

THE REPUBLIC OF KIRIBATI

(No. 4 of 1985)

I assent,

*M. Tebani*  
Beretitenti.

*10/9/1985*

AN ACT TO ESTABLISH A SPECIAL FUND TO FINANCE THE  
PROCUREMENT AND PROVISION OF GOVERNMENT SUPPLIES.

Commencement:

*10/9/1985*

MADE by the Maneaba ni Maungatabu and assented to by the  
Beretitenti.

Short title.

1. This Act may be cited as the Special Fund (Government  
Supplies) Act 1985.

Interpreta-  
tion.

2. In this Act unless the context otherwise requires -  
"Government supplies" means all goods obtained by the  
Government for the purposes of supply to Government  
or non-Government sectors;  
"the Special Fund" means the Special Fund established in  
accordance with section 3.

Establishment  
of the Special  
Fund. Cap 79.

3. A Special Fund, to be known as the Government Supply  
Fund, shall be established in accordance with section 13 of the  
Public Finance (Control and Audit) Ordinance.

Payments  
into the  
Special Fund.

4. There shall be paid into the Special Fund -  
(a) any money appropriated by the Maneaba  
ni Maungatabu for the purposes of the  
Fund; and  
(b) any monies payable under section 6; and  
(c) money received from the proceeds of any  
investment, under section 13(2)(a) of  
the Public Finance (Control and Audit)  
Ordinance, of money standing to the  
credit of the Fund; and  
(d) any other money lawfully available to the  
Fund.

Payment out of  
the Special  
Fund.

5(1) There shall be paid out of the Special Fund -  
(a) the amount of any expenditure by the  
Republic on the procurement, provision and  
maintenance of Government supplies; and

(b) the expenses, as approved by the Minister, of the administration of the Fund.

(2) Money shall not be paid out of the Special Fund except in accordance with a warrant under the hand of the Minister authorising the Chief Accountant to issue the money to the accounting officer responsible for operating the Fund.

Amounts payable for supplies.

6. The Minister may by order in writing from time to time determine the prices to be paid by departments of Government, statutory corporations and other persons in respect of the obtaining by them of Government supplies.

Control of the Special Fund.

Cap. 79.

7. In the performance of his functions under this Act, and under section 13 of the Public Finance (Control and Audit) Ordinance in relation to the Special Fund, the Minister shall, subject to this section, use his best endeavours to manage the Special Fund in such a way that, taking one year with another, the income of the Fund is not less than sufficient to meet its outgoings, including debt charges and depreciation of Government supplies.

Annual reports.

~~8(1) The Minister shall, before the end of each financial year, submit to the Maneaba ni Maungatabu -~~

- (a) a statement showing the estimated income and expenditure of the Special Fund for the current financial year; and
- (b) estimates of the income and expenditure of the Special Fund for the next financial year.

(2) The Minister shall, within six months after the end of each financial year, lay before the Maneaba ni Maungatabu a report dealing generally with the operations of the Special Fund during the preceding financial year and containing the audited statement of accounts for that financial year.

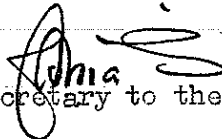
This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on this 2nd day of September, 1985 and is found by me to be a true and correctly printed copy of the said Bill.



Clerk to the Maneaba  
ni Maungatabu

Published by exhibition -

- (a) at the Public Office of the Beretitenti this 10th day of September 1985



Secretary to the Cabinet

- (b) at the Maneaba ni Maungatabu this 10th day of September, 1985.



Clerk to the Maneaba  
ni Maungatabu

SPECIAL FUND (GOVERNMENT SUPPLIES) ACT 1985  
EXPLANATORY MEMORANDUM

1. The principal object of the Act is to establish a Special Fund to finance Government supplies as explained by the long title.
2. The Maneaba ni Maungatabu is empowered under section 107(2) and (3) of the Constitution to establish any special fund. Hence the necessity to have this Act introduced to the Maneaba. When a special fund is established under this section such fund does not form part of the Consolidated Fund and any receipts, earnings and accruals as well as the balance at the close of each financial year of such fund are not to be paid into the Consolidated Fund but are to be retained for the purposes of the Fund.

The Act therefore in -

3. Clause 3 establishes the special fund to be known as Government Supply Fund.
4. Clause 4 specifies the various payments which are to be paid into the Fund. They are all monies appropriated by the Maneaba, all sums payable by the departments of Government, statutory Corporations and other persons obtaining Government supplies in respect of the sale of Government supplies, money received from the proceeds of any investment and any other money lawfully available to the Fund.
5. Clause 5 provides for the payment of the Fund of the amount of any expenditure by the Government on the acquisition of Government supplies and expenses relating to the administration of the Fund.
6. Clause 6 empowers the Minister to determine by order the prices to be paid for Government supplies.

Michael Neaua Takabwebwe  
The Attorney General

LEGAL REPORT

I hereby certify that in my opinion none of the provisions of the above Act conflict with the Constitution and that the Beretitenti may properly assent to the Act.

Michael Neaua Takabwebwe  
The Attorney General  
8 October 1984

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