

[Act 1996 No 64]



New South Wales

Bank Mergers (Application of Laws) Bill 1996

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to enable the application in New South Wales of laws of other States or Territories relating to the merger of banks.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 enables the Governor by proclamation to declare a law of another State or Territory providing for or relating to the merger of banks to be a law to which the proposed Act applies. The effect of a proclamation will be (under proposed section 5) to apply the law as a law of this State. A proclamation may exclude, modify or supplement provisions of the law that is to be applied.

Clause 5 extends the application of a proclaimed law so that it applies, subject to the terms of the proclamation, as if it were a law of this State. Provisions of such a law relating to government guarantees and exemptions from taxes, charges, duties or other imposts are automatically excluded from applying except to the extent that the proclamation otherwise provides.

Clause 6 prevents a proclaimed law from applying unless the amount (if any) determined by the Treasurer for taxes, charges, duties or other imposts is paid or any requirement to give an undertaking to pay at a later date is complied with. The requirements must be referred to in the proclamation. The Treasurer must give a certificate to the bank concerned when satisfied that the required amount has been paid or the undertaking has been given and when the amount is subsequently paid.

Clause 7 provides for the review of the Act by the Minister 5 years after its commencement.