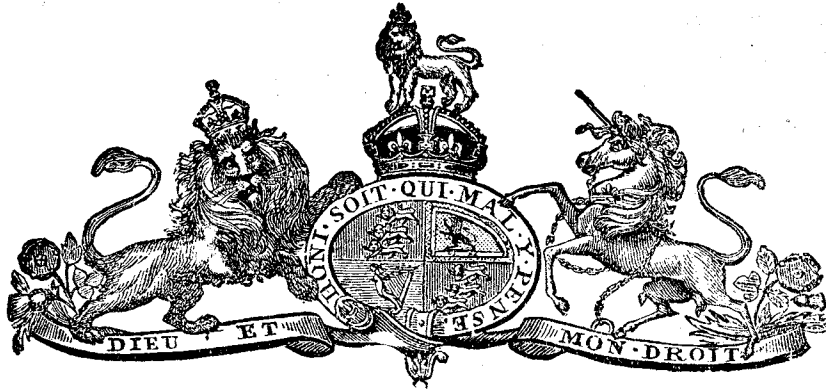


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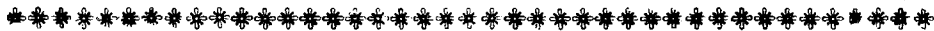
ANNO SEXTO DECIMO

GEORGII V. REGIS.

No. 39.

ANALYSIS.

1. Short title.
2. Insertion of new sections in the Lending of Money Act, 1915.
  - Penalty for lending money at excessive rate of interest.
  - Penalty for demanding interest at excessive rate.
  - Penalty for charging excessive commission on loans.
  - Renewal of loan with interest added to constitute a lending at compound interest.
  - Meaning of "rest day."
  - Sections 4, 5, and 6 not to affect discretion of court or judge under Section 2 of this Act.
  - Procedure for offences.



AN ACT to amend the Lending of Money Act, 1915. [11 December, 1925.]

A.D. 1925.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The Lending of Money Act, 1925." Short title.

4d.]

*Lending of Money.*

A.D. 1925.

Insertion of new sections in the Lending of Money Act, 1915.  
6 Geo. V. No. 14.

Penalty for lending money at excessive rate of interest.

Penalty for demanding interest at excessive rate.

Penalty for charging excessive commission on loans.

Renewal of loan with interest added to constitute a lending at compound interest.

**2** After Section Three of the Lending of Money Act, 1915, the following new sections are hereby inserted:—

“**4** No person shall lend, or agree to lend, to any other person any moneys—

- i. At simple interest at a higher rate than One Hundred Pounds per centum per annum: or
- ii. At compound interest, at any rate, to be calculated with reference to rest days at any more frequent intervals than once in every six months.

Penalty: Twelve months imprisonment, or One hundred Pounds.

“**5** No person shall, in respect of any moneys lent by him to any other person, or owing to him by such other person—

- i. Demand, receive, or take, or agree to receive or take, from such other person: or
- ii. In any account with such other person, debit such other person with, or take credit to himself for—

any sum of money by way of—

- (a) Simple interest, at a higher rate than One hundred Pounds per centum per annum: or
- (b) Compound interest, at any rate calculated with reference to rest days, at any more frequent intervals than once in every six months

Penalty: Twelve months imprisonment, or One hundred Pounds.

“**6** No person shall—

- i. Demand, receive, or take from any other person: or
- ii. Deduct from, or retain out of, any moneys which he has agreed to lend, or which he owes, to such other person: or
- iii. In any account with such other person, debit such other person with, or take credit to himself for—

any sum of money by way, or under pretence, of any bonus, commission, or premium for the lending, or negotiating or renewing the loan of, any moneys to or for such other person, exceeding Two Pounds Ten Shillings per centum of the amount of such moneys.

Penalty: Twelve months imprisonment, or One hundred Pounds.

“**7** Where, on the renewal of the loan of any moneys by a lender to a borrower, any interest is added to the original loan in such a way as to create a new obligation on the part of such borrower in respect of such added interest, involving the payment of interest on such added interest, the moneys constituting the original loan shall thereupon, as from the date of such loan, be deemed, for the purposes of Sections Four and Five of this Act, to have been lent at compound interest, and the date of such renewal shall be deemed to be a rest day within the meaning of this Act.

*Lending of Money.*

- “**8** In this Act the expression “rest day” means a day on which the interest on any principal moneys constituting a loan is added to such principal moneys for the purpose of increasing the amount on which interest shall thereafter be payable in respect of such loan.
- “**9** Nothing in Section Four, Section Five, or Section Six of this Act shall be construed as affecting the discretion conferred on any court or judge by Section Two of this Act, in determining any question arising under the lastmentioned section as to the rate of interest, or the amount of any charges, in respect of any money lent, either before or after the commencement of this Act.
- “**10** All proceedings for offences against Sections Four, Five, and Six of this Act shall be heard and determined, and all penalties imposed thereby shall be enforced and recovered, under and in accordance with the Justices’ Procedure Act, 1919.”

A.D. 1925.

Meaning of “rest day.”

Sections 4, 5, and 6, not to affect discretion of court or judge under Section 2 of this Act.

Procedure for offences.

10 Geo. V. No. 55.

