



17 February 2025

Refs: DOIA-REQ-0008263
DOIA-REQ-0009471

Ryan Ambler
Email: fyi-request-29730-b31e2841@requests.fyi.org.nz

Tēnā koe Ryan Ambler

Thank you for your email of 16 January 2025 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

Are Crown Entities, as listed in Schedule 1; Statutory entities, of the Crown Entities Act 2004, obliged to process bills of exchange they may receive; does the Bills of Exchange Act 1908 bind the above mentioned Crown Entities?

On 12 February 2025, the Ministry of Justice transferred a request from you to MBIE which was of a similar nature, requesting:

The 'Land Transport Act 1998', for example, binds the Crown, which is apparent by way of section 3, 'Act to bind the Crown'; [1] Does the 'Bills of Exchange Act 1908' bind the Crown?

This response answers both requests.

The Bills of Exchange Act 1908 can provide a framework in which two parties may agree to an exchange. The Bills of Exchange Act can apply to Crown entities. However, neither Crown entities nor anyone else is obligated to accept bills of exchange as payment. The Bills of Exchange Act does 'bind the Crown' as set out in Schedule 1 of the Crown Proceedings Act 1950. Though, as clarified above, this does not mean it has to accept a Bill of Exchange.

Should you wish to receive advice on how to interpret legislation, you would be best to seek independent legal advice, such as the advice that is freely available from your local community law centre.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

Glen Hildreth
Manager Consumer Policy
Commerce, Consumer and Business

