



Asian Development Bank (Additional Subscription) Act 2009

No. 109, 2009

Compilation No. 1

Compilation date: 10 July 2024

Includes amendments: Act No. 67, 2024

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Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Asian Development Bank (Additional Subscription) Act 2009* that shows the text of the law as amended and in force on 10 July 2024 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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An Act relating to the subscription by Australia for additional shares in the capital stock of the Asian Development Bank, and for related purposes

1 Short title

This Act may be cited as the *Asian Development Bank (Additional Subscription) Act 2009*.

2 Commencement

This Act commences on the day this Act receives the Royal Assent.

3 Definitions

In this Act:

Bank means the Asian Development Bank.

Bank Agreement means the Agreement establishing the Asian Development Bank, done at Manila on 4 December 1965, as in force for Australia on the commencement of this Act.

Note: The Agreement establishing the Asian Development Bank is in Australian Treaty Series 1966 No. 13 ([1966] ATS 13) and could in 2024 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

callable shares has the same meaning as in the Bank Agreement.

paid-in shares has the same meaning as in the Bank Agreement.

4 Treasurer may make agreement for purchase of additional shares

- (1) The Treasurer may, on behalf of Australia, make an agreement or agreements with the Bank for the purchase by Australia of the following shares of the capital stock of the Bank at a price per share that is the equivalent of 12,063.50 United States dollars:

Section 5

- (a) 16,379 additional paid-in shares;
 - (b) 393,101 additional callable shares.
- (2) Subject to this Act, an agreement made under subsection (1) may contain such terms and conditions as the Treasurer determines.

5 Issue of promissory notes

- (1) The Treasurer may, on behalf of Australia, make promissory notes and issue them to the Bank, for the purposes of making any payment that is to be made by Australia to the Bank under an agreement made under subsection 4(1).
- (2) A promissory note made under subsection (1) is to be:
- (a) non-negotiable; and
 - (b) non-interest-bearing; and
 - (c) payable to the Bank at par value upon demand.
- (3) Section 5 of the *Asian Development Bank Act 1966* does not apply in relation to a payment that is to be made by Australia to the Bank under an agreement made under subsection 4(1).

6 Appropriation

The money necessary for making a payment for the purposes of an agreement made under subsection 4(1) (including any payment that is to be made under a promissory note made under subsection 5(1)) is to be paid out of the Consolidated Revenue Fund, which is appropriated accordingly.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment

Endnotes

Endnote 1—About the endnotes

can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnote 2—Abbreviation key

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ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Asian Development Bank (Additional Subscription) Act 2009	109, 2009	16 Nov 2009	16 Nov 2009 (s 2)	
Treasury Laws Amendment (Delivering Better Financial Outcomes and Other Measures) Act 2024	67, 2024	9 July 2024	Sch 4 (item 8): 10 July 2024 (s 2(1) item 8)	—

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
s 3.....	rs No 67, 2024
