



*Queensland Treasury Corporation Act 1988*

# Queensland Treasury Corporation Regulation 2010

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**Reprint note**

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Queensland

# Queensland Treasury Corporation Regulation 2010

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# Queensland Treasury Corporation Regulation 2010

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Queensland Treasury Corporation Regulation 2010*.

### 2 Commencement

This regulation commences on 30 August 2010.

### 3 Dictionary

The dictionary in schedule 2 defines particular words used in this regulation.

## Part 2 Inscribed stock

### Division 1 Inscribed stock register

#### 4 Keeping inscribed stock register

- (1) The Corporation must keep a register of inscribed stock (the *inscribed stock register*) allotted.
- (2) The inscribed stock register must include a ledger (an *owner's ledger*) for each owner of inscribed stock.
- (3) An owner's ledger must include the following information—
  - (a) name of the owner;

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- (b) owner's address for service of documents;
  - (c) details of the inscribed stock owned by the owner;
  - (d) interest rate applying to, and the maturity date of, the inscribed stock.
- (4) The Corporation must also record in the register anything else required to be recorded by the Act.
- (5) The register may be kept in any way, and at any location, the Corporation considers appropriate.
- (6) If there is a change in the location at which the register is kept, the Corporation must give written notice of the new location to the owners of inscribed stock.

## 5 Inspection of owner's ledger

- (1) A relevant person may inspect the owner's ledger from 9a.m. to 5p.m. on business days in the place where the inscribed stock register is kept.
- (2) On the receipt of an approved request, the Corporation must give the relevant person—
- (a) a copy of the owner's ledger or a part of it; or
  - (b) a certified document stating the details in the ledger.
- (3) In this section—

***approved request*** means a written request by a relevant person accompanied by payment of the fee stated in schedule 1.

***relevant person*** means—

- (a) an owner of inscribed stock; or
- (b) an attorney of an owner; or
- (c) an authorised signatory of an owner; or
- (d) an agent of an owner.

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## **Division 2                      Applications for inscribed stock**

### **6                      Corporation to issue prospectus for each series of inscribed stock**

When the Corporation issues a series of inscribed stock, it must issue a prospectus for the series.

### **7                      Applications to purchase inscribed stock**

- (1) An application to purchase inscribed stock in a series of inscribed stock from the Corporation must—
  - (a) be made using the application form accompanying the prospectus for the series; and
  - (b) be sent to the address stated in the application form; and
  - (c) be accompanied by documents, reasonably required by the Corporation, stated in the application form; and
  - (d) comply with the conditions stated in the prospectus.
- (2) The applicant, on making an application under this section, is taken to have accepted the conditions of issue of the stock stated in the prospectus for the series.
- (3) The Corporation must consider the application and either grant, or refuse to grant, the application.

### **8                      Decisions about applications and subsequent actions**

- (1) If the Corporation grants the application, the Corporation must—
  - (a) decide whether to allot the whole, or part of, the inscribed stock applied for; and
  - (b) record the allotment in the inscribed stock register; and
  - (c) give the applicant written notice of the allotment.
- (2) When the allotment is recorded in the inscribed stock register, the applicant becomes the owner of the stock.

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- (3) If the Corporation refuses to grant the application, the Corporation must—
- (a) give the applicant written notice of the decision; and
  - (b) return the application form and documents that accompanied the application to the applicant.

## **Division 3 Powers of attorney and authorised signatory lists**

### **9 Powers of attorney**

The Corporation may act on a power of attorney for a person if the attorney or the person has given the Corporation—

- (a) a copy of the power of attorney—
  - (i) signed by the attorney; or
  - (ii) accompanied by a specimen of the attorney's signature; and
- (b) the copy is certified under the *Powers of Attorney Act 1998*, section 14.

### **10 Authorised signatory lists**

The Corporation may act on an authorised signatory list for a person if—

- (a) an authorised signatory or the person has given the list to the Corporation; and
- (b) the list is—
  - (i) signed by the authorised signatory; or
  - (ii) accompanied by a specimen of the authorised signatory's signature.

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## **Division 4                      Recording changes in inscribed stock register, other than changes resulting from transfers of inscribed stock**

### **11            Change of name, or address for service of documents, of owner of inscribed stock**

- (1) This section applies if there is a change in—
  - (a) the name of the owner of inscribed stock; or
  - (b) the owner's address for service of documents as included in the owner's ledger.
- (2) The owner may give notice of the change to the Corporation.
- (3) The notice must—
  - (a) be in the approved form; and
  - (b) be accompanied by documents, reasonably required by the Corporation, stated in the approved form.
- (4) After receipt of the notice, the Corporation must—
  - (a) record the change in the owner's ledger; and
  - (b) give the owner written notice of the change made to the ledger.

### **12            Death of joint owner of inscribed stock**

- (1) If a joint owner of inscribed stock dies, the surviving joint owner of the stock may apply to the Corporation to have the deceased owner's name taken off the inscribed stock register as an owner of the stock.
- (2) The application must—
  - (a) be in the approved form; and
  - (b) be accompanied by documents, reasonably required by the Corporation, stated in the approved form.

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- (3) If the Corporation grants the application, the Corporation must—
  - (a) take the deceased owner's name off the register as an owner of the stock; and
  - (b) give the applicant written notice of the change made to the register.
- (4) If the Corporation refuses to grant the application, the Corporation must—
  - (a) give the applicant written notice of the decision; and
  - (b) return the application form and documents that accompanied the application to the applicant.

### **13 Death, bankruptcy or liquidation of owner of inscribed stock**

- (1) This section applies if—
  - (a) the owner of inscribed stock, other than a joint owner, dies; or
  - (b) the owner of inscribed stock becomes bankrupt or goes into liquidation.
- (2) A person claiming entitlement to the stock may apply, in the approved form, to the Corporation to have the person recorded as the owner of the stock in the inscribed stock register.
- (3) The application must be accompanied by documents, reasonably required by the Corporation, stated in the approved form.
- (4) If the Corporation grants the application, the Corporation must—
  - (a) record the applicant, in the register, as the owner of the stock; and
  - (b) give the applicant written notice of the change made to the register.
- (5) If the Corporation refuses to grant the application, the Corporation must—

- (a) give the applicant written notice of the decision; and
- (b) return the application form and documents that accompanied the application to the applicant.

## **Division 5                      Transfers of inscribed stock**

### **14            Registering instruments of transfer**

- (1) A person may file an instrument of transfer of inscribed stock with the Corporation for registration.
- (2) The instrument must—
  - (a) be in the approved form; and
  - (b) be accompanied by documents, reasonably required by the Corporation, stated in the approved form.
- (3) If the Corporation registers the instrument, the Corporation must give written notice of the registration to the parties to the instrument.
- (4) On registration of the instrument, the transferee becomes the owner of the stock.
- (5) If the Corporation refuses to register the instrument, the Corporation must—
  - (a) give written notice of the decision to the parties to the instrument; and
  - (b) return the instrument to—
    - (i) the person who filed the instrument; or
    - (ii) if the Corporation can not identify or locate the person after making reasonable inquiries—a party to the instrument.

## **15 Marking of instruments of transfer**

- (1) Subject to subsection (2), if requested in writing by an owner of inscribed stock, the Corporation must mark an instrument of transfer of the stock.
- (2) The Corporation may only mark an instrument of transfer of inscribed stock if the Corporation is satisfied—
  - (a) the transferor is the owner of the stock; and
  - (b) the instrument has been validly executed by the transferor.
- (3) The marking period stated in the marking of the instrument must end before the day that is 7 days immediately before the stock's maturity date.
- (4) If an instrument of transfer of inscribed stock (the *marked transfer*) is marked, the Corporation must give the owner of the stock written notice of the marking.
- (5) During the marking period for the marked transfer, the Corporation must refuse to register an instrument of transfer of the stock, other than the marked transfer.

## **16 Restrictions on registration of instruments of transfer**

- (1) If the Corporation registers an instrument of transfer of inscribed stock on an interest payment date for the stock, or within 7 days immediately before the date, the interest payable on the stock on the date is not payable to the transferee but is payable to the transferor.
- (2) The Corporation must not register an instrument of transfer of inscribed stock on the stock's maturity date or within 7 days immediately before the date.

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## **Division 6                      Miscellaneous**

### **17            Accuracy of information or documents given to Corporation**

- (1) This section applies if the Corporation wants to verify the accuracy of any information or document given by a person to the Corporation about an application, instrument of transfer of inscribed stock or notice made, filed or given under this part.
- (2) The Corporation may make a written request of the person to give the Corporation a statutory declaration about the accuracy of the information or document.
- (3) The Corporation is not required to further consider the application or instrument, or give effect to the notice, unless the person complies with the request.

### **18            Change of details in owners' ledgers, other than under s 11 or 14**

- (1) If the Corporation changes the details in an owner's ledger, the Corporation must give the owner written notice of the change.
- (2) Subsection (1) does not apply to a change made under section 11 or 14.

### **19            Certain information to be kept confidential**

- (1) A person involved in the administration of this part who, because of the person's involvement, acquires or acquired information relating to inscribed stock that identifies the owner of the stock, must not disclose the information to anyone else.
- (2) However, subsection (1) does not apply if the disclosure is—
  - (a) authorised under the Act or another Act; or
  - (b) otherwise required or permitted by law; or

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- (c) made with the consent of the owner, the owner's attorney or authorised signatory; or
- (d) made to the owner, the owner's attorney, authorised signatory or agent.

## **Part 4 Fees and forms**

### **34 Fees**

The fees payable under the Act are in schedule 1.

### **35 Forms**

The Corporation may approve forms for use under this regulation.

## **Part 5 Repeal and transitional provisions**

### **36 Definitions for pt 5**

In this part—

*commencement* means commencement of this section.

*repealed regulation* means the *Queensland Treasury Corporation Regulation 1999*.

### **37 Repeal of Queensland Treasury Corporation Regulation 1999**

The Queensland Treasury Corporation Regulation 1999, SL No. 198 is repealed.

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**38 Existing register**

The register of inscribed stock ledgers, as in existence immediately before the commencement, continues as the inscribed stock register under this regulation.

**39 Existing applications to purchase inscribed stock**

An application to purchase inscribed stock, made under the repealed regulation and not decided at the commencement, must be decided under this regulation.

**40 Existing applications by persons claiming entitlement to inscribed stock**

An application by a person claiming entitlement to inscribed stock to be registered as the owner of the stock, made under the repealed regulation and not decided at the commencement, must be decided under this regulation.

**41 Existing instruments of transfer of inscribed stock**

An instrument of transfer of inscribed stock, delivered to the registrar under the repealed regulation and not registered at the commencement, is taken to have been filed with the Corporation for registration under this regulation.

**42 Existing powers of attorney and authorised signatory lists etc.**

A power of attorney or authorised signatory list filed with, including where accompanied by a specimen signature, the registrar under the repealed regulation and held by the registrar immediately before the commencement is taken to have been given to the Corporation under this regulation.

**43 Continuance of markings, notifications, directions etc.**

(1) This section applies if—

- (a) a provision of the repealed regulation authorised or required—
    - (i) the marking of an instrument of transfer of inscribed stock; or
    - (ii) the giving of a notification or direction; or
    - (iii) the doing of anything else; and
  - (b) a provision of this regulation (the *replacement provision*) authorises or requires—
    - (i) a similar marking to be made; or
    - (ii) a similar notification or direction to be given; or
    - (iii) a similar thing to be done.
- (2) A marking, notification, direction or other thing stated in subsection (1) that was in force immediately before the commencement continues to have effect after the commencement as if it had been done under the replacement provision.

## **45 References to repealed regulation**

In an Act or document, a reference to the repealed regulation may, if the context permits, be taken to be a reference to this regulation.

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**Schedule 1      Fees****section 34**

	<b>\$</b>
1    Copy of an owner's ledger or part of it—	
(a) for less than 10 pages	15.00
(b) for 10 pages or more	29.00
2    Certified document stating details in an owner's ledger—	
(a) for less than 10 pages	15.00
(b) for 10 pages or more	29.00

## Schedule 2 Dictionary

### section 3

***agent***, of a person, means the person's agent appointed in writing by the person.

***approved form*** means a form approved by the Corporation.

***attorney***, of a person, means the person's attorney appointed under a power of attorney.

***authorised signatory***, of a person, means someone who is authorised, under an authorised signatory list, to sign a document on behalf of the person, other than the person's attorney or agent.

***authorised signatory list*** means a document, signed by a person, stating the person's authorised signatory.

***commencement***, for part 5, see section 36.

***inscribed stock*** means inscribed stock of the Corporation.

***inscribed stock register*** see section 4(1).

***interest payment date***, of inscribed stock, means a date on which interest on the stock is payable by the Corporation to its owner.

***joint owner***, of inscribed stock, means an individual who owns the stock as joint holder with 1 or more other individuals.

***mark***, an instrument of transfer of inscribed stock, means record on the instrument and inscribed stock register that the inscribed stock the subject of the instrument is reserved during the instrument's marking period.

***marking period***, for an instrument of transfer of inscribed stock, means the period stated in a marking of the instrument for which the marking is valid.

***maturity date***, of inscribed stock, means the date on which the stock's principal becomes repayable by the Corporation to its owner.

***owner***, of inscribed stock, means the person recorded in the inscribed stock register as the owner of the stock.

***owner's ledger*** see section 4(2).

***register***, an instrument of transfer of inscribed stock, means record details of the instrument in the inscribed stock register.

***repealed regulation***, for part 5, see section 36.