

THE RULES OF THE CENTRAL COURT REGULATING THE INVESTMENT OF MONEYS HELD BY THE CURATOR OF INTESTATE ESTATES. ⁽¹⁾

The following Rules may be cited as "*The Rules of the Central Court*"⁽²⁾ regulating the investment of moneys held by the Curator of Intestate Estates",⁽¹⁾ and shall come into operation on the first day of June, 1926. All Rules of Court or General Orders prescribing the mode of dealing with funds in Court, and containing any provisions relating to funds in Court inconsistent with these Rules are hereby revoked and these Rules are substituted for them, as from the same day.

1. In the construction of these Rules unless the context or subject-matter otherwise requires:—

Interpretation
of terms.

The term "Bank" means the Commonwealth Bank of Australia:

The term "Court" means the Central Court⁽²⁾ or a Judge thereof:

The term "Curator" means the Curator of Intestate Estates, and includes a Deputy Curator of Intestate Estates and any person acting as Curator of Intestate Estates for the time being:

The term "Estate" means any estate being administered by the Curator by virtue of his office:

(1) *The Rules of the Central Court regulating the investment of moneys held by the Curator of Intestate Estates* (made under the *Probate and Administration Ordinance 1913-1915* (Papua, adopted), and continued in force by the *Administration and Probate Ordinance 1937-1940*) comprise the original *Rules of the Central Court regulating the investment of moneys held by the Curator of Intestate Estates*, as amended by the other Rules referred to in the following Table:—

RULES MADE BY THE CHIEF JUDGE.

Description.	Date on which made by Chief Judge.	Date on which published in N.G. Gaz.	Date on which came into operation.
<i>The Rules of the Central Court regulating the investment of moneys held by the Curator of Intestate Estates</i>	5.5.1926	15.5.1926	1.6.1926 (<i>The Rules of the Central Court regulating the investment of moneys held by the Curator of Intestate Estates</i>).
<i>The Rules of the Central Court regulating the investment of moneys held by the Curator of Intestate Estates (No. 2)</i>	6.8.1930	15.8.1930	18.8.1930 (Rule 1, <i>The Rules of the Central Court regulating the investment of moneys held by the Curator of Intestate Estates (No. 2)</i>).

(2) See Section 7A of the *Judiciary Ordinance 1921-1938*.

WILLS AND INTESTACY—

The term "The Ordinance" means *The Probate and Administration Ordinance 1913-1915* (Papua, adopted) :

The term "Treasurer" means the Treasurer of the Territory of New Guinea.

Ad. by Rules
gazetted on
15. 8. 1930, r. 2.

Investment of
estate moneys.
R. 2 sub. by
Rules gazetted
on 15. 8. 1930,
r. 3.

2. Where by the Ordinance the Curator is required to invest moneys standing to the credit of any estate he shall invest the same—

- (a) by placing such moneys in the bank on fixed deposit for such period as the Curator may see fit; or
- (b) by placing such moneys in a Savings Bank account with the bank; or
- (c) by placing part of such moneys on fixed deposit in manner aforesaid and the residue thereof in a Savings Bank account with the bank; or
- (d) by purchasing Government debentures, Inscribed Stock, Treasury Bonds, or other Government securities of the Commonwealth of Australia: Provided that for the purposes of administration or distribution of the estate the Curator may at any time realize any such investment:

Provided that the Curator may, in any case in which he thinks fit to do so, apply to the Court for directions as to the manner of investment of any such moneys.

Investment of
interest.
Am. by Rules
gazetted on
15. 8. 1930, r. 4.

3. Where under the last preceding Rule moneys are invested by direction of the Court, it shall not be necessary for the Curator to apply to the Court for directions as to the investment of the interest on such moneys, but any such interest may be invested by him in the like manner as principal moneys may be invested under the provisions of these Rules.

Deposit and
withdrawal of
moneys and
securities.
R. 4 sub. by
Rules gazetted
on 15. 8. 1930,
r. 5.

4.—(1.) All investments of moneys under these Rules shall be in the name of "The Curator of Intestate Estates", to which designation shall be added the name of the estate on behalf of which the investment is made.

(2.) Where moneys have been deposited with the bank under the provisions of Rules 2 (a), 2 (b) or 2 (c) of these Rules such moneys may be withdrawn by cheque or written order (as the case may be) signed by the Curator and countersigned by a person appointed for that purpose by the Treasurer.

(3.) Government debentures, Inscribed Stock, Treasury Bonds, or other Government securities of the Commonwealth of Australia which have been purchased under the provisions of Rule 2 (d) of these Rules shall forthwith be lodged with the bank for safe custody and shall not be released by the bank except on a written order signed by the Curator and countersigned by the person appointed by the Treasurer under the last preceding sub-rule.