

1985-86

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 19 August 1986

(Minister Assisting the Treasurer)

A BILL

FOR

**An Act to authorise the borrowing and expending of money
for certain purposes**

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

PART I—PRELIMINARY

Short title

5 1. This Act may be cited as the *Loans Act 1986*.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Interpretation

10 3. In this Act, unless the contrary intention appears—

“defence service”, in relation to a financial year, means a service specified under the heading “DEPARTMENT OF DEFENCE” in a relevant appropriation Act for the financial year;

“financial year” means—

- (a) the year ending on 30 June 1987; or
- (b) a later year ending on 30 June;

“relevant appropriation Act”, in relation to a financial year, means—

- (a) in the case of the financial year ending on 30 June 1987— 5
 - (i) the *Supply Act (No. 1) 1986-87*; or
 - (ii) an Act, whether passed before or after the commencement of this Act, appropriating the Consolidated Revenue Fund for the service of the financial year ending on 30 June 1987, being an Act that is expressed to have effect subject to this Act; or 10
- (b) in any other case—an Act appropriating, or making interim provision for the appropriation of, the Consolidated Revenue Fund for the service of the financial year, being an Act that is expressed to have effect subject to this Act. 15

PART II—BORROWING AND EXPENDING OF MONEY FOR DEFENCE PURPOSES

Authority to borrow

4. The Treasurer may, from time to time during a financial year, in accordance with the provisions of the *Commonwealth Inscribed Stock Act 1911* or an Act authorising the issue of Treasury Bills, borrow money that, together with any money previously borrowed under this section during that financial year, does not exceed the sum of— 20

- (a) the total of the amounts authorised to be expended after the commencement of this Act and before the end of that financial year for defence services for that financial year; and 25
- (b) the expenses of borrowing.

Application of money borrowed under section 4

5. Money borrowed under section 4 in a financial year may be issued and expended for— 30

- (a) defence services for that financial year; and
- (b) the expenses of borrowing,

and not otherwise.

PART III—SUPPLEMENTATION OF THE CONSOLIDATED REVENUE FUND

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Authority to borrow

6. The Treasurer may, from time to time during a financial year, in accordance with the provisions of the *Commonwealth Inscribed Stock Act 1911* or an Act authorising the issue of Treasury Bills, borrow money that,

together with any money previously borrowed under this section during that financial year, does not exceed the sum of—

- 5 (a) the amount that, at the time of the borrowing, the Treasurer considers to be the greatest amount by which the money lawfully available, apart from this Part, for expenditure from the Consolidated Revenue Fund in that financial year is likely to be less than the amount of the expenditure made, and to be made, from the Consolidated Revenue Fund in that financial year; and
- 10 (b) the amount that, at that time, the Treasurer considers will be the expenses of the borrowing.

Application of money borrowed under section 6

7. Money borrowed under section 6 may be issued and expended—

- 15 (a) in making payments to the credit of the Consolidated Revenue Fund; and
- (b) for the expenses of borrowing,

and not otherwise.

PART IV—MISCELLANEOUS

Appropriation

20 8. The Loan Fund is appropriated to the extent necessary for the purposes of this Act.

Limitation of expenditure

25 9. (1) Nothing in this Act, or in a relevant appropriation Act for a financial year, shall be taken to authorise the expenditure for a defence service for that financial year of an amount the expenditure of which would result in the total expenditure for that service under this Act and the relevant appropriation Acts for that financial year exceeding the total of the amounts authorised by the relevant appropriation Acts for that financial year to be expended in respect of that service.

30 (2) Sub-section (1) does not affect the expenditure of money appropriated under the heading “ADVANCE TO THE MINISTER FOR FINANCE” in a relevant appropriation Act for a financial year.

