

CHAPTER 192

THE PREMIUM DEVELOPMENT BONDS ACT.

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CHAPTER 192

THE PREMIUM DEVELOPMENT BONDS ACT.

Commencement: 23 March, 1964.

An Act to provide for the raising of funds for development by the issue of premium bonds and other purposes connected therewith.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “bond” means bearer bonds issued under this Act;
- (b) “Treasury” has the meaning assigned to it by section 1(1) of the Public Finance Act.

2. Issue of bonds.

- (1) The Minister may issue bonds under this Act—
 - (a) at a par value of not less than five shillings; and
 - (b) for such amounts and on such occasions as the Minister may by statutory order prescribe.

(2) Bonds issued under this section shall be in such denominations as the Minister may by statutory order prescribe.

(3) All monies raised by the issue of bonds under this Act shall be paid into the Consolidated Fund.

3. Administration.

The Treasury shall, subject to section 2, be charged with the administration of the issue and repayment of bonds issued under this Act.

4. Nature of bonds.

Bonds issued under this Act shall be bearer bonds and shall be transferable.

5. Consolidated Fund payments.

The monies represented by the bonds and all other monies payable under this

Act are charged upon the Consolidated Fund.

6. Stamp duty exemption.

Notwithstanding the Stamps Act, no stamp duty shall be payable on the issue or transfer of bonds under this Act.

7. Draw by lot of bonds before maturity.

During the currency of the bonds of any particular bond issue there shall be drawings by lot in the manner prescribed of numbers corresponding to all the numbers of the bonds issued under that issue, and the holders of the bonds corresponding to the numbers so drawn shall be entitled to such prizes as may be prescribed under section 8(b).

8. Maturity of bonds, etc.

The Minister shall by statutory order prescribe before the occasion of any bond issue—

- (a) the dates of maturity and premia payable, if any, on maturity of the bonds issued under that issue;
- (b) the amounts of prizes offered, which may be expressed as a percentage of the value of the bonds sold, and the dates on which the drawings of lot for these prizes shall be made.

9. Exemption from income tax.

Any premium paid on the maturity of a bond and any prize awarded under section 8 shall be exempt from income tax.

10. Disclosure of names.

(1) Subject to this section, a person having the possession, control of or access to any documents, information or returns relating to bonds shall not disclose the name of any purchaser of a bond except as may otherwise be required by the Treasury or by order of a court of competent jurisdiction.

(2) Subsection (1) shall not apply to the Auditor General or any officer duly authorised by him or her in the exercise of his or her functions under Part III of the Public Finance Act.

11. Offences and penalties.

(1) Any person who forges or alters any bond in any manner whatsoever or any word, figure, mark, sign, signature or facsimile upon or attached to any bond or who offers, utters or disposes of any bond knowing it to be forged or altered commits an offence and is liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(2) Any person who contravenes section 10 commits an offence and is liable on conviction to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

12. Regulations.

The Minister may by statutory instrument make regulations for better carrying into effect the provisions and purposes of this Act and, in particular, for

- (a) the specification of the form of bonds;
- (b) the determination of the records to be kept;
- (c) the determination of the procedure for repayment;
- (d) the issue of duplicate bonds in case of mutilation;
- (e) the arrangement for the drawing of bonds by lot and the manner of notifying the number of each bond so drawn;
- (f) the place for the repayment of any monies due on the redemption of bonds and for the payment of prizes for bonds drawn by lot;
- (g) the appointment of bond sellers and any commission or award which may be payable to them.

13. Directions by Minister.

The Minister may, subject to this Act, give directions of a general or specific nature to the Treasury and the Treasury shall be bound to comply with the directions.

History: Cap 176; Act 30/1965; S.I. 135/1968, s. 1.

Cross References

Public Finance Act, Cap. 193.

Stamps Act, Cap. 342.