



ANNO DECIMO OCTAVO

GEORGI V REGIS.

A.D. 1927.

No. 1829.

An Act to empower the State Bank of South Australia to make Advances to Fruitgrowers whose crops have been damaged by Frost, and for purposes incidental thereto.

[Assented to, December 23rd, 1927.]

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

1. This Act may be cited as the “ Frost Relief Act, 1927.”

Short title.

2. In this Act—

Interpretation.

“ Applicant ” means applicant for assistance under this Act :

“ Bank ” means State Bank of South Australia.

3. (1) Any fruitgrower whose crop was wholly or partially destroyed or damaged by frost in the month of September, nineteen hundred and twenty-seven, may apply to the Bank for assistance under this Act.

Application for frost relief.

(2) Every application shall be made in such form and manner and at such place and within such time as the Bank determines.

4. (1) The Bank may, in its discretion, supply or cause to be supplied to any applicant such goods and commodities as the Bank thinks necessary to assist such applicant to continue working his land notwithstanding the damage caused by the frost aforesaid.

Power of Bank to grant assistance.

(2) If the Bank is satisfied that special circumstances exist which render it desirable that any applicant should at any time be assisted by a loan of money, the Bank may, in its discretion, lend to such applicant such sum or sums of money as it thinks fit.

5. Every

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Acknowledgment
and contract
relating to goods
supplied.

5 Every person upon whose application any commodity is supplied under this Act, or to whom any money is lent, shall sign an acknowledgment and contract in the form contained in the Schedule to this Act.

Liability of
applicant to repay
cost of commodities.

6. (1) The amount fixed in each case by the Bank as the cost of any commodity or commodities supplied to or on behalf of any applicant shall be deemed to be moneys advanced under this Act by the Bank to the applicant, and is hereinafter referred to as "moneys advanced," which term also includes any money lent to an applicant under this Act.

(2) Every applicant shall repay the principal of the moneys advanced to him in ten equal annual instalments. The first of such instalments shall be paid on the first day of July, nineteen hundred and twenty-nine and one such instalment shall be paid on the first day of July in each of the succeeding nine years.

(3) There shall be paid on the first day of July, nineteen hundred and twenty-nine, by every applicant interest on all moneys advanced to such applicant calculated from the date or respective dates fixed by the Bank as the date or dates when such moneys were so advanced until the said first day of July; and on each subsequent first day of July, when any instalment of principal becomes due there shall be paid interest on the balance of principal owing during the preceding twelve months.

(4) Any applicant may repay to the Bank the whole or any part of the principal of the moneys advanced to him before the same becomes due under this section, and in such a case the subsequent instalments of principal and interest shall be reduced accordingly.

(5) Interest on all moneys advanced to an applicant shall be payable at a rate not exceeding six and one-half per centum.

(6) The Bank may in any case which it considers to be one of special hardship extend and from time to time further extend the date of payment of any moneys due to it by any applicant.

Advance to be first
charge on land of
applicant.
Ibid., s. 7.

7. Notwithstanding any provision of the Real Property Act, 1886, or any other Act or law to the contrary, the amount of the moneys advanced to any applicant and interest thereon as provided by section 6 shall be, and until fully paid shall remain, a first charge upon all lands owned by the applicant, and his interest in all lands held by him under lease or agreement for sale and purchase, at the time when the commodity in respect of which the advance is deemed to have been made was supplied; and if any default be made in the payment of the amount of the moneys advanced or any interest thereon or any part thereof, the Bank shall have in respect of the said lands or interests, as the case may be, the same powers of sale as are given by the Real Property Act, 1886, to a mortgagee under a mortgage in respect of which default has been made in the payment of the principal money or interest or any part thereof.

Penalty for false
statement.

8. Any person who wilfully makes any false statement in any application, acknowledgment and contract, return, statement, or declaration

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declaration under or for the purposes of this Act, shall be guilty of a misdemeanour and shall be liable to be imprisoned for a term not exceeding two years.

9. Any person to whom any commodity has been supplied under this Act, who, without the written consent of the Bank, barter or sells, or attempts to barter or sell, the said commodity, or any quantity thereof, shall be guilty of a misdemeanour and shall be liable to be imprisoned for a term not exceeding two years.

Penalty for selling commodities.

10 Any person to whom any commodity has been supplied under this Act, who—

Penalty for misuse of commodities.

- (a) uses or attempts to use the said commodity, or any quantity thereof, for a purpose other than that for which it was supplied; or
- (b) fails to return to the Bank the said commodity, or any quantity thereof, if he does not use the same for the purpose for which it was supplied; or
- (c) fails, upon demand made by the Bank, to furnish it with a statement of such particulars, or to make such returns as are prescribed,

shall be guilty of an offence punishable summarily, and shall be liable to a penalty not exceeding Fifty Pounds, or to be imprisoned for a term not exceeding six months.

11. Any notice to be given to, or any demand to be made on, any person under this Act, shall be sufficiently given or made if—

How notices and demands made.

- (a) given or made personally to or on him; or
- (b) sent by post and directed to his address as stated in any application by him, or to his place of residence, so far as the same is known to the Bank.

12. The Governor may make all such regulations as may be necessary or convenient for giving effect to this Act, or for carrying out its objects and purposes, and may, by regulation, fix penalties not exceeding Fifty Pounds for the breach of any regulation.

Regulations.

13. (1) The Treasurer of the State may from time to time make advances to the Bank for carrying out the purposes of this Act.

How expenses to be provided.

(2) So far as is practicable, the Bank shall repay the advances made under subsection (1) of this section, and defray the other expenses of administering this Act out of the moneys paid to the Bank in repayment of the moneys advanced by the Bank under this Act and in payment of interest on such moneys; and any deficiency which may arise shall be made good out of money provided by Parliament for that purpose.

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

G. J. R. MURRAY, Lieutenant-Governor.

THE

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THE SCHEDULE.

FROST RELIEF ACT, 1927.

I (*full names*)
 hereby acknowledge that I have received from the State Bank of South Australia
 an order to obtain the commodities hereunder mentioned (*or as the case may be,*
 the sum of), and I hereby agree with the said Bank—

- (1) to pay and reimburse the Bank in accordance with the Frost Relief Act, 1927, the amount fixed by it as the cost of such of the said commodities as I obtain pursuant to the said order (*or as the case may be,* the said sum of.....), with interest thereon at the rate of Six Pounds Ten Shillings per centum (6½ per cent.) per annum calculated from the date fixed by the Bank in that behalf until payment of the said sum :
- (2) to pay the said sum or any unpaid portion thereof, together with the interest accrued, at any time upon conveyance or transfer or mortgage of my interest in the lands hereinafter mentioned (*or any of them*) :
- * (3) to use the said goods before the thirty-first day of December, 1928, on the lands hereunder mentioned or on some part of such lands :
- (4) to give the said Bank a lien under the Liens on Fruit Act, 1923, over any crops on the said land when called upon to do so :
- (5) not to dispose of the proceeds of the said crops without the written consent of the Bank first had and obtained.

Description of Goods.	Quantity of Goods.	†Land Held by Applicant.

* This passage may be crossed out where inapplicable.

† Here state the numbers and situations of sections or other sufficient description of all lands owned or held by the applicant.

Dated this..... day of....., 19....

Is. Duty
 Stamp.

Signature.....
 Address.....

Witness—

Signature
 Address