

NATIONAL DEBT SINKING FUND AMENDMENT ACT 1976

No. 25 of 1976

An Act to amend the *National Debt Sinking Fund Act 1966-1967*.

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

Short title
and citation.

1. (1) This Act may be cited as the *National Debt Sinking Fund Amendment Act 1976*.¹

(2) The *National Debt Sinking Fund Act 1966-1967*² is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the *National Debt Sinking Fund Act 1966-1976*.

Commence-
ment.

2. This Act shall be deemed to have come into operation on 30 June 1975.

Interpret-
ation.

3. Section 4 of the Principal Act is amended by omitting the definition of “the public debt of the Commonwealth” and substituting the following definition:—

“ ‘the public debt of the Commonwealth’ means—

(a) the liabilities of the Commonwealth in respect of the repayment of moneys borrowed by the Commonwealth, other than liabilities in respect of—

(i) moneys that have been paid to a State under the Financial Agreement; or

(ii) moneys borrowed by the issue of new securities by way of conversion of, or borrowed for the purpose of discharging liabilities under, securities that relate to moneys referred to in sub-paragraph (i) or to a debt that was taken over by the Commonwealth from a State under the Agreement approved by the *Financial Agreement Act 1928*; and

(b) the liabilities of the Commonwealth in respect of the repayment of debts taken over by the Commonwealth from a State—

(i) under the Agreement the execution of which was approved by the *Financial Agreement Act 1976*; or

- (ii) under any later Agreement between the Commonwealth and the State, being an Agreement that is approved by the Parliament, or an Agreement the execution of which, on behalf of the Commonwealth, is approved by the Parliament;”.

4. Section 10 of the Principal Act is amended by omitting sub-section (2) and substituting the following sub-section:—

Calculation of net debt created or net reduction of debt.

“(2) There shall first be ascertained the total amounts of—

- (a) the moneys borrowed by the Commonwealth in the year otherwise than upon the security of Treasury Bills or Treasury Notes, being moneys the liability in respect of which became part of the public debt of the Commonwealth; and
- (b) the face value of any securities that relate to any debts of a State that were taken over by the Commonwealth from the State as from a day in that year under an Agreement between the Commonwealth and the State.”.

5. Section 15 of the Principal Act is amended by omitting sub-sections (1) and (2) and substituting the following sub-sections:—

Application of Commonwealth Sinking Fund.

“(1) The Commission may apply moneys standing to the credit of the Commonwealth Sinking Fund in reduction of the public debt of the Commonwealth—

- (a) by the repurchase or redemption of securities of the Commonwealth; and
- (b) by the repurchase or redemption of any other securities that relate to debts of a State referred to in paragraph (b) of sub-section (2) of section 10.

“(1A) Where the Commonwealth is liable to pay amounts by way of interest, commission or brokerage in connexion with the repurchase or redemption of securities in reduction of the public debt of the Commonwealth, moneys standing to the credit of the Commonwealth Sinking Fund may be applied in making those payments.

“(2) Securities repurchased or redeemed by the Commission (not including securities purchased by way of investment under section 16) shall, for all purposes, be deemed to have been cancelled on the date on which they are repurchased or redeemed, as the case may be.”.

6. The Principal Act is amended as set out in the Schedule.

Formal amendments.

SCHEDULE

Section 6

FORMAL AMENDMENTS

1. The following provisions of the Principal Act are amended by omitting the words "of this Act", "to this Act" and "of this section" (wherever occurring):—

Sections 4 (definition of "the Commonwealth Sinking Fund"), 6 (7) and (8), 10 (5) (a), (7) and (8), 11 and 19.

2. The Principal Act is further amended as set out in the following table:—

Provision	Amendment
Section 2	Omit "first day of July, One thousand nine hundred and sixty-six", substitute "1 July 1966".
Section 9 (1) (a)	(a) Omit "first day of July, One thousand nine hundred and sixty-six", substitute "1 July 1966". (b) Omit "Thirty million, nine hundred and forty thousand dollars", substitute "\$30,940,000".
Section 9 (1) (b)	(a) Omit "twenty-five", substitute "25". (b) Omit "first day of July, One thousand nine hundred and sixty-six", substitute "1 July 1966". (c) Omit "four", substitute "4".
Section 9 (2) (b)	(a) Omit "twenty-five", substitute "25". (b) Omit "first day of July, One thousand nine hundred and sixty-six", substitute "1 July 1966". (c) Omit "four", substitute "4".

NOTES

1. Act No. 25, 1976; assented to 30 April 1976.
2. Act No. 65, 1966, as amended by No. 15, 1967.