



TRISTAN DA CUNHA

REVISED EDITION OF THE LAWS, 2017

PUBLIC FINANCE

FINANCIAL REGULATIONS¹

Made under the Colonial Regulations, 1977

These Regulations are supplementary to Colonial Regulations 1977 Part II (Chapter VIII - FINANCE)

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Definitions

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

1. In these Regulations -
- “**Accounting Officer**” means a Head of Department or other officer designated by title in the annual estimates as the accounting officer for any head or item of expenditure, or as the responsible officer for the collection of any head or subhead of revenue;
- “**Administration Fund**” means the fund established and administered by the Tristan da Cunha Government for the immediate purposes of government;
- “**appointed auditor**” means the person appointed by the Administrator as auditor under regulation 19;
- “**Government**” means the Government of Tristan da Cunha;
- “**Governor**” means the Governor of Tristan da Cunha;
- “**Reserve Fund**” means the fund established by the Government and administered by the Crown Agents for all monies not immediately required by the Government;
- “**sub-accountant**” means an officer entrusted under the direction of an Accounting Officer with the receipt, custody or disbursement of public money and who is required to keep one of the recognised cash books, the transactions of which are accounted for to the Treasurer, and includes any revenue collector and the Treasury cashier;
- “**Treasurer**” means the person appointed as such under the Colonial Regulations, 1977.

Interpretation

2. In these Orders save where the context otherwise requires, words and expressions importing the masculine gender include females.

Section 1 - ADMINISTRATION FUND

3. The Treasurer must ensure that all revenues or other monies raised borrowed or received by or for the immediate purposes of Government are paid into and from the Administration Fund: except for revenues or other monies which are payable under any law into some other fund established for a specific purpose or which may, by any law, be retained by the authority which received them for the purposes of defraying the expenses of that authority.

Investment

4. The Treasurer, with the approval of the Administrator, may authorise the investment of monies standing to the credit of the Administration Fund with the Reserve Fund, provided that any interest received from the monies are to form part of the Administration Fund.

Estimates

5. The Treasurer must lay before the Island Council, as soon as possible before the commencement of each financial year, estimates of the revenues and expenditure for that year. The Estimates must be in such form as the Treasurer, in consultation with the Administrator, determines.

Withdrawals from Fund

6. (1) When these Estimates have been approved by the Island Council, the Administrator must issue a General Warrant authorising the Treasurer to issue from the Administration Fund the sums that have been approved in the Estimates.

(2) No money may be withdrawn from the Administration Fund except under authority of a Warrant issued in accordance with paragraph (1) above, and any appropriate Ordinance.

Supplementary Estimates

7. If in respect of any financial year –
- (a) it is found that the amount appropriated is insufficient; or
 - (b) the Treasurer, in consultation with the Administrator, is satisfied that a need has arisen for which no provision has been made; or
 - (c) any monies have been necessarily expended in excess of the amount appropriated,

the consent of the Governor, and the approval of the Secretary of State must be sought to lay before the Island Council a supplementary Estimate.

Expenditure in advance of approval of the Estimates

8. If the Island Council fail to agree the Estimates before the commencement of the financial year, the Island Council may authorise the Administrator to issue a Warrant to authorise the withdrawal of monies from the Administration Fund for the purpose of meeting expenditure necessary to carry on the services of the Government until the expiration of 4 months from the beginning of that financial year, or the approval of the Estimates by the Island Council, whichever is the earlier, and any sum so authorised must be set off against the amounts respectively provided for in the approved Estimates.

Special Warrants

9. (1) If it becomes necessary to make payments –
- (a) on account of services for which no provision has been made in the Estimates; or
 - (b) which will ensure an excess of expenditure over the sum appropriated for any Head; or
 - (c) on account of additions to the rates of personal emoluments or numbers of authorised posts,

the Administrator, notwithstanding regulation 6(2) may issue a Special Warrant on application to him or her through the Treasurer by an Accounting Officer for the payment of such sums out of the Administration Fund, but only if the Administrator is satisfied that such payments cannot be delayed without detriment to the public interest.

(2) A schedule of Special Warrants issued since the last meeting must be laid before every meeting of the Council.

Section 2 - RESERVE FUND

10. (1) The Reserve Fund consists of monies that are not immediately required for the Administration Fund.

(2) The object of the Fund is to provide reserve capital for Government.

(3) No money may be withdrawn from the Fund, except under authority of a Warrant issued for that purpose.

Section 3 - TRADING ACCOUNTS

11. Two Trading Accounts, which do not form part of either the Administration Fund or the Reserve Fund, are established for -

- (a) the operation of the Island Store;
- (b) the operation of the Prince Philip Hall bar.

12. The person appointed at the time as Manager of the Island Store is responsible to the Treasurer for the management of the Island Store Trading Account.

13. The person appointed at the time as Manager of the Prince Philip Hall Bar is responsible to the Treasurer for the management of the Prince Philip Hall Bar Trading Account.

14. All monies surplus to the trading requirements of the Island Store account must be kept to the credit of that Trading Account in the Administration Fund for the purposes of providing reserve capital.

All monies surplus to the trading requirements of the Prince Philip Hall account must be kept to the credit of that Trading Account in the Post Office Savings Bank for the purposes of providing reserve capital.

15. The Administrator may order that any Trading Account is to be closed and wound up. When all the liabilities of that Account have been paid, the Account must be closed and the balance standing to the credit of that Account must be paid into the Administration Fund.

Section 4 - BANK ACCOUNTS

Government bank accounts

16. The Government must maintain bank accounts for the purposes of its business overseas -

- (1) in the UK with the Crown Agents Financial Services, to be known as the Tristan da Cunha Administration General Account;
- (2) in South Africa with the First National Bank, Adderley Street, Cape Town to be known as the Tristan da Cunha Administration Cheque Account;
- (3) in South Africa with the First National Bank, Adderley Street, Cape Town to be known as the Tristan da Cunha Administration Call Account.

Authority to open new accounts

17. No new Government bank account may be opened unless –

- (1) the approval of the Island Council has been obtained;
- (2) the consent of the Governor has been given;
- (3) the approval of the Secretary of State has been obtained.

18. The Administrator and the Treasurer jointly have authority to open any new bank account for the Government, provided the conditions of regulation 17(1), (2) and (3) have been complied with.

Section 5 – AUDIT

19. The Accounts of the Administration Fund, the Reserve Fund and the Trading Accounts described in Section 3 must be audited and reported upon biennially by the auditor appointed by the Administrator and for that purpose he or she or any other person authorised by him or her is to have access to all books, records, returns, and other documents relating to such accounts or to the Funds.

20. The appointed auditor must submit his or her reports on these Funds and Trading Accounts to the Administrator, with a copy to the Governor. The Administrator must cause the reports to be laid before the Island Council at its next meeting.

Section 6 - GENERAL DUTIES

The Treasurer

21. The general duties of the Treasurer are set out in Colonial Regulation 176. The Treasurer is the Chief Accounting Officer of the Government and its accounting operations are under his or her general direction and supervision.

Accounting Officers

22. It is the duty of Accounting Officers, in so far as the following requirements may be applicable to their particular duties –

- (a) to exercise supervision over the receipt of public revenue and as far as possible to secure its punctual collection;
- (b) to see that all public money, securities, stamps, stamp dies and postal orders are secured in safes, or steel cupboards/cabinets and that counterfoil receipts and licences are also adequately secured;
- (c) to exercise supervision over all officers of their departments entrusted with the receipt or expenditure of public money, and to take precautions, by maintenance of efficient checks, including surprise inspections, against the occurrence of fraud, embezzlement or carelessness in connection therewith;
- (d) to ensure that no payment is made which is not covered by proper authority expressed or referred to on the voucher relating to it;
- (e) to secure economy, efficiency and effectiveness in the use of resources;

- (f) promptly to prepare such financial statements and returns as are required;
- (g) promptly to reply to any queries addressed to them by the Treasurer, giving fully the particulars or information desired.

Sub-accountants

- 23.** It is the duty of sub-accountants –
- (a) to bring promptly to account in the cash books provided under the proper heads and sub-heads, all money received by them, whether revenue or other receipts;
 - (b) to ensure that all public money, stamps, postal orders or other securities in their custody are deposited in the safes, steel cupboards/cabinets provided for the purposes;
 - (c) to see that all receipt and licence books, log books, ledger cards or similar books and forms are adequately secured;
 - (d) to take care that no payment is made unless it is covered by a voucher or other document approved for such purpose.

Police

- 24.** It is the duty of the Police in particular –
- (a) to see that no business, trade or undertaking for which a licence is required by law is carried on without a licence; and
 - (b) to see that licences are obtained by owners in respect of vehicles, animals and firearms.

Section 7 - ESTIMATES

Submission of estimates

25. (1) Heads of Department are required to submit to the Treasurer, with a copy to the Administrator, their annual draft estimates of revenue and expenditure by a date specified by the Treasurer.

(2) In addition to the figures for the coming year Heads of Department should give their revised estimates of revenue and expenditure for the current year.

(3) The draft Estimates must be in the form and together with the supporting information that the Treasurer from time to time specifies.

(4) Where salaries are liable to be increased by regular increments, the amount payable within the year should be stated in the Estimates.

(5) New services and Capital Expenditure projects should only be included if the proposals (including financial, legal and staffing implications) have been approved by the Island Council and notified to the Head of Department. Any proposals for changing grades or establishments relating to existing services, or for additional posts should be approved by the Administrator, and a detailed statement showing the reasons for such requests should accompany the draft Estimates.

(6) Estimates for Casual labour should be included in the Estimates by the respective Heads of Department.

Approval of Estimates

26. The Annual Estimates must be approved by the Island Council. A summary of the Estimates, as presented to the Island Council and, if it differs in any way, a summary of the Estimates approved by the Island Council, must be submitted to the Secretary of State with a copy to the Governor, as soon as practicable following approval by the Island Council.

Section 8 - AUTHORITY FOR EXPENDITURE

Authority for expenditure

27. (1) The Treasurer is prohibited from making any payments or accepting any charge in the accounts (notwithstanding that the services to which they relate have been duly provided for in the Estimates) unless authorised to do so by a Warrant issued by the Administrator in accordance with regulation 6(1), 7 or 8 above.

(2) Until such time as the Estimates are approved and a Warrant issued, a Provisional Warrant may be issued by the Administrator, with the approval of the Governor, authorising the Treasurer to accept charges and Accounting Officers to defray recurrent expenditure with the following limitations –

- (a) expenditure under any sub-head must not exceed the amounts shown in the approved Estimates for the previous year, except that where the current estimates show a decrease the expenditure must be related to the lesser figure;
- (b) no addition to, or change in, the grading of an establishment may be made but normal increments may be paid;
- (c) replacement items are to be subject to a requisition submitted through the Treasurer.

28. When the annual Estimates have been approved by the Island Council, the expenditure for the year must be held to be definitely limited and arranged, unless additional provision is required for services which could not have been foreseen, cannot be postponed without detriment to the Public Service and will cause an excess on the Head or cannot be charged to an existing sub-head of the Estimates. In every case where expenditure has been incurred in this way, the Accounting Officer must, without delay, apply for covering authority explaining the reasons for the excess. He or she will be held personally liable if any of the expenditure proves to be unnecessary or extravagant and it will be surcharged against him or her.

Supplementary provision

29. The procedure for sanctioning additional expenditure is as follows –

- (a) where it is expected that the provision on a sub-head will be insufficient for the purpose intended, and savings can be effected on other items within the

- same Head, the Accounting Officer must submit a Warrant to the Treasurer for a virement of the amount required;
- (b) where savings cannot be foreseen on a particular Head or sub-head and the total required is not of such a nature to raise some question of principle or involve a breach of some regulation, the Administrator may, on his or her own responsibility and in consultation with the Treasurer, sanction the additional provision by Special Warrant pending covering approval by Island Council;
 - (c) in all other cases the prior approval of the Island Council must be obtained.

Accounting Officers have a duty to ensure that all authorities have been obtained before the expenditure is incurred. If the supplementary expenditure causes an excess on a Head, such excess will ultimately be covered by a Special Warrant.

Section 9 - WARRANTS AND REQUISITIONS

General Warrant

30. The General Warrant covers services for which provision is made in the Estimates. The General Warrant will be prepared in triplicate by the Treasurer and copies will be filed in the Treasury, the Administration Office and with the appointed auditor.

Special Warrant

- 31.** A Special Warrant is required for –
- (a) all payments on account of services for which provision is not made in the Estimates; *i*
 - (b) all payments causing an excess on the authorised Head. *t*the Estimates.

Virement Warrant

32. A Virement Warrant, prepared in triplicate, should be submitted to the Treasurer, where an excess on a sub-head can be covered by savings on other sub-heads within the same Head.

Treasurer's Warrant

33. A Treasurer's Warrant issued by the Treasurer gives the authority to a Head of Department authority to incur expenditure. It is prepared in triplicate, one copy to be filed in the Department concerned, one copy to be filed in the Administrator's office and one copy to be held in the Treasury.

Applications for Special Warrants

34. Applications for Special Warrants will be prepared by the Accounting Officers in triplicate and submitted through the Treasurer to the Administrator. When approved a copy of the Warrant will be filed in the same offices as the General Warrant.

Warrants lapse at the end of year

35. The authority conveyed by a Warrant (including a Treasurer's Warrant) lapses on the last day of the year to which it relates and no payments may be made after that date except under authority of Warrants issued for the service of the ensuing financial year. No applications for Warrants will be considered by the Administrator later than 1 November in each year.

Section 10 - CONTROL OF EXPENDITURE

Departmental Vote Accounts

36. The Treasury will keep Departmental Vote Accounts in such form as will clearly show at any time the amount of each sub-head, the expenditure actually defrayed, the amounts earmarked to cover overseas orders and other outstanding liabilities. A Monthly summary of all revenue, expenditure and outstanding liabilities against each Departmental Vote will be provided by the Treasury to the respective Accounting Officer, who must reconcile it with the departmental records.

Overseas Purchases

37. Accounting Officers will be notified by the Treasury of the charges incurred against the votes under their control through overseas purchases in order that the exact amount may be recorded against the respective Departmental Vote. It is the responsibility of Accounting Officers to ensure that the Treasury debit notes agree with the charges on the suppliers' invoices and that the stores have been received.

Recurring Expenditure

38. In the case of recurring expenditure Accounting Officers must guard against the premature exhaustion of the amounts provided by regulating the monthly expenditure and reserving an amount to meet unforeseen contingencies.

Liability of Officers

39. Accounting Officers prematurely exhausting votes or incurring expenditure in excess of the amount authorised will be held personally responsible and will be liable to be surcharged. If necessary the Administrator may appoint a Board of Enquiry to investigate and report on the circumstances of such expenditure.

Section 11 - RECEIPTS

Numbering of Vouchers

40. Receipt vouchers must be numbered consecutively from No. 1 upwards to No. 5000 in the order in which the amounts are received, and will be entered in the cash book accordingly.

Receipts by Accounting Officers

41. All officers who receive in their public capacity any sales revenues, hire charges, duties, taxes, licences, fees, rents or other public money are required to pay the whole amount of the money daily to the Treasurer.

Receipts by non-regular collectors

42. Whenever a public officer who is not a collector of revenue receives public money, he or she must pay it to the Treasurer without delay and obtain a receipt for the amount paid in.

Safe custody of cash and documents

43. All cash, cheques or any item of value received by public officers must be deposited as soon as possible in the safes provided for the purpose. The officer concerned will be held personally responsible for any loss arising from negligence in this respect. No officer may keep or allow to be kept in any Government safe or strong room under his or her charge any money except public money or such as by virtue of office the officer is bound to receive and account for.

Improper use of Government money

44. Between the time of receipt and payment to the Treasury no public money may be made use of by Collectors of Revenue in any way whatsoever; nor may any officer advance or lend any sum for which he or she is answerable to the Government.

Collection of arrears

45. (1) Should any Accounting Officer at any time experience difficulty in collecting money due from public officers or others, he or she must at once report the circumstances to the Treasurer;

(2) Every effort must be made to collect all outstanding amounts and to pay all revenue into the Treasury by 31 December each year.

Receipts to be given

46. Except where otherwise provided (sale of stamps, handicrafts, etc.) Accounting Officers or sub-accountants must give receipts for every sum paid to them. Receipts will not be issued in respect of licences if the licence also serves as a receipt. All entries on receipts must be made in ink.

Form of receipt

47. Receipts and licences and other documents for which payments are received may only be issued from books of counterfoil or counterpart forms bearing printed consecutive numbers, in the form approved by the Treasurer. Receipt or licence books must not be cut or divided and the inner-foils or counterparts must be kept intact in the books.

Receipts to be signed

48. The inner foils of all receipts or licences must be initialled by the issuing officer, and the inner-foils or counterparts of receipts should, if practicable, be signed by the payer.

Alterations in receipts

49. Alterations in the inner-foils or counterparts of receipts or licences issued must, in all cases, be initialled by the issuing officer.

Cancelled receipts

50. The original of any cancelled receipt or licence must be securely affixed to the corresponding inner-foil or counterpart.

Public Notice

51. Accounting Officers must place a printed notice in a conspicuous place in each of their offices stating that a printed receipt must be demanded by the public for money paid in.

Fines and fees to be paid in cash

52. All fines and fees of Court must be paid in cash.

Payment of fines to be recorded

53. A record of the payment of fines in criminal cases will be made in the Case File by the Magistrate.

Documents chargeable with fixed fees

54. In the case of documents chargeable with a fixed and non-variable fee (e.g. Certified Copies of Birth Entry) such documents will be issued from counterfoil books with the amount of fee impressed or printed on the inner-foils.

Liability of Revenue Collectors

55. If at any time the public revenue sustains a loss by reason of the neglect or fault of any officer, he or she will be liable to be surcharged with the amount.

Arrears of Revenue Returns

56. All officers charged with the supervision of the collection of revenue must provide to the Treasurer (with a copy to the appointed auditor) annual returns showing the state of arrears in the collection of any revenue receivable by them as at 31 December in each year. This figure must include any outstanding amounts of debts which are being paid by instalments. In the event of there being no such arrears a nil return must be provided.

Section 12 - PAYMENTS

Payments to be vouched

57. All payment entries in the accounts must be vouched for on the proper form and all claim forms should be submitted to the Treasury in duplicate.

Submission of claims

58. Vouchers for all salaries, wages, overtime payments and monthly allowances must be delivered duly certified by the Accounting Officer to the Treasury 2 clear working days before the day on which they are due to be paid by the Treasury Wages Clerk.

Separate vouchers

59. Separate vouchers will, as far as practicable, be used for separate sub-heads and for the payment of different services, especially in cases where each service has been separately authorised.

Full particulars to be given on vouchers

60. All vouchers must be clearly and explicitly worded and give full particulars and the authority in support of the claim. The following particulars, as may be applicable, must be inserted -

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)

name of
claimant;
dates,
numbers,
quantities
and rates;
references
to
contracts;
references
to the
numbers
and dates
of deposit
vouchers in
case of
repayments
;
references
to special
authorities
(e.g. for
advances
or any
unusual
payments);
the
appropriate
authority
for
expenditure

.

Deductions from pay

61. Advances payable or any other sums recoverable from payments due must be inserted in the payment voucher .

Computation of broken periods

62. Annual salaries for local staff are payable in 4-weekly instalments, i.e. 1/13th of the annual rate. Annual salaries for expatriates are payable in monthly instalments i.e. 1/12th the annual salary. Salary for a broken 4-week period is calculated for all staff by multiplying the daily rate ((annual rate ÷ 13) ÷ 20) by the number of days worked in that month.

Contracts

63. The Treasurer must be furnished with a certified copy of all contracts in respect of which claims are submitted to her for payment, and such contracts must be carefully filed. A certified copy of such contracts must also be forwarded to the appointed auditor. In the case of articles purchased at contract rates or prices, the rates or prices should be stated in the same terms as those used in the contracts.

Sub-vouchers

64. In cases where public officers present claims for small payments made by them, sub-vouchers in the shape of actual receipts must be produced whenever practicable. In the absence of receipts, reimbursements will not be allowed unless it is satisfactorily shown that receipts could not have been obtained, and the officer concerned certifies that the charges were incurred solely upon public service and actually paid by him or her.

Certificates on vouchers

65. The officer who signs the voucher (i.e. the Accounting Officer or other senior officer authorised to do so) thereby certifies the accuracy of every detail therein. He or she will therefore be held to have satisfied himself or herself that the services specified have been duly performed, that the prices charged are either according to contracts or approved scales, or fair and reasonable according to local rates, that authority has been obtained as quoted, that the computations and castings have been verified and are arithmetically correct, that the person named on the voucher is entitled to receive payment, and where appropriate that the stores purchased have been duly taken on charge. Care must be taken to strike out the alternative words in printed vouchers in order that the certificate may be applicable.

Rejection of claims

66. It is the duty of Treasury officers to reject any claims that have not been certified in accordance with the preceding regulations.

Total to be in words

67. The total amount of all vouchers should be written in words as well as in figures.

Facsimile signatures

68. Stamped facsimile signatures will not, in any circumstances, be accepted on original or duplicate vouchers.

Surcharge for incorrect certificates

69. In the event of an unauthorised payment being made in consequence of an incorrect certificate on a voucher, the officer who signed the certificate will be held responsible, and the amount may be surcharged against him or her.

Details in support of journal vouchers

70. The journal vouchers issued by the Treasury should be fully supported by invoices, detailed schedules of labour, materials or services against another department, or references to vouchers on which transactions have been wrongly allocated.

Alterations in vouchers

71. Any corrections to payment vouchers will be made by striking out the words or figures and writing the amendments above. All alterations must be initialled by the officer certifying the voucher or payee as may be necessary.

Classification of vouchers

72. In the case of expenditure both the Head and sub-head of expenditure must be inserted on the voucher, and the classification must accord with the detail of the approved Estimates.

Deposits repaid

73. Vouchers in repayment of deposits must be classified in the same manner as the receipt voucher on which the deposit was made. The payment voucher should in all cases contain a reference to the number and date of the receipt voucher.

Revenue refunded

74. Refunds of revenue must be vouched for on payment vouchers which will be classified "Revenue Refunded" followed by the Head and sub-head of revenue affected in the same financial year. Refunds relating to revenue collected in previous years will be debited to an expenditure item under the Miscellaneous Head of the Estimates.

Duties of Examining Officers

75. Before passing a voucher for payment the Treasury Officer should satisfy himself or herself that –

- (a) the information furnished on the voucher is correct and that the voucher is signed by the proper officer;
- (b) all proper deductions from salaries or pensions on account of contributions, repayment of advances, remittances or other liabilities have been duly made .

The Treasury will verify the computations in detail. Claims will on no account be paid unless the vouchers have been passed for payment by the Treasury Examining Officer.

Numbering of vouchers

76. All payment vouchers must be numbered consecutively from 1 upwards, annually, in the order in which payments are made. The numbers of the vouchers will be entered in the cash book.

Payment of claims

77. Payments will only be made to the person named in the vouchers, or their legal representatives, from which signed receipts must be taken at the time of payment.

“Paid” stamps

78. All vouchers when paid must be date-stamped in order to avoid double payments.

Payments to persons other than those named

79. When payments are made to persons other than those named in the vouchers, the authorities under which they are made (such as powers of attorney or letters of administration) must be registered in the Treasury or attached to the vouchers.

Payments to third parties

80. Payments of salary or emoluments to an authorised person on behalf of an official or employee require the signed authority of the officer or employee concerned. Such authority is not a power of attorney. The authority may be –

- (a) special (i.e. in respect of a single payment) in which case it will be attached to the payment voucher; or
- (b) general (i.e. in respect of regular payments covering a specific period or until further notice) in which case the authority will be filed for reference.

Inter-departmental payments

81. No cash transaction may take place between departments in cases where such transactions can be effected by journal vouchers through the Treasurer.

Responsibility for payment of salaries, wages, emoluments, allowances, etc.

82. The responsibility for the payment of all salaries, wages, emoluments, allowances and other remunerations attaches to the Treasury only. Payment of salaries, wages, emoluments and allowances will be paid by the Treasury sub-accountant on the last Friday of each 4-week period. Payment of overtime will be paid weekly, on the Wednesday following the week in which the overtime was earned. All payments will be made to the persons named on the pay sheets (or their duly appointed representatives) who will sign the pay slips as having received the amounts due to them.

Identification of payees

83. Sub-accountants or any officer making payments must, in all cases, satisfy themselves that the person claiming payment is the person authorised to receive the amount.

Outstanding Claims

84. Accounting Officers in charge of Votes must see that all local bills are obtained within one month for all purchases made and that such bills are promptly paid. In the case of overseas bills, these must be obtained as soon as practicable.

Claims to be met before close of financial year

85. All bills for expenditure incurred up to the day immediately preceding "Breaking-up Day" in December, must be presented to the Treasury for payment by that day and Accounting Officers in charge of Votes are also responsible for seeing that vouchers for services performed up to that date are presented for payment prior to that date.

Section 13 - CASH BOOKS

Accounting officers to keep Cash Books

86. Every Accounting Officer and sub-accountant must keep a Cash Book in which he or she must enter all sums of money received or paid by him or her as a public officer for whatever service, whether they form part of the revenue or not.

Cash Book entries

87. (1) In the Cash Book must be entered all cash transactions as they occur. The entries must be numbered consecutively on each side of the book in the order of the receipts or payments and corresponding numbers must be affixed to the supporting vouchers.

(2) The numbers of the receipts and licences issued must be recorded in the Cash Book.

(3) Sufficient detail is required in the Cash Book to indicate the nature of the transaction independently of the more detailed information given in the vouchers.

(4) Sub-accountants must initial their Cash Books daily after satisfying themselves that their accounts are correct.

Cash Books to be checked and balanced

88. (1) It is the duty of the sub-accountant to examine and check the entries in his or her Cash Book daily, to balance the Cash Book and compare the balance with the cash to be banked at the close of each day. All receipt and licence books in use should be inspected and the receipts issued compared with the entries in the Cash Book. The reverse method of tracing the entries from the Cash Book to the receipt book is inadequate.

(2) The Accounting Officer (or an officer designated by him or her) must satisfy himself or herself by periodic checks that the duties set out in the preceding paragraph of this regulation are being carried out and will be held personally liable for any loss arising from his or her failure to do so. It is his or her responsibility to ensure that the accounts are properly maintained and that all public money is adequately secured.

Discrepancies to be reported

89. (1) Any unaccountable surplus or deficit in the cash balance held by a sub-accountant must be reported forthwith to his or her Head of Department and to the Treasurer to whom the Head of Department is responsible for reconciling the discrepancy.

(2) Any minor surplus or deficiency arising in the normal course of business which cannot satisfactorily be explained and adjusted will either be transferred to revenue or made good by the sub-accountant or Accounting Officer.

Certificates of handing over and taking over

90. An Accounting Officer or sub-accountant handing over must balance his or her cash book at the close of his or her last day in charge and pay in his or her cash to Treasury. His or her successor will take over the Cash Book at the start of the following day's business.

Section 14 - REMITTANCES, TELEGRAPHIC TRANSFERS AND CHEQUES

Remittances

In the case of telegraphic or fax transfers, the cost of the telegram or the fax will be additional to the commission.

Classification

93. The amounts received and payments made in respect of transfers will be classified as follows –

- (a) Cheques, soiled notes, foreign currency “Cash, Remittances”;
- (b) Bank to Bank transfers “Cash, Transfers”;
- (c) Private transfers “Deposits, Family Allotments”.

The Commission will be credited to Expenditure head “Bank Charges.”

Acceptance of cheques

94. Cheques may not be received as revenue except in cases authorised by the Treasurer, in consultation with the Administrator, where their acceptance is not prejudicial to the Government.

Encashment of cheques

95. Officers serving under the Government may cash personal cheques as authorised by the Treasurer in consultation with the Administrator. Other personal cheques may not be cashed.

Cheques

96. All cheques must be drawn in favour of the Tristan da Cunha Administration, and if not already crossed at the time of receipt, must be crossed with the words “a/c payee only” written between the crossed lines.

Cheques to be remitted by registered

97. All sterling cheques must be sent to the Government’s UK bankers by the first available ship for collection. All other currency cheques must be sent to the Government bank account in South Africa by the first available ship for collection. Cheques and other valuable securities must be posted under registered cover, and insured. The envelopes or packages must be carefully sealed. Currency notes should not be remitted by post.

Postdated cheques

98. Postdated cheques will not be accepted.

Section 15 - ADVANCES

Types of advances

99. The only type of advance permitted is a personal advance to serving officers or employees on the terms prescribed in these Regulations.

Personal advances

100. Personal advances to officers will only be made with the approval of the Treasurer in consultation with the Administrator and will normally only be granted for the following purposes –

- (a) salary in respect of leave to be spent outside Tristan da Cunha;
- (b) assistance in connection with an approved scholarship or training course;
- (c) to assist with passage costs for a spouse or family to accompany the officer on a course; and
- (d) unforeseen domestic emergencies.

The conditions applicable in the above cases are set out below -

- (i) the maximum amount advance in all cases will be equivalent to three four-weekly instalments at the officer's grade of pay;
- (ii) in the case of (b) above where the recipient of the scholarship is a minor, an advance of salary will be granted to one parent only; and
- (iii) the officer requesting the advance will be required to show that he or she has no other outstanding commitments.

Responsibility of the Treasurer

101. The Treasurer is responsible for ensuring that personal advances are refunded in accordance with the terms and conditions under which they were made.

Refund of advances

102. Personal advances are recoverable by instalments at the rate of 50% of the officer's 4-weekly salary each pay day, or the balance remaining at the last instalment, whichever is the lesser. The first instalment will be made for the pay period immediately following that in which the advance was made. Interest will be charged at the rate of 2½% per annum. Interest rates on advances are subject to review by the Treasurer.

Section 16 - DEPOSITS

Deposits

103. Any money not being money raised or received for the purposes of Government shall be deposited in the Post Office Savings Bank in an account registered under the depositor's name.

Section 17 - POST OFFICE SAVINGS BANK

Verification of pass books

104. The balance in a pass book of a depositor must be verified by the Post Office Savings bank staff whenever a deposit or withdrawal is made or interest added to the account and any discrepancy should be investigated immediately.

Verification of balances

105. The balances of depositors' accounts as shown in the Manager's Control Accounts must be verified with the balance in the Treasury Ledger at the end of each month.

Section 18 - INTERNAL AUDIT

106. A continuous internal audit under the independent control and direction of the Treasurer must carry out an examination of the accounting and other financial systems of Government, and for this purpose the Treasurer or his or her authorised representative may –

- (i) enter at all reasonable time any Government premises or land;
- (ii) have access to all records, documents, and correspondence held by the Departments with the exception of confidential staff files;
- (iii) notwithstanding (ii) (above), require and receive such information and explanations as the Treasurer deems necessary for the effective discharge of his or her duties in consultation with the Head of Department;
- (iv) require any officer or employee of Government to produce cash, stores or any other Government property under his or her control.

Section 19 - CUSTODY OF MONEY, STAMPS, ETC.

107. The Treasury safes will be secured by one lock. The key to each safe will be held by the Treasurer. In other circumstances (absence through leave, illness etc.) the Treasurer's keys will be held by the Acting Treasurer. The Reserve cash will be held in one of the safes. The reserve stock of postage stamps and philatelic items will be held in the safe provided for the Post Office. The door to this safe may only be opened by the Postmaster.

Cashier's safes/ cash boxes

108. Cashier's safes and cash boxes will be provided for Departments as considered necessary by the Treasurer.

Cashier to hand over cash daily

109. The balance of cash in the hands of the Treasury Cashier must, before the close of business daily, be secured in one or other of the safes referred to in regulation 107.

Responsibility of officers holding keys

110. Officers holding keys of safes are individually responsible for the contents of the safes. Any defect in the safes or keys to them, or loss of keys, should be reported immediately to the Administrator.

Contents of safes to be verified

111. The officers in charge of safes must from time to time cause their contents to be verified and sign a certificate to that effect. Any discrepancy must be reported immediately.

Certificates on handing over safes

112. If it becomes necessary to hand over the custody of a safe, the contents must be checked by two members of the Treasury staff, not responsible for the safe, before the handover to verify the contents. If any discrepancies are found, they must be reported immediately to the Administrator.

Small safes to be properly secured

113. Accounting Officers and others who have small safes in their charge must see that, whenever practicable, they are duly secured by being built into the wall of the office in which they are kept, or otherwise securely attached to the structure of the building.

Private effects

114. Private effects may not be deposited in a Government safe unless approved by the Administrator.

Spare keys

115. Spare keys to all Government safes must be kept in the safe in the Administrator's office. A register of all such keys must be kept by the Administrator. The numbers of any safe combination locks must be likewise secured.

Loss of keys

116. Any expenditure incurred due to the loss of Government safe keys will be charged to the Officer responsible for the loss.

Section 20 - CURRENCY CONTROL

Treasurer to regulate specie and notes

117. The Treasurer, in consultation with the Administrator, must regulate the importation of specie and notes from the Crown Agents, London, so as to ensure that the cash balance does not largely exceed local financial requirements.

Remittances to be checked

118. Whenever a remittance of specie or notes is received or is about to be despatched, the remittance must be checked by the Treasurer, another senior Treasury officer, and the Cashier.

Duties of checking officers

119. (1) When a remittance is received the boxes and seals must be carefully inspected. Defective boxes must receive priority of check.

(2) When a remittance is about to be despatched the 3 Treasury officers referred to in regulation 118 must witness the packing of the specie or notes and must see that the boxes or packets are securely fastened and sealed.

(3) As soon as the boxes or packets are sealed they must be secured in the Treasury safe pending shipment.

Discrepancies to be reported

120. In the event of any discrepancy in the amount of specie or notes received, a report must be made by the Treasurer to the Administrator. Details of the discrepancy must also be notified to the Crown Agents without delay.

Section 21 - ACCOUNT BOOKS, REGISTERS AND BOOK-KEEPING

Books to be kept by the Treasurer

121. (1) The Treasurer must maintain the following principal books of account: Cash Book, Abstracts of Receipts and Payments, Main Journal and Principal Ledger together with such subsidiary books as maybe necessary.

(2) Every entry in the accounts must be supported by a voucher containing full particulars of the item or items to which it relates .

(3) The entries in the Treasurer's Cash Book must be classified as soon as practicable and posted to the Abstracts of Receipts and Payments. The entries in the Crown Agents Account and the First National Bank Account must be dealt with in the same manner as soon as the transcripts are received.

(4) As soon after the end of each month as the entries in the Treasurer's and other bank books have been classified and posted as indicated in (3) above the entries in the Abstracts of Revenue and Expenditure must be totalled.

(5) The Ledger must be posted monthly from the Main Journal. It must contain one account for revenue and one for expenditure, an account for the Administration Fund

balance, account for loan funds, of advances, deposits, drafts and remittances and of every other fund in the custody of the Government.

(6) The surplus and deficit account must be posted exclusively from the accounts of revenue and expenditure and must accordingly provide the record of the balance between them from month to month.

(7) The Books of Account and Treasury records must be carefully preserved for the minimum periods shown below: -

	<u>Minimum Period</u>
(a) Treasury Ledgers, Cash Books and Journals	5 years
(b) Vouchers	5 years
(c) Special Ledgers and Records, e.g. POSB depositors' ledgers	20 years
(d) Establishment and Salary records which may be required for superannuation	60 years
(e) Pension Records	20 years
(f) Used Counterfoil Receipt Books	Until no longer required for audit purposes

Items (a) to (e) may be destroyed only with the specific approval of the Treasurer.

Licence Registers

122. It is the duty of all Licensing Officers to keep registers of licensed persons in such form as will enable them to maintain a close scrutiny of the renewal of periodical licences as they fall due.

Numbering of Account Books

123. The pages of all accounts books in stock or in use if not already numbered must be numbered in ink.

Books to be kept up-to-date

124. Accounting Officers and sub-accountants are required to see that all books are correctly posted and are kept up-to-date and that transactions, balances and totals are entered in ink.

Section 22 - LICENCES AND RECEIPT BOOKS

Receipt and Licence Books

125. Accounting Officers and Licensing Officers are responsible for ordering their respective departmental receipt books and licence books from Cape Town. All receipt and licence books must be in the form approved by the Treasurer.

Examination of books

126. Accounting Officers and Licensing Officers must, on receipt of counterfoil receipt and licence books, personally examine them to satisfy themselves that the numbering of each book is correct. Should any book be found defective it must be handed over to the Treasurer with a report.

Surrender of used counterfoil books

127. Accounting Officers must submit all completed books of receipts and licences to the Treasurer.

Books to be secured

128. Receipt and licence books, used or partly used, must be adequately secured under lock and key.

Destruction of completed or obsolete books

129. (1) All completed counterfoil receipt books must be destroyed when no longer required for audit purposes.

(2) Obsolete receipt books may be destroyed by a Board consisting of the Administrator, the Treasurer and a Treasury official.

Section 23 - BOARDS OF SURVEY AND INSPECTION

Annual Boards of Survey

130. A Board of Survey, to be held each year after close of business on the last business day of each year, and before the commencement of business on the first day of the new year, must be appointed by the Administrator to examine all cash held by the Treasury. The Board is to consist of the Administrator and two other Public Service officers appointed by him or her.

Surprise Boards of Survey

131. Boards must also be appointed from time to time by the Administrator to hold surprise surveys of cash in the custody of the Treasury. Each Board so appointed is to consist of the Administrator and 2 other Public Service officers appointed by him or her.

Surprise inspections at any time

132. The Treasurer must periodically cause surprise inspections to be made of the accounts of Accounting Officers and sub-accountants.

Section 24 - MISCELLANEOUS

Accounts Books etc. to be of approved form

133. All accounts books, vouchers and forms etc., of a financial nature must be in the form prescribed by law or regulation or otherwise approved by the Treasurer. Wherever possible use should be made of standardised books and forms.

Safe custody and control of issue

134. Heads of Departments are required to keep their stocks of books and stationery under lock and key and to exercise strict economy by the prevention of waste or improper use thereof.

Public notice of business hours

135. A notice must be posted in a conspicuous place in each office stating the hours during which the office is open for the transaction of business with the public.

Erasures in books and accounts

136. No erasures may be made in any accounts. Any necessary corrections will be made by striking out the figures to be altered with a single line and writing the correct figures above, the corrections being initialled by the responsible officer.

Use of green ink/pencil

137. Green ink and pencils are used by officers in the Audit Department in their examination of vouchers and accounts. They should not be used by any other department on accounting procedures.

Loss of Government money

138. (1) In the event of any defalcation or loss of public money, stamps, counterfoil receipts or property of Government, the responsible sub-accountant must forthwith report the circumstances to the Head of Department concerned and institute such further enquiry as may be expedient. Whenever necessary, the assistance of the Police should be immediately sought.

(2) The Head of Department must report any such defalcation or loss to the Treasurer (copy to the Administrator and the appointed auditor), who will consider, unless the facts of the case are reasonably clear, whether an enquiry should be held apart from the police investigation.

Authority for writing off losses

- 139.** The authority of the Governor is required for the writing off of—
- (a) all abandoned claims, including payments of revenue, above £600;
 - (b) all losses of cash and stores due to normal unavoidable causes (whether involving a write-off in the accounts of the territory or not) above the following limits –
 - (i) Losses due to theft, fraud, arson, or to the gross negligence of an officer (in these cases every effort must be made to secure full recovery and prosecution or surcharging must be undertaken wherever possible. Cash £300; Stores £600.
 - (c) Losses due to other causes £1200

Authority to waive arrears of revenue

140. In cases of arrears due by particular individuals in which the necessity or justification for writing them off depends on local circumstances, and when no question is involved either of large amount, of important or novel principle, or of the negligence of an officer, the Treasurer will from time to time furnish to the Administrator and copied to the appointed auditor a list of cases in which it has been decided to write off such arrears with reasons for doing so entered against each case.

Unless the appointed auditor sees cause to challenge the decision in any case, this list will be accepted and approved as a valid discharge in respect of the non-collection of any amount specified in it.

System of account

141. It is the duty of the Treasurer to see that a proper system of account is established in every Department of the Government No variation to the approved system may be made without the approval of the Treasurer, in consultation with the Administrator.

Amendment of Regulations

142. (1) New regulations, or amendments to existing regulations, may only be made with the approval of the Island Council, and the consent of the Governor.

(2) New regulations or amendments to existing regulations must be notified to Departments.

(3) All officers possessing copies of these Regulations are required to insert the amending slips in them and in the event of any missing slips, which will be indicated by a break in the sequence, to call attention thereto.
