



# Loan Act 1994

No. 91 of 1994

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

*[Assented to 24 June 1994]*

The Parliament of Australia enacts:

## **PART 1—PRELIMINARY**

### **Short title**

1. This Act may be cited as the *Loan Act 1994*.

### **Commencement**

2. This Act commences on the day on which it receives the Royal Assent or on 1 July 1994, whichever is the later.

## **Definitions**

**3.(1)** In this Act, unless the contrary intention appears:

**“current financial year”** means the year ending on 30 June 1995;

**“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 *Appropriation Act (No. 1) 1994-95*; or
- (b) an Act, whether passed before or after the commencement of this Act, that appropriates 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.

**(2)** For the the purposes of the definition of “defence service” in subsection (1), any service specified under the heading “DEPARTMENT OF VETERANS’ AFFAIRS” in a relevant appropriation Act is taken not to be a service specified under the heading “DEPARTMENT OF DEFENCE” in that Act.

## **PART 2—BORROWING AND SPENDING OF MONEY FOR DEFENCE PURPOSES**

### **Authority to borrow**

**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 spent, after the commencement of this Act and before the end of that financial year, for defence services for that financial year; and
- (b) the expenses of borrowing.

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

- (a) the *Commonwealth Inscribed Stock Act 1911*; or
- (b) the *Loans Securities Act 1919*; or
- (c) an Act authorising the issue of Treasury Bills;

and not otherwise.

### **Application of money borrowed under subsection 4(1)**

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

- (a) defence services for that financial year; and

(b) the expenses of borrowing;  
and not otherwise.

### **PART 3—SUPPLEMENTATION OF THE CONSOLIDATED REVENUE FUND**

#### **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:

- (a) the amount that, at the time of 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 borrowing.

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

- (a) the *Commonwealth Inscribed Stock Act 1911*; or
- (b) the *Loans Securities Act 1919*; or
- (c) 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 spent:

- (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 authorises the spending of an amount for a defence service for the current financial year if that amount, together with the total amount already spent for that service

*Loan No. 91, 1994*

under this Act and the relevant appropriation Acts, would exceed the total of the amounts authorised to be spent in respect of that service under the relevant appropriation Acts.

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

(3) Nothing in this Act authorises the spending of money after 30 June 1995 except for paying the expenses of borrowing.

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*[Minister's second reading speech made in—  
House of Representatives on 7 June 1994  
Senate on 8 June 1994]*