

Serial Number **1953/73**



THE TREASURY REGULATIONS 1953

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 23rd day of June 1953

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Public Revenues Act 1926, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Treasury Regulations 1953.
2. In these regulations, unless the context otherwise requires,—

“The Act” means the Public Revenues Act 1926:

“Bank” means the Reserve Bank of New Zealand or any other bank wherein the Treasury directs that any public money shall be kept:

“Government service” means the service of Her Majesty in respect of the Government of New Zealand, not being honorary service or service as a director, officer, or employee of the State Advances Corporation of New Zealand.

The Bank

3. The bank shall receive for immediate credit all cheques and orders collected on account of the Government.

4. Every branch of the bank into which money is paid for the credit of the Public Account or any other Government account shall, at such times as the Treasury directs, transmit the whole of that money to the Reserve Bank of New Zealand, Wellington, and shall at the same time send to the Treasury, or such other Department as the Treasury directs, a bank sheet setting out every sum received and transmitted; and the Reserve Bank of New Zealand, Wellington, shall at all times when so required send to the Treasury full accounts of all transactions in respect of public money in the hands of the bank.

Accounting Officers

5. Every accounting officer as defined by the Act shall be subject to these regulations and shall perform such duties, keep such books, and render such accounts as are prescribed by these regulations, or directed by the Treasury.

6. Every accounting officer shall, if so required by the Treasury, provide security for such sum and in such manner and form as the Treasury directs for the due accounting for and payment of all money which comes into his charge, custody, or control.

7. No accounting officer shall open any public or official account in any bank except as authorized in writing by the Treasury, and, except as provided by any Act, no bank shall permit any overdraft on any public or official account.

8. If an accounting officer is requested to make a payment or accept a charge or credit, or take any other action, which in his opinion is not lawfully authorized or is otherwise incorrect, he must state his objection in writing to the head of his Department, who shall, if he disagrees with the officer, forthwith report the circumstances to the Treasury.

Collection of Money

9. Every person collecting, receiving, or having control over any money payable into the Public Account, or into any deposit or trust account or any other Government account, is a Receiver within the meaning of these regulations.

10. The full amount of all collections of public money shall be lodged as the Treasury may direct to the credit of the Public Account or other appropriate account at the bank:

Provided that the foregoing provision shall not apply to public money required by statutory or other lawful authority to be otherwise dealt with, and all such money shall be dealt with in accordance with the statutory or other requirement:

Provided also that a Receiver may, for the convenience of accounting, pay any such money to another Receiver in such manner and at such times as the Treasury may direct.

11. Except where the Treasury directs otherwise, there shall be given to every person paying any money to be credited as public money to the Public Account or to any other Government account an official receipt in the form approved by and printed under the authority of the Treasury.

12. The bank shall, if so required, give to a Receiver or any other person paying money to the Public Account or to any other Government account or any deposit or trust account at the bank a receipt in such form as the Treasury may direct, and shall also give an acknowledgment in a pass book or in such other form as the Treasury approves.

13. Public money shall not be lodged in any bank to the credit of a private account or be involved with private funds:

Provided that this regulation shall not be deemed to include personal advances against travelling or removal allowances or expenses and for such other purposes as are authorized by the Treasury.

14. Every Receiver shall keep a cash book in a form approved by the Treasury and shall enter therein the amount of his collections and the manner of their disposal.

15. The Treasury shall prescribe the times and the manner in which each Receiver shall balance his cash book and forward a copy or summary thereof to the Treasury:

Provided that the cash book shall be balanced at least once each calendar month.

16. Money received by way of deposit shall be dealt with in the manner provided for the collection of other public money except where the Treasury directs otherwise and subject to the following provisions of these regulations.

17. As soon as the transaction on account of which a deposit was made is completed, the Receiver shall return the deposit or the balance of the deposit to the depositor, who shall give a receipt for the amount refunded to him.

18. The Treasury shall forward to the Audit Office all copies of Receivers' deposit cash books and law trust cash books received in the Treasury, together with the vouchers in support thereof.

19. The Treasury may at any time arrange for money held on deposit, and not immediately required, to be invested by the Treasury in any securities in which balances of the Public Account may be lawfully invested, and the proceeds thereof shall be dealt with as the Treasury directs.

20. Receivers of Revenue shall apply to the Audit Office on the proper form for all books of receipts required by them and for all forms of licence and certificate on the issue of which they are required to collect a fee. No such receipts, licences, or certificates shall be issued to Receivers or other officers without the authority of the Audit Office, which shall keep a record of the numbers issued to and accounted for by each Receiver. The Government Printer shall forward to the Audit Office a statement of the issue of any such receipts, licences, or certificates specifying the name of the Receiver or other officer and the first and last printed numbers in each parcel.

Payment of Money

21. All vouchers for the expenditure of public money shall be signed by an officer designated a certifying officer. A certifying officer shall be appointed by the Permanent Head of his Department and shall have such duties and responsibilities as to certification as are prescribed by the Treasury from time to time.

22. All expenditure of public money on behalf of a Department shall be approved by the Permanent Head of the Department or the officer for the time being acting in that capacity, or by an officer appointed to and holding a position which has been approved by the Minister of the Department as carrying the authority to approve expenditure. An approving officer shall have such duties and responsibilities as are prescribed by the Treasury from time to time.

23. Officers having authority to authorize the expenditure of public money must satisfy themselves that the total amount of the appropriation for any service has not been exceeded, and will not be exceeded by any such authorization, unless the prior approval of the Treasury has been obtained.

24. All claims on the Government must be entered on a voucher form approved by and printed under the authority of the Treasury.

25. Vouchers in respect of payments on account of interest or loan transactions, or in respect of payments by way of return of deposits, or in respect of unauthorized expenditure shall be submitted to and passed by the Audit Office before payment. No alteration shall be made in any voucher which has been passed by the Audit Office except with the prior consent of the Audit Office.

26. Whenever any person is appointed to an office in the Government service, or whenever the salary or allowance of any person in the Government service is altered, the Minister of the Department concerned or the Public Service Commission, as the case may be, shall send to the Audit Office the authority in writing for the salary or alteration of salary or allowance.

27. Payment of salaries or wages to all persons employed in the Government service shall, unless the Treasury approves otherwise, be made in cash:

Provided that the Treasury may, on receipt of a request in writing from the person entitled thereto, pay any such salary to a bank for the credit of that person.

28. Officers or other persons travelling on Government service must obtain receipts for such disbursements as are directed by the Treasury.

29. Claims by members attending Parliament must be approved by the Speaker. All other claims by persons travelling on Government service who are not employees of the Government service and who are not in receipt of a fixed travelling allowance must be approved by the Minister of the Department authorizing the expenditure.

30. Except where payments are directed to be made by an imprestee or through the Post Office, all claims on the Public Account shall be paid by Treasury cheque, which will be sent to the payee from the Treasury. All such cheques shall be payable at the Reserve Bank of New Zealand, Wellington, or at any branch of the Bank of New Zealand in New Zealand, and may bear a statement, as the Treasury directs, that they may be negotiated free of exchange.

31. All such receipted cheques as the Treasury may direct shall be returned by the bank direct to the Treasury or to such other Department or officer as the Treasury may require.

32. There may be paid through the Post Office, on the certificate of an authorized certifying officer, claims of such nature as the Treasury from time to time directs and not exceeding in amount the maximum fixed by the Treasury:

Provided that no claims may be so paid which require to be first submitted to the Audit Office under regulation 25 hereof.

33. Except in the case of payments under a power of attorney, letters of administration, or probate, payments to others than claimants themselves may be made only under the authority of the claimants given in the form approved by the Treasury. Any such authority may be either general or special.

34. An authority as aforesaid shall be accepted by the Treasury only for the convenience of claimants, who may revoke a general authority at pleasure. Authorities given by or on behalf of companies shall be signed by two directors or the managing director. The Treasury shall not recognize or act upon any endorsement or addition to a form of general authority which purports to make the authority irrevocable

or to alter in any way its substance or effect. A general authority must be renewed at the expiration of two years from the date thereof if it is desired to keep it in force for any longer period; otherwise the Treasury may regard the authority as cancelled:

Provided that orders by employees of the Government service for the payment of salary to a bank or for allotments of part salary or for deductions from salary shall remain in force until cancelled.

35. No authority from an employee of the Government service for the payment of his salary to any person other than that employee shall be accepted by the Treasury except where the officer is unable to receive the salary himself on account of absence from office or other cause:

Provided that this regulation does not apply to an authority for payment to a bank, or to any allotment of part salary or deductions from salary approved by the Treasury.

36. An employee of the Government service shall not, without the special approval of the Minister of the Department concerned, act as agent or attorney for the receipt of money due by the Government to a public creditor or claimant.

Imprests

37. Payments by way of imprest shall be made only in respect of such classes of payment as may be authorized from time to time by the Treasury either generally or in respect of any particular payment. The Treasury shall direct the manner in which money shall be issued to an imprestee and how he shall account for it.

38. Where imprests are issued to persons not in receipt of salary or allowances on the Government service, those persons shall account for the same in the manner set forth in these regulations and the instructions issued by the Treasury from time to time. The Audit Office shall allow credit in their accounts for such sums only as shall be so accounted for and supported by proper vouchers and receipts. This regulation shall apply equally to members of Parliament when employed on Government business other than business connected with their parliamentary duties.

39. The application by an imprestee, receiver, or other accounting officer of any public money under his control for any purpose other than the proper purposes for which that money is available shall be deemed to be a misappropriation of public money and he shall be liable accordingly.

Receipts for Payments

40. (1) Except in special cases a receipt from the person legally entitled to receive payment shall be accepted as sufficient discharge for any payment.

(2) In the case of a warrant for interest on Government stock or a Treasury cheque payable to order, the signature of the person legally entitled to payment shall be accepted as sufficient discharge for the payment.

(3) The surrender of the bond, debenture, certificate, or coupon shall be accepted as sufficient discharge for bonds, debentures, or stock certificates which are payable to bearer and for interest coupons for the same.

(4) The paying officer may at any time require to be furnished with satisfactory evidence of the identity of a payee.

(5) The Treasury or the paying officer may in any case require such further or other instrument of discharge to be executed by the payee, in addition to or instead of a receipt, as may seem desirable in the circumstances.

(6) Where a receipt or endorsement does not appear to have been given or made by the person legally entitled to receive payment personally, evidence may be required of the authority of the person giving the receipt or making the endorsement to give a legal discharge for the money paid.

(7) Except in special cases, the certificate of a bank or Postmaster that an endorsement is correct shall be accepted as sufficient evidence of the authority of the endorser to give a legal discharge.

(8) The mark of any payee unable to write must be witnessed by a person other than the paying officer.

Departmental Accounts

41. The accounts kept by the various Departments of the Government service shall be considered subsidiary to the system of Treasury accounts, and the Treasury shall direct the manner in which each Department shall keep its accounts. The necessary forms for all books, accounts, and documents required by Departments for properly carrying into effect the provisions of the Act shall be such only as are prescribed or approved by the Treasury. Where not inconsistent with these regulations the system of keeping departmental accounts and the books and forms to be used thereunder shall at all times be subject to the control, supervision, and inspection of the Treasury.

42. It shall be the duty of every Permanent Head of a Government Department or other employee of the Government service to afford all information which the Treasury may at any time require regarding the receipt and expenditure of public money, and the accounting for public money or stores under his control. The Secretary to the Treasury may at any time, by writing under his hand, instruct any officer of the Treasury or other person to inspect any books, accounts, contracts, and other documents, or stores or other public property held by any Department of the Government service, and upon production to the Permanent Head of a Department of any such writing by the officer or person so instructed, the Permanent Head shall afford facilities for such inspection as aforesaid.

Stores

43. Subject to the provisions of the Act and of these regulations, the functions of co-ordinating and supervising and, where necessary or convenient, effecting the purchase, custody, distribution, use, disposal, and inter-departmental transfer of stores shall be vested in the Government Stores Board established by the Government Stores Regulations 1950.*

44. Subject to the provisions of the Act and these regulations and any instructions issued by the Treasury, and to the Government Stores Regulations 1950 and any instructions issued by the Government Stores Board thereunder, the Permanent Heads of Departments shall prepare

* Statutory Regulations 1950, Serial number 1950/120, page 406.

rules for observance by accounting officers and others employed in connection with the accounting for and the management and control of stores. Before adoption, all such rules or amendments thereto must be submitted to the Treasury for approval.

45. Losses of stores, deficiencies in stores, and damage to stores, otherwise than by reason of fair wear and tear, must be reported to the Audit Office in such manner as the Treasury directs with the concurrence of the Controller and Auditor-General.

46. Employees of the Government service shall not, either directly or indirectly, derive advantage from dealing in Government stores or with Government contractors. Sales of stores to employees shall not be permitted without the authority of the Government Stores Board. Free issues to employees shall not be made unless authorized in writing by the Permanent Head in accordance with the departmental rules approved under regulation 44 hercof.

Writing Off Money or Stores

47. No loss or deficiency shall be included in the annual Appropriation Act for discharge from the Public Account or any other Government account except those previously concurred in by the Audit Office and the Treasury.

48. With the exception of amounts remitted under the authority contained in subsection (3) of section 3 of the Act, no employee of the Government service shall write off departmental charge any physical losses of cash or stores, debtor balances, claims abandoned, or debts irrecoverable by the Crown, nugatory expenditure (meaning thereby any payment of public money involving an immediate and formal loss, or the payment of money in return for which no services have been rendered), or the cash values of issues in kind to any person whomsoever by way of allowance, until the authority of Parliament has been obtained for the writing off in the annual Appropriation Act.

Fines

49. Any accounting officer or any other person subject to the provisions of these regulations who commits any breach thereof or who makes any error in any accounts rendered by him, or who fails to carry out any lawful direction of the Treasury, shall be liable to a fine not exceeding such amount as may be specified in the Act, to be imposed and to be recoverable as set out in the Act.

Application of Regulations

50. All money paid to Postmasters shall be paid into the Post Office Account, and accounted for under the regulations and instructions for the time being in force for the management of the Post Office, subject, so far as relates to the receipt and payment of public money, to the approval of the Treasury. Subject to this regulation, and when not inconsistent therewith, these regulations and any instructions issued by the Treasury shall apply to all persons in the service of the Post and Telegraph Department.

51. The receipts and payments of the Government Railways Department shall be dealt with in accordance with the regulations and instructions for the time being in force for the management of the railways, subject, so far as relates to the receipt and payment of

public money, to the approval of the Treasury. Subject to this regulation, and when not inconsistent therewith, these regulations and any instructions issued by the Treasury shall apply to all persons in the service of the Government Railways Department.

52. The receipts and payments of all Departments of the Government service operating outside the Public Account shall be dealt with in accordance with any regulations or instructions for the time being in force for the management of those Departments, subject, so far as relates to the receipt and payment of public money, to the approval of the Treasury. Subject to the foregoing provisions of this regulation and when not inconsistent therewith, these regulations and any instructions issued by the Treasury shall apply to all persons in the service of any such Department.

Revocations and Savings

53. (1) The Treasury Regulations of the 25th day of July 1927,* and the amendments thereof, are hereby revoked.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the revocation of any provision by these regulations shall not affect any document made or any thing whatsoever done under the provision so revoked or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing done.

T. J. SHERRARD,
Clerk of the Executive Council.

* *Gazette*, 25 July 1927, Vol. II, page 2503.
Amendments: *Gazette*, 24 November 1927, Vol. III, page 3542.
Gazette, 4 August 1932, Vol. II, page 1774.

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These regulations are administered in the Treasury Department.