



ANNO DECIMO

GEORGII V REGIS.

A. D. 1919.

No. 1408.

An Act to amend the Advances for Homes Acts, 1910 to 1918, and for other purposes.

[Assented to, November 27th, 1919.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited alone as the "Advances for Homes Act Further Amendment Act, 1919." Short titles.

(2) The Advances for Homes Acts, 1910 to 1918, and this Act may be cited together as the "Advances for Homes Acts, 1910 to 1919."

(3) The Advances for Homes Act, 1910, is hereinafter referred to as "the principal Act," the Advances for Homes Act Further Amendment Act, 1916, is hereinafter referred to as "the amending Act of 1916," the Advances for Homes Act Further Amendment Act, 1917, is hereinafter referred to as "the amending Act of 1917," and the Advances for Homes Act Further Amendment Act, 1918, is hereinafter referred to as "the amending Act of 1918." No. 1018 of 1910.
No. 1246 of 1916.
No. 1316 of 1917.
No. 1341 of 1918.

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation with other Acts.

Amendments.

3. (1) Subsection (2) of section 8 of the principal Act is further amended by substituting the words "One Million Two Hundred Thousand Pounds" for the words "Six Hundred Thousand Pounds." Amendment of principal Act, s. 8 (2)—
Advances for Homes Fund.

(2) The

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(2) The amendment made by this section shall apply only in respect of the financial year ending on the thirtieth day of June, nineteen hundred and twenty.

Amendment of Act 2146, 1916, s. 4 (5).

4. Subsection (5) of section 4 of the amending Act of 1916 is amended as follows:—

Foster parent to be entitled to make request to Board for purchase of land.

(1) By adding at the end of subdivision (b) thereof the word “or,” and by inserting after the said subdivision (b) the following subdivision:—

(c) a person who satisfies the Board—

- i. that she has acted as the foster-mother of any such person as is referred to in subdivision (a) of the definition of “returned soldier” contained in this subsection who has heretofore died or hereafter dies from wounds inflicted, accident occurring, or disease contracted whilst on service in the war in which His Majesty is at present engaged, and that she so acted prior to such person becoming a member of any of the naval or military forces mentioned in subdivision (a) of the said definition of “returned soldier”; and
- ii. that she has not received and will not receive any payment or other consideration from any person in respect of her having so acted as such foster mother.

Widower or bachelor with dependents to be entitled to apply for advance.

(2) By inserting after the word “sufficient” in the fifth line of subdivision II. of the definition of “returned soldier” contained therein the following passage:—

“or unless such widower or bachelor satisfies the Board that he is permanently incapacitated and is dependent upon relatives by blood or marriage for support.”

(3) By adding at the end of subdivision III. of the definition of “returned soldier” contained therein, and as part of such subdivision, the following provision:—

“other than a person—

- i. whose discharge from service was due to physical or mental disability incurred in such service; or
- ii. who, in the opinion of the Board, has suffered serious pecuniary loss by reason of his enlistment in, or his having been a member of, any of the naval or military forces mentioned in subdivision (a) of this definition.”

“Returned soldier” to include certain persons who have not served outside Commonwealth.

Amendment of *ibid.*, s. 9 (12)—
Soldiers not limited to advances under principal Act.

5. Subsection (12) of section 9 of the amending Act of 1916 is amended by striking out the words “or any Act incorporated with this Act” in the second and third lines thereof.

6. Section

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6. Section 6 of the amending Act of 1917 is amended by adding at the end thereof the following subsection:—

(4) Any widow who proves to the satisfaction of the Board that she is such a person as is referred to in subdivision (c) of subsection (5) of section 4 of the amending Act of 1916 shall be qualified to make a request to the Board as provided by this section.

Amendment of Act 1316, 1917, s. 6—

Widow who is foster mother to have same rights as widowed mother.

Any reference in this Act to such a widow or widowed mother as is referred to in subsection (1) hereof shall be deemed to include a reference to such a widow as is referred to in this subsection.

7. Section 7 of the amending Act of 1918 is amended by adding after subsection (2) thereof the following subsections:—

(3) The amendments made by this section shall have the same effect as if they had appeared as hereby enacted in the amending Act of 1917 upon the passing thereof.

Amendment of Act 1341, 1918, s. 7.

Amendments to be retrospective.

(4) No fine, poundage, or other penalty shall be payable in respect of any municipal or district council rates payable by the Treasurer by reason of this section.

No penalty chargeable for late payment.

8. Section 9 of the amending Act of 1918 is repealed.

Repeal of Act 1341, 1918, s. 9.

Additional Provisions.

9. (1) The Board may, if it thinks fit, purchase and become the owner in fee simple of any land and—

Extended powers for Board to purchase land without application.

(a) may sell or otherwise dispose of such land, on such terms and conditions as they think fit, to any person to whom the Board has power to make an advance under the provisions of any of the Acts with which this Act is incorporated;

(b) may, notwithstanding that such land was not purchased on request, enter into an agreement under the provisions of section 7 of the amending Act of 1916 for the sale of such land to any person who is qualified to make a request to the Board under the provisions of section 4 of that Act, and who makes a request to the Board for such an agreement. Such request shall be deemed a request under the provisions of the amending Act of 1916;

(c) may erect thereon a dwelling house for the purpose of enabling any person to purchase such dwelling house as a home for himself and his family, and the Board may sell such land and dwelling house to any person to whom the Board has power to make an advance under the provisions of any Act with which this Act is incorporated;

Cf. 1341, 1918, s. 9.

(d) may

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(d) may set apart any portion of such land for any public purpose or as a reserve for any public purpose, and may sell, or otherwise dispose of any portion so set apart to be used for any such purpose, on such terms and conditions as they think fit; or

(e) may set apart any portion or portions of such land for any charitable, religious, patriotic, or educational purpose, and may sell or otherwise dispose of any such portion or portions to be used for any of those purposes, in such manner and on such terms and conditions as they think fit.

(2) The Board—

(a) may call for tenders for the erection of any such dwelling house, to be sent in within such time, to such place, and to be upon and subject to such terms, conditions, and provisions as the Board deems advisable, and may accept or reject any tender;

(b) if tenders are not called for, or if no tender is accepted under paragraph (a) hereof, may contract with any person for the erection of such dwelling house or may itself erect the same, and, if the Board thinks proper, may for such purpose contract by petty contracts or on piecework rates for the erection of any part or parts thereof.

(3) The provisions of this section shall apply to any land purchased by the Board under section 9 of the amending Act of 1918.

Advances may be made to returned soldiers who have already received an advance under principal Act.

10. Any such person as is referred to in subsection (5) of section 4 of the amending Act of 1916 to whom an advance has been made under the principal Act shall be entitled to do any of the following acts:—

(1) He may apply to the Board—

(a) for permission to convert such advance, or the balance thereof remaining due to the Board, into an advance under the provisions of section 9 of the amending Act of 1916, and the Board may grant such application. Upon such application being so granted, the amount of such advance remaining due to the Board shall be deemed to be an advance made to such person under the provisions of the said section 9; and

(b) for an advance under the provisions of section 9 of the amending Act of 1916 for the purpose of enabling him to enlarge or complete the dwelling house in respect of which the original advance was made, and the Board may make an advance to him for any such purpose: Provided that the total amount of the original advance and of the advance so made shall not exceed Seven Hundred Pounds;

or

(2) He

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(2) He may make a request to the Board under the provisions of of the said section 4 of the amending Act of 1916 and/or may make an application under the provisions of section 9 of the amending Act of 1916, and the Board may act upon such request and/or may grant such application: Provided that the total amount due to the Board in respect of the original advance and under this paragraph shall not at any time exceed Seven Hundred Pounds.

11. Where the Board makes an advance to any person under the provisions of any Act incorporated with this Act, in respect of land which, at the time of making such advance, is not situated within a drainage area, and such land is subsequently, by proclamation, brought within a drainage area, the Board may, if it thinks fit, make a further advance to such person for the purpose of enabling him to construct drains and fittings from and in connection with such land to communicate with any sewer made by the Commissioner of Sewers within such drainage area, and such further advance may be made, notwithstanding that the total of the advance and the further advance together exceeds the maximum amount of the advance which may be made to any one person under the Act under which the first-mentioned advance was made.

Board may make advances to cover cost of drainage connections.

12. No advance shall be made under any Act with which this Act is incorporated to any person to whom an advance has been made under the Discharged Soldiers Settlement Act, 1917, and who has not satisfied all his liabilities in respect of such advance.

Advances not to be made to persons who have received assistance under Act. No. 1313 of 1917.

13. (1) The Board may accept payment by any such person as is referred to in subsection (5) of section 4 of the amending Act of 1916 of any moneys required by any Act incorporated with this Act to be paid by such person in any stock or bonds of or guaranteed by the Government or the Parliament of the Commonwealth of Australia.

Board may accept payments in Commonwealth stock or bonds.

(2) Any stock or bonds accepted by the Board under subsection (1) shall be accepted by the Treasurer and be placed to the credit of the Fund and form part thereof.

14. In this Act, and in any amendment made by this Act, any reference to any provision of any Act with which this Act is incorporated shall be deemed a reference to such provision as amended, or enacted and amended, by any of the Acts with which this Act is incorporated and by this Act.

Sections referred to to be read as amended.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

H. L. GALWAY, Governor.