



ANNO PRIMO

EDWARDI VIII REGIS.

A.D. 1936.

No. 2277.

An Act to extend the period of the operation of the
Mortgagors Relief Act, 1931, and for other
purposes.

[*Assented to, 27th August, 1936.*]

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 as the "Mortgagors Relief Short titles.
(Extension) Act, 1936".

(2) The Mortgagors Relief Acts, 1931 to 1935, and this
Act may be cited together as the "Mortgagors Relief Acts,
1931 to 1936".

(3) The Mortgagors Relief Act, 1931, is hereinafter referred No. 2046 of
1931.
to as "the principal Act".

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

3. (1) Applications under the principal Act for the post-
ponement of the dates for repayment of principal moneys
under mortgages may be made at any time after the passing of
this Act but not later than the thirtieth day of June, nineteen
hundred and thirty-seven, and orders may be made pursuant
to the principal Act for the postponement to any days not
later than the thirtieth day of June, nineteen hundred and
thirty-eight, of the dates for repayment of principal moneys
under mortgages. Extension of
Mortgagors
Relief Act,
1931.

Mortgagors Relief (Extension) Act.—1936.

(2) For the purposes of giving effect to this section the principal Act is amended in manner following :—

I. Section 5 of the principal Act (as amended by section 2 of the Mortgagors Relief (Extension) Act, 1933, section 3 of the Mortgagors Relief (Extension) Act, 1934, and section 3 of the Mortgagors Relief (Extension) Act, 1935) is amended by striking out the words “ first day of September, nineteen hundred and thirty-six ” in the fourth and fifth lines of subsection (1) thereof and by inserting in lieu thereof the words “ thirtieth day of June, nineteen hundred and thirty-seven ” and by striking out the words “ first day of September, nineteen hundred and thirty-six ” wherever occurring in paragraphs I. and II. of subsection (1) thereof and by inserting in lieu thereof in every case the words “ thirtieth day of June, nineteen hundred and thirty-eight ” :

II. Section 8 of the principal Act (as amended by section 2 of the Mortgagors Relief (Extension) Act, 1933, section 3 of the Mortgagors Relief (Extension) Act, 1934, and section 3 of the Mortgagors Relief (Extension) Act, 1935) is amended by striking out the words “ first day of September, nineteen hundred and thirty-six ” therein and by inserting in lieu thereof the words “ thirtieth day of June, nineteen hundred and thirty-seven ” :

III. Section 9 of the principal Act (as amended by section 2 of the Mortgagors Relief (Extension) Act, 1933, section 3 of the Mortgagors Relief (Extension) Act, 1934, and section 3 of the Mortgagors Relief (Extension) Act, 1935) is amended by striking out the words “ first day of September, nineteen hundred and thirty-six ” therein and by inserting in lieu thereof the words “ thirtieth day of June, nineteen hundred and thirty-seven ” :

IV. Section 12 of the principal Act (as amended by section 2 of the Mortgagors Relief (Extension) Act, 1933, section 3 of the Mortgagors Relief (Extension) Act, 1934, and section 3 of the Mortgagors Relief (Extension) Act, 1935) is amended by striking out the words “ first day of September, nineteen hundred and thirty-six ” therein and by inserting in lieu thereof the words “ thirtieth day of June, nineteen hundred and thirty-eight ”.

Amendment of
principal Act,
s. 5—
Extension of
period of
existing orders.

1. Subsection (5) of section 5 of the principal Act (as enacted by section 3 of the Mortgagors Relief (Extension) Act, 1933, and amended by section 4 of the Mortgagors Relief (Extension)

Mortgagors Relief (Extension) Act.—1936.

Act, 1934, and section 4 of the Mortgagors Relief (Extension) Act, 1935) is amended so as to read as follows :—

(5) Every order made pursuant to any application made on or before the first day of January, nineteen hundred and thirty-three, whereby the date for the repayment of any principal moneys payable under any mortgage is postponed to any date fixed in the order, shall be deemed to be an order postponing the date of the said repayment until three years and ten months after the date fixed in the order; and every order made after the first day of January, nineteen hundred and thirty-three, but before the passing of the Mortgagors Relief (Extension) Act, 1934, whereby the date for the repayment of any principal moneys payable under any mortgage is postponed to any date fixed in the order, shall be deemed to be an order postponing the date of the said repayment until two years and ten months after the date fixed in the order; and every order made after the passing of the Mortgagors Relief (Extension) Act, 1934, but before the passing of the Mortgagors Relief (Extension) Act, 1935, whereby the date for the repayment of any principal moneys payable under any mortgage is postponed to any date fixed in the order, shall be deemed to be an order postponing the date of the said repayment until one year and ten months after the date fixed in the order; and every order made after the passing of the Mortgagors Relief (Extension) Act, 1935, but before the passing of the Mortgagors Relief (Extension) Act, 1936, whereby the date for the repayment of any principal moneys payable under any mortgage is postponed to any date fixed in the order, shall be deemed to be an order postponing the date of the said repayment until ten months after the date fixed in the order.

Every order as aforesaid shall continue in force until the expiration of the period extended as aforesaid.

All the provisions of this Act shall apply to orders as aforesaid as if the date fixed pursuant to this subsection were the date fixed by the order at the time of the making thereof.

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

W. DUGAN, Governor.