

**NIUE LAWS
LEGISLATION AS AT DECEMBER 2006**

NATIONAL DISASTER RELIEF FUND ACT 1980

1980/61 – 10 November 1980

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To establish and control a fund to be used to repair damage suffered by public property during national disasters and to provide assistance to victims of such national disasters

1 Short title

This is the National Disaster Relief Fund Act 1980.

2 Interpretation

In this Act –

"Fund" means the National Disaster Relief Fund;

"national disaster" means any storm, tempest, cyclone, flood, earth tremor, drought, fire, disease or act of God from any cause whatsoever as declared a national disaster by Cabinet and includes any public emergency proclaimed under the Public Emergency Act 1979.

3 National Disaster Relief Fund established

(1) There is hereby established a fund to be called the National Disaster Relief Fund.

(2) The resources of the Fund shall consist of the following –

(a) Contributions by the Government of Niue and other governments;

(b) Contributions by private organisations whether domestic or international with contributions by private individuals;

(c) Returns from investments made from the Fund.

4 General objects of the Fund

The general objects for which moneys in the Fund may be applied are –

- (a) The repair of damage suffered to public property during a national disaster;
- (b) The immediate provision of financial and other assistance to victims of national disasters.

5 National Disaster Relief Fund Account

There is hereby established a Fund account with the Treasury Department of Niue to be called the National Disaster Relief Fund Account and all of the Fund's moneys shall be paid into the Fund Account.

6 Investment of moneys of the Fund

The Financial Secretary may invest any moneys of the Fund in accordance with laws, rules and regulations for the time being in force in Niue regarding investments of public funds.

7 Expenditure of moneys of the Fund

Subject to section 6, no moneys shall be paid out of the Fund Account except with the approval of the Financial Secretary acting within the objects specified in section 4 for the specific purposes and in the manner approved by Cabinet.

8 Annual accounts and audit

(1) At the close of each financial year the Financial Secretary shall cause to be prepared in respect of the Fund a revenue and expenditure account for that year together with a balance sheet showing the assets and liabilities of the Fund.

(2) That account and balance sheet shall be audited as prescribed by article 60 of the Constitution.

9 Annual report

The Financial Secretary shall in each financial year cause to be prepared a report of the Fund's operations during the preceding year and such report together with the audited statements and balance sheet mentioned in section 8 shall be laid before the Assembly at its first session after the audited statements and balance sheet are available and shall receive such publicity as the Assembly directs.

10 Delegated authority

(1) Where Cabinet has delegated all or any of its authority in times of public emergency or national disaster to persons other than Cabinet under section 3 of the

Public Emergency Act 1979 those persons shall have full authority under section 7 of this Act to approve the expenditure of moneys from the Fund, as if such expenditure was approved by Cabinet itself.

(2) Any such expenditure from the Fund and circumstances of that approval shall be brought to the notice of the Cabinet by the Premier at the earliest possible opportunity.