

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