

New Zealand State-guaranteed Advances Amendment Act 1910

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An Act to amend the New Zealand State-guaranteed Advances Act, 1909.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title.

This Act may be cited as the New Zealand State-guaranteed Advances Amendment Act, 1910, and shall form part of and be read together with the New Zealand State-guaranteed Advances Act, 1909 (hereinafter referred to as the principal Act).

Raising Loans for Purposes of Principal Act

2 Moneys raised under New Zealand Loans Act.

This Act shall be deemed to be an authorizing Act within the meaning of the New Zealand Loans Act, 1908, and all moneys raised under this Act shall be raised under and subject to the provisions of that Act accordingly.

3 Authority to raise moneys.

Notwithstanding anything to the contrary in the principal Act, the Minister may, for the purposes of that Act, raise on the security of and charged upon the public revenues of New Zealand all moneys authorized to be raised by section eighteen or by section thirty-eight of the principal Act.

4 Rate of interest.

The sums so raised shall bear interest at such rate (not exceeding four and a half per centum per annum) as the Minister prescribes.

5 Certain sections of principal Act limited.

The provisions of sections seventeen, nineteen, twenty, and twenty-one of the principal Act shall not apply to moneys raised in the manner provided by this Act.

6 Powers under principal Act not restricted.

Nothing in this Act shall limit or restrict the powers of the Minister to raise moneys in the manner provided by the principal Act.

7 Moneys to be paid into Advances Account.

All moneys raised for the purposes of the principal Act in manner provided by this Act shall, as and when raised, be paid into the New Zealand State-guaranteed Advances Account, and shall be dealt with in the same manner as moneys raised in accordance with the provisions of that Act.

8 Provisions to apply with respect to the accounts of the Treasury and the Advances Office.

With respect to the moneys so paid into the said account, the following provisions shall apply:—

- (a.) The Audit Office shall certify the amounts so raised for the purposes for which they were raised.
- (b.) As between the Treasury and the Advances Office the respective amounts so certified shall not be deemed to form part of the public debt, but shall be entered in the appropriate accounts of the Advances Office as capital liabilities of the respective branches of that Office for the purposes of the business of which the amounts so certified were raised.

9 Loans to be repaid out of Advances Account.

As between the Treasury and the Advances Office all moneys payable in respect of any loans raised under this Act, whether by way of repayment of principal or by way of payment of interest or other charges, or otherwise howsoever, shall be paid out of the New Zealand State - guaranteed Advances Account; but nothing in this section shall be so construed as to take away or affect in any manner the liability of the public revenues of the Dominion in respect of any such moneys.

10 Debentures may be issued in satisfaction of purchase-money or compensation for land acquired under the Land for Settlements Act.

- (1.) Where any money is payable by way of purchase-money or compensation in respect of land acquired under the Land for Settlements Act, 1908, and the person entitled to that money is willing to accept debentures, scrip, or other securities under the New Zealand Loans Act, 1908, in lieu thereof or in lieu of any part thereof, the Minister of Finance may, if he thinks fit, instead of actually raising the sum so required for payment of the said purchase-money or compensation, create and issue debentures, scrip, or other securities under the New Zealand Loans Act, 1908, in or towards satisfaction of the said purchase-money or compensation, and the provisions of that Act shall apply

to such securities in the same manner in all respects as if the same had been created and issued in respect of money actually raised.

- (2.) As between the Treasury and the Advances Office all such securities shall be deemed to be capital liabilities of the Advances Office, and all the provisions of the principal Act and of this Act shall, so far as applicable, apply thereto accordingly in the same manner as if those securities had been created and issued in respect of money actually raised for the purposes of the acquisition of land under the Land for Settlements Act, 1908.
- (3.) All debentures, scrip, and other securities created and issued by the Minister of Finance since the coming into operation of the principal Act in or towards satisfaction of purchase-money or compensation for land acquired under the Land for Settlements Act, 1908, are hereby validated as from the date of the creation thereof, and shall be deemed to have been lawfully created and issued in accordance with the foregoing provisions of this section, and all the provisions of this section shall apply thereto accordingly.

Advances to Settlers and Workers

11 Special provisions as to certain loans to settlers and to workers.

Notwithstanding anything to the contrary in the principal Act, advances may be made to settlers and workers for the terms and subject to the conditions hereinafter specified, namely:—

- (a.) Where the security offered has been classified as a first-class security, as hereinafter mentioned, all loans granted shall be for a term of thirty-six and a half years.
- (b.) Where the security offered has been classified as a second-class security, as hereinafter mentioned, all loans granted shall be for a term of thirty years.
- (c.) Where the security offered has been classified as a third-class security, as hereinafter mentioned, all loans granted shall be for a term of twenty years.

12 Mode of repayment of loans.

- (1.) All loans granted for a term of thirty years shall be repaid by half-yearly instalments, consisting partly of principal and partly of interest, in accordance with Table A in the Schedule hereto.
- (2.) All loans granted for a term of twenty years shall be repaid by half-yearly instalments, consisting partly of principal and partly of interest, in accordance with Table B of the Schedule hereto.
- (3.) Except as otherwise expressly provided, or as otherwise inconsistent with the provisions of this Act, the provisions of the principal Act as to advances to settlers and advances to workers respectively shall apply to advances under this Act.

13 Classification of securities

- (1) The Governor may from time to time make regulations for the classification of securities into first-class securities, second-class securities, and third-class securities.
- (2) The Board shall, in accordance with the terms of those regulations, decide to what class any particular security belongs, and the decision of the Board shall in all such cases be final and conclusive.

14 Advances to settlers may be by way of instalments.

- (1) The amount of any loan under Part II of the principal Act (relating to advances to settlers) shall, if the applicant so desires, be advanced by progress payments corresponding in amount to the value of the improvements from time to time effected by the mortgagor.
- (2) The value of the improvements so effected shall from time to time be ascertained and certified to by the Valuer-General, or by some person authorized by him in that behalf, and any certificate given under this section shall be final.

Miscellaneous Amendments of Principal Act

15 Section 48 of principal Act amended.

Section forty-eight of the principal Act is hereby amended by omitting from paragraph (a) the words “At any time,” and substituting the words “On the due date of any instalment.”

16 Section 50 of principal Act amended.

Section fifty of the principal Act is hereby amended by inserting, after the words “any surrender thereof,” in paragraph (a), the words “or to cancel the mortgagor’s right to compensation for or valuation of improvements.”

17 Section 52 of principal Act amended.

Section fifty-two of the principal Act is hereby amended by inserting, after the words “lease the mortgaged land,” in subsection one, the words “with or without a right of purchase.”

18 Section 60 of principal Act amended.

Section sixty of the principal Act is hereby amended by omitting all words after the words “owner of any land,” in the definition of “worker,” and substituting the words “other than the land which he offers as security for the loan for which application is made.”

19 Section 61 of principal Act amended.

- (1) Section sixty-one of the principal Act is hereby amended as follows:—

- (a.) By inserting, after the words “to erect,” in subsection one, the words “or acquire”;
 - (b.) By inserting, after the words “of erecting,” in subsection two, the words “or acquiring”; and
 - (c.) By inserting, after the words “to be erected,” in subsection three, the words “or acquired.”
- (2.) For the purposes of Part III of the principal Act and of this section the term “dwellinghouse” includes all necessary outbuildings in connection with a dwellinghouse, and the expression “to erect a dwellinghouse” includes adding to a dwellinghouse already erected.

20 Further advance may be granted to worker.

Where an advance to a worker has been made, the Superintendent may grant a further advance under Part III of the principal Act:

Provided that nothing in this section shall authorize the granting of an advance which, together with any amount outstanding in respect of an advance already made, would exceed the sum of four hundred and fifty pounds, or would otherwise not be in conformity with the provisions of subsection three of section sixty-one of the principal Act.

21 Further application where loan is not sufficient.

- (1.) If the moneys granted to a local authority under Part IV of the principal Act are found insufficient to complete the public work in respect of which application was made, a further application may be made by the local authority, and may be granted by the Superintendent if the expenditure contemplated is covered by the previous consent of the ratepayers of the district.
- (2.) Where the amount required on such further application is not greater than ten per centum of the sum originally authorized by the ratepayers to be borrowed, such further application may be granted by the Superintendent, and in such case it shall not be necessary to give any notice to or take a further poll of the ratepayers, and a special rate may be made by the local authority as security for the interest and other charges in respect of such further loan.
- (3.) Such last-mentioned special rate shall be deemed to be and may be levied as a part of or in addition to the special rate made and levied in respect of the original loan.

22 Section 77 of principal Act amended.

Section seventy-seven of the principal Act is hereby amended by omitting from the proviso to subsection two thereof the words “land that is subject to the Land for Settlements Act, 1908, or in connection with any block of ordinary Crown land, unless the block,” and substituting the words “any block of land, unless that block.”

23 Sections 78, 79, and 82 of principal Act amended.

- (1.) Section seventy-eight of the principal Act is hereby amended by inserting in paragraph (e) thereof, after the words "Consolidated Fund," the words "or (in the case of national endowment land) out of the National Endowment Account."
- (2.) Sections seventy-nine and eighty-two of the principal Act are hereby amended by inserting, after the words "Consolidated Fund," wherever these words occur in those sections, the words "or the National Endowment Account, as the case may be."
- Repeal.*
- (3.) Section two hundred and sixty-eight of the Land Act, 1908, is hereby repealed.

Schedule

TABLE A
**Term, 30 YEARS; Interest, 5 per Centum.—Table of HALF-
YEARLY Instalments for every £100 of the Loan**

Half-yearly Instalment.	Apportioned thus:		Balance of Principal owing.	Half-yearly Instalment.	Apportioned thus:		Balance of Principal owing.		
	On Account of Interest at 5 per Centum.	On Account of Principal.			On Account of Interest at 5 per Centum.	On Account of Principal.			
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	3 4 8	2 10 0	0 14 8	99 5 4	18	3 4 8	2 2 3	1 2 5	83 10 8
2	"	2 9 7	0 15 1	98 10 3	19	"	2 1 9	1 2 11	82 7 9
3	"	2 9 2	0 15 6	97 14 9	20	"	2 1 2	1 3 6	81 4 3
4	"	2 8 10	0 15 10	96 18 11	21	"	2 0 7	1 4 1	80 0 2
5	"	2 8 5	0 16 3	96 2 8	22	"	2 0 0	1 4 8	78 15 6
6	"	2 8 0	0 16 8	95 6 0	23	"	1 19 4	1 5 4	77 10 2
7	"	2 7 7	0 17 1	94 8 11	24	"	1 18 9	1 5 11	76 4 3
8	"	2 7 2	0 17 6	93 11 5	25	"	1 18 1	1 6 7	74 17 8
9	"	2 6 9	0 17 11	92 13 6	26	"	1 17 5	1 7 3	73 10 5
10	"	2 6 4	0 18 4	91 15 2	27	"	1 16 9	1 7 11	72 2 6
11	"	2 5 10	0 18 10	90 16 4	28	"	1 16 0	1 8 8	70 13 10
12	"	2 5 4	0 19 4	89 17 0	29	"	1 15 4	1 9 4	69 4 6
13	"	2 4 11	0 19 9	88 17 3	30	"	1 14 7	1 10 1	67 14 5
14	"	2 4 5	1 0 3	87 17 0	31	"	1 13 10	1 10 10	66 3 7
15	"	2 3 11	1 0 9	86 16 3	32	"	1 13 1	1 11 7	64 12 0
16	"	2 3 4	1 1 4	85 14 11	33	"	1 12 3	1 12 5	62 19 7

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Half-yearly Instalment	Apportioned thus:		Balance of Principal owing.	Half-yearly Instalment	Apportioned thus:		Balance of Principal owing.		
	On Account of Interest at 5 per Centum.	On Account of Principal.			On Account of Interest at 5 per Centum.	On Account of Principal.			
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ 8. d.
17	"	2 2 10	1 1 10	84 13 1	34	"	1 11 5	1 13 3	61 6 4
35	"	1 10 7	1 14 1	59 12 3	48	"	0 17 9	2 6 11	33 3 10
36	"	1 9 9	1 14 11	57 17 4	49	"	0 16 7	2 8 1	30 15 9
37	"	1 8 11	1 15 9	56 1 7	50	"	0 15 4	2 9 4	28 6 5
38	"	1 8 0	1 16 8	54 4 11	51	"	0 14 1	2 10 7	25 15 10
39	"	1 7 1	1 17 7	52 7 4	52	"	0 12 10	2 11 10	23 4 0
40	"	1 6 2	1 18 6	50 8 10	53	"	0 11 7	2 13 1	20 10 11
41	"	1 5 2	1 19 6	48 9 4	54	"	0 10 3	2 14 5	17 16 6
42	"	1 4 2	2 0 6	46 8 10	55	"	0 8 10	2 15 10	15 0 8
43	"	1 3 2	2 1 6	44 7 4	56	"	0 7 6	2 17 2	12 3 6
44	"	1 2 2	2 2 6	42 4 10	57	"	0 6 0	2 18 8	9 4 10
45	"	1 1 1	2 3 7	40 1 3	58	"	0 4 7	3 0 1	6 4 9
46	"	1 0 0	2 4 8	37 16 7	59	"	0 3 1	3 1 7	3 3 2
47	"	0 18 10	2 5 10	35 10 9	60	"	0 1 6	3 3 2	

TABLE B

Term, 20 Years; Interest, 5 per Centum.—Table of Half-yearly Instalments for every £100 of the Loan

Half-yearly Instalment	Apportioned thus:		Balance of Principal owing.	Half-yearly Instalment	Apportioned thus:		Balance of Principal owing.		
	On Account of Interest at 5 per Centum.	On Account of Principal.			On Account of Interest at 5 per Centum.	On Account of Principal.			
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	£ S. d.	£ S. d.	£ S. d.	£ S. d.		£ S. d.	£ S. d.	£ S. d.	£ S. d.
1	3 19 8	2 10 0	1 9 8	98 10 4	21	3 19 8	1 11 1	2 8 7	59 13 5
2	"	2 9 3	1 10 5	96 19 11	22	"	1 9 10	2 9 10	57 3 7
3	"	2 8 6	1 11 2	95 8 9	23	"	1 8 7	2 11 1	54 12 6
4	"	2 7 9	1 11 11	93 16 10	24	"	1 7 4	2 12 4	52 0 2
5	"	2 6 11	1 12 9	92 4 1	25	"	1 6 0	2 13 8	49 6 6
6	"	2 6 1	1 13 7	90 10 6	26	"	1 4 8	2 15 0	46 11 6
7	"	2 5 3	1 14 5	88 16 1	27	"	1 3 3	2 16 5	43 15 1
8	"	2 4 5	1 15 3	87 0 10	28	"	1 1 10	2 17 10	40 17 3

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Half-yearly Instalment	Apportioned thus:		Balance of Principal owing.	Half-yearly Instalment	Apportioned thus:		Balance of Principal owing.		
	On Account of Interest at 5 per Centum.	On Account of Principal.			On Account of Interest at 5 per Centum.	On Account of Principal.			
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	£ S. d.	£ S. d.	£ S. d.	£ S. d.		£ S. d.	£ S. d.	£ S. d.	£ S. d.
9	"	2 3 6	1 16 2	85 4 8	29	"	1 0 5	2 19 3	37 18 0
10	"	2 2 7	1 17 1	83 7 7	30	"	0 18 11	3 0 9	34 17 3
11	"	2 1 8	1 18 0	81 9 7	31	"	0 17 5	3 2 3	31 15 0
12	"	2 0 9	1 18 11	79 10 8	32	"	0 15 11	3 3 9	28 11 3
13	"	1 19 9	1 19 11	77 10 9	33	"	0 14 3	3 5 5	25 5 10
14	"	1 18 9	2 0 11	75 9 10	34	"	0 12 8	3 7 0	21 18 10
15	"	1 17 9	2 1 11	73 7 11	35	"	0 11 0	3 8 8	18 10 2
16	"	1 16 8	2 3 0	71 4 11	36	"	0 9 3	3 10 5	14 19 9
17	"	1 15 7	2 4 1	69 0 10	37	"	0 7 6	3 12 2	11 7 7
18	"	1 14 6	2 5 2	66 15 8	38	"	0 5 8	3 14 0	7 13 7
19	"	1 13 5	2 6 3	64 9 5	39	"	0 3 10	3 15 10	3 17 9
20	"	1 12 3	2 7 5	62 2 0	40	"	0 1 11	3 17 9	