



# Commonwealth Inscribed Stock Act 1911

## Act No. 20 of 1911 as amended

This compilation was prepared on 4 October 2002  
taking into account amendments up to Act No. 21 of 2002

The text of any of those amendments not in force  
on that date is appended in the Notes section

The operation of amendments that have been incorporated  
may be affected by application provisions that are set out in  
the Notes section

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# **An Act to provide for the issue of Stock, Bonds and other Securities by the Commonwealth and for other purposes**

## **Part I—Preliminary**

### **1 Short title** [*see* Note 1]

This Act may be cited as the *Commonwealth Inscribed Stock Act 1911*.

### **3 Interpretation**

(1) In this Act, unless the contrary intention appears:

***certified copy*** of an entry in a Stock Ledger, of an extract of an entry in a Stock Ledger or of a document means a copy of the entry, extract or document that is certified by a prescribed person to be a true copy.

***clearing and settlement facility*** means a facility that is a clearing and settlement facility for the purposes of Chapter 7 of the *Corporations Act 2001*.

***Registrar*** means a Registrar of Stock or a Deputy Registrar of Stock.

***Registry*** means a Registry for the inscription of stock.

***stock*** means:

- (a) stock, Treasury Bonds, Treasury Notes or other prescribed securities created under subsection 4(1); and
- (b) stock (however described) created under subsection 4(1) as in force at any time before the commencement of Schedule 1 to the *Commonwealth Inscribed Stock Amendment Act 2002*; and
- (c) Treasury Bonds, debentures or other prescribed securities made out under subsection 51A(1) at any time before the commencement of subsection 51A(3).

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***Treasury Bond*** includes a Treasury Fixed Coupon Bond, a Treasury Indexed Bond and an Australian Consolidated Treasury Bond and any coupon issued in connection with a Treasury Bond.

- (2) For the purposes of the application of this Act at a time before the commencement of Schedule 1 to the *Financial Services Reform Act 2001*:
- (a) a reference in this Act to the operator of a clearing and settlement facility is taken to be a reference to:
    - (i) a clearing house as defined by section 9 of the *Corporations Act 2001*; or
    - (ii) the body corporate in relation to which an approval as a clearing house is in force under section 779B of that Act; and
  - (b) a reference in this Act to the operating rules of a clearing and settlement facility is taken to be a reference to the business rules of a clearing house referred to in paragraph (a).

## **Part II—Creation and issue of stock**

### **4 Power to create stock**

- (1) The Governor-General may, by writing signed by him or her, create stock, Treasury Bonds, Treasury Notes or other prescribed securities from time to time for:
  - (a) raising money by way of loan; or
  - (b) converting any loan raised by the Commonwealth into any other loan so raised; or
  - (c) paying any expenses of carrying this Act into effect that the Governor-General considers are properly payable out of capital.
- (2) Stock created pursuant to paragraph (1)(a) shall not be issued or sold unless:
  - (a) authority to borrow the moneys to be raised by the issue or sale is granted by an Act; or
  - (b) the issue or sale is for the purpose of carrying out an obligation of the Commonwealth under the Financial Agreement.

### **6 Stock and interest a charge on revenue**

The principal money secured by any stock and the interest (if any) thereon shall rank equally and without priority or preference, and shall be a charge on and payable out of the Consolidated Revenue Fund which is hereby appropriated for the purpose.

### **7 Issue of stock**

- (1) The manner in which, the prices at which and the terms and conditions (including terms and conditions as to redemption and interest) on which stock may be issued and sold shall be as directed by the Governor-General.
- (2) Stock may be issued by electronic means.
- (3) Stock may be issued to a person on trust for other persons.

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- (4) To avoid doubt, a person to whom stock may be issued under subsection (3) may be a person who is a Registrar.
- (5) The Treasurer may, on behalf of the Commonwealth, enter into such contracts or arrangements, or execute such deeds of trust or other instruments as the Treasurer considers to be necessary or convenient for the purposes of, or in connection with, the issue of stock as provided by subsection (3).

**11 When interest to cease**

After the expiration of the notice for the redemption of any stock the interest (if any) on the stock specified in the notice shall cease.

**13 Stock personal property**

Stock shall be personal property.

## **Part III—Inscription of stock**

### **Division 1—Registries and Registrars**

#### **14 Establishment of registries and appointment of Registrars**

- (1) The Treasurer may:
  - (a) establish Registries for the inscription of stock within the Commonwealth;
  - (c) appoint such Registrars of Stock and Deputy Registrars of Stock as he or she thinks necessary.
- (2) Any person may be appointed as a Registrar.
- (3) To avoid doubt, a person that is:
  - (a) the operator of a clearing and settlement facility; or
  - (b) an incorporated company or other body corporate;may be appointed as a Registrar.
- (4) A person who holds office as a Registrar must, in the performance of the functions, or the exercise of the powers, of the holder of the office, comply with any relevant requirements:
  - (a) contained in the instrument appointing the person to the office; or
  - (b) contained in any contract or arrangement made, or in any deed of trust or other instrument executed, in connection with the appointment; or
  - (c) made by the regulations.

## **Division 2—Inscription of stock**

### **15 Stock to be inscribed**

- (1) All stock issued shall be inscribed in a Stock Ledger at a Registry by entering therein the name of the owner of the legal interest in the stock and the amount thereof, and such other particulars as are prescribed.
- (2) A Stock Ledger may be kept in an electronic form.

### **16 Limit of number of names**

No stock shall be inscribed in the names of more than 4 persons.

### **17 Stock certificates**

- (1) The Registrar must, when requested by a person who is the owner of the legal interest in any stock, issue to the person a certificate stating that the person is the owner of the stock.
- (2) A certificate issued under subsection (1) is prima facie evidence that the person specified in the certificate is the owner of the legal interest in the stock so specified.
- (3) The person who is the owner of the legal interest in any stock may dispose of the interest even though a certificate has not been issued to the person under subsection (1).

### **18 Owner of legal interest in stock**

The person whose name is inscribed in a Stock Ledger as the owner of the stock:

- (a) is the owner of the legal interest in the stock; and
- (b) has power to transfer the interest as provided by this Act and to give effectual receipts for any money paid to the person by way of consideration.

## **19 Protection of Registrar in relation to trusts**

- (1) Stock may be inscribed in the name of a trustee in the capacity as a trustee whether as trustee of a specified trust or as trustee without specifying a trust.
- (2) Notwithstanding that stock is inscribed in the name of a trustee in the capacity as a trustee, whether as trustee of a specified trust or as trustee without specifying a trust, the Registrar in the capacity as Registrar:
  - (a) is not affected with notice of any trust; and
  - (b) is not required to make any inquiries concerning:
    - (i) any trust; or
    - (ii) the propriety of anything done in relation to stock that is inscribed in the name of a trustee or any part of such stock.

## **20 Preservation of equitable interests**

Without prejudice to the provisions of this Act relating to the transfer of the legal interests in stock and notice of trusts, it is the intention of this Act that equitable interests may be enforced against the owners of legal interests in stock in the same way as equitable interests may be enforced against the owners of legal interests in other personal property.

## **21 Stock may not be inscribed in the names of persons under 16 years of age**

- (1) After the commencement of this section, an inscription of stock may not be made in the name of a person who is, or in the joint names of persons any one or more of whom is, under the age of 16 years.
- (2) However, any stock inscribed at the commencement of this section in the joint names of a person who is under the age of 16 years and one or more other persons may continue to be so inscribed but must not, without the order of a Judge of the Supreme Court of a State or Territory, be transferred until the person reaches that age or dies.

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**21A Stock held in official capacity**

- (1) Stock may be inscribed in the name of the holder of a prescribed office in that person's capacity as holder of the office.
- (2) The holder of a prescribed office and the holder's successors in office shall, for the purposes of this Act, be deemed to be a corporation by the name prescribed in relation to the office.

**22 Receipts for interest**

Any one of the persons in whose names any stock is inscribed may give valid receipts for interest.

**22A Inscription in name of Friendly Society or Trade Union**

- (1A) Despite anything in this Act, stock may, subject to this section, be inscribed in the name of any Friendly Society or any branch of a Friendly Society.
  - (1) Notwithstanding anything contained in this Act, stock may, subject to this section, be inscribed in the name of any Trade Union which the Registrar is satisfied is registered under the laws of any State or Territory or any branch of a Trade Union so registered.
  - (2) An application by a Friendly Society, Trade Union or any branch thereof, for inscribed stock shall be in such form and contain such particulars as are prescribed, and any documents prescribed by or under this Act and relating to that stock shall be signed by such 2 or more persons as are appointed in that behalf by the Society, Trade Union or branch, as the case may be.
  - (3) Certificates, receipts and other documents relating to stock inscribed in the name of a Friendly Society, Trade Union or branch shall be issued only to such person as the Society, Trade Union or branch, as the case may be, appoints in that behalf.
  - (4) No transactions under this Act shall be effected in relation to stock inscribed under this section unless they are authorized by the persons appointed by the Society, Trade Union or branch, as the case may be, in accordance with subsection (2), and the

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Commonwealth shall be under no legal liability in respect of any such transaction which is so authorized.

(5) In this section:

***Friendly Society*** means:

- (a) a body that is a friendly society for the purposes of the *Life Insurance Act 1995*; or
- (b) a body that is registered or incorporated as a friendly society under a law of a State or Territory; or
- (c) a body that is permitted, by a law of a State or Territory, to assume or use the expression ***friendly society***; or
- (d) a body that, immediately before the date that is the transfer date for the purposes of the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999*, was registered or incorporated as a friendly society under a law of a State or Territory.

**22B Inscription of stock in name of unincorporated associations**

- (1) Notwithstanding anything contained in this Act, stock may, subject to this section, be inscribed in the name of an unincorporated association that complies with such conditions as are prescribed.
- (2) An application for stock made by an unincorporated association shall be in such form and contain such particulars as are prescribed, and any documents prescribed by or under this Act and relating to that stock shall be signed by 2 or more persons appointed by that association to sign such documents.
- (3) A certificate, receipt or other document relating to stock inscribed in the name of an unincorporated association shall be issued only to a person authorized by the association to receive the document concerned.
- (4) A transaction under this Act shall not be effected in relation to stock inscribed under this section unless the transaction is authorized by the persons appointed by the unincorporated association in accordance with subsection (2) and the Commonwealth is not under any legal liability in respect of any such transaction that is so authorized.

## **Division 3—Transfers and transmissions**

### **23 Transfer to another registry**

Stock may in the manner prescribed be transferred from one Registry to another Registry.

### **24 Transfer of stock**

- (1) The regulations may make provision for or in relation to the transfer of legal or equitable interests in stock from one person to another person.
- (1A) The provision that may be made by the regulations under subsection (1) may include either or both of the following:
  - (a) a provision for transfer of interests by electronic means;
  - (b) a provision applying a provision of the *Corporations Act 2001* with or without modifications.
- (2) In this section, *person* includes:
  - (a) a Friendly Society or a branch of a Friendly Society;
  - (b) a Trade Union or a branch of a Trade Union; or
  - (c) an unincorporated association.

### **24A Transfer of certain interests in stock**

- (1) The legal interest, and any equitable interests, in any stock may be transferred from one person to another:
  - (a) in accordance with regulations made for the purposes of subsection 24(1); or
  - (b) subject to subsection (2), if the stock is inscribed in a Stock Ledger at a Registry where the Registrar is the operator of a clearing and settlement facility—in any way permitted by the operating rules of the facility (which may, if the operating rules so provide, be a way authorised by the *Corporations Act 2001*).
- (2) The Treasurer may, by written notice given to the operator of a clearing and settlement facility, declare that particular operating

rules of the facility are not to apply in respect of the transfer of legal or equitable interests in stock.

#### **24B Record of equitable interests**

The regulations may require a Registrar that is the operator of a clearing and settlement facility or is an incorporated company or other body corporate:

- (a) to keep a record (which may be a record kept by electronic means) of the ownership of any equitable interests in the stock; and
- (b) to comply with any provision made by the regulations in relation to the keeping of such a record.

#### **24C Inscription in Stock Ledger of names of transferees of legal interests in stock**

- (1) The regulations may make provision for or in relation to the inscription in a Stock Ledger of the name of the transferee of a legal interest in the stock as the owner of the stock.
- (2) The provision that may be made by regulations for the purposes of subsection (1) in relation to the legal interest in stock inscribed in a Stock Ledger that is kept in an electronic form must be provision for the inscription of the legal interest in an electronic form.

#### **27 Limitations on registration of transactions**

Except where the regulations otherwise provide or the Treasurer approves, a transaction relating to stock shall not be registered or dealt with within 14 days prior to the date upon which interest is due or within 1 month prior to the date of maturity of the stock.

#### **28 Transmission application**

A person to whom the legal interest in stock is transmitted may apply to a Registrar to be inscribed as the owner of the stock in accordance with the regulations.

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**29 Verification of transmission**

- (1) Every transmission application shall be verified by statutory declaration or in such other manner as the Treasurer allows, and
  - (a) in the case of a transmission consequent on death, the probate of the will, letters of administration or other instrument authorizing a person to administer the estate of a deceased person shall be produced to the Registrar; and
  - (b) in the case of a transmission consequent on bankruptcy, an office copy of the adjudication or order of sequestration shall be delivered to the Registrar.
- (2) Where an amount of stock not exceeding the prescribed amount is inscribed in the name of a person who has died, the Treasurer may dispense with the requirement of paragraph (1)(a), and may authorize the transmission of the stock to such person as he or she thinks fit.
- (3) No person shall have any claim against the Commonwealth in respect of any transmission in pursuance of subsection (2), but nothing in this section shall relieve the person to whom the stock is transmitted from any liability to account for or deal with the stock in accordance with law.

**30 Registration of transmission of legal interest**

If the Registrar at a Registry where particular stock is inscribed is satisfied that the provisions of this Act relating to the transmission of the legal interest in that stock have been complied with, the Registrar must register the transmission by entering particulars of it in the relevant Stock Ledger and inscribe the name of the person to whom the legal interest has been transmitted in the Stock Ledger as the owner of the stock.

## **Division 5—Legal provisions**

### **43 Orders to be carried into effect**

If an order relating to the legal interest in any stock, or having the effect of vesting the legal interest in any stock in a person, made by the Supreme Court of a State or Territory or a Judge of such a Court is served on the Registrar at the Registry where the stock is inscribed, the Registrar must make any entries in the relevant Stock Ledger that are necessary for the purpose of carrying the order into effect.

### **44 Evidence**

- (1) In any proceeding, a certified copy of:
  - (a) an entry in a Stock Ledger; or
  - (b) an extract from an entry in a Stock Ledger; or
  - (c) a document in the custody of a Registrar that relates to stock; is admissible in evidence.
- (2) A document purporting to be a certified copy referred to in subsection (1) is to be taken, unless the contrary is established, to be such a certified copy and to have been duly given.

## Part V—Penal provisions

### 49 False personation

Any person who, with intent to defraud, falsely personates any person entitled to the legal interest in any stock or to any money payable in respect of any stock, shall be guilty of an indictable offence.

Penalty: Imprisonment for 10 years.

### 50 Falsification of books or documents

Any person who fraudulently:

- (a) makes any false entry in any book, record, or document relating to stock, or
  - (b) omits to make any entry in any book, record, or document relating to stock, or
  - (c) by act or omission falsifies any book, record, or document relating to stock, or
  - (d) destroys any book, record, or document relating to stock, or
  - (e) delivers to any person not entitled thereto any stock certificate, or any coupon, warrant, or document for the payment of any money payable in respect of any stock;
- shall be guilty of an indictable offence.

Penalty: Imprisonment for 10 years.

### 51 Forfeiture of forged documents and illicit forms

All forged instruments or documents, the forging or uttering of which is punishable under this Act shall be forfeited to the Crown, and may be seized by any member of the police force of the Commonwealth or a State.

## **Part VA—Treasury Bonds**

### **51A Power to make out and issue Treasury Bonds**

- (1) The Governor-General may authorize the Treasurer from time to time to make out bonds called Treasury Bonds or Australian Consolidated Treasury Bonds, Debentures and such other securities as are prescribed, for:
  - (a) raising money by way of loan;
  - (aa) converting any loan raised by the Commonwealth into any other loan so raised; and
  - (b) paying any expenses of carrying this Act into effect which the Governor-General considers are properly payable out of capital.
- (2) Treasury Bonds, Debentures or other securities made out pursuant to paragraph (1)(a) shall not be issued or sold unless authority to borrow the money to be raised by the issue or sale is granted by an Act.
- (3) Notwithstanding subsection (1), Treasury Bonds, Debentures or other prescribed securities shall not be made out, issued or sold in connection with any loan raised after the commencement of this subsection.

### **51B Sale of Treasury Bonds**

The manner in which, the prices at which and the terms and conditions (including terms and conditions as to redemption and interest) on which Treasury Bonds, Debentures and other prescribed securities may be issued and sold shall be as directed by the Governor-General.

### **51BA Breach of terms or conditions of issue of Treasury Bonds**

Any person who contravenes or fails to comply with any term or condition on which a Treasury Bond, Debenture or other prescribed security is issued or sold, shall be guilty of an offence against this Act.

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Penalty: \$200 or imprisonment for 6 months, or both, and, in addition, an amount equal to 10% of the nominal value of the Treasury Bond, Debenture or other prescribed security in respect of which the offence is committed.

**51C Treasury Bills Act to apply to Bonds and other securities**

Subject to the Regulations, the provisions of the *Treasury Bills Act 1914* shall apply to Treasury Bonds, Debentures and other prescribed securities, as if they were Treasury Bills issued under that Act.

**51E Conversion of stock, Treasury Bonds and other securities**

- (1) Stock may, in the prescribed manner and on such terms and conditions as are prescribed, be exchanged for Treasury Bonds, Debentures or other prescribed securities, and Treasury Bonds, Debentures and other prescribed securities may, in the prescribed manner and on such terms and conditions as are prescribed, be exchanged for stock.
- (2) Notwithstanding subsection (1), stock issued or sold after the commencement of this subsection may not be exchanged for Treasury Bonds, Debentures or other prescribed securities.

**51G Treasury Bonds may be repurchased out of war loans**

When Treasury Bonds which have been issued and sold for raising money by way of loan for war purposes are presented for payment in accordance with the terms and conditions under which they were issued and sold, the Treasurer may repurchase or redeem them from the proceeds of any loan raised for war purposes.

## **Part VB—Delegations and authorisations**

### **51H Delegation by Governor-General and authorisation by Treasurer**

- (1) The Governor-General may, either generally or as otherwise provided by the instrument of delegation, by writing signed by the Governor-General, delegate to the Treasurer all or any of his powers under sections 4, 7 and 51B.
- (2) The Treasurer may, either generally or as otherwise provided in the instrument of authorization, by writing signed by the Treasurer, authorize:
  - (a) a specified person;
  - (b) a person for the time being holding or performing the duties of a specified office or position in the Australian Public Service; or
  - (c) a person for the time being holding or performing the duties of a specified office in the Reserve Bank Service;to exercise a power that has been delegated to the Treasurer under subsection (1).
- (3) Any act or thing done:
  - (a) by the Treasurer in the exercise of a power delegated to the Treasurer under subsection (1); or
  - (b) by a person in the exercise of a power pursuant to an authorization by the Treasurer under subsection (2);has the same force and effect as if it had been done by the Governor-General.
- (4) A delegation under subsection (1) does not prevent the exercise of a power by the Governor-General.
- (5) The giving of an authorization under subsection (2) does not prevent the exercise of a power by the Treasurer.

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**51J Directions by Governor-General and Treasurer**

Where the Governor-General has delegated a power to the Treasurer under section 51H:

- (a) the Governor-General may give directions to the Treasurer with respect to the exercise of that power; and
- (b) if the Treasurer has under subsection 51H(2) authorized another person to exercise that power, the Treasurer:
  - (i) shall, if the Governor-General gives a direction to the Treasurer under paragraph (a) with respect to the exercise of that power, give a corresponding direction to the other person; and
  - (ii) may, subject to any direction given to the Treasurer under paragraph (a), give directions to the other person with respect to the exercise of that power.

**51K Delegation by Treasurer**

- (1) The Treasurer may, either generally or as otherwise provided by the instrument of delegation, by writing signed by the Treasurer, delegate to:
  - (a) a person for the time being holding or performing the duties of a specified office or position in the Australian Public Service; or
  - (b) a person for the time being holding or performing the duties of a specified office in the Reserve Bank Service;all or any of the powers of the Treasurer under sections 14 and 29.
- (2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Treasurer.
- (3) A delegation under this section does not prevent the exercise of a power by the Treasurer.

**Part VI—Miscellaneous****52 Investments in stock**

Any person who is authorized to invest money upon any security of the Government of the Commonwealth or of a State may invest such money in stock.

**52A Stock certificates etc. not liable to stamp duty**

- (1) The following instruments and documents shall not be liable to stamp duty or other tax under any other law of the Commonwealth or of a State or Territory unless they are declared to be so liable by the prospectus relating to the loan in respect of which they are issued or used:
  - (a) stock certificates, Treasury Bonds, Treasury Notes, Debentures and other prescribed securities;
  - (b) documents relating to the purchase, sale, transfer, transmission, conversion, renewal or redemption of stock, Treasury Bonds, Treasury Notes, Debentures or other prescribed securities;
  - (c) cheques and drafts drawn by a bank on behalf of the Commonwealth in connexion with any such conversion, renewal or redemption;
  - (d) documents relating to the payment of interest on stock, Treasury Bonds, Treasury Notes, Debentures or other prescribed securities; and
  - (e) cheques and drafts drawn by a bank on behalf of the Commonwealth for the payment of any such interest.
- (1A) Stamp duty or other tax under any law of the Commonwealth, law of a State or law of a Territory is not payable in respect of any inscription, transfer or transmission of any interest in stock that is effected by electronic means.
- (2) In this section:

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*bank* includes, but is not limited to, a body corporate that is an ADI (authorised deposit-taking institution) for the purposes of the *Banking Act 1959*.

**52B Liability of interest to income tax**

- (1) If:
  - (a) a person derives interest from Stock, from Treasury Bonds or from other securities prescribed for the purposes of section 51A; and
  - (b) the prospectus relating to the loan on which the interest is payable stated that the interest would not be liable to income tax under any law of a State;the interest so derived is not liable to income tax under any law of a State.
- (2) Notwithstanding anything contained in any other Act, if in any prospectus or form of application issued in relation to a loan raised after 12 September 1931 it is so declared, the interest derived by any person in any financial year from that loan shall be free from income tax payable under the law of the Commonwealth to the same extent as interest derived from new securities referred to in section 20 of the *Commonwealth Debt Conversion Act 1931*.
- (3) Notwithstanding anything contained in any other Act, where it is declared, in any prospectus relating to the raising of a loan by means of the issue of Treasury Bonds known as War Savings Certificates or Savings Certificates, that the certificates will be free of Commonwealth income tax, the interest derived by any person in any financial year from those Bonds shall be free from income tax payable under any law of the Commonwealth.

**54 Record of unclaimed interest**

- (1) Each Registrar is to keep a record of the persons:
  - (a) whose names are entered in a Stock Ledger as the owners of legal interests in stock; and
  - (b) in respect of whose stock a claim for interest has not been made for at least 10 years.
- (2) The record may be kept by electronic means.

- (3) The record must include such particulars of the address, and occupation or description, of each person as are entered in the relevant Stock Ledger.
- (4) A Registrar must, on payment of the prescribed fee, make the record available for inspection by any person.

**55 Forms**

- (1) Each Registrar shall keep the prescribed forms.
- (2) No forms other than the prescribed forms shall be used except with the approval of the Treasurer.

**56 Powers of attorney**

- (1) Any person may, by power of attorney under his hand and seal and attested, appoint some person to be his attorney for any purpose in relation to stock.
- (2) Every power of attorney in relation to stock, or a certified copy of such a power, shall be deposited, or produced to the Registrar, at the Registry where the stock to which the power of attorney relates is inscribed.
- (3) A power of attorney has effect for all purposes mentioned in the power of attorney until notice of its revocation or of:
  - (a) the bankruptcy;
  - (b) the death; or
  - (c) where, apart from this subsection, the power of attorney would cease so to have effect because of the mental incapacity of the principal—the mental incapacity; of the principal has been received by the Registrar at the Registry where the power of attorney was deposited or produced.

**57B Application of certain provisions of Treasury Bills Act to stamps**

The provisions of sections 13, 13A, 13B and 14 of the *Treasury Bills Act 1914* shall apply in relation to War Savings Stamps,

Section 58

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Savings Stamps and National Savings Stamps in the like manner as they apply in relation to Treasury Bills.

**58 Regulations**

The Governor-General may make regulations, not inconsistent with this Act, prescribing the fees payable under this Act and all matters and forms required or necessary or convenient to be prescribed for carrying out or for giving effect to this Act or for the conduct of any business at or in connexion with any Registry.

**Table of Acts****Notes to the *Commonwealth Inscribed Stock Act 1911*****Note 1**

The *Commonwealth Inscribed Stock Act 1911* as shown in this compilation comprises Act No. 20, 1911 amended as indicated in the Tables below.

All relevant information pertaining to application, saving or transitional provisions prior to 24 November 2000 is not included in this compilation. For subsequent information *see* Table A.

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Commonwealth Inscribed Stock Act 1911</i>	20, 1911	22 Dec 1911	22 Dec 1911	
<i>Commonwealth Inscribed Stock Act 1912</i>	40, 1912	24 Dec 1912	24 Dec 1912	—
<i>Commonwealth Inscribed Stock Act 1913</i>	16, 1913	19 Dec 1913	19 Dec 1913	—
<i>Commonwealth Inscribed Stock Act 1915</i>	26, 1915	16 Aug 1915	16 Aug 1915	—
<i>Loans Sinking Fund Act 1918</i>	6, 1918	28 May 1918	1 July 1916	—
<i>Commonwealth Inscribed Stock Act 1918</i>	7, 1918	28 May 1918	Ss. 5 and 6: 1 Jan 1918 Remainder: 28 May 1918	—
<i>Commonwealth Inscribed Stock Act 1927</i>	2, 1927	8 Apr 1927	8 Apr 1927	—
<i>Commonwealth Inscribed Stock Act 1932</i>	25, 1932	30 May 1932	12 Sept 1931	S. 6
<i>Commonwealth Inscribed Stock Act 1933</i>	5, 1933	30 May 1933	30 May 1933	—
<i>Commonwealth Inscribed Stock Act 1940</i>	25, 1940	1 June 1940	29 June 1940	—
<i>Commonwealth Inscribed Stock Act 1943</i>	58, 1943	22 Oct 1943	22 Oct 1943	—
<i>Commonwealth Inscribed Stock Act 1945</i>	26, 1945	16 Aug 1945	13 Sept 1945	—
<i>Commonwealth Inscribed Stock Act 1946</i>	21, 1946	1 Aug 1946	29 Aug 1946	—

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Commonwealth Inscribed Stock Act 1963</i>	18, 1963	28 May 1963	5 Feb 1964 (see <i>Gazette</i> 1964, p. 536)	—
<i>Statute Law Revision (Decimal Currency) Act 1966</i>	93, 1966	29 Oct 1966	1 Dec 1966	—
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9(1) and 10
<i>Income Tax (Arrangements with the States) Act 1978</i>	87, 1978	22 June 1978	22 June 1978	—
<i>Jurisdiction of Courts (Miscellaneous Amendments) Act 1979</i>	19, 1979	28 Mar 1979	Parts II-XVII (ss. 3-123): 15 May 1979 (see <i>Gazette</i> 1979, No. S86) Remainder: Royal Assent	S. 124
<i>Commonwealth Inscribed Stock Amendment Act 1979</i>	95, 1979	28 Sept 1979	28 Sept 1979	S. 5(2)
<i>Crimes (Currency) Act 1981</i>	122, 1981	17 Sept 1981	Ss. 1-3: Royal Assent Remainder: 16 Dec 1985 (see s. 2(2))	—
<b>as amended by</b>				
<i>Statute Law (Miscellaneous Provisions) Act (No. 2) 1985</i>	193, 1985	16 Dec 1985	S. 3: 16 Dec 1985 (a)	S. 16
<i>Statute Law (Miscellaneous Provisions) Act (No. 1) 1984</i>	72, 1984	25 June 1984	S. 3: 2 June 1984 (see <i>Gazette</i> 1984, No. S245) (b)	S. 5(1)
<i>Statute Law (Miscellaneous Provisions) Act (No. 1) 1986</i>	76, 1986	24 June 1986	S. 3: Royal Assent (c)	S. 9
<i>Statute Law (Miscellaneous Provisions) Act 1988</i>	38, 1988	3 June 1988	S. 3: Royal Assent (d)	S. 5(1)
<i>Taxation Laws Amendment Act (No. 3) 1989</i>	107, 1989	30 June 1989	Part 6 (ss. 29 and 30): 24 Nov 1988 (see s. 2(2)) Remainder: Royal Assent	—
<i>Audit (Transitional and Miscellaneous) Amendment Act 1997</i>	152, 1997	24 Oct 1997	Schedule 1 (items 633 and 634): 1 Jan 1998 (see <i>Gazette</i> 1997, No. GN49) (e)	—

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Financial Sector Reform (Consequential Amendments) Act 1998</i>	48, 1998	29 Jun 1998	Schedule 1 (item 36): 1 July 1998 (see <i>Gazette</i> 1998, No. S316) (f)	—
<i>Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999</i>	44, 1999	17 June 1999	Schedule 7 (items 19-21): (g)	S. 3(2)(e) (am. by 160, 2000, Sch. 4 [item 4])
<b>as amended by</b>				
<i>Financial Sector Legislation Amendment Act (No. 1) 2000</i>	160, 2000	21 Dec 2000	Schedule 1 (item 21): Royal Assent Remainder: 18 Jan 2001	—
<i>Statute Stocktake Act 1999</i>	118, 1999	22 Sept 1999	22 Sept 1999	—
<i>Public Employment (Consequential and Transitional) Amendment Act 1999</i>	146, 1999	11 Nov 1999	Schedule 1 (items 320, 321): 5 Dec 1999 (see <i>Gazette</i> 1999, No. S584) (h)	—
<i>Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000</i>	137, 2000	24 Nov 2000	Ss. 1-3 and Schedule 1 (items 1, 4, 6, 7, 9-11, 32): Royal Assent Remainder: 24 May 2001	Sch. 2 (items 418, 419) [see Table A]
<i>Commonwealth Inscribed Stock Amendment Act 2002</i>	21, 2002	4 Apr 2002	Schedule 1: 4 Oct 2002 Remainder: Royal Assent	—

## Act Notes

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- (a) The *Crimes Currency Act 1981* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1985*, subsections 2(1) and (7) of which provide as follows:
- (1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
  - (7) The amendments of the *Crimes (Currency) Act 1981* made by this Act (other than the amendment of section 2 of that Act) shall come into operation immediately after the amendment of section 2 of that Act made by this Act comes into operation.
- (b) The *Commonwealth Inscribed Stock Act 1911* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1984*, subsection 2(5) of which provides as follows:
- (5) The amendments of the *Commonwealth Inscribed Stock Act 1911* made by this Act shall come into operation on a day to be fixed by Proclamation.
- (c) The *Commonwealth Inscribed Stock Act 1911* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1986*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
- (d) The *Commonwealth Inscribed Stock Act 1911* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act 1988*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.
- (e) The *Commonwealth Inscribed Stock Act 1911* was amended by Schedule 2 (items 633 and 634) only of the *Audit (Transitional and Miscellaneous) Amendment Act 1997*, subsection 2(2) of which provides as follows:
- (2) Schedules 1, 2 and 4 commence on the same day as the *Financial Management and Accountability Act 1997*.
- (f) The *Commonwealth Inscribed Stock Act 1911* was amended by Schedule 1 (item 36) only of the *Financial Sector Reform (Consequential Amendments) Act 1998*, subsection 2(2) of which provides as follows:
- (2) Subject to subsections (3) to (14), Schedules 1, 2 and 3 commence on the commencement of the *Australian Prudential Regulation Authority Act 1998*.
- (g) The *Commonwealth Inscribed Stock Act 1911* was amended by Schedule 7 (items 19-21) only of the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999*, subsections 3(2) and (16) of which provide as follows:
- (2) The following provisions commence on the transfer date:
    - (e) subject to subsection (12), Schedule 7, other than items 43, 44, 118, 205 and 207 (the commencement of those items is covered by subsections (10), (11) and (13)).
  - (16) The Governor-General may, by Proclamation published in the *Gazette*, specify the date that is to be the transfer date for the purposes of this Act.
- The transfer date was 1 July 1999 (see *Gazette* 1999, No. S283).
- (h) The *Commonwealth Inscribed Stock Act 1911* was amended by Schedule 1 (items 320 and 321) only of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, subsections 2(1) and (2) of which provide as follows:
- (1) In this Act, **commencing time** means the time when the *Public Service Act 1999* commences.
  - (2) Subject to this section, this Act commences at the commencing time.

**Table of Amendments****Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision affected	How affected
Title.....	am. No. 25, 1932
<b>Part I</b>	
S. 2.....	am. Nos. 6 and 7, 1918; No. 26, 1945 rs. No. 18, 1963 rep. No. 216, 1973
S. 3.....	am. No. 25, 1932; No. 26, 1945; No. 72, 1984; No. 38, 1988; No. 21, 2002
<b>Part II</b>	
S. 4.....	am. No. 25, 1932; No. 26, 1945; No. 95, 1979; No. 72, 1984; No. 21, 2002
S. 5.....	am. No. 26, 1915 rep. No. 18, 1963
S. 6.....	am. No. 18, 1963
Heading to s. 7.....	rs. No. 21, 2002
S. 7.....	am. No. 18, 1963 rs. No. 95, 1979 am. No. 21, 2002
S. 8.....	rs. No. 5, 1933 am. No. 18, 1963 rep. No. 95, 1979
Ss. 9, 10.....	rep. No. 95, 1979
S. 11.....	am. No. 18, 1963
S. 12.....	rep. No. 21, 2002
<b>Part III</b>	
<b>Division 1</b>	
S. 14.....	am. No. 38, 1988; No. 21, 2002
<b>Division 2</b>	
S. 15.....	am. No. 21, 2002
S. 16.....	am. No. 72, 1984
Ss. 17, 18.....	rs. No. 21, 2002
S. 19.....	rs. No. 72, 1984 am. No. 21, 2002
S. 20A.....	ad. No. 7, 1918 rep. No. 26, 1945
S. 20.....	rs. No. 21, 2002
S. 21.....	am. No. 216, 1973; No. 19, 1979; No. 72, 1984 rs. No. 21, 2002
S. 21A.....	ad. No. 38, 1988
S. 22A.....	ad. No. 2, 1927 am. No. 216, 1973; No. 72, 1984; No. 44, 1999
S. 22B.....	ad. No. 72, 1984

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision affected	How affected
<b>Division 3</b>	
S. 24 .....	am. No. 5, 1933 rs. No. 18, 1963 am. No. 72, 1984; No. 21, 2002
Ss. 24A-24C .....	ad. No. 21, 2002
Ss. 25, 26.....	am. No. 5, 1933 rep. No. 18, 1963
S. 27 .....	rs. No. 26, 1945 am. No. 18, 1963; No. 72, 1984
S. 28 .....	rs. No. 21, 2002
S. 29 .....	am. No. 2, 1927; No. 26, 1945; No. 18, 1963; No. 216, 1973; No. 72, 1984; No. 21, 2002
S. 30 .....	rs. No. 21, 2002
S. 31 .....	rep. No. 18, 1963
S. 32 .....	rs. No. 26, 1915 rep. No. 18, 1963
Div. 4 of Part III .....	rep. No. 26, 1945
Ss. 33-42 .....	rep. No. 26, 1945
<b>Division 5</b>	
S. 43 .....	am. No. 216, 1973; No. 19, 1979 rs. No. 21, 2002
S. 44 .....	rs. No. 21, 2002
S. 44A.....	ad. No. 16, 1913 rep. No. 216, 1973
Part IV.....	rep. No. 6, 1918
S. 45 .....	am. No. 40, 1912 rep. No. 6, 1918
Ss. 46, 47.....	rep. No. 6, 1918
S. 48 .....	am. No. 26, 1945; No. 122, 1981; No. 72, 1984; No. 38, 1988 rep. No. 137, 2000
<b>Part V</b>	
S. 49 .....	am. No. 72, 1984; No. 21, 2002
S. 50 .....	am. No. 26, 1945; No. 72, 1984
S. 51 .....	am. No. 216, 1973; No. 122, 1981
<b>Part VA</b>	
Part VA .....	ad. No. 26, 1915
S. 51A.....	ad. No. 26, 1915 am. No. 25, 1932; No. 26, 1945; No. 95, 1979; No. 72, 1984
S. 51B.....	ad. No. 26, 1915 am. No. 25, 1932 rs. No. 95, 1979
S. 51BA .....	ad. No. 25, 1940 am. No. 93, 1966; No. 72, 1984
S. 51C.....	ad. No. 26, 1915 am. No. 25, 1932; No. 72, 1984

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
S. 51D.....	ad. No. 26, 1915 rep. No. 25, 1932
S. 51E.....	ad. No. 26, 1915 rs. No. 18, 1963 am. No. 72, 1984
S. 51F.....	ad. No. 7, 1918 am. No. 72, 1984 rep. No. 152, 1997
S. 51G.....	ad. No. 7, 1918
<b>Part VB</b>	
Part VB.....	ad. No. 95, 1979
S. 51H.....	ad. No. 95, 1979 am. No. 146, 1999; No. 21, 2002
S. 51J.....	ad. No. 95, 1979
S. 51K.....	ad. No. 76, 1986 am. No. 38, 1988; No. 146, 1999
<b>Part VI</b>	
S. 52A.....	ad. No. 26, 1915 am. No. 7, 1918 rs. No. 2, 1927 am. No. 25, 1932 rs. No. 26, 1945 am. No. 216, 1973 ; No. 48, 1998; No. 21, 2002
S. 52B.....	ad. No. 26, 1915 am. No. 7, 1918; No. 25, 1932; No. 25, 1940; No. 21, 1946; No. 87, 1978; No. 72, 1984; No. 107, 1989
S. 52C.....	ad. No. 26, 1915 rs. No. 18, 1963 am. No. 72, 1984 rep. No. 118, 1999
S. 53.....	am. No. 216, 1973 rs. No. 95, 1979 rep. No. 152, 1997
S. 54.....	am. No. 72, 1984 rs. No. 21, 2002
S. 56.....	am. No. 26, 1945; No. 216, 1973; No. 76, 1986; No. 38, 1988
S. 57.....	rep. No. 2, 1927 ad. No. 58, 1943 am. No. 21, 1946 rep. No. 216, 1973
Ss. 57AA, 57AB.....	ad. No. 21, 1946 rep. No. 216, 1973
S. 57A.....	ad. No. 58, 1943 am. No. 26, 1945 rep. No. 216, 1973
S. 57B.....	ad. No. 58, 1943 am. No. 21, 1946; No. 72, 1984

## **Table A**

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### **Table A**

#### **Application, saving or transitional provisions**

*Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences)*  
*Act 2000 (No. 137, 2000)*

#### **Schedule 2**

##### **418 Transitional—pre-commencement offences**

- (1) Despite the amendment or repeal of a provision by this Schedule, that provision continues to apply, after the commencement of this item, in relation to:
- (a) an offence committed before the commencement of this item; or
  - (b) proceedings for an offence alleged to have been committed before the commencement of this item; or
  - (c) any matter connected with, or arising out of, such proceedings;
- as if the amendment or repeal had not been made.
- (2) Subitem (1) does not limit the operation of section 8 of the *Acts Interpretation Act 1901*.

##### **419 Transitional—pre-commencement notices**

If:

- (a) a provision in force immediately before the commencement of this item required that a notice set out the effect of one or more other provisions; and
  - (b) any or all of those other provisions are repealed by this Schedule; and
  - (c) the first-mentioned provision is amended by this Schedule;
- the amendment of the first-mentioned provision by this Schedule does not affect the validity of such a notice that was given before the commencement of this item.

