

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. S. MOWLE,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 26 October, 1917.

New South Wales.



ANNO OCTAVO

GEORGIUS V REGIS.

Act No. 11, 1917.

An Act to provide that certain unclaimed moneys be paid to the Colonial Treasurer as public revenue; to give publicity to information relating to such moneys; and for other purposes consequent thereon or incidental thereto. [Assented to, 3rd November, 1917.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Unclaimed Moneys Act, 1917." Short title.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

DANIEL LEVY,
Chairman of Committees of the Legislative Assembly.

Unclaimed Moneys.

Definition.
Western Aus-
tralian Act,
No. 34, of
1912, s. 2.

2. In this Act, unless the context otherwise requires, the terms following in inverted commas have the respective meanings hereby assigned to them, that is to say,—

“Company” means—

- (a) every company or society which, having for its object the acquisition of gain, is registered or incorporated in New South Wales under any Act relating to companies or societies; and
- (b) every company which, having for its object the acquisition of gain, and carrying on business in New South Wales aforesaid, is registered and incorporated elsewhere than in New South Wales;

and shall include—

- (c) every bank and life assurance company or association, except the Commonwealth Bank of Australia, and the Government Savings Bank of New South Wales, howsoever or wheresoever registered or incorporated, carrying on business within the said State;
- (d) the liquidator of any company;
- (e) every person or firm carrying on business as traders in the said State and acting as agents, trade assignees, or private bankers for individuals or companies.

“Owner” means the person entitled to any unclaimed moneys, and includes his executors, administrators, or assigns, or his or their lawful attorney or agent in New South Wales.

“Unclaimed moneys” means all principal and interest money, and all dividends, bonuses, profits, and sums of money whatsoever which shall have become legally payable by a company to the owner since the first day of January one thousand nine hundred and twelve, and not before, or which shall at any time after the commencement of this Act become payable to him, but the recovery whereof has been or may be barred by operation of law.

3.

Unclaimed Moneys.

3. It shall be the duty of every company holding any unclaimed moneys, on or before the thirty-first day of January in each year, to enter, in an alphabetical register to be made up to the thirty-first day of December last preceding, and kept by such company at its head or principal office in New South Wales, in the form set forth in the First Schedule to this Act, and with the particulars therein specified, all unclaimed moneys in an account which has not been operated upon for six years; and from and after the thirty-first day of January in each year such register shall be open to the inspection of any person at such head or principal office during the hours within which the company transacts its ordinary business, on payment of a fee of two shillings.

Register of unclaimed moneys to be kept.
Western Australian Act, No. 34 of 1912, s. 3.

4. A copy of every such register shall be forwarded annually during the month of February by the company to the Colonial Treasurer for publication by him in the Gazette, and such copy shall be accompanied by a statutory declaration made by an officer of the company in the form set forth in the Second Schedule to this Act.

Copy of register to be gazetted.
Ibid. s. 4.

5. Any company holding any unclaimed moneys failing to keep such register, or to forward such copy, or refusing inspection thereof, shall be liable to a penalty not exceeding two pounds for every day during which such default or refusal continues.

Penalty.
Ibid. s. 5.

6. (1) All unclaimed moneys which have not been paid by the company to the owner thereof within one year after the first publication of such notice in the Gazette shall be paid by the company to the Colonial Treasurer for the use of the public revenue.

Unclaimed moneys to be paid to the Treasurer as public revenue.

(2) The company shall thereafter be relieved from all further liability in respect of the money so paid.

New Zealand Act, No. 201 of 1908, s. 6.

7. Any company which fails to pay any unclaimed moneys to the Colonial Treasurer as required by the preceding section, shall be liable to a penalty not exceeding two pounds for every day during which such default continues.

Penalty for neglect to pay unclaimed moneys.

Victorian Act, No. 2051 of 1906, s. 7.

8. The Colonial Treasurer may, at any time after the publication of any notice as aforesaid, examine any of the accounts relating to the unclaimed moneys in such notice

Treasurer may examine accounts, &c.

South Australian Act, No. 539, of 1891, s. 7.

Unclaimed Moneys.

notice referred to, and may for that purpose require the production before him, or before such public officer as he may appoint, of any book, vouchers, or documents referring to such moneys; and if any error shall be found in any register or notice aforesaid, he may direct the register or notice, or both of them, to be amended.

The Colonial Treasurer may also examine the books and accounts of any company not furnishing a return of unclaimed moneys.

Treasurer may pay lawful claimant. South Australian Act, No. 539 of 1891, s. 8.

9. The owner of any unclaimed money paid over to the Colonial Treasurer shall, upon proving his ownership be entitled to recover the same from the Colonial Treasurer.

Payment of unclaimed moneys to person other than rightful owner.

10. When any unclaimed moneys are paid by the Colonial Treasurer to some person other than the rightful owner, the latter upon proving his ownership shall be entitled to recover from the Colonial Treasurer the unclaimed money belonging to him and so wrongfully paid away as aforesaid.

Recovery of penalties. *Ibid.* s. 10.

11. All penalties for any offence against this Act may be recovered before a stipendiary or police magistrate, or any two justices in petty sessions in a summary way.

Act not to apply to unclaimed moneys of trustee companies. Western Australian Act, No. 34 of 1912, s. 10.

12. This Act shall not apply to any unclaimed moneys which any trustee company is required by law to pay to the New South Wales Treasury, nor to any unclaimed moneys which any company, or the liquidator of any company, or any official assignee or trustee of any bankrupt estate, is required by law to pay to the said Treasury.

SCHEDULES.

Unclaimed Moneys.

SCHEDULES.

FIRST SCHEDULE.

.....Company.

Register of unclaimed moneys held by the [*here insert name of company*].

Name of owner on books.	Total amount due to owner.	Description of unclaimed money.	Date of last claim.

SECOND SCHEDULE.

The Unclaimed Moneys Act, 1917.

I [*insert name, address, and occupation*] do solemnly and sincerely declare—

1. That I am an officer of [*insert name of company*] hereinafter referred to as the said company.
2. That in accordance with the provisions of the Unclaimed Moneys Act, 1917, the said company has duly entered all unclaimed moneys in the register kept by the said company at its head or principal office in New South Wales.
3. That the said register correctly and completely sets forth the particulars of all unclaimed moneys within the meaning of said Act of the said company.
4. That the accompanying copy of the said register is a true copy.

And I make this solemn declaration, as to the matter aforesaid, according to the law in this behalf made, and subject to the punishment by law provided for any wilfully false statement in any such declaration.

Taken and declared at
in the State of New South }
Wales, this day of }
A.D. 19 . }

Before me J.P.

In the name and on behalf of His Majesty I assent to this Act.

W. P. CULLEN,
Lieutenant-Governor.
Government House,
Sydney, 3rd November, 1917.

Enacted by the Governor-General in Council.

IN FORCE FROM THE 1ST JANUARY 1902.

Enacted by the Governor-General in Council.

Enacted by the Governor-General in Council.

Enacted by the Governor-General in Council.

Enacted by the Governor-General in Council.

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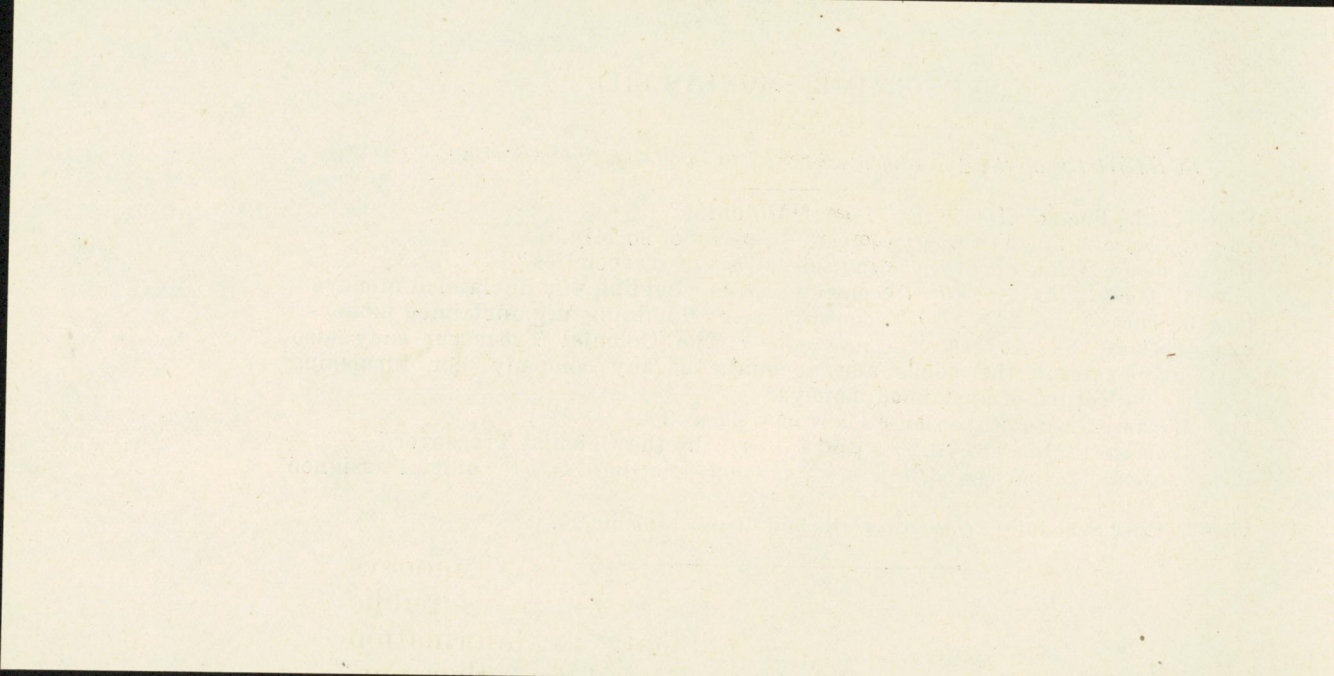
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Enacted by the Governor-General in Council.

UNCLAIMED MONEYS BILL.

SCHEDULE of the Amendments referred to in Message of 26th October, 1917.

- Page 1, title, line 2. *After* "the" *insert* "**Colonial**"
- Page 2, clause 2, line 5. *After* "company" *insert* "**or society**"
- Page 2, clause 2, line 8. *After* "companies" *insert* "**or societies**"
- Page 3, clause 3, line 1. *After* "company" *insert* "**holding any unclaimed moneys**"
- Page 3, clause 5, line 22. *After* "company" *insert* "**holding any unclaimed moneys**"
- Page 4, clause 8. At end of clause *add*: "**The Colonial Treasurer may also**
"**examine the books and accounts of any company not furnishing**
"**a return of unclaimed moneys**"
- Page 4, clause 9. *Omit* the clause *insert* new clause **9.**
- Page 4, clause 10, line 20. *After* "paid" *insert* "**by the Colonial Treasurer**"
- Page 4, clause 12, line 34. *After* "any" (second occurring) *insert* "**official assignee**
"**or**"
- Page 5, First Schedule. *Omit* all words and figures after line 5.
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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 22 October, 1917.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 26th October, 1917.*

New South Wales.



ANNO OCTAVO

GEORGII V REGIS.

Act No. , 1917.

An Act to provide that certain unclaimed moneys be paid to the **Colonial** Treasurer as public revenue; to give publicity to information relating to such moneys; and for other purposes consequent thereon or incidental thereto.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the “Unclaimed Moneys Act, 1917.” Short title.

96671

320—A

2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Unclaimed Moneys.

2. In this Act, unless the context otherwise requires, the terms following in inverted commas have the respective meanings hereby assigned to them, that is to say,—

Definition.
Western Australian Act,
No. 34, of
1912, s. 2.

“ Company ” means—

- 5 (a) every company or society which, having for its object the acquisition of gain, is registered or incorporated in New South Wales under any Act relating to companies or societies ; and
- 10 (b) every company which, having for its object the acquisition of gain, and carrying on business in New South Wales aforesaid, is registered and incorporated elsewhere than in New South Wales ;
- 15 and shall include—
- (c) every bank and life assurance company or association, except the Commonwealth Bank of Australia, and the Government Savings Bank of New South Wales, howsoever or
- 20 wheresoever registered or incorporated, carrying on business within the said State ;
- (d) the liquidator of any company ;
- (e) every person or firm carrying on business as traders in the said State and acting as agents,
- 25 trade assignees, or private bankers for individuals or companies.

“ Owner ” means the person entitled to any unclaimed moneys, and includes his executors, administrators, or assigns, or his or their lawful attorney or agent in New South Wales.

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“ Unclaimed moneys ” means all principal and interest money, and all dividends, bonuses, profits, and sums of money whatsoever which shall have become legally payable by a company to the owner since the first day of January one thousand nine hundred and twelve, and not before, or which shall at any time after the commencement of this Act become payable to him, but the recovery whereof has been or may be barred by operation of law.

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3.

Unclaimed Moneys.

- 3.** It shall be the duty of every company holding any unclaimed moneys, on or before the thirty-first day of January in each year, to enter, in an alphabetical register to be made up to the thirty-first day of December last preceding, and kept by such company at its head or principal office in New South Wales, in the form set forth in the First Schedule to this Act, and with the particulars therein specified, all unclaimed moneys in an account which has not been operated upon for six years; and from and after the thirty-first day of January in each year such register shall be open to the inspection of any person at such head or principal office during the hours within which the company transacts its ordinary business, on payment of a fee of two shillings.
- 4.** A copy of every such register shall be forwarded annually during the month of February by the company to the Colonial Treasurer for publication by him in the Gazette, and such copy shall be accompanied by a statutory declaration made by an officer of the company in the form set forth in the Second Schedule to this Act.
- 5.** Any company holding any unclaimed moneys failing to keep such register, or to forward such copy, or refusing inspection thereof, shall be liable to a penalty not exceeding two pounds for every day during which such default or refusal continues.
- 6.** (1) All unclaimed moneys which have not been paid by the company to the owner thereof within one year after the first publication of such notice in the Gazette shall be paid by the company to the Colonial Treasurer for the use of the public revenue.
- (2) The company shall thereafter be relieved from all further liability in respect of the money so paid.
- 7.** Any company which fails to pay any unclaimed moneys to the Colonial Treasurer as required by the preceding section, shall be liable to a penalty not exceeding two pounds for every day during which such default continues.
- 8.** The Colonial Treasurer may, at any time after the publication of any notice as aforesaid, examine any of the accounts relating to the unclaimed moneys in such notice

Register of unclaimed moneys to be kept.

Western Australian Act, No. 34 of 1912, s. 3.

Copy of register to be gazetted.

Ibid. s. 4.

Penalty.

Ibid. s. 5.

Unclaimed moneys to be paid to the Treasurer as public revenue.

New Zealand Act, No. 201 of 1908, s. 6.

Penalty for neglect to pay unclaimed moneys.

Victorian Act, No. 2051 of 1906, s. 7.

Treasurer may examine accounts, &c.

South Australian Act, No. 539, of 1891, s. 7.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 22 October, 1917.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Clerk of the Parliaments.

Legislative Council Chamber,
Sydney, October, 1917.

New South Wales.



ANNO OCTAVO

GEORGII V REGIS.

Act No. , 1917.

An Act to provide that certain unclaimed moneys be paid to the Colonial Treasurer as public revenue; to give publicity to information relating to such moneys; and for other purposes consequent thereon or incidental thereto.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Unclaimed Moneys Act, 1917." Short title.

96671 320—A

2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Unclaimed Moneys.

2. In this Act, unless the context otherwise requires, the terms following in inverted commas have the respective meanings hereby assigned to them, that is to say,—

Definition.
Western Australian Act,
No. 34, of
1912, s. 2.

“Company” means—

- 5 (a) every company or society which, having for its object the acquisition of gain, is registered or incorporated in New South Wales under any Act relating to companies or societies ; and
- 10 (b) every company which, having for its object the acquisition of gain, and carrying on business in New South Wales aforesaid, is registered and incorporated elsewhere than in New South Wales ;
- 15 and shall include—
- (c) every bank and life assurance company or association, except the Commonwealth Bank of Australia, and the Government Savings Bank of New South Wales, howsoever or wheresoever registered or incorporated, carrying on business within the said State ;
- 20 (d) the liquidator of any company ;
- (e) every person or firm carrying on business as traders in the said State and acting as agents, trade assignees, or private bankers for
- 25 individuals or companies.

30 “Owner” means the person entitled to any unclaimed moneys, and includes his executors, administrators, or assigns, or his or their lawful attorney or agent in New South Wales.

35 “Unclaimed moneys” means all principal and interest money, and all dividends, bonuses, profits, and sums of money whatsoever which shall have become legally payable by a company to the owner since the first day of January one thousand nine hundred and twelve, and not before, or which shall at any time after the commencement of this Act become payable to him, but the recovery whereof has been or may be barred by operation of law.

3.

Unclaimed Moneys.

3. It shall be the duty of every company holding any unclaimed moneys, on or before the thirty-first day of January in each year, to enter, in an alphabetical register to be made up to the thirty-first day of December last preceding, and kept by such company at its head or principal office in New South Wales, in the form set forth in the First Schedule to this Act, and with the particulars therein specified, all unclaimed moneys in an account which has not been operated upon for six years; and from and after the thirty-first day of January in each year such register shall be open to the inspection of any person at such head or principal office during the hours within which the company transacts its ordinary business, on payment of a fee of two shillings.

Register of unclaimed moneys to be kept. Western Australian Act, No. 34 of 1912, s. 3.

4. A copy of every such register shall be forwarded annually during the month of February by the company to the Colonial Treasurer for publication by him in the Gazette, and such copy shall be accompanied by a statutory declaration made by an officer of the company in the form set forth in the Second Schedule to this Act.

Copy of register to be gazetted. *Ibid.* s. 4.

5. Any company holding any unclaimed moneys failing to keep such register, or to forward such copy, or refusing inspection thereof, shall be liable to a penalty not exceeding two pounds for every day during which such default or refusal continues.

Penalty. *Ibid.* s. 5.

6. (1) All unclaimed moneys which have not been paid by the company to the owner thereof within one year after the first publication of such notice in the Gazette shall be paid by the company to the Colonial Treasurer for the use of the public revenue.

Unclaimed moneys to be paid to the Treasurer as public revenue. New Zealand Act, No. 201 of 1908, s. 6.

(2) The company shall thereafter be relieved from all further liability in respect of the money so paid.

7. Any company which fails to pay any unclaimed moneys to the Colonial Treasurer as required by the preceding section, shall be liable to a penalty not exceeding two pounds for every day during which such default continues.

Penalty for neglect to pay unclaimed moneys. Victorian Act, No. 2051 of 1906, s. 7.

8. The Colonial Treasurer may, at any time after the publication of any notice as aforesaid, examine any of the accounts relating to the unclaimed moneys in such notice

Treasurer may examine accounts, &c. South Australian Act, No. 539, of 1891, s. 7.

Unclaimed Moneys.

notice referred to, and may for that purpose require the production before him, or before such public officer as he may appoint, of any book, vouchers, or documents referring to such moneys; and if any error shall be found in any register or notice aforesaid, he may direct the register or notice, or both of them, to be amended.

The Colonial Treasurer may also examine the books and accounts of any company not furnishing a return of unclaimed moneys.

10 **9.** If any claimant shall make any demand against the Colonial Treasurer for any money paid to him, the Colonial Treasurer, upon being satisfied that the claimant is the owner of the money demanded by him, shall order and direct payment thereof to be made to
Treasurer may pay lawful claimant. South Australian Act, No. 539 of 1891, s. 8.

15 him.

9. The owner of any unclaimed money paid over to the Colonial Treasurer shall, upon proving his ownership, be entitled to recover the same from the Colonial Treasurer.

20 **10.** When any unclaimed moneys are paid by the Colonial Treasurer to some person other than the rightful owner, the latter upon proving his ownership shall be entitled to recover from the Colonial Treasurer the unclaimed money belonging to him and so wrongfully
Payment of unclaimed moneys to person other than rightful owner.
 25 paid away as aforesaid.

11. All penalties for any offence against this Act may be recovered before a stipendiary or police magistrate, or any two justices in petty sessions in a summary way.
Recovery of penalties. Ibid. s. 10.

30 **12.** This Act shall not apply to any unclaimed moneys which any trustee company is required by law to pay to the New South Wales Treasury, nor to any unclaimed moneys which any company, or the liquidator of any company, or any official assignee or trustee of any bankrupt estate, is required by law to pay to the
Act not to apply to unclaimed moneys of trustee companies. Western Australian Act, No. 34 of 1912, s. 10.
 35 said Treasury.

Unclaimed Moneys.

SCHEDULES.

FIRST SCHEDULE.

.....Company.

Register of unclaimed moneys held by the [here insert name of company].

5	Name of owner on books.	Total amount due to owner.	Description of unclaimed money.	Date of last claim.
	James Smith, Pitt-street, Sydney.	£ s. d. 35 0 0	First dividend on 600 shares	1 April, 1909
10	Sarah Jones, Auburn-street, Goulburn.	43 7 0	Deposit (or balance of account) or such other particulars as may be a sufficient description of the money.	20 October, 1909

SECOND SCHEDULE.

15 The Unclaimed Moneys Act, 1917.

I [insert name, address, and occupation] do solemnly and sincerely declare—

1. That I am an officer of [insert name of company] hereinafter referred to as the said company.
- 20 2. That in accordance with the provisions of the Unclaimed Moneys Act, 1917, the said company has duly entered all unclaimed moneys in the register kept by the said company at its head or principal office in New South Wales.
- 25 3. That the said register correctly and completely sets forth the particulars of all unclaimed moneys within the meaning of said Act of the said company.
4. That the accompanying copy of the said register is a true copy.

And I make this solemn declaration, as to the matter aforesaid, according to the law in this behalf made, and subject to the punishment 30 by law provided for any wilfully false statement in any such declaration.

Taken and declared at
in the State of New South
Wales, this day of }
A.D. 19 .

35 Before me J.P.

10. If any person shall make any entry in the books of the Colonial Treasurer, or shall sign any receipt for any money, or shall do any other thing, which shall be deemed to be a fraud, or which shall be deemed to be a breach of the trust reposed in him, he shall be liable to be punished as in and as follows:—

11. Any person who shall be convicted of any offence under this section shall be liable to be punished with imprisonment for any term not exceeding three years, or with a fine not exceeding five hundred dollars, or with both such imprisonment and fine.

12. Any person who shall be convicted of any offence under this section shall be liable to be punished with imprisonment for any term not exceeding three years, or with a fine not exceeding five hundred dollars, or with both such imprisonment and fine.

13. Any person who shall be convicted of any offence under this section shall be liable to be punished with imprisonment for any term not exceeding three years, or with a fine not exceeding five hundred dollars, or with both such imprisonment and fine.

14. Any person who shall be convicted of any offence under this section shall be liable to be punished with imprisonment for any term not exceeding three years, or with a fine not exceeding five hundred dollars, or with both such imprisonment and fine.

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21. Any person who shall be convicted of any offence under this section shall be liable to be punished with imprisonment for any term not exceeding three years, or with a fine not exceeding five hundred dollars, or with both such imprisonment and fine.

22. Any person who shall be convicted of any offence under this section shall be liable to be punished with imprisonment for any term not exceeding three years, or with a fine not exceeding five hundred dollars, or with both such imprisonment and fine.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 22 October, 1917.

New South Wales.



ANNO OCTAVO

GEORGII V REGIS.

Act No. , 1917.

An Act to provide that certain unclaimed moneys be paid to the Treasurer as public revenue ; to give publicity to information relating to such moneys ; and for other purposes consequent thereon or incidental thereto.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the " Unclaimed Moneys Act, 1917." Short title.

Unclaimed Moneys.

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Definition.
Western Aus-
tralian Act,
No. 34, of
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“Company” means—

- 5 (a) every company which, having for its object the acquisition of gain, is registered or incorporated in New South Wales under any Act relating to companies; and
- 10 (b) every company which, having for its object the acquisition of gain, and carrying on business in New South Wales aforesaid, is registered and incorporated elsewhere than in New South Wales;
- and shall include—
- 15 (c) every bank and life assurance company or association, except the Commonwealth Bank of Australia, and the Government Savings Bank of New South Wales, howsoever or wheresoever registered or incorporated, carrying on business within the said State;
- 20 (d) the liquidator of any company;
- (e) every person or firm carrying on business as traders in the said State and acting as agents, trade assignees, or private bankers for
- 25 individuals or companies.

“Owner” means the person entitled to any unclaimed moneys, and includes his executors, administrators, or assigns, or his or their lawful attorney or agent in New South Wales.

- 30 “Unclaimed moneys” means all principal and interest money, and all dividends, bonuses, profits, and sums of money whatsoever which shall have become legally payable by a company to the owner since the first day of January one thousand nine hundred and twelve, and not before, or which shall at any time after the commencement of this Act become payable to him, but the recovery whereof has been or may be barred by operation of law.
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3.

Unclaimed Moneys.

- 3.** It shall be the duty of every company, on or before the thirty-first day of January in each year, to enter, in an alphabetical register to be made up to the thirty-first day of December last preceding, and kept by such company at its head or principal office in New South Wales, in the form set forth in the First Schedule to this Act, and with the particulars therein specified, all unclaimed moneys in an account which has not been operated upon for six years; and from and after the thirty-first day of January in each year such register shall be open to the inspection of any person at such head or principal office during the hours within which the company transacts its ordinary business, on payment of a fee of two shillings.
- 4.** A copy of every such register shall be forwarded annually during the month of February by the company to the Colonial Treasurer for publication by him in the Gazette, and such copy shall be accompanied by a statutory declaration made by an officer of the company in the form set forth in the Second Schedule to this Act.
- 5.** Any company failing to keep such register, or to forward such copy, or refusing inspection thereof, shall be liable to a penalty not exceeding two pounds for every day during which such default or refusal continues.
- 6.** (1) All unclaimed moneys which have not been paid by the company to the owner thereof within one year after the first publication of such notice in the Gazette shall be paid by the company to the Colonial Treasurer for the use of the public revenue.
- (2) The company shall thereafter be relieved from all further liability in respect of the money so paid.
- 7.** Any company which fails to pay any unclaimed moneys to the Colonial Treasurer as required by the preceding section, shall be liable to a penalty not exceeding two pounds for every day during which such default continues.
- 8.** The Colonial Treasurer may, at any time after the publication of any notice as aforesaid, examine any of the accounts relating to the unclaimed moneys in such notice

OR Register of unclaimed moneys to be kept.

Western Australian Act, No. 34 of 1912, s. 3.

Copy of register to be gazetted.

Ibid. s. 4.

Penalty.

Ibid. s. 5.

Unclaimed moneys to be paid to the Treasurer as public revenue.

New Zealand Act, No. 201 of 1908, s. 6.

Penalty for neglect to pay unclaimed moneys.

Victorian Act, No. 2051 of 1906, s. 7.

Treasurer may examine accounts, &c.

South Australian Act, No. 533, of 1891, s. 7.

Unclaimed Moneys.

notice referred to, and may for that purpose require the production before him, or before such public officer as he may appoint, of any book, vouchers, or documents referring to such moneys; and if any error shall be found in any register or notice aforesaid, he may direct the register or notice, or both of them, to be amended.

9. If any claimant shall make any demand against the Colonial Treasurer for any money paid to him, the Colonial Treasurer, upon being satisfied that the claimant is the owner of the money demanded by him, shall order and direct payment thereof to be made to him.

Treasurer may pay lawful claimant. South Australian Act, No. 539 of 1891, s. 8.

10. When any unclaimed moneys are paid to some person other than the rightful owner, the latter upon proving his ownership shall be entitled to recover from the Colonial Treasurer the unclaimed money belonging to him and so wrongfully paid away as aforesaid.

Payment of unclaimed moneys to person other than rightful owner.

11. All penalties for any offence against this Act may be recovered before a stipendiary or police magistrate, or any two justices in petty sessions in a summary way.

Recovery of penalties. *Ibid.* s. 10.

12. This Act shall not apply to any unclaimed moneys which any trustee company is required by law to pay to the New South Wales Treasury, nor to any unclaimed moneys which any company, or the liquidator of any company, or any trustee of any bankrupt estate, is required by law to pay to the said Treasury.

Act not to apply to unclaimed moneys of trustee companies. Western Australian Act, No. 34 of 1912, s. 10.

SCHEDULES.

Unclaimed Moneys.

SCHEDULES.

FIRST SCHEDULE.

.....Company.

Register of unclaimed moneys held by the [*here insert name of company*].

5	Name of owner on books.	Total amount due to owner.	Description of unclaimed money.	Date of last claim.
		£ s. d.		
	James Smith, Pitt-street, Sydney.	350 0 0	First dividend on 600 shares	1 April, 1909
10	Sarah Jones, Auburn-street, Goulburn.	437 0 0	Deposit (or balance of account) or such other particulars as may be a sufficient description of the money.	20 October, 1909

SECOND SCHEDULE.

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The Unclaimed Moneys Act, 1917.

I [*insert name, address, and occupation*] do solemnly and sincerely declare—

1. That I am an officer of [*insert name of company*] hereinafter referred to as the said company.
- 20 2. That in accordance with the provisions of the Unclaimed Moneys Act, 1917, the said company has duly entered all unclaimed moneys in the register kept by the said company at its head or principal office in New South Wales.
- 25 3. That the said register correctly and completely sets forth the particulars of all unclaimed moneys within the meaning of said Act of the said company.
4. That the accompanying copy of the said register is a true copy.

And I make this solemn declaration, as to the matter aforesaid, according to the law in this behalf made, and subject to the punishment
30 by law provided for any wilfully false statement in any such declaration.

Taken and declared at
in the State of New South
Wales, this day of }
A.D. 19 . }

35

Before me

J.P.

SCHEDULES

B-082

(M)

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before me

BY

JOHN J. ...

and

in presence of

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SCHEDULES