

## CHAPTER 47.

PUBLIC LOAN AND COLONIAL  
TREASURY BILLS.

[No. VI of 1916.]

[No. XXII of 1922.]

[No. XII of 1929.]

[6th May, 1916.]

Short title.

1. This Ordinance may be cited for all purposes as the Public Loan and Colonial Treasury Bills.

Authorisa-  
tion of  
loan not  
exceeding  
\$15,000,000.

2. Where the Legislative Council sanctions the cost of any public work being defrayed by a loan, or where it sanctions any advance being made on loan to any local authority, body corporate or person, or where its Court authorises any amount being raised on loan for any purpose, the Governor, for and on behalf of the colony, in order to procure the necessary funds, may borrow and raise by loan under the provisions of this Ordinance from time to time and as occasion shall require, on the security hereinafter mentioned, sums of money not exceeding in the whole fifteen million dollars.

Previous  
sanction of  
Legislative  
Council.

3. No sum shall be raised on account of the loan unless the sanction of the Legislative Council is first obtained to its being so raised, and the amount so raised shall be appropriated for the special object sanctioned by that Council.

Issue of bonds  
for sum  
sanctioned ;  
schedule.

4.—(1) The Governor may, for and on behalf of the colony, from time to time and as occasion shall require, cause bonds to be issued in the form in the Schedule hereto, or in any other form sanctioned by the Governor in Council, signed by the persons legally holding the offices of Colonial Secretary and Colonial Treasurer for the time being, or by any other person or persons on behalf of the colony thereto specially authorised by the Governor in Council.

(2)—(a) Each bond shall be for the sum of fifty dollars, or of one hundred dollars, or of two hundred dollars, or of five hundred dollars, or of one thousand dollars, or of two thousand dollars, or of two thousand five hundred

dollars, or of three thousand dollars, or of four thousand dollars, or of five thousand dollars, payable to bearer; or registered as stated in section ten of this Ordinance, and shall become repayable within the number of years not exceeding fifty from the time of issue and bearing interest to be paid half-yearly at the rate per centum per annum, from time to time approved by the Legislative Council and sanctioned by the Secretary of State.

- (b) The authority by this section conferred on the Governor includes authority to cause bonds to be issued for sums of ten pounds sterling (equivalent to forty-eight dollars at the rate of four shillings and two pence to the dollar) or any multiple of ten pounds.

5. Where the Legislative Council directs that the amount raised for any special object shall be paid within any less number of years than fifty, the bonds drawn for the purpose of raising the necessary funds shall be so drawn that the whole of them shall become payable within the time specified by the Legislative Council.

Power of  
Legislative  
Council to  
limit time for  
re-payment.

6.—(1) In order to provide for the repayment of the loan there shall be set apart in each year from the colonial revenues, in addition to the interest of the amount of the bonds from time to time issued under this Ordinance, that portion of the capital sum of those bonds which will be sufficient in the aggregate to pay it as and when it becomes payable.

Provision for  
repayment  
of loan :

(2) The amount to be so set apart in each year for the repayment of the capital sum raised for each special object sanctioned by the Legislative Council shall be an equal proportion of the capital sum so raised.

(3) Where the sum set apart in each year cannot be immediately applied to the redemption of the bonds to which it is applicable, it shall be invested under the direction of the Governor until it, with the accruing interest, can be so applied :

Provided that, when in determining the amount to be set apart in each year any allowance is made for interest to accrue on the sums to be invested, the interest to be obtained shall not be estimated at a higher rate than five per centum per annum.

Proviso.



Pledge of colonial revenues for repayment.

7. During the continuance of this Ordinance, all the colonial revenues not specially appropriated by any Ordinance already in force shall be held to be pledged for the payment of the interest and principal becoming due in respect of the bonds issued under the provisions hereof.

Defaced bonds.

8. If any bond issued under this Ordinance is by accident defaced, the Governor may cause a new bond to be made and delivered to the bearer and the defaced bond to be cancelled, and the new bond shall bear the same interest and be subject to the same rules as the original bond.

Bonds lost or destroyed.

9. The Governor on proof to his satisfaction that any bond issued under this Ordinance has by accident been lost or destroyed before it has been paid off, may, if the number and amount of the bond is ascertained, and upon due security being given to his satisfaction for indemnifying the Colonial Government for any loss to which it may at any time be subjected by reason thereof, issue a new bond corresponding in all respects with the bond so lost or destroyed, or, if any bond when so lost or destroyed is overdue, the Governor may cause the money due thereupon to be paid off and discharged.

#### REGISTRATION OF BONDS.

Exchange of registered for bearer bonds or vice versâ.

10.—(1) The holder of any bond may, at his option, have his name registered as a bond holder in the books of the Colonial Treasurer and a registered bond issued to him in exchange for the bond, and the bond will thenceforth while so registered be transferable only by an instrument of transfer registered in the books of the Colonial Treasurer.

(2) The holder of a registered bond may, at his option, have the registration cancelled by the Colonial Treasurer and a new bond transferable to bearer issued to him in exchange for the registered bond.

(3) The fee in each case of exchange will be one shilling.

Annual date for exchange.

11. The Governor shall annually by proclamation fix a date or dates for the receipt of applications for the exchange of any issue of bearer bonds for registered bonds and vice versâ, and bond holders shall transmit their applications to the Colonial Treasurer on or before that date or those dates.



12. Where any loan has been or shall be raised under this or any amending Ordinance the following provisions shall apply :—

- (a) the Governor may, in respect of the bonds to secure the loan, authorise to be kept in London by the person he appoints books in which the holder of any bond may at his option have his name registered as a bondholder; Provisions relating to bonds ; register may be kept in London ;
- (b) a bond payable to bearer shall become a bond payable to the registered holder if there is indorsed on it a note of its registration, and a bond payable to the registered holder shall become a bond payable to bearer if there is indorsed on it a note of the cancellation of its registration, and the indorsement aforesaid shall be executed, if the bonds are registered in British Guiana, by the Colonial Treasurer, or if the bonds are registered in London by the person appointed by the Governor under the last preceding paragraph; bearer bond may become registered by indorsement of registration, and vice versâ, by cancellation of indorsement ;
- (c) a registered bond shall, unless otherwise provided by the conditions thereof, be transferable by instrument of transfer registered in the books of the Colonial Treasurer in British Guiana if registered in British Guiana, or in the books kept in London if registered in London. registered bond transferable at place where registered.

#### SPECIAL PROVISIONS RELATING TO LOAN OF £1,000,000.

13. The loan of four million eight hundred thousand dollars (one million pounds sterling) authorised by resolution of the Combined Court (no. 9 of 1922) of the tenth day of May, one thousand nine hundred and twenty-two, at the price of ninety-six per centum shall be raised under the provisions of this Ordinance as amended by any other Ordinance, subject to the following modifications : Raising of loan of \$4,800,000.

- (a) the loan shall be repaid at par at the expiration of fifty years from the date of issue of the bonds in respect thereof, but the Government shall have the right after the expiration of twenty years from the date of issue of the bonds to redeem the whole loan on giving six months' notice in the Gazette and one leading newspaper in London and one in the colony;
- (b) the loan shall be secured on the general revenues and assets of the Colony, and shall be paid in sterling in London and in dollars in the colony,

at the rate of four shillings and two pence to the dollar;

- (c) the loan shall rank *pari passu* with all existing loans;
- (d) the loan shall bear interest at the rate of five and one-half per centum per annum;
- (e) any amount for principal and for interest due to holders of bonds who are not domiciled in the colony shall not be subject to any charge in the colony for income tax or duties which are or may be imposed by any Ordinance now or hereafter in force, and that amount shall be paid without any deduction whatever in respect of any income tax or duties as aforesaid;
- (f) in respect of the bonds issued to secure the loan, a fee of two shillings and sixpence may be charged—
  - (i) for the exchange or conversion of a bearer bond for or into a bond payable to the registered holder, or vice versa; and
  - (ii) for the transfer of a bond payable to the registered holder.

#### SUPPLEMENTARY PROVISIONS RELATING TO PUBLIC LOANS.

Raising a loan and costs of doing so.

**14.**—(1) Notwithstanding anything contained in any Ordinance, whenever by any resolution the Legislative Council authorises any amount being raised on loan for any purpose, the Governor, or the Crown Agents for the Colonies acting on his behalf, may raise by loan in London an amount sufficient to produce as nearly as may be the sum authorised by the resolution and any further sum necessary to defray the expenses of issue.

Method of raising.

(2) The loan so authorised or any part of it may be raised from moneys belonging to sinking funds held by the Crown Agents for the Colonies on behalf of all or any of his Majesty's colonies and protectorates, or it may be raised under the provisions of the General Loan and Inscribed Stock Ordinance, as the Governor or the Crown Agents acting on his behalf may decide.

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Appropriation and application.

(3) The money so borrowed under the authority of this section shall be appropriated and applied for the purpose or purposes specified in any resolution from time to time passed by the Legislative Council.



(4) The principal moneys and interest represented by the loan issued under the provisions of this section are hereby charged upon and shall be payable out of the general revenues and assets of the colony not specially appropriated by any Ordinance already in force.

Principal and interest of loan to be a charge on colonial revenues.

15. While any portion of the loan remains outstanding the Governor shall, in each half-year ending with the day on which the interest on the loan falls due, appropriate out of the general revenues and assets of the colony a sum equal to one half-year's interest on the whole of the loan outstanding and remit that sum to the Crown Agents at a time that will enable them to pay thereout the then current half-year's interest on the day on which it falls due.

Payment of interest on loan.

16. The Governor shall also appropriate out of the said revenues and assets of the colony, for the formation of a sinking fund for the repayment of the loan, an additional sum in respect of the total nominal amount of the loan outstanding equal to one-half of the annual contribution to be decided by the Governor on the issue of the loan, and shall remit that sum to the Crown Agents in each half-year as aforesaid with the remittance hereinbefore mentioned :

Sinking fund :

Provided that the contribution shall commence not later than three years after the date from which the interest on the loan commences to run.

Proviso.

17. The Crown Agents shall invest so much of the money so remitted to them as shall not be required for the payment of interest for the current half-year in the purchase of securities approved by the Secretary of State as a sinking fund for the final extinction of the debt, and shall also invest the dividends, interest, or produce of those investments in the purchase of like securities, and may, from time to time with the approval of the Secretary of State, change any of those investments and shall hold the funds in trust for the repayment of the principal moneys for the time being represented by the loan.

Investment of moneys to provide for sinking fund.

18. If the sinking fund hereinbefore created is insufficient for the payment of all the principal moneys borrowed under the authority of section thirteen of this Ordinance at the time payment becomes due the Governor shall make good the deficiencies out of the general revenues and assets of the colony.

When sinking fund insufficient.

## ABOLITION OF POWERS TO RAISE LOANS.

[No. XII of 1929.]

No further  
loan under  
preceding  
sections  
hereof.

19. From and after the twenty-sixth day of January, nineteen hundred and twenty-nine, it shall not be lawful for the Legislative Council to exercise any of the powers conferred by the preceding sections of this Ordinance with respect to the raising of loans, or for the Governor to raise any further or other loan under those sections.

## COLONIAL TREASURY BILLS.

Power to  
borrow by  
the issue of  
Treasury  
bills.

20.—(1) The Governor, whenever authorised thereto by a resolution of the Legislative Council, may request the Crown Agents for the Colonies to borrow, by the issue in London of British Guiana Government Treasury bills (hereinafter shortly called bills), sums not exceeding the amount specified in the resolution; and the Crown Agents may also, with the approval of the Governor, borrow from time to time by the issue of those bills any sums required to pay off at maturity bills already lawfully issued by them and outstanding.

Principal.

(2) The principal moneys represented by the bills so issued are hereby charged upon and shall be payable out of the general revenues and assets of the colony.

Proceeds.

(3) The proceeds of the issue of the bills shall be paid into the general account of the colony with the Crown Agents.

Amounts and  
period of  
currency.

(4) Every bill so issued shall be for the sum of one thousand pounds, or a multiple of one thousand pounds, and shall be payable at par at the time or times fixed and determined by the Governor, or the Crown Agents on his behalf, before the issue of the bills, but not later than one year from the date of issue.

Repayment.

21. The Governor shall appropriate out of the general revenues of the colony the necessary sum to pay the principal represented by the bills, and shall remit that sum to the Crown Agents in London at a time that will enable them to pay the principal at their office in London when the bills fall due.

Cancellation  
of repaid  
bills.

22. Upon repayment of the principal moneys represented by the bills, they shall be delivered up to the Crown Agents, to be by them cancelled and transmitted to the Government of the colony.



## SCHEDULE.

(Section 4.)

The Governor of British Guiana is authorised by the Public Loan Ordinance, to cause this bond to be issued, and all the revenues of British Guiana not specially appropriated by any Ordinance in force before the passing of the Public Loan Ordinance, are pledged by the last mentioned Ordinance for the payment of the capital sum of this bond with the interest accruing thereon, and due provision for the redemption of this bond is prescribed by the said Ordinance.

BRITISH GUIANA.

PUBLIC LOAN BOND.

*Issued under the Public Loan Ordinance.  
(Chapter 47.)*

SERIES No.

The undersigned, the Colonial Secretary and the Colonial Treasurer (*or* being specially hereto authorised by the Governor in Council) of British Guiana, for and on behalf of the said colony, do hereby acknowledge that the colony of British Guiana is indebted unto \_\_\_\_\_, or bearer, in the sum of \_\_\_\_\_ for the payment of which at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 1 with interest at the rate of \_\_\_\_\_ per centum per annum, payable half-yearly at the same place, on the successive \_\_\_\_\_ days of \_\_\_\_\_ and \_\_\_\_\_ next ensuing the date of this bond, on the surrender of the respective coupons hereto attached, the colonial revenues are pledged as security under the provisions of the Public Loan Ordinance.

Given under our hands at  
this \_\_\_\_\_ day of \_\_\_\_\_ 1

A.B., Colonial Secretary.  
C.D., Colonial Treasurer.

*or* A.B.,  
C.D., specially authorised to sign  
this bond by the Governor  
in Council.

Recorded.

Auditor.

## COUPONS.

Series \_\_\_\_\_ bond no. \_\_\_\_\_ coupon no. \_\_\_\_\_  
The undersigned, the Colonial Secretary, and the Colonial Treasurer (*or* being specially hereto authorised by the Governor in Council) of British Guiana, hereby undertake for and on behalf of the said colony, to pay the bearer, on the \_\_\_\_\_ day of \_\_\_\_\_ 1, at \_\_\_\_\_ the sum of \_\_\_\_\_, being one half year's interest on their bond no. \_\_\_\_\_

A.B., Colonial Secretary.  
C.D., Colonial Treasurer.

*or* A.B.,  
C.B., specially authorised to sign this  
coupon by the Governor in Council.