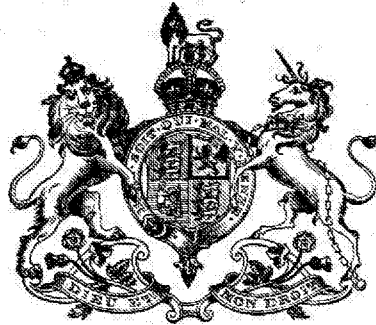


New Zealand.



UNCLAIMED MONEYS.

1908, No. 201.

AN ACT to consolidate certain Enactments of the General Assembly relating to Unclaimed Moneys.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. (1.) The Short Title of this Act is "The Unclaimed Moneys Act, 1908."

Enactments consolidated.

(2.) This Act is a consolidation of the enactments mentioned in the First Schedule hereto, and with respect to those enactments the following provisions shall apply:—

Savings.

(a.) All registers, notices, records, instruments, and generally all acts of authority which originated under any of the said enactments, and are subsisting or in force on the coming into operation of this Act, shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated.

(b.) All matters and proceedings commenced under any such enactment, and pending or in progress on the coming into operation of this Act, may be continued, completed, and enforced under this Act.

Interpretation.
1898, No. 4, sec. 2
1902, No. 11, sec. 2

2. In this Act, if not inconsistent with the context,—
"Company" means—

(a.) Every company which, having for its object the acquisition of gain, is registered or incorporated in New Zealand 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 Zealand, is registered or incorporated elsewhere than in New Zealand; and includes—

(c.) Every bank and life insurance office, howsoever or wheresoever registered or incorporated, carrying on business in New Zealand; and also

(d.) The liquidator of any company; and also

(e.) Every person or firm carrying on business as traders in New Zealand, and acting as agents or private bankers for individuals or companies:

“Minister” means the Minister of Finance:

“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 Zealand:

“Unclaimed moneys” means all principal and interest money, and all unforfeited dividends, bonuses, profits, and sums of money whatsoever owing to any person which on the coming into operation of this Act or at any time thereafter has been in the possession of any company for a period of six years or upwards after the time when the same became payable, and in respect whereof no claim has been made by the owner against 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 Zealand, in the form in the Second Schedule hereto or to the effect thereof, and with the particulars therein specified, all unclaimed moneys in New Zealand in any account which has not been operated upon by the owner for six years; and from and after the eighth day of January in each year such register shall be open to the inspection of all persons 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 to be kept.
1898, No. 4, sec. 3

4. A copy of every such register shall be published by the company in the *Gazette* annually once during the month of January, and within seven days after such publication the company shall, by letter addressed to him at his last known place of business or abode, post to every person whose name appears in such register as the owner of unclaimed money a notice specifying the amount of such money and the fact that it is entered in such register as unclaimed money.

Annual publication
of register in
Gazette.
Ibid, sec. 4

5. Any company failing to keep such register, or to publish such copy, or refusing inspection thereof shall be liable to a fine not exceeding two pounds for every day during which such default or refusal continues, and every company failing or neglecting to duly post such notice shall be liable to a fine not exceeding one pound.

Offences.
Ibid, sec. 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 Postmaster in charge of the post-office at any money-order post-office in New Zealand, or to any office in New Zealand of the bank at which for the time being the Public Account of New Zealand is kept, to the credit of the Minister, for the use of the public revenue, and the company shall thereafter be relieved from all further liability in respect of the money so paid.

Payment of
unclaimed moneys
to the Minister.
Ibid, sec. 6

(2.) The company may deduct out of all unclaimed moneys payable by the company to the credit of the Minister, or to any claimant, the

expenses paid by the company in the publication of the notice hereinbefore referred to.

Examination of
accounts.
1898, No. 4, sec. 7

7. The Minister 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 is found in any register or notice aforesaid he may direct the register or notice, or both of them, to be amended.

Minister may make
payment to
claimant.
Ibid, sec. 8

8. If any claimant makes any demand against the Minister for any money paid to him, the Minister, on 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.

Responsibility of
Minister.
Ibid, sec. 9

9. Where any unclaimed moneys paid to any claimant are afterwards claimed by any other person, the Minister shall not be responsible for the payment of the same, but such person may have recourse against the claimant to whom the Minister has paid the unclaimed moneys.

SCHEDULES.

FIRST SCHEDULE.

ENACTMENTS CONSOLIDATED.

1898, No. 4.—“The Unclaimed Moneys Act, 1898.”

1902, No. 11.—“The Unclaimed Moneys Act Amendment Act, 1902.”

SECOND SCHEDULE.

Section 3.
Ibid, Schedule.

REGISTER OF MONEY UNCLAIMED HELD BY THE [*Here insert name of company*].

| Name, Occupation, and Last Known Address of Owner on Books. | Total Amount due to Owner. | Description of Unclaimed Money. | Date of Last Claim. |
|---|----------------------------|---|---------------------|
| <i>Aschman, Christopher Thomas (Carpenter, Masterton)</i> | £ 350 | First dividend on 600 shares in the Electric Light Company (Limited) | 1st March, 1889. |
| <i>Field, George Robert (Station-owner, Southland)</i> | 10,000 | Deposit [or Balance of account in the Bank of New Zealand, or such other particulars as may be a sufficient description of the money] | 24th March, 1888. |