

No. 24.

The Audit Office.

I SUBMIT the attached warrant for notation.
13th May, 1901.

JAS. B. HEYWOOD.

No. 25.

The Hon. the Colonial Treasurer.

Audit Office, 17th May, 1901.

Cost of making Roads on Land acquired under the Land for Settlements Act.

THE objection raised by the Audit Office is that "The Land for Settlements Consolidation Act, 1900," neither empowers the Minister to make roads on the land, nor authorises the cost of making any such roads to be paid out of the Land for Settlements Account; and that consequently section 71, in appropriating the "moneys payable under this Act," does not appropriate moneys for the making of roads, as it appropriates moneys which, expended under section 65, are, by its subsection (4), making payable out of such account.

The order of the Governor determining that the costing of making roads under "The Land for Settlements Consolidation Act, 1900," should be charged to the Land for Settlements Account is therefore regarded as overcoming the foregoing objection of the Audit Office, and deciding that moneys expended in making roads on the land are moneys which the Act, in section 71, does make payable out of such account without any further appropriation.

The effect of such decision would seem to be that the Act is to be read by the Audit Office to provide for making roads on the land in question, a permanent appropriation which, in the judgment of the Audit Office, the Act does not provide; and such an effect may perhaps be beyond the purpose of the provisions of section 9 of "The Public Revenues Acts Amendment Act, 1900."

The Controller and Auditor-General will pass the vouchers charging the expenditure according to the determination of the Governor as if section 65 empowered the Minister to make roads, as well as to survey the land and lay off roads, and provided in subsection (4) that the money so expended in making roads shall be paid out of the Land for Settlements Account; and a copy of the correspondence relating to the difference of opinion between the Audit Office and the Treasury on the question which has been so determined will in ordinary course be laid before Parliament, in accordance with section 9 of "The Public Revenues Act, 1900."

J. K. Warburton,
Controller and Auditor-General.

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