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No. , 1916,

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# A BILL

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.

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**B**E 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, 1916." Short title.

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,—

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Definition.  
South Australian Act,  
No. 539, of  
1891, s. 2.

“Company” means—

- (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
- (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, howsoever or wheresoever registered or incorporated, carrying on business within the said State, and includes the liquidator of any company.

“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 unforfeited dividends, bonuses, profits, and sums of money whatsoever which have been in the possession of any company for a period of six years or upwards, and in respect whereof no claim has been made by the owner against the company, and which arise out of any dealing had within the said State by any owner or person with the company.

3. It shall be the duty of every company, on the first day of January in each year, to enter, in an alphabetical register to be kept by such company at its head or principal office in New South Wales, in the form set forth in the Schedule to this Act, and with the particulars therein specified, all unclaimed moneys exceeding ten pounds 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 duly appointed Government

Register of unclaimed moneys to be kept.  
South Australian Act, No. 539, of 1891, s. 3.

Government officer at such head or principal office during the hours within which the company transacts its ordinary business.

**4.** A copy of every such register shall be forwarded annually during the month of January by the company to the Colonial Treasurer for publication by him in the Gazette.

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

**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.

Penalty.  
*Ibid.* s. 5.

**6.** (1) All unclaimed moneys which have not been paid by the company to the owner thereof within two years 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.  
*Ibid.* s. 6.

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

**7.** 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 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.

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

**8.** 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.  
*Ibid.* s. 8.

**9.** When any unclaimed moneys paid to any claimant shall be afterwards claimed by any other person, the Colonial Treasurer shall not be responsible for the payment of the same, but such person may have recourse against the claimant to whom the Colonial Treasurer shall have paid the unclaimed moneys.

Treasurer not responsible for payment in certain cases.  
*Ibid.* s. 9.

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*Unclaimed Moneys*

SCHEDULE.

Company [or Bank, &c.]

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 entry.