

1990-91

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 20 August 1991

(Minister for Finance)

A BILL

FOR

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

The Parliament of Australia enacts:

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Loan Act (No. 2) 1991*.

5 **Commencement**

2. This Act commences on the day on which it receives the Royal Assent.

Interpretation

10 3. In this Act, unless the contrary intention appears:
“**current financial year**” means the year ending on 30 June 1992;
“**defence service**”, in relation to the current financial year, means a service specified under the heading “DEPARTMENT OF DEFENCE” in a relevant appropriation Act for the financial year;

“relevant appropriation Act” means:

- (a) the *Supply Act (No. 1) 1991-92*; or
- (b) the *Appropriation Act (No. 1) 1991-92*; or
- (c) an Act, whether passed before or after the commencement of this Act, appropriating the Consolidated Revenue Fund for the service of the current financial year, being an Act that is expressed to have effect subject to this Act. 5

PART 2—BORROWING AND EXPENDING OF MONEY FOR DEFENCE PURPOSES

Authority to borrow 10

4.(1) The Treasurer may, from time to time during the current financial year, borrow money that, together with any money previously borrowed under this subsection during that financial year, does not exceed the sum of:

- (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 15
- (b) the expenses of borrowing.

(2) Money may be borrowed under subsection (1) in accordance with: 20

- (a) the *Commonwealth Inscribed Stock Act 1911*; or
- (b) an Act authorising the issue of Treasury Bills;

and not otherwise.

Application of money borrowed under section 4

5. Money borrowed under subsection 4(1) in the current financial year may be issued and expended for: 25

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

and not otherwise.

PART 3—SUPPLEMENTATION OF THE CONSOLIDATED REVENUE FUND 30

Authority to borrow

6.(1) The Treasurer may, from time to time during the current financial year, borrow money that, together with any money previously borrowed under this subsection during that financial year, does not exceed the sum of: 35

- (a) the amount that, at the time of the borrowing, the Treasurer considers to be the amount by which, apart from this Part, money received, and to be received, in 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

(b) the amount that, at that time, the Treasurer considers will be the expenses of the borrowing.

(2) Money may be borrowed under subsection (1) in accordance with:

(a) the *Commonwealth Inscribed Stock Act 1911*; or

(b) an Act authorising the issue of Treasury Bills;

and not otherwise.

Application of money borrowed under subsection 6(1)

7. Money borrowed under subsection 6(1) may be issued and expended:

(a) in making payments to the credit of the Consolidated Revenue Fund; and

(b) for the expenses of borrowing;

and not otherwise.

PART 4—MISCELLANEOUS

Appropriation

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

Limitation of expenditure

9.(1) Nothing in this Act, or in a relevant appropriation Act for the current financial year, authorises 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.

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

(3) Nothing in this Act authorises expenditure (otherwise than for payment of the expenses of borrowing) after 30 June 1992.



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