



Administration of Justice Act 1965

1965 CHAPTER 2

PART I

FUNDS IN COURT IN ENGLAND AND WALES.

Investment of Money transferred under Funds Rules to, and ultimate Liability of Consolidated Fund for Payments under such Rules by, the National Debt Commissioners.

12 Investment of money transferred under funds rules to National Debt Commissioners.

- (1) The Commissioners may invest, in such manner as may be prescribed by regulations made by the Treasury, money transferred to them in pursuance of rules made under section 7 of this Act or section 168 of the County Courts Act 1959, and the interest or dividends accruing on investments made under this subsection.
- (2) If in any accounting year the aggregate of the sums of money received by the Commissioners by way of interest and dividends on investments made by them under the foregoing subsection, after deduction of any sum required by the Treasury to be set aside to provide for depreciation in the value of investments so made, exceeds the aggregate of the sums due to be paid or credited in respect of that year by way of interest on moneys placed in the Supreme Court and in the county courts to deposit and short-term investment accounts, the excess shall be paid into the Exchequer; and if, in any accounting year, the aggregate of the sums of money received as aforesaid, after deduction of any sum required by the Treasury to be set aside as aforesaid, is less than the aggregate of the sums due as aforesaid, the deficiency shall be made good out of the Consolidated Fund.
- (3) If, at any time, the Treasury are satisfied that the investments held by the Commissioners in consequence of the exercise of the power conferred by subsection (1) of this section exceed in value what is reasonably required for the purposes of rules made under section 7 of this Act and rules made under section 168 of the County Courts Act 1959, they may direct the Commissioners so to reduce those investments that their value is diminished by such amount (being an amount equal to

Status: This is the original version (as it was originally enacted).

the excess) as may be specified in the direction; and the reduction shall, according as the Commissioners may determine, be effected—

- (a) by the cancellation of investments consisting of securities the principal of which, and the interest on which, are charged on the Consolidated Fund; or
 - (b) by the realisation of investments not so consisting ;
- or partly in the one way and partly in the other.
- (4) Any sums received by the Commissioners upon the realisation of investments in pursuance of the last foregoing subsection shall be paid into the Exchequer and shall be issued out of the Consolidated Fund at such times as the Treasury may direct, and shall be applied by the Treasury in redeeming or paying off debt of such description as they think fit.

13 Ultimate liability of Consolidated Fund for payments under funds rules by National Debt Commissioners.

If at any time the Commissioners are unable to pay to the Accountant General a sum due from them to him under rules made under section 7 of this Act or section 168 of the County Courts Act 1959 the Treasury shall provide them with it out of the Consolidated Fund.