

TRINIDAD AND TOBAGO.

No. 18.—1908.

2nd March.

AN ORDINANCE to declare the terms and conditions applicable to Loans authorised to be raised by the Government of Trinidad and Tobago, and to provide for the creation of Trinidad Inscribed Stock.

[L.S.]

H. M. JACKSON,

GOVERNOR.

6th March, 1908.

WHEREAS it is expedient to define in one Ordinance Preamble. the terms and conditions applicable to Loans hereafter authorised to be raised by the Legislature of the Colony of Trinidad and Tobago;

And whereas it is expedient to provide for the creation of Inscribed Stock and to enable the Colony to take advantage of the provisions of an Act of the Imperial Parliament entitled "The Colonial Stock Act 1877" and the subsequent Acts on the same subject:

Be it therefore enacted by the Governor of Trinidad Enactin and Tobago with the advice and consent of the Legislative clause. Council thereof, as follows:—

1. In this Ordinance unless the context otherwise Interpretation. requires:

The expression "Governor" means the person for the

time being administering the Government of Trinidad and Tobago.

The expression "Crown Agents" means the person or persons for the time being acting as Crown Agents for the Colonies in England.

Loans to be raised by Debentures or Inscribed Stock.

2. Whenever by any Ordinance authority shall have been given or shall hereafter be given, to raise any sum of money for the purposes mentioned in such Ordinance, the Governor or the Crown Agents acting on his behalf may from time to time, as he or they may deem expedient, raise such sum either by Debentures or by Trinidad Inscribed Stock, or partly by Debentures and partly by Inscribed Stock.

Loans to be a charge upon General Revenue.

3. The principal moneys and interest secured by the Debentures or Inscribed Stock issued under the provisions of this Ordinance are hereby charged upon and shall be payable out of the general revenue and assets of the Colony of Trinidad and Tobago.

Borrowing upon Debentures.

4. When the Governor or the Crown Agents acting on his behalf shall deem it expedient to raise money by Debentures, such Debentures shall be issued in London on behalf of the Government of Trinidad and Tobago by the Crown Agents upon the best and most favourable terms that can be obtained, and shall be signed by any one of them on that behalf.

Amount of each Debenture.

5. Every Debenture issued under the provisions of this Ordinance shall be for the sum of not less than One hundred pounds sterling and shall bear interest at a rate not exceeding five per centum per annum.

Debentures may be redeemed by annual drawings or by purchase in the market or on a fixed date.

6. The Debentures shall be redeemable at par at the option of the Government of Trinidad and Tobago by purchase in the market or by annual drawings or on a date to be named in that behalf by the Governor or by the Crown Agents acting on his behalf as determined when issuing the Debentures, such date not being later than fifty years from the date of issue, from and after which date all interest on the principal moneys secured thereby shall cease and determine, whether payment of the principal shall have been demanded or not.

7. There shall be attached to every Debenture coupons for the payment of the interest to become due in each half-year upon the principal secured by the Debenture. The coupons shall be sufficient in number to provide for the payment of the interest either during the whole period for which the Debenture has to run, or for such limited period as the Crown Agents acting on behalf of the Government of Trinidad and Tobago may determine. Interest Coupons.
8. The Debentures and the coupons thereto shall be in such form as the Governor, or the Crown Agents acting on his behalf, may direct or approve. Form of Debenture and Coupons.
9. Every Debenture and coupon and the right to receive the principal and interest secured or represented thereby, shall be transferable by delivery. Debentures and Coupons transferable by delivery.
10. Every Debenture shall before being issued be registered in a Register Book to be kept for that purpose at the office in London of the Crown Agents. Register of Debentures.
11. The interest upon the principal secured by each Debenture shall run from the day named in that behalf in the Debenture, and shall be paid half-yearly on the days named in that behalf in the Debenture at the office in London of the Crown Agents. Payment of Interest.
12. So long as any of the Debentures remain outstanding, the Governor shall in each half-year ending with the day on which the interest on the Debentures 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 Debentures issued, including any which may have been redeemed, but exclusive of any which may have been at any time exchanged for Inscribed Stock, and shall remit that sum to the Crown Agents at such time as will enable them to pay thereout the then current half-year's interest on the day on which it falls due. Mode of providing for payment of interest on Debentures.
13. After the date specified in the Ordinance authorising a loan as that on which the contributions to the Sinking Fund shall commence, the Governor shall, in each Further sums to be remitted for Redemption of Debentures,

half-year ending as aforesaid, appropriate out of the said revenues and assets of the Colony of Trinidad and Tobago an additional sum for the formation of a Sinking Fund of not less than ten shillings sterling per hundred pounds on the total nominal amount of all the Debentures issued, including any which may have been redeemed, but exclusive of any which may have been at any time exchanged for Inscribed Stock, and shall remit that sum to the Crown Agents with the remittance hereinbefore mentioned.

Application of
Sinking Fund.

14. The Sinking Fund shall be applied in the first place in payment of all expenses of, or incidental to, the redemption of the Debentures, including the charges of the Notary Public attending at any drawing thereof, and the costs and expenses of all notices required by this Ordinance to be given, and in the next place, and subject to the aforesaid payments, in repayment of the principal moneys for the time being represented by the Debentures.

Creation of
sinking fund
for redemption
of Debentures
payable on a
fixed date.

15. In the case of Debentures redeemable on a date to be named when issuing the Debentures, the Crown Agents shall invest so much of the moneys so remitted to them as aforesaid as shall not be required for the payment of interest for the current half-year in the purchase of such securities as may be approved by His Majesty's Principal Secretary of State for the Colonies as a Sinking Fund for the final extinction of the debt, and the Crown Agents shall also invest the dividends, interest or produce of such investments in the purchase of like securities, and may from time to time with the approval of the Secretary of State change any such investments, and shall hold such Fund in trust for the repayment of the principal moneys for the time being represented by the Debentures.

Disposal of
sinking fund
when Deben-
tures are
redeemed by
annual draw-
ings or by
purchase.

16. In the case of Debentures redeemable by annual drawings, the Crown Agents shall place and keep the moneys so remitted to them, or so much thereof as may not be required for immediate payments, at interest, and shall hold all such moneys and the accumulations thereon in trust to apply them in the first place to the purchase of the Debentures when they can be obtained at a price not exceeding par, and secondly to the redemption of the Debentures by means of annual drawings.

17. After the date specified in the Ordinance authorising a loan, as that on which the contributions to the Sinking Fund shall commence in respect of that loan, and so long thereafter as any of the Debentures remain outstanding and unsatisfied, the Crown Agents shall in every year, unless the whole of the moneys applicable in that year to the redemption of debentures has been applied in the purchase thereof appoint a day in that year for the drawing by lot of the Debentures to be redeemed.

Appointment
of day for
drawing of
Debentures.

18. If a day is appointed for drawing, the Crown Agents shall give, by advertisement in the London *Times* newspaper not less than fifteen days previous notice, specifying the day on which and the hour and place at which, the drawing will take place and the nominal amount of the Debentures at that drawing.

Notice of time
and place
appointed for
drawing.

19. On the day and at the hour and place so specified, the Crown Agents shall hold a meeting, at which the holder of any Debenture may, if he think fit, be present, and shall then in the presence of such Debenture holders, if any, as may attend, and of a Notary Public, draw by lot out of the whole number of Debentures for the time being outstanding, Debentures of the specified nominal amount.

Mode of
drawing.

20. The Crown Agents shall thereupon declare the distinguishing numbers of the Debentures drawn for redemption, and shall as soon as may be by advertisement in the London *Times* newspaper, specify those numbers and appoint a day not being later as to each Debenture than the day on which the then current half-year's interest thereon is payable, on which the principal moneys represented by the Debentures so distinguished will be repaid.

Notice of
Debentures
drawn for
redemption.

21. On the day so appointed the Crown Agents shall at their office in London on demand pay to the holders of the Debentures drawn for repayment the principal moneys represented by those Debentures, with all interest payable thereon up to that day.

Payment of
drawn
Debentures.

22. From and after the day appointed for the repayment of any Debenture, all interest on the principal moneys represented thereby shall cease and determine, whether payment of the principal shall have been demanded or not.

Cesser of
interest from
day appointed
for payment
of principal.

Redeemed
Debentures to
be cancelled.

23. Upon the repayment of the principal moneys secured by any Debenture, the Debenture with all the coupons thereunto belonging shall be delivered up to the Crown Agents, to be by them cancelled and forwarded to the Government of Trinidad and Tobago.

Any Debenture redeemed by purchase shall likewise be so cancelled and forwarded.

Borrowing
upon inscribed
stock.

24. When the Governor or the Crown Agents acting on his behalf shall deem it expedient to raise money by the issue of Trinidad Inscribed Stock, then such stock shall be issued in England by the Crown Agents under the provisions of the Act of the Imperial Parliament entitled "The Colonial Stock Act, 1877" upon the best and most favourable terms that can be obtained; provided that the interest on such Inscribed Stock shall not exceed Four pounds per centum per annum.

When
principal to be
repaid.

25. All the Inscribed Stock which may be created under the provisions of this Ordinance shall be redeemable at par on a date to be named in that behalf by the Crown Agents when issuing the Stock, such date not being later than sixty years from the date of issue, from and after which date all the interest on the principal moneys represented thereby shall cease and determine, whether payment of the principal shall have been demanded or not.

Mode of
providing for
payment of
interest on
inscribed
stock.

26. So long as any of the Inscribed Stock shall remain unredeemed, the Governor shall in each half-year ending with the day on which the interest on such Inscribed Stock falls due, appropriate out of the general revenue and assets of the Colony of Trinidad and Tobago a sum equal to one half-year's interest on the whole of such inscribed Stock, and shall remit that sum to the Crown Agents at such time as will enable them to pay thereout the then current half-year's interest on the day when it falls due.

Mode of
providing for
payment of
principal of
inscribed
stock.

27. After the date specified in the Ordinance authorising an issue of Inscribed Stock as that on which the contribution to the Sinking Fund shall commence, the Governor shall further appropriate out of the said revenue and assets in each half-year ending as aforesaid an additional sum for the

formation of a Sinking Fund of not less than ten shillings per centum on the total nominal amount of such Inscribed Stock, and shall remit that sum to the Crown Agents with the remittance herein before mentioned.

28. The Crown Agents shall, for the purpose of forming such Sinking Fund, from time to time invest so much of the moneys so remitted to them as aforesaid as shall not be required for the payment of interest for the current half-year, in the purchase of such securities as may from time to time be approved by His Majesty's Principal Secretary of State for the Colonies, and shall also invest the dividends, interest or produce of such investments in the purchase of like securities, and may from time to time, with the approval of the Secretary of State change any such investments, and shall hold such Fund in trust for repayment of the principal moneys for the time being represented by the Inscribed Stock.

Creation of sinking fund.

29. In case the Sinking Funds provided for by this Ordinance shall be insufficient for the payment of all the principal moneys borrowed under the authority of this Ordinance at the time the same shall have become due, the Governor shall make good the deficiency out of the general revenue and assets of the Colony of Trinidad and Tobago.

Charge upon general revenue.

30. All expenses of or incidental to the management of the Sinking Fund or to the payment of the principal moneys borrowed shall be paid out of the Sinking Fund.

Expenses to be paid out of sinking fund.

31. The Governor shall also have and may from time to time exercise the following powers and authorities or any of them :—

Powers of Governor.

- (a.) He may authorise the Crown Agents when issuing any loan in the form of Debentures, to declare that such Debentures will be convertible into Inscribed Stock at such dates and on such terms and conditions as may be prescribed by the Crown Agents at the time of the issue of the Debentures.
- (b.) He may declare all or any of the Trinidad Loans, whether existing in the form of Stock or Debentures, to be convertible into Inscribed Stock to be issued under the provisions of this Ordinance.

Debentures convertible into inscribed stock on conditions prescribed by Crown Agents at time of issue.

Conversion of loans generally.

Creation and issue of stock in exchange for other securities.

- (c.) He may authorise the creation and issue of such an amount of Inscribed Stock in exchange for the Securities held for such loans as may be necessary.

Creation and sale of inscribed stock to raise loans and for other purposes.

- (d.) He may authorise the creation and sale of any such Inscribed Stock for the purpose of raising money for redeeming any outstanding Loans, for paying any expense in the creation of Inscribed Stock, and otherwise for carrying out the provisions of this Ordinance.

Arrangements for conversion.

- (e.) Any conversion so authorised may be effected either by an arrangement with the holders of existing securities or by purchase thereof out of moneys raised by the sale of Inscribed Stock, or partly in one way and partly in the other.

Exchange of securities for inscribed stock.

32. Nothing in this Ordinance contained shall authorise an increase of the capital or of the annual charge on any loan except:—

- (a.) When securities exchanged for Inscribed Stock bear a higher rate of interest than the Inscribed Stock, an additional amount of Inscribed Stock may be created and issued to make up the difference in saleable value between the securities and the Inscribed Stock.
- (b.) In the case of the conversion of securities into Inscribed Stock, the Crown Agents shall issue such an amount of Inscribed Stock as may be required to defray the stamp duties and all other expenses incidental to the conversion.

Converted securities to be cancelled.

33. The securities exchanged or otherwise converted into Inscribed Stock under the provisions of this Ordinance shall be forthwith cancelled by the Crown Agents, and the Debentures surrendered shall be cancelled and transmitted to the Governor of Trinidad and Tobago.

34. The Trustees of the Sinking Fund appointed under this Ordinance and acting under any Ordinance authorising the issue of any securities which may be exchanged into Inscribed Stock or cancelled or purchased under the provisions of this Ordinance shall determine what amount of the Sinking Fund held by them and created for repayment of such securities shall be released, and in the determination of such question the Trustees shall take into consideration the value of the whole investments held by them on account of such Sinking Funds, the amount of the debt remaining a charge on such Sinking Funds, and such matters as the Trustees may think fit to take into account.

Trustees to apportion amount of Sinking Fund released by conversion.

35. So much of the Sinking Funds as may be released shall either be transferred unto the Trustees of the Inscribed Stock Sinking Fund or be disposed of in such a manner as the Governor, with the advice and consent of the Legislative Council, may direct.

Sinking Funds released, how to be disposed of.

36. The Crown Agents may from time to time, at the request of the Governor, make arrangements for all or any of the following things:—

Creation, inscription, issue, conversion and transfer of inscribed stock.

- (1.) For Inscribing Stock in their books.
- (2.) For managing the creation, inscription and issue of Inscribed Stock.
- (3.) For effecting the conversion of Loans into Inscribed Stock.
- (4.) For paying interest on Inscribed Stock and managing the transfers thereof.
- (5.) For issuing Inscribed Stock certificates to bearer, and as occasion shall require re-issuing or re-inscribing Stock and re-issuing Inscribed Stock Certificates.

37. This Ordinance shall be applicable only to the raising of Loans in England, and nothing in this Ordinance contained shall prevent the raising of Loans in the Colony upon such terms and conditions as shall be specified in any Ordinance authorising the raising of such Loans.

Raising of loans in Trinidad.

Stock issued
under Ordinance 28 of
1890.

38. All Inscribed Stock issued under the Ordinance No. 28 of 1890 (now No. 260 of the Revised Edition) shall for all purposes be deemed to be stock issued under this Ordinance.

Repeal.

39. The Ordinance No. 2—1907 is hereby repealed.

Short Title.

40. This Ordinance may be cited as the General Loan and Inscribed Stock Ordinance 1908.

Passed in Council this Second day of March, in the year of Our Lord one thousand nine hundred and eight.

ALFRED TAITT,
Acting Clerk of the Council.
