

EXPORT PAYMENTS INSURANCE CORPORATION.

No. 14 of 1961.

An Act to amend the *Export Payments Insurance Corporation Act 1956-1959*.

[Assented to 11th May, 1961.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title
and citation.

1.—(1.) This Act may be cited as the *Export Payments Insurance Corporation Act 1961*.

(2.) The *Export Payments Insurance Corporation Act 1956-1959** is in this Act referred to as the Principal Act.

* Act No. 32, 1956, as amended by Nos. 1 and 101, 1959.

1961. *Export Payments Insurance Corporation.* No. 14.

(3.) The Principal Act, as amended by this Act, may be cited as the *Export Payments Insurance Corporation Act 1956-1961.*

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

3. Section two of the Principal Act is amended by omitting the words— Parts.

“ Division 2.—Powers and Duties of the Corporation (Sections 13-16).”

and inserting in their stead the words—

“ Division 2.—Powers and Duties of the Corporation (Sections 13-16A).”.

4. Section three of the Principal Act is amended by inserting after the definition of “ Australia ” the following definition:— Definitions.

“ ‘ national interest contract ’ means a contract of insurance entered into by the Corporation in accordance with an approval given under section sixteen A of this Act ;”.

5. After section sixteen of the Principal Act the following section is inserted in Division 2 of Part II.:—

“ 16A.—(1.) Subject to the next succeeding sub-section, where— Contracts in national interest.

(a) an application is made to the Corporation for a contract of insurance of a kind to which the business of the Corporation extends; and

(b) the proposed contract would impose upon the Corporation a liability that the Corporation is not authorized to undertake, or would not undertake in the ordinary course of business,

the Corporation may refer the application to the Minister for consideration under this section.

“ (2.) The Minister may give directions to the Corporation with respect to the circumstances or cases in which applications are, or are not, to be referred to him under this section, and the Corporation shall comply with any such direction.

“ (3.) Where, in relation to an application referred to the Minister under this section, the Minister is of opinion that it is in the national interest that the Corporation should enter into a contract of insurance in respect of the matter the subject of the application, the Minister may, by writing under his hand, approve the entering into by the Corporation of such a contract.

“(4.) An approval under the last preceding sub-section may contain conditions or directions in relation to the proposed contract (including conditions or directions with respect to the amount of the premium to be charged or the percentage of the amount of the loss to which the indemnity is to extend).

“(5.) Where an approval is given under sub-section (3.) of this section, the Corporation is empowered, notwithstanding anything contained in section eleven, or sub-section (3.) or (4.) of section sixteen, of this Act, to enter into a contract in accordance with the approval and, unless the approval is revoked, shall not decline to do so.

“(6.) Where a contract is entered into in accordance with an approval under this section, the Minister shall notify the fact in the *Gazette* (without reference to the names of the parties to the transaction to which the contract relates), together with particulars of the nature and extent of the liability under the contract.”

Maximum liability.

6. Section twenty-eight of the Principal Act is amended by inserting after the word “insurance” the words “, other than national interest contracts,”.

7. After section twenty-nine of the Principal Act the following section is inserted:—

Contracts in the national interest.

“29A.—(1.) The Corporation shall keep a separate account of all receipts and disbursements arising out of national interest contracts.

“(2.) The Corporation shall pay to the Commonwealth from time to time, as directed by the Treasurer, so much of the receipts of the Corporation arising out of national interest contracts as exceeds a reasonable deduction, to be ascertained in such manner as the Treasurer directs, in respect of the expenses of the Corporation (other than payments in respect of claims).

“(3.) The Commonwealth shall pay to the Corporation, out of moneys lawfully available for the purpose, the amount needed to discharge any liability of the Corporation under a national interest contract.”

Annual report of the Corporation.

8. Section thirty-two of the Principal Act is amended by inserting after sub-section (1.) the following sub-section:—

“(1A.) The financial statements in respect of a year shall show separately the total contingent liability of the Corporation at the end of the year under national interest contracts.”

Delegation of powers of Minister.

9. Section thirty-five of the Principal Act is amended by inserting in sub-section (1.), after the word “delegation” (first occurring), the words “, his powers under section sixteen A of this Act”.