



Loan Act 1992

No. 125 of 1992

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

[Assented to 17 October 1992]

The Parliament of Australia enacts:

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Loan Act 1992*.

5 Commencement

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

Interpretation

3. In this Act, unless the contrary intention appears:

“current financial year” means the year ending on 30 June 1993;

“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; 5

“relevant appropriation Act” means:

- (a) the *Supply Act (No. 1) 1992-93*; or
- (b) the *Appropriation Act (No. 1) 1992-93*; 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. 10

PART 2—BORROWING AND EXPENDING OF MONEY FOR DEFENCE PURPOSES 15

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: 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
- (b) the expenses of borrowing.

(2) Money may be borrowed under subsection (1) in accordance with: 25

- (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. 30

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:

- (a) defence services for that financial year; and
- (b) the expenses of borrowing; 35

and not otherwise.

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

Authority to borrow

5 **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:

10 (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

15 (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) the *Loans Securities Act 1919*; or

20 (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 expended:

25 (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

30 **Appropriation**

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

Limitation of expenditure

35 **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
40 financial year to be expended in respect of that service.

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(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 1993. 5

*[Minister's second reading speech made in—
House of Representatives on 18 August 1992
Senate on 9 September 1992]*