

## TASMANIA.

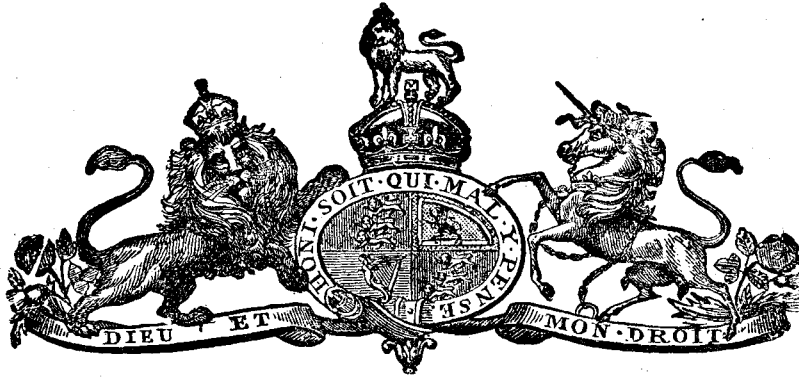
THE STATE LOANS TO LOCAL BODIES  
ACT, 1921.

ANALYSIS.

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T A S M A N I A.



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ANNO DUODECIMO

GEORGII V. REGIS.

No. 23.

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AN ACT to authorise and regulate the Granting of Loans by the State to Local Bodies for Local Works, and for other purposes. [6 December, 1921.]

A.D. 1921.

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 State Loans to Local Bodies Act, 1921." Short title.

2 As often as by any special Act passed during the present or any future session of Parliament authority is given to any local body to borrow any sum of money under the provisions of this Act for the purposes mentioned in the special Act, and such moneys are borrowed under this Act, the provisions of this Act, save so far as they may be expressly varied or excepted by the special Act, shall be deemed to be incorporated with the special Act.

This Act to apply where local bodies empowered by special Act to borrow under this Act.

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Definitions.

45 Vict. No. 15.

**3** In this Act, unless the contrary intention appears—

“Commissioners” means the Commissioners of the Public Debts Sinking Fund, constituted under “The Public Debts Sinking Fund Act, 1881 :”

“Local body” includes—

- i. The mayor, aldermen, and citizens of a city, and also the municipal council of a city ;
- ii. The warden, councillors and electors of a municipality, and also the municipal council of a municipality ;
- iii. A marine board ;
- iv. The trustees of a water, or light, or harbour district ;
- v. Any other public body which the Governor by proclamation directs shall be included in this definition :

“Minister” means the Minister for Works of this State :

“Rating area” means the area specified or described in the special Act as the area in respect of which the rates or charges leviable under this Act may be levied :

“Special Act” means any Act passed during this present or any future session of Parliament, whereby authority is given to a specified local body to borrow any sum of money under this Act for the purposes mentioned in the first-mentioned Act :

“Treasurer” means the Treasurer of this State.

“Work” means any local work or undertaking in respect of which a local body is by a special Act authorised to borrow a sum of money under the provisions of this Act :

Governor may grant loans to local bodies.  
Cf. 54 Vict. No. 30, s. 2.

**4** Subject to the provisions of this Act, where a special Act authorises a local body to borrow under the provisions of this Act any sum or sums of money for purposes specified in the special Act, it shall be lawful for the Governor, for such purposes, upon application by the local body, to grant to such local body, by way of loan under this Act, any sum or sums of money not exceeding in the whole the sum or sums specified in the special Act, upon the security of all the revenues of such local body, and such other security as is hereinafter provided, and such sum or sums of money shall be defrayed out of moneys to be provided by Parliament for the said purposes.

Minister's officer to report on proposed work before loan is advanced.  
Cf. *ibid.*

**5—(1)** Before any sum of money is advanced by way of loan to a local body under this Act, plans, specifications, and estimates of the proposed work shall be prepared by and at the cost of the local body, and submitted to the Minister.

The Minister shall refer the said plans, specifications, and estimates to one of his officers, or such other person as he may think fit, and such officer or other person shall examine the same and report to the Minister thereupon in respect of the following matters, that is to say:—

- i. As to the necessity or expediency of the proposed work :
- ii. As to the accuracy and sufficiency of the plans, specifications, and estimates thereof :

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- iii. As to the competency of the officers of the local body to undertake and satisfactorily complete the same ;
- iv. As to the net revenue (if any) that may reasonably be expected to be yielded by such work ;
- v. As to the probable life of the proposed work ; and
- vi. As to such other matters as the Minister may specify, or such officer or person may think fit.

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(2) On receipt of such report the Minister may—

- i. If satisfied with the report, submit the same to the Treasurer with such recommendation as to the proposed loan as he may think fit : or

Minister may submit report to Treasurer.

ii. He may—

(a) Refer back the plans, specifications, or estimates, to the local body for alteration or revision in such manner as he may deem necessary ; or

(b) Authorise and instruct one of his officers, or such other person as he may think fit, at the cost of the local body, to alter, remodel, or revise the plans, specifications, or estimates in such manner as he may deem necessary for the proper execution of the work—

and on being satisfied with the alteration, revision, or remodelling of such plans, specifications, or estimates, submit the same to the Treasurer with such recommendation as to the proposed loan as he may think fit. In making any such recommendation as last aforesaid the Minister may recommend that the execution of the proposed work be supervised at the expense of the local body by one of his officers or such other person as he may think fit, and that payment by the local body on account of such proposed work be prohibited by the Minister unless on the certificate of the said officer or other person.

(3) The Treasurer shall consider the recommendation of the Minister under the preceding subsection, and may submit the proposed loan to the Governor with such recommendation as he shall think fit, and the Governor may authorise the loan, or alter or modify the amount or conditions thereof, either in accordance with the recommendation of the Treasurer or otherwise.

Treasurer may submit proposed loan to Governor who may authorise same.

(4) The Minister may from time to time during the progress of the work, and at the expense of the local body, cause an inspection thereof to be made by one of his officers or such other person as he may think fit, who shall make a report to the Minister as to the progress of the work and as to such other matters in connection therewith as the Minister may direct, or as he may deem fit, and the Minister shall, if not satisfied with such report, communicate his dissatisfaction to the Treasurer, and the Treasurer may, on the recommendation of the Minister, withhold any further payments to the local body on account of such work, either absolutely or until the Minister shall have reported to him that the work is being satisfactorily carried out.

Minister may cause inspection of work to be made.

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If local body makes default Treasurer may withhold payment of moneys.

(5) If the local body—

- i. Refuses to defray the reasonable costs of the Minister of the supervision or inspection of any work, or of the alteration, remodelling, or revision of any plans, specifications, or estimates as provided by this Act: or
- ii. Refuses to allow an inspection of any work by an officer or other person appointed by the Minister: or
- iii. Is in arrear with any interest or other payment due by such local body to the Treasurer under this or any other Act—

the Treasurer may, on his own motion in the circumstances mentioned in Sub-paragraph iii., or, on the report and recommendation of the Minister in any of the circumstances mentioned in Sub-paragraphs i. and ii., withhold payment of any moneys, or any portion thereof, then accruing to the local body under the provisions of the special Act or any other Act.

Terms of loan.  
Cf. 4 Ed. VII.,  
No. 23, ss. 1 and  
2.

6—(1) There shall be payable and paid by any local body to the Treasurer upon, or in respect of, any sum or sums of money, authorised after the commencement of this Act to be advanced as a loan to such local body, and so advanced—

Interest on loan.

- i. Interest at such a rate per centum per annum as shall be equal to the highest rate of interest payable by the Treasurer upon Local Inscribed Stock at the time of the advance:
 

Provided, however, that if at any time or times after such advance the highest rate of interest, payable by the Treasurer upon Local Inscribed Stock, shall be greater or less than the highest rate so payable by him at the time of the advance, the rate of interest payable to the Treasurer in respect of the moneys advanced to such local body shall be increased or reduced so that the same shall from time to time correspond with the highest rate for the time being payable by the Treasurer upon Local Inscribed Stock, and the Treasurer shall, from time to time, notify the local body of the rate of interest payable to him in respect of such advance:

Provided further, that any increase or reduction in the rate of interest payable by a local body under this subsection, shall not commence to operate until the First day of January, or the First day of July, as the case may be, next following the increase or reduction in the rate of interest payable by the Treasurer upon Local Inscribed Stock: and

Sinking fund.

- ii. A sum of money per annum equal to such an amount per centum as shall be fixed by the special Act, as a contribution towards a sinking fund until the Auditor-General shall certify as hereinafter provided that such loan has been completely liquidated: and

Administration charge.

- iii. An administration charge on the sum or sums advanced at a rate per centum per annum according to the scale set out in the schedule hereto.

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(2) If any interest payable to the Treasurer by any local body under Subsection (1) shall be in arrear and unpaid for the space of One calendar month after the same shall have become payable, or if any contribution towards a sinking fund so payable to the Treasurer shall be in arrear and unpaid for the space of Three calendar months after the same shall have become payable, such local body shall pay to the Treasurer interest on the amount or amounts from time to time so in arrear, and unpaid from the time when the same became due and until full payment thereof, at the rate which for the time being is or would be chargeable to the Treasurer by the Commonwealth Bank on any overdraft of the State with the said bank.

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Interest on  
payments in  
arrear.

(3) Until the Auditor-General shall certify that such loan has been completely liquidated, the interest and other moneys mentioned in Subsection (1) shall be payable half-yearly on the First day of January and the First day of July in each year.

(4) The payments to be made under Sub-paragraph ii. of Subsection (1) in respect of any loan granted under the provisions of this Act shall not begin until such date as the Governor shall determine, being not more than Three years after the authorisation thereof by him: Provided that until such date the interest and the administration charge on or in respect of the portion or portions of the loan from time to time advanced, from the date of such advance or respective advances by the Treasurer, shall be payable by the local body to the Treasurer on the half yearly days hereinbefore mentioned.

Payment into  
sinking fund may  
be deferred.

(5) Any local body may at any time without giving any previous notice thereof, repay to the Treasurer—

Option of  
repayment at any  
time.

- i. The whole, or the balance then remaining unpaid, as certified by the Auditor-General, of any such loan as aforesaid, with interest thereon to date: or
- ii. Any portion of the whole, or of the balance then remaining unpaid, of any such loan as aforesaid, provided that all interest on such loan has been previously paid to date.

**7** Every payment to the Treasurer by a local body under the preceding section shall be appropriated and dealt with as follows, namely:—

How payments  
appropriated.

- i. The proportion of such payment representing the interest and administration charge (save and except the portion, if any, of such payment representing interest payable in respect of sinking fund contributions in arrear) shall be paid into and form part of the Consolidated Revenue:
- ii. The balance of such payment shall be paid by the Treasurer to the Commissioners for the purpose of redeeming the loan, and when received by them shall be paid into and form part of the Public Debts Sinking Fund, established under "The Public Debts Sinking Fund Act, 1881," and shall be held and disposed of by the Commissioners as hereinafter mentioned:

Interest and  
administration  
charge to be paid  
into Consolidated  
Revenue.Balance into  
Public Debts  
Sinking Fund.

45 Vict. No. 15.

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iii. The Commissioners may invest all or any of the moneys received by them, and the interest or other profit thereon, in such securities as the Governor may from time to time prescribe as securities in which investments may be made by the Commissioners.

Treasurer to furnish particulars of loans to Commissioners of Public Debts Sinking Fund.

**8** The Treasurer shall, at the time of making the First payment to the Commissioners on account of the sinking fund in respect of any loan made under this Act, furnish the Commissioners with the following particulars with respect thereto—

- i. The name of the local body to whom such loan was made :
- ii. The short title of the special Act authorising such loan :
- iii. The amount of such loan :
- iv. The per centum per annum contribution payable by such local body towards the sinking fund in respect of such loan.

Commissioners to keep separate account of each loan.

**9**—(1) The Commissioners shall keep a separate account in their books in respect of each loan advanced to any local body under the provisions of this Act, and of all payments made to them by the Treasurer on behalf of such local body and in redemption of such loan.

Interest to be credited to account.  
Cf. 54 Vict. No. 30, s. 7.

(2) The Commissioners shall on the Thirtieth day of June in each year credit each such account with interest on the amount thereof at a rate equal to the average rate of interest earned during the preceding financial year by the whole of the funds at the disposal of the Commissioners.

Commissioners to pay amount of loan when redeemed to Treasurer, and Treasurer to apply same in redemption of State securities.  
9 Geo. V. No. 8.

(3) As soon as the Auditor-General shall certify that any loan made to a local body under this Act has been fully redeemed, the Commissioners shall pay to the Treasurer the amount of the loan so redeemed, and the Treasurer shall thereupon apply the amount so paid to him, so far as the same shall extend, in redemption of local inscribed stock or other State securities within the meaning of "The State Securities Act, 1918."

Separate bank account.  
Cf. No. 41 of 1919 (N.S.W.), s. 183.

**10**—(1) All moneys borrowed by any local body under the provisions of this Act shall be lodged to the credit of a separate bank account in respect of each loan in its appropriate fund.

(2) Subject to the provisions of this Act, the separate bank account in respect of any loan shall not be drawn upon except—

- i. For the specific purposes for which the loan was obtained, as set out in the special Act : or
- ii. For or towards repaying the principal of the loan.

(3) Where after the work for which any loan has been obtained has been completed, it is found that there remains any portion of the loan unexpended, the local body shall pay the remainder to the Treasurer, and the Treasurer shall pay the amount received by him to the Commissioners for or towards the redemption of the loan.



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**11** When it is provided by the special Act that the local body shall not proceed to borrow any sum or sums of money under the authority of such Act until such borrowing has been sanctioned at a poll of electors to be taken by such local body, then the provisions of Sections Twelve to Eighteen inclusive of this Act shall apply.

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Provisions where  
poll to be taken  
before borrowing.

**12** The returning officer at any poll to be taken under the authority of the special Act shall be—

Returning officer.

- i. In the case of a city, the mayor of such city :
- ii. In the case of a municipality, the warden of such municipality :
- iii. In the case of a marine board, the master warden of such marine board :
- iv. In the case of the trustees of a water, or light, or harbour district, the chairman of such trustees :
- v. In the case of any other public body, such person as the Governor may appoint for the purpose.

**13** Fourteen days before the day appointed for the taking of the poll the returning officer shall cause notice of such poll to be advertised in a daily newspaper circulating in or nearest to the city, municipality, district, or area concerned or affected, and a copy of such notice to be affixed on or near the door of every police office or police station in such city, municipality, district, or area ; such notice shall contain the following particulars :—

Notice of Poll.  
Cf. 6 Ed. VII.  
No. 31, s. 67.

- i. The name of the local body :
- ii. The time and place of such poll :
- iii. The nature of the proposed work :
- iv. The amount of the proposed loan.

**14** The electors qualified to vote at the poll shall be—

- i. In the case of a city, the citizens qualified to vote at an election of aldermen for such city .
- ii. In the case of a municipality, the persons qualified to vote at an election of councillors for such municipality :
- iii. In the case of a marine board, the persons qualified to vote at an election of wardens of such marine board :
- iv. In the case of a water, or light, or harbour district, the persons qualified to vote at an election of trustees of such district :
- v. In any other case such persons as shall be provided in the special Act.

Qualifications of  
electors and  
number of votes  
to which each  
elector entitled.

(2) Each elector qualified to vote at the poll under Sub-paragraphs i., ii., iii., and iv. shall have such a number of votes as he would be entitled to at an election of aldermen, councillors, wardens, or trustees, for the city, municipality, marine board, or district (as the case may be) concerned or affected.

(3) Each of the electors referred to in Sub-paragraph v. shall have such a number of votes at the poll as shall be provided in the special Act.

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Returning officer to make arrangements for poll.

Cf. 11 Geo. V. No. 6, s. 10.

Form of voting paper.

Cf. *ibid.* s. 12.

**15** The returning officer shall make all such arrangements and provisions as are necessary to carry out the poll, and the proceedings generally shall, with any necessary changes, be the same as far as practicable as those provided or prescribed in the case of an election of councillors under "The Local Government Act, 1906."

**16** The voting papers to be used in the taking of the poll shall be according to the following form or to the like effect:—

*Voting Paper.*

If you are in favor of the (*name of local body*) borrowing the sum of (*amount of proposed loan*) under "The State Loans to Local Bodies Act, 1921," for the purposes of (*purposes of loan*), you are to put a cross opposite the word "For."

If you are opposed to the (*name of local body*) borrowing the said sum for the above purposes, you are to put a cross opposite the word "Against."

FOR	
AGAINST	

Poll to decide whether local body shall proceed with loan.

Cf. *ibid.* s. 13.

**17** If at the taking of the poll the number of votes recorded in favor of the proposed loan shall amount to such a proportion of the total number of valid votes recorded at such poll, as shall be provided in the special Act, the local body may proceed to borrow the amount mentioned in the special Act in the manner and for the purposes therein mentioned, but otherwise the local body shall not so proceed.

Notification of result of poll.

**18** The returning officer shall forthwith, after the taking of the poll, notify the Treasurer in writing of the result thereof.

Half-yearly loan statement to be gazetted by Treasurer as to local bodies in arrear.

**19**—(1) In the months of February and August respectively, in every year, the Treasurer shall publish in the "Gazette" a detailed statement of every loan granted under the provisions of this Act in respect of which any payment of money required by this Act to be made by any local body to the Treasurer is overdue and unpaid, and of the amount so overdue and unpaid.

If arrears unpaid for Ten days, Treasurer may give notice of intention to enforce payment.

(2) If after the expiration of Ten days from the gazettal of any such statement any such moneys remain unpaid, the Treasurer may, by public notification, declare his intention to enforce payment of the same.

Appointment of receiver of rates and income.

Cf. No. 41 of 1919 (N.S.W.) s. 193.

**20**—(1) If after the expiration of Fifty days from the day of such public notification the moneys so overdue, or any part thereof, remain unpaid by any local body, the Governor may from time to time appoint a receiver of the rates and other income of the local body.

(2) A receiver may be appointed in respect of the rates and other income of the local body, either generally or as regards specified rates and other income.

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(3) The receiver shall, in terms of his appointment, have power to collect and receive all income, and to make and levy, demand, collect, and recover all rates and charges payable to or leviable by the local body, for or in respect of which he has been appointed receiver, and for the purposes aforesaid the receiver shall be deemed to be the local body and may exercise all the powers thereof. The receiver may also, and if required by the Governor, shall, exercise the powers of a local body under Section Twenty-one.

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Powers and  
duties.  
Cf. *ibid.* s. 194.

(4) The receiver shall discharge such duties of the local body and of the mayor, warden, or other chief executive officer, and of any servant of the local body as the Treasurer may direct.

(5) For any of the purposes of Subsections (3) and (4) an order in writing, signed by the receiver, shall be equivalent to a resolution of the local body.

(6) The receiver shall be entitled to such remuneration, by way of commission or otherwise, for his services as the Treasurer may direct, and the remuneration shall be payable out of the rates or income for or in respect of which he has been appointed receiver.

Commission.  
Cf. *ibid.* s. 195.

(7) The receiver shall pay and apply all the money received by him in the following order, that is to say—

Application of  
moneys received.  
Cf. *ibid.* s. 196.

I. Firstly, in payment of the costs, charges, and expenses incurred by him as such receiver, and his remuneration :

II. Secondly, in payment of all moneys due and payable by the local body to the Treasurer :

III. Thirdly, in payment of all the residue of the money to the local body.

**21—**(1) A local body which is authorised under any Act to levy rates or charges, and to which any loan has been made under this Act, may, and if required by the Governor shall, from time to time, levy in the manner so authorised a sum sufficient to provide for the maintenance and management of all works with respect to which any debt is owing to the Treasurer, and for the payment of all interest and other moneys payable to the Treasurer in respect of such debt.

Local body may,  
and if required by  
the Governor  
shall, make rate.

(2) The Governor may by proclamation notify the minimum rate in the pound or the minimum charges which the local body shall levy under this section, and the rate or charges levied shall not be less than the rate or charges so notified.

Governor may  
notify minimum.

(3) Every such rate or charge shall be payable at such times as may be appointed in the public notice of the making thereof given by such local body in respect of all ratable property in the rating area.

When payable.

(4) Every such rate and charge shall be made and be recoverable in the same manner and shall be payable by the like persons within the rating area as any other rate or charge made by such local body is made, or recoverable, or payable.

How rate made.

**22** In addition to any other remedy for the recovery thereof, all moneys paid to any local body on account of any loan granted under the provisions of this Act, and all interest and administration charges from time to time due in respect thereof, shall until repayment thereof

Security on  
property of local  
body.  
Cf. 11 Geo. V.  
No. 21, s. 9.

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respectively, be and remain a First charge upon the real and personal property and assets of such local body in priority to all other liabilities of such local body.

Insurance.  
Cf. *ibid.* s. 10.

**23** Any loan granted under the provisions of this Act shall be made on and subject to such terms and conditions either as to insurance of buildings or other local works erected, constructed, repaired, extended, or added to, whether wholly or partly out of or by means of such loan or any portion thereof, or otherwise as the Governor may impose or approve in all respects.

Power to borrow  
to cease after  
two years or  
other specified  
time.  
Cf. *ibid.* s. 12.

**24** If the money authorised by the special Act to be borrowed by a local body under the provisions of this Act, or any portion of such money is not borrowed within Two years from the date of the commencement of the special Act, or within such other period as is provided by the special Act, then the power to borrow, so far as such power has not been exercised by such local body, shall cease and determine, and any money the Treasurer may be authorised to raise or has raised for the purposes of the special Act shall, so far as the same has not been borrowed by such local body within the period aforesaid, be re-appropriated to such other purpose or purposes as Parliament may determine.

Security by  
receiver.

**25** Every receiver appointed under this Act shall, before entering on his office, give such security for the faithful execution thereof as the Treasurer may determine.

Audit.  
9 Geo. V. No. 3.

**26** Every such receiver shall on the receipt or disbursement of moneys or other property, be amenable to all the provisions of "The Audit Act, 1918," in the same manner and in all respects as if he were a "local authority" under Section Thirty-one of that Act, or an officer in the Public Service.

Application of  
Sections 19, 20,  
21, and 22, to  
loans made under  
"The Local  
Public Works  
Loans Act, 1890."  
(54 Vict. No. 30).

**27**—(1) Sections Nineteen, Twenty, Twenty-one, and Twenty-two of this Act shall apply to all loans made to any local body under the provisions of "The Local Public Works Loans Act, 1890," whether the whole or any portion of the moneys comprising any such loan shall or shall not have been advanced to such local body before the commencement of this Act, and for the purposes of the lastmentioned sections all such loans shall be deemed to have been made under the provisions of this Act.

Application of  
scale in schedule  
to such loan.

(2) In lieu of the administration charge payable under "The Local Public Works Loans Act, 1890," in respect of any moneys advanced under the provisions of that Act, there shall be payable on and after the First day of January, One thousand nine hundred and twenty-two, on the half-yearly days appointed for payment of interest under the provisions of the lastmentioned Act, an administration charge in respect of such moneys at a rate calculated according to the scale set out in the schedule hereto.

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**28**—(1) Notwithstanding anything contained in any previous Act, the rate of interest per centum per annum, payable to the Treasurer in respect of all moneys authorised to be advanced by him and so advanced to any local body under the provisions of “The Local Public Works Loans Act, 1890” between the Eleventh day of November, One thousand nine hundred and four, and the date of the commencement of this Act, shall be fixed for each year after such commencement in the manner following:—The Government Statistician shall, as soon as practicable after the First day of July in each such year as aforesaid, make a calculation and ascertain and certify to the Treasurer what was the approximate rate of interest per centum per annum, calculated to the nearest One-eighth per centum, payable by the Treasurer, during the period of Twelve months immediately preceding the First day of July in such year, upon the whole of the local inscribed stock issued at any time by the Treasurer, and upon which any interest was paid by him during such lastmentioned period, and such rate shall be the rate payable by such local body upon all such moneys as aforesaid for the period of Twelve months immediately succeeding the First day of July in such year, and interest at that rate shall be paid on the First day of January and the First day of July immediately succeeding the date of the certificate of the Government Statistician.

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Rate of interest on moneys advanced to local bodies between 11th November, 1914, and commencement of this Act.

Provided that in order to ascertain the rate payable to the Treasurer on all such moneys as aforesaid on the First day of January and the First day of July, in the year One thousand nine hundred and twenty-two, such calculation shall be made and such certificate shall be given as soon as practicable after the commencement of this Act, and before the Thirty-first day of December, One thousand nine hundred and twenty-one.

(2) The Treasurer shall, in every year as soon as possible after he has received the certificate of the Government Statistician hereinbefore referred to, notify the local body of the rate of interest payable by such local body on the First day of January and the First day of July immediately succeeding the date of the said certificate.

**29**—(1) The provisions of Subsection (2) of Section Six, for payment of interest upon any interest or sinking fund contributions in arrear and unpaid for the periods therein respectively mentioned, shall apply to all interest and sinking fund contributions in arrear and unpaid by any local body at the time of the commencement of this Act, or hereafter to be so in arrear and unpaid in respect of any sum or sums of money heretofore advanced to such local body by the Treasurer.

Application of Subsection (2) of Section 6 to moneys in arrear at commencement of this Act.

Provided, however, that no interest shall be payable by any local body on any arrears of interest or sinking fund contributions owing to the Treasurer at the date of the commencement of this Act in respect of the period of Twelve months immediately following the First day of January, One thousand nine hundred and twenty-two.

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Provided, further, that all payments of interest or for sinking fund contributions, made to the Treasurer after the commencement of this Act in respect of any moneys heretofore advanced to any local body, which was at the time of such commencement in arrear with any payments to him of interest or for sinking fund contributions, shall be appropriated in payment of such arrears until the same are completely liquidated.

(2) All amounts paid by any local body under Subsection (1) of this section for interest upon sinking fund contributions in arrear shall be appropriated to and form part of the sinking fund of the loan in respect of which such contributions were payable.

No loan to be hereafter granted under "The Local Public Works Loans Act, 1890."

**30** Except in the case of a loan authorised by an Act passed before the commencement of this Act to be advanced under the provisions of "The Local Public Works Loans Act, 1890," no loan shall be hereafter granted by the Governor to any local body under the provisions of the lastmentioned Act.

Effect of Governor's approval to loan.

**31** For the purposes of any security for loans under this Act, the approval of the Governor to the loan shall be conclusive evidence that the provisions of this Act, with respect to the proposal for the loan, have been duly complied with.

Regulations.

**32** The Governor may make regulations, not inconsistent with this Act, prescribing all matters and forms which by this Act are required, contemplated, or permitted to be prescribed, or which he deems necessary, expedient, or convenient for carrying out or giving effect to this Act, and he may by such regulations impose a penalty not exceeding Twenty Pounds for any breach thereof.

Procedure.

**33** All informations for offences against the provisions of this Act, and all penalties imposed by this Act, may be heard, determined, recovered, and enforced in a summary way, by and before a police magistrate, or any Two or more justices, in the mode prescribed by

10 Geo. V. No. 55. "The Justices' Procedure Act, 1919."

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Sections 6 (1)  
and 27 (2).

Amount advanced.	Rate per centum per annum.
Not exceeding £25,000 ... ..	5s.
Exceeding £25,000... ..	{ 5s. on the first £25,000 2s. 6d. on the balance

For the purpose of determining the rate per centum per annum of the administration charge payable on any half-yearly day on any sums (if more than one) advanced to a local body under the provisions of this Act, or the "Local Public Works Loans Act, 1890," all sums of money advanced under the provisions of the two last mentioned Acts, or either of them, for the same or a similar purpose and remaining either wholly or partly owing and unpaid on such half-yearly day, shall be aggregated, and such rate shall be the rate above set out in respect of an amount which is equal to the aggregated total of such sums as aforesaid.

If any question shall arise as to such aggregation as aforesaid, or otherwise as to the determination of the said rate, the same shall be referred to the Auditor-General whose decision shall be final and conclusive.

Provided that in no case shall the administration charge in respect of the sum advanced to any local body, or the total sums so advanced for the same or a similar purpose, exceed in any one year the sum of Two hundred Pounds.

