

South Australia

Discharged Soldiers Settlement Act 1934

An Act to consolidate certain Acts relating to the settlement on land of discharged soldiers.

Contents

Part 1—Preliminary

- 1 Short title and commencement
- 2 Consolidation and repeal
- 4 Incorporation with Crown Lands Act, and application of that Act
- 5 Interpretation

Part 2—Administration

- 6 Incorporation of Minister of Repatriation
- 7 Assistant Minister of Repatriation
- 8 Powers of Minister of Repatriation
- 9 Valuation districts and valuers
- 10 Inspectors
- 11 Power of Minister to establish training farms

Part 3—Settlement and training of discharged soldiers

- 12 Power to set apart areas of Crown land
- 13 Power to set apart areas of pastoral land
- 14 Provision for payment for improvements on land under pastoral lease
- 15 Power of Minister to purchase land
- 16 Acquired land to become Crown lands
- 17 Power of Minister to purchase land for individual soldier
- 18 Recommendation for setting apart land
- 19 Subdivision of land set apart for soldiers
- 20 Permit to occupy block
- 21 Apportionment of cost of co-operative undertakings for benefit of discharged soldiers
- 22 Power of Minister to clear land
- 23 Power of lessees to surrender leases and agreements
- 24 Power to surrender agreement for perpetual lease
- 24A Surrender of lease for agreement
- 24B Surrender of lease for land grant
- 24C Payment of mortgage money where land surrendered

Part 4—Advances to discharged soldiers

- 26 Power of Minister to make advances
- 27 Power to make other advances
- 28 Provisions as to goods purchased with money advanced
- 29 Repayment of advances on cancellation of holding

- 29A Advances to soldiers who have lost their holdings
- 29B Powers of Minister as to reverted lands

Part 5—Miscellaneous

- 30 Power to dispose of surplus lands
- 31 Cancellation of lease or agreement when holding abandoned
- 32 Surrender of fee simple of land in exchange for agreement
- 33 Cancellation of title to surrendered land
- 34 Remission of rent and advances
- 35 Power to reduce rent and capitalise interest
- 36 Power of Minister to vary agreements
- 37 Provisions for relief of settlers in irrigation areas
- 38 Registration of alterations and variations of leases and mortgages
- 39 Exemption of certain documents from registration fees
- 40 Powers of board
- 41 Powers of board in respect of witnesses
- 42 Duty of witness to continue in attendance
- 43 Punishment for false evidence
- 44 Provision for control of co-operative factories etc
- 45 Instruments to be exempted from stamp duty
- 46 Disposal of moneys received from settlers
- 47 Annual report
- 48 Regulations
- 49 Financial provision
- 50 Summary proceedings for offences
- 51 Validation and saving of past proceedings

Schedule—Acts repealed

Legislative history

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title and commencement

This Act may be cited as the *Discharged Soldiers Settlement Act 1934* and shall come into operation on a day to be fixed by proclamation.

2—Consolidation and repeal

This Act is a consolidation of Acts and parts of Acts shown in the Schedule and the said Acts are repealed to the extent shown in the Schedule.

4—Incorporation with Crown Lands Act, and application of that Act

This Act is incorporated with the *Crown Lands Act 1929* and with the *Irrigation Act 1930* and those Acts and this Act shall be read as one Act; and, except so far as they are inconsistent with this Act, the provisions of the *Crown Lands Act 1929* shall apply to and in respect of the lands set apart under this Act, both before and after they are allotted under this Act: Provided that, where the lands are within an irrigation area under the *Irrigation Act 1930* the provisions of that Act, except so far as they are inconsistent with this Act, shall apply as aforesaid.

5—Interpretation

(1) In this Act—

board means the Land Board;

discharged soldier means any person who—

- (a) has been a member of the British Army or Navy or of the Australian Imperial Force or of any other naval or military force raised in any part of the British Empire for service in the Great War; and
- (b) has served in connection with the said war; and
- (c) has received his discharge from service,

and also means the widow of any such person as is referred to in paragraph (a) of this definition who has died or dies from wounds inflicted, accident occurring, or disease contracted whilst on service in connection with the said war, leaving any children wholly or in part dependent upon his earnings at the time of his death;

Provided that nothing in this definition shall apply to—

- (i) any person whose discharge from service was due to incapacity resulting from, or which otherwise arose out of, his own default or misconduct; or
- (ii) any person the terms of whose enlistment as such member as aforesaid did not render him liable to serve in connection with the said war outside the country wherein his enlistment took place; or
- (iii) any person whose immigration into Australia is prohibited by the *Immigration Restriction Act 1901* of the Parliament of the Commonwealth, or by any other Act for the time being in force regulating immigration into Australia;

Great War means the war in which His Majesty was engaged which commenced on the fourth day of August, 1914;

Minister means the Minister of Repatriation or other Minister of the Crown to whom the administration of this Act is committed by the Governor.

(2) Any reference in this Act to any other Act shall include a reference to any Act repealed by such other Act.

Part 2—Administration

6—Incorporation of Minister of Repatriation

- (1) The Minister of Repatriation and his successors in office are hereby, for the purposes of this Act, continued a body corporate with perpetual succession and a common seal, under the name of the "Minister of Repatriation".
- (2) All courts, judges, and persons acting judicially, shall take judicial notice of the said seal when affixed to any instrument, and shall, until the contrary is shown, presume that the same was properly affixed thereto.

7—Assistant Minister of Repatriation

- (1) The Assistant Minister of Repatriation may exercise and discharge any or all of the powers, duties, and functions of the Minister of Repatriation under this Act, whether in his personal or in his corporate capacity, and every act of the Assistant Minister of Repatriation under the authority of this section shall be deemed to be the act of the Minister of Repatriation.
- (2) Nothing in this section shall in any way prevent, affect, or interfere with the exercise and discharge by the Minister of Repatriation of any of his powers, duties, or functions under this Act.

8—Powers of Minister of Repatriation

The Minister of Repatriation and his successors in office shall have full power to enter into contracts or agreements, to sue and be sued, to acquire, hold, and dispose of land of any tenure and personal property of any kind, and to acquire or take any mortgage, charge, lien, or encumbrance over land of any tenure or personal property.

9—Valuation districts and valuers

- (1) The Minister may, from time to time, by notice published in the Government Gazette, declare that any part of the State defined in the notice shall constitute a land valuation district for the purposes of this Act, and may, by the same or another such notice, appoint a land valuer or land valuers for the purposes of that Act for any such district.
- (2) Every valuer so appointed shall have such duties with respect to the valuation of land within the district for which he is appointed as the Minister determines or as may be prescribed, and, for the purposes of any such valuation, may enter upon and inspect any land, building, or place, and inspect any goods and other things, the entry upon or inspection of which appears to him to be requisite.

10—Inspectors

- (1) The Governor may appoint inspectors of lands under this Act, who shall, for the purposes of this Act, be additional members of the board, and, for those purposes, shall have all the powers and duties of members of the board.
- (2) The inspector of lands in the Department of the Minister of Agriculture shall be deemed to have been appointed under this section.

11—Power of Minister to establish training farms

- (1) The Minister may—
 - (a) provide and maintain training farms to enable discharged soldiers to acquire the knowledge requisite for agricultural, horticultural, viticultural, or dairying pursuits, pig-raising, or poultry-farming and to test their aptitude therefor; and
 - (b) appoint the necessary officers and servants for the purpose, or make such arrangements with the owners of farms for carrying out the purposes aforesaid as are expedient.
- (2) The terms and conditions on which discharged soldiers shall be received on the said farms shall be such as the Minister may determine.

Part 3—Settlement and training of discharged soldiers

12—Power to set apart areas of Crown land

- (1) The Governor may from time to time, by proclamation, set apart any area or areas of Crown land for allotment pursuant to this Act to discharged soldiers.
- (2) Any proclamation under this section may, at any time, be revoked in so far as it relates to land which is not required, or which is not suitable, for the purpose for which it was set apart.
- (3) The cost of any land acquired under Part 10 of the *Crown Lands Act 1929* which is set apart under this Act for allotment to discharged soldiers shall not be taken into account in computing, for the purposes of section 144 of the *Crown Lands Act 1929* the total cost of all land acquired under the said Part during any period of two financial years.

13—Power to set apart areas of pastoral land

- (1) The Governor may from time to time set apart any area or areas of pastoral land for allotment pursuant to this section to discharged soldiers. Any such proclamation may at any time be revoked in so far as it relates to land which is not required, or which is not suitable, for the purpose for which it was set apart.
- (2) All land set apart under this section shall, if in the opinion of the Pastoral Board the area thereof is too large to be allotted as a separate holding, be subdivided into such blocks as the Pastoral Board, with the approval of the Minister, determines.
- (3) The blocks may be offered in such manner as the Minister approves to discharged soldiers on leases for such terms of years as the Minister thinks convenient. The said leases shall be in such form and shall contain such covenants and conditions as are prescribed.
- (4) The provisions of subsections (4) and (5) of section 19 shall apply, *mutatis mutandis*, to and in respect of all applications for blocks made under this section.
- (5) Any person whose application for any such block has been granted may apply to the Minister for an advance for any of the purposes mentioned in section 26, and the provisions of subsections (2) and (3) of that section shall apply to and in respect of all such advances.

- (6) A lease shall not be granted to any applicant for any such block until he has occupied the block on permit for a period of at least twelve months. The provisions of subsection (2) of section 20 shall apply, *mutatis mutandis*, to and in respect of every such permit.

14—Provision for payment for improvements on land under pastoral lease

The amount payable to the outgoing lessee for improvements on the block or blocks comprised in any pastoral lease granted to a discharged soldier, whether payable by the incoming lessee or by the Minister of Lands, shall be paid by the Minister, and the said amount shall be repaid to the Minister by the discharged soldier who is the incoming lessee by equal annual instalments spread over the term of the lease, together with interest thereon or on the balance for the time being remaining unpaid at such rate as is determined by the Minister, which instalments and interest shall be payable on the same days as rent is payable under the lease, and shall be recoverable in like manner: Provided that the discharged soldier may at any time pay the balance of the instalments and interest thereon to the date of payment, and thereupon he shall cease to be liable under this section.

15—Power of Minister to purchase land

- (1) The Minister may, out of moneys provided by Parliament for the purpose, by repurchase acquire land for the purposes of this Act.
- (2) Any land so acquired prior to the commencement of this Act shall be deemed to have been acquired under the authority of this Act.

16—Acquired land to become Crown lands

- (1) Any land acquired under section 15 whether so acquired before or after the commencement of this Act and whether vested in the Minister or not, and any land acquired under the *Discharged Soldiers Settlement Act Further Amendment Act 1919* shall upon such acquisition be deemed to have become, or to become, Crown lands, and shall be dealt with and regarded in all respects as Crown lands set apart under section 12.
- (2) Upon the transfer or conveyance of any land so acquired, or of any land acquired under section 17 for the purpose of being vested in His Majesty, being lodged with the Registrar-General, the Registrar-General shall make any entry in the register book or other book at the Lands Titles Registration Office, or General Registry Office, necessary or proper to evidence the vesting of the land in His Majesty.
- (3) In the case of land under the provisions of the *Real Property Act 1886* upon the lodging of the transfer with him or, in the case of land acquired by the Minister and vested in His Majesty or the Minister before the passing of the *Discharged Soldiers Settlement Act Further Amendment Act 1919* upon the certificate, grant, or other muniment or muniments of title to the land being lodged with him by the Minister, the Registrar-General shall make an entry on the folium relating to the land in the register book, as follows: "Cancelled, the within land having become vested in the Crown", and shall cancel any certificate, grant, or muniment or muniments of title to the land lodged with any such transfer or lodged as aforesaid by endorsing the said entry thereon, and shall sign the entry and endorsement. Thereafter the land shall, for the purposes of the *Real Property Act 1886* and until again alienated from the Crown, be dealt with and regarded in all respects as if it had never been alienated from the Crown.

17—Power of Minister to purchase land for individual soldier

- (1) The Minister may, out of moneys provided by Parliament for the purpose, upon application, purchase land of any tenure, including land held under a Crown lease or agreement, with a view to the settlement thereon of a particular discharged soldier.
- (2) Any land so purchased may be vested directly in the discharged soldier and a mortgage be taken by the Minister over the land to secure payment to the Minister of all sums of money paid by him for the purchase thereof, and other advances (if any) made to the discharged soldier and remaining unpaid, and the provisions of subsection (3) of section 26 shall apply, *mutatis mutandis*, to a mortgage taken by the Minister under this section.
- (3) If the land so purchased is not dealt with under subsection (2) hereof—
 - (a) if it is acquired in fee simple, it shall be vested in His Majesty; or
 - (b) if it is land held under a Crown lease or agreement the lease or agreement shall be surrendered,

and in either case the Minister may grant to the discharged soldier for whom the land was purchased, or any other discharged soldier, an agreement over the land in the same form and containing the same covenants and conditions as if the discharged soldier had made application for the land under section 19 and his application had been granted by the Minister.

- (4) The provisions of subsections (4) and (5) of section 19 shall apply, *mutatis mutandis*, to and in respect of all applications for land made under this section.
- (5) Any person whose application for any such land has been granted may apply to the Minister for an advance for any of the purposes mentioned in section 26, and the provisions of subsections (2) and (3) of that section shall apply to and in respect of any such advances.
- (6) An agreement shall not be granted to any applicant for any such land until he has occupied the land on permit for a period of at least twelve months. The provisions of subsection (2) of section 20 shall apply, *mutatis mutandis*, to and in respect of every such permit.

18—Recommendation for setting apart land

No land shall be set apart or acquired under this Act except on the recommendation—

- (a) of the board, concurred in by an inspector of lands and at least two other members of the board; or
- (b) of at least two members of the board and the land valuer for the district in which the land is situated.

19—Subdivision of land set apart for soldiers

- (1) The land set apart under section 12 shall, if in the opinion of the board the area thereof is too large to be allotted as a separate holding, be subdivided into such blocks as the board, with the approval of the Minister, determines.

- (2) The said blocks may be offered, in such manner as the Minister approves, to discharged soldiers on perpetual lease, or on leases for such terms of years as the Minister thinks convenient.

This subsection shall apply notwithstanding—

- (a) that the land was acquired under Part 9 or Part 10 of the *Crown Lands Act 1929* or under any repealed Act or enactment providing for the acquisition of land by the Crown for homestead blocks or for closer settlement; and
 - (b) that the land is within an irrigation area under the *Irrigation Act 1930*
- (3) Any of such blocks which are not within an irrigation area under the *Irrigation Act 1930* may also be offered as aforesaid on agreement.
- (4) Application for blocks shall be made to the Minister, and shall contain particulars as to the following matters:
- I The name, address, and occupation of the applicant, and his occupation prior to becoming a member of any such force as mentioned in section 5; and
 - II His service in the force of which he was a member, specifying—
 - (a) the name of the force; and
 - (b) the period of his service, and the date of his discharge; and
 - (c) the reason for his discharge; and
 - (d) particulars as to any physical disability caused by wounds or disease resulting from his service; and
 - III The block or blocks for which application is made; and
 - IV The purpose for which the applicant proposes to use the land; and
 - V The experience of the applicant in the business for which he proposes to use the land, or in any other class of farming or cultivating land; and
 - VI The amount of capital available for expenditure by the applicant in connection with the land; and
 - VII The nature and estimated amount of assistance, if any, that the applicant will require to enable him to work the land successfully; and
 - VIII Such other particulars as are prescribed.
- (5) All applications shall be dealt with by the Minister, who shall grant such applications as he considers ought to be granted.

20—Permit to occupy block

- (1) Wherever a discharged soldier has applied for the allotment to him of a block on lease or agreement and the Minister has granted the application, a lease or agreement shall not be granted to the applicant until he has occupied the block on permit for a period of at least twelve months and has complied with the terms and conditions of the permit.

- (2) Every permit to occupy a block under this section shall be issued by the Minister in writing under his hand and may be revoked by the Minister if the holder thereof has, in the opinion of the Minister, neglected to work the block satisfactorily, or been guilty of serious misconduct during his occupation thereof, or if the Minister for any other reason considers that the permit ought to be revoked.
- (3) This section shall not apply—
 - (a) where the discharged soldier applying for the allotment of a block is already the holder of a block allotted or transferred to him on lease or agreement under this Act, any Act repealed by this Act, or the Acts incorporated therewith; or
 - (b) in any case where the Minister is of opinion that by reason of the state of cultivation of the block this section should not apply in respect of the block and the Minister in writing under his hand declares that this section shall not apply to the block.

21—Apportionment of cost of co-operative undertakings for benefit of discharged soldiers

- (1) The board, in fixing the purchase price or annual rent of any block allotted or to be allotted under agreement or lease under this Act, shall take into consideration the cost of any cool store, fruit-packing shed, shearing shed, or factory erected or purchased by the Minister for the use on co-operative principles of settlers under this Act, or any Act repealed by this Act, and which is situated in the immediate neighbourhood of the block and available for use by the purchaser or lessee thereof.
- (2) The board shall apportion to every such block such portion of the cost aforesaid as, in the opinion of the board, ought properly to be borne by the owner or lessee of the block, and shall increase the purchase price or annual rent of the block accordingly.

22—Power of Minister to clear land

The Minister may clear and otherwise prepare for settlement any land to be offered for allotment under this Act or any Act incorporated with this Act, and may, if he thinks fit, employ discharged soldiers for that purpose, on such terms and conditions as he thinks desirable.

23—Power of lessees to surrender leases and agreements

- (1) Any discharged soldier who is the holder of land on perpetual lease or agreement under the *Crown Lands Act 1929* may apply in writing to surrender his lease or agreement for the purpose of obtaining a perpetual lease or agreement under this Act, and the Minister may grant the application.
- (2) Upon application being made under this section, the board, subject to the approval of the Minister, shall fix the annual rent or purchase-money at which the perpetual lease or agreement may be obtained.
- (3) The conditions of leases granted and agreements entered into under this section shall be as prescribed.
- (4) The provisions of section 20 shall not apply in respect of the granting of any lease or agreement under this section.

24—Power to surrender agreement for perpetual lease

- (1) The purchaser under any agreement for sale or purchase of any land made under this Act, or any Act repealed by this Act, may apply in writing to surrender his agreement for a perpetual lease of the land comprised therein.
- (2) Upon an application being made under this section the Land Board, subject to the approval of the Minister, shall fix—
 - (a) the annual rent at which the lease may be obtained in perpetuity; and
 - (b) the annual rent at which the lease may be obtained for the first ten years, after which the rent shall be fixed in perpetuity as hereinafter provided.

In fixing the rents pursuant to this section the Land Board shall take into consideration any amount of purchase price paid on or before the date from which the lease issued in lieu of the surrendered agreement is granted or deemed to be granted.

- (3) The rent to be fixed under any such lease shall in no case exceed an amount equal to interest on the price at which the applicant could have completed purchase at the time of the surrender of the agreement calculated for one year at the rate of interest provided for in the agreement.
- (4) Upon the rents aforesaid being fixed, notice in writing shall be given to the applicant, who shall within three months after the giving of the notice, accept or refuse the lease offered. If the applicant accepts the lease he may, upon surrendering the agreement, obtain a perpetual lease as provided in this section.
- (5) The applicant may at his option obtain a perpetual lease at the rent fixed pursuant to paragraph (a) of subsection (2), or a perpetual lease of which the rent for the first ten years shall be as fixed pursuant to paragraph (b) of subsection (2) and of which the rent from the end of the first ten years shall be such amount as is fixed at the expiration of the said period by the Land Board, subject to the approval of the Minister.
- (6) Any lease granted pursuant to this section may be granted as from any period not exceeding five years before the date of the approval to the surrender, and any lease so granted shall be deemed to have taken effect from the commencement of such period. The said period shall be fixed by the Land Board subject to the approval of the Minister. Any amounts paid during any such period in respect of instalments under the agreement surrendered as aforesaid, which became due during the said period, shall be deemed to have been paid in pursuance of the covenants of the lease and shall be appropriated accordingly and, except for that purpose, the agreement shall be deemed to have been determined from the commencement of the said period.
- (7) The Minister shall forthwith cancel the agreement and the applicant shall execute the perpetual lease issued in lieu thereof.

- (8) Any application as aforesaid may be granted notwithstanding that any instalment of purchase-money or interest payable under the agreement is in arrear. When in any such case the application is granted, the full amount of the said arrears together with interest thereon at such rate of interest not exceeding five dollars per centum per annum as is fixed by the Land Board, subject to the approval of the Minister, shall be paid in such instalments, and at such times, as are fixed by the Land Board, subject to the approval of the Minister, when fixing the annual rent as aforesaid, and shall be payable and recoverable in the same manner as the rent to become due under the perpetual lease, and the payment of the said instalments shall be deemed to be a covenant implied in the perpetual lease issued in place of the surrendered agreement.
- (9) The purchaser under any agreement for sale and purchase surrendered as aforesaid may at the time of making the application for surrender make application for the insertion in the perpetual lease of a provision for the purchase of the land. In any such case there shall be inserted in the perpetual lease a provision giving the lessee a right to purchase the fee simple of the land comprised in the lease, at the price at which the lessee could have completed purchase at the time of the surrender, but so that such right of purchase may be exercised not earlier than six years after the surrendered agreement came into force, and not later than the time when the surrendered agreement would have expired in due course.
- (10) Section 20 of this Act shall not apply in respect of the granting of any lease under this section.

24A—Surrender of lease for agreement

- (1) Any person who is the holder of land (not being land within an irrigation area) on a lease of any kind granted under this Act or any Act repealed by this Act, may apply in writing to surrender his lease for an agreement under this Act.
- (2) Upon such an application being made the board, subject to the approval of the Minister, shall fix the purchase-money at which the agreement may be obtained.
- (3) An application under this section may be granted notwithstanding that any rent payable under the lease is in arrear. Where in any such case the application is granted—
 - (a) the full amount of the arrears of rent together with interest thereon at such rate not exceeding five dollars per centum per annum as is fixed by the board subject to the approval of the Minister, shall be paid in such instalments and at such times as are fixed by the board, subject to the approval of the Minister, when fixing the purchase-money, and shall be payable and recoverable in the same manner as the purchase-money; and
 - (b) the agreement shall contain a covenant for payment of the said instalments of arrears of rent.
- (4) Upon the purchase-money being so fixed, notice in writing of the amount thereof shall be given to the applicant, and the applicant, upon surrendering the lease, may, subject to the approval of the Minister and subject to subsection (5) of this section obtain an agreement entitling him to purchase the land for the said purchase-money.

- (5) The applicant shall within three months after the giving of notice under subsection (4) of this section, notify the Minister whether he accepts or refuses the terms offered; and if he accepts them he shall forward with the notification of his acceptance an amount equal to the first half-yearly instalment payable under the agreement, and all proper fees together with a form of surrender of his lease, duly executed, and his copy of the surrendered lease.
- (6) The Minister shall forthwith cancel the lease surrendered by the applicant and the applicant shall execute the agreement issued in lieu thereof.

24B—Surrender of lease for land grant

- (1) Any person who is the holder of land (not being land within an irrigation area) on a lease of any kind granted under this Act or any Act repealed by this Act, may apply in writing to surrender his lease and purchase the fee simple of the land comprised therein.
- (2) Upon an application being made under this section the board shall, subject to the approval of the Minister, fix the sum at which the fee simple of the land may be purchased and shall give notice in writing thereof to the applicant.
- (3) The applicant shall within three months after the giving of the notice under subsection (2) of this section, notify the Minister whether he accepts or refuses the terms offered. If he accepts them and within one month after the Minister receives notice of his acceptance he forwards to the Minister a form of surrender of his lease duly executed, and his copy of the surrendered lease and pays the purchase-money and all proper fees he shall be entitled to receive a land grant for the land: Provided that the Minister may extend the time for surrender and payment.
- (4) No lessee shall be entitled to purchase land under this section until after the expiration of six years from the time when the land was originally leased to him or his predecessor in title, nor unless the Minister is satisfied either that all the conditions of the lease have been fulfilled, or that the lessee has made such permanent improvements on the land that strict compliance with the conditions of the lease should be dispensed with.

24C—Payment of mortgage money where land surrendered

- (1) When a person applies to surrender to the Crown the fee simple of any land, or any lease, or agreement, and such land lease or agreement is mortgaged to the Minister to secure the repayment of any money the Minister may refuse to permit the surrender unless arrangements satisfactory to the Minister have been made for payment of such money, or such part thereof, if any, as the Minister on the recommendation of the board requires such person to pay.
- (2) Such arrangements may provide for all or any of the following things:
 - (a) for payment of the money in a lump sum or in instalments;
 - (b) for including in any lease or agreement to be issued in lieu of the surrendered estate in fee simple, or lease or agreement, provisions for payment of the money in the same manner as rent or instalments under the lease or agreement so issued;
 - (c) for giving the Minister security for payment of the money by means of a mortgage over the lease or agreement so issued or over any other property.

Part 4—Advances to discharged soldiers

26—Power of Minister to make advances

- (1) Any person whose application under this Act or any Act repealed by this Act for allotment of any block has been granted by the Minister, may apply to the Minister for an advance for any or all of the following purposes:
 - I The clearing, fencing, grading, draining, irrigating, and general improvement of any land allotted under this Act; and
 - II The erection of buildings on any such land; and
 - III The purchase of implements, stock, seeds, plants, trees, and such other things as may be deemed necessary for the successful occupation and cultivation of any such land.
- (2) If in the opinion of the Minister it is desirable that assistance should be given to the discharged soldier for any or all of the purposes mentioned in subsection (1) hereof, the Minister may take such action in accordance with the regulations as he thinks fit.
- (3) All moneys advanced or expended by the Minister under the authority of this section to or on behalf of any discharged soldier shall bear interest at such rate as is determined by the Minister, and in the case of moneys advanced for any of the purposes mentioned in subdivision I or II of subsection (1) hereof shall be secured by a first mortgage over the soldier's interest in his land, and in the case of moneys advanced for any of the purposes mentioned in subdivision III of the said subsection (1) shall be secured by a bill of sale or other security approved by the Minister over the goods and chattels purchased out of the moneys, and any other goods and chattels: Provided that—
 - (a) the Minister may, if he thinks fit in any case of hardship, dispense, either wholly or in part, with the payment of interest under this section; and
 - (b) in the case of any property which is encumbered by any previous mortgage or charge in favour of the Crown, a second mortgage or charge, with such collateral security as the Minister thinks fit, may be taken as security.

27—Power to make other advances

- (1) Advances may be made under this Act to discharged soldiers who are the holders on lease or agreement of any land belonging to the Crown.

The said advances shall be in addition to any sum which may already have been advanced to or expended for such soldiers under the *Advances to Settlers Act 1930* or the *Irrigation Act 1930* and may be made for all or any of the purposes mentioned in subsection (1) of section 26.
- (2) Advances as aforesaid may also be made under this Act to any discharged soldier—
 - (a) who is the owner of any estate of freehold in land, or the lessee of land under a lease (not being a lease from the Crown) having a term of not less than three years to run; or
 - (b) who has entered into an agreement having at least three years to run with the owner or lessee of any land to farm the land on shares.

In the case of any such lessee as referred to in paragraph (a) hereof, an advance may be made to him for the payment of rent in arrear under his lease.

- (3) Advances as aforesaid may also be made under this Act to any discharged soldier—
- (a) who is the holder on lease or agreement of any land belonging to the Crown; or
 - (b) who is the owner of any estate of freehold in land; or
 - (c) who is the lessee of land under a lease (not being a lease from the Crown) having a term of not less than three years to run,

for the purpose of discharging any mortgage or encumbrance over the land or his interest therein, or for the purpose of paying off any debt incurred by the discharged soldier prior to his enlistment or incurred on his behalf during his absence from the State on active service. Every advance so made shall be secured by a first mortgage over the land, or the interest of the soldier therein, and, if the Minister thinks fit, by a bill of sale or other security approved by the Minister over any goods and chattels of the soldier, or, if the Minister thinks fit, shall be secured only by such a bill of sale or other security, and shall, in cases when the advance is to be secured by a first mortgage only, be limited to the amount recommended by—

- (i) the board, concurred in by an inspector of lands, and at least two other members of the board, or
 - (ii) at least two members of the board and the land valuer for the district in which the land is situated.
- (4) The provisions of subsections (2) and (3) of section 26 shall apply, *mutatis mutandis*, to an advance under this section as if it were an advance under the said section 26.

28—Provisions as to goods purchased with money advanced

- (1) All goods and chattels—
- (a) purchased out of any moneys advanced or deemed to be advanced by the Minister to any person pursuant to this Act or any Act repealed by this Act or any regulations thereunder for any of the purposes mentioned in section 26; or
 - (b) supplied by or on behalf of the Minister to any person by way of an advance for any of the said purposes; or
 - (c) acquired in substitution for or in replacement of any goods and chattels purchased or supplied as mentioned in paragraphs (a) or (b) of this subsection,

shall, while in the possession, custody, or power of the person for whom they were purchased or to whom they were supplied, and until the execution of a bill of sale as security for the moneys advanced or expended, be deemed to be lent by the Minister to that person, and the Minister shall be deemed to have and always to have had power to make the loan.

- (2) Every person for or to whom any such goods and chattels as mentioned in subsection (1) of this section are purchased or supplied shall, if a bill of sale over the goods and chattels is not executed to secure the money advanced or expended in respect thereof, forthwith upon the receipt of the goods and chattels give to the Minister an acknowledgment in the prescribed form, and containing such conditions as are prescribed.
- (3) The acknowledgment may relate both to the goods and chattels purchased or supplied before or at the time of the giving of the acknowledgment, and to any goods and chattels which may thereafter be purchased or supplied.
- (4) Upon the execution of a bill of sale over any of the goods and chattels mentioned in the acknowledgment, the acknowledgment shall be void as regards the goods and chattels to which the bill of sale relates.

29—Repayment of advances on cancellation of holding

- (1) Any money advanced to or expended on behalf of any person under this Act or any Act repealed by this Act for any of the purposes mentioned in section 26 and secured by a bill of sale shall, if the interest of the said person in the land held by him under this Act, or any Act repealed by this Act, or any Act with which this Act is incorporated, ceases, forthwith become due and payable.
- (2) This section shall apply notwithstanding anything contained in any bill of sale, whether executed before or after the commencement of this Act.

29A—Advances to soldiers who have lost their holdings

- (1) Where—
 - (a) a discharged soldier who has held land in fee simple, or on lease or agreement under this Act, or any Act repealed by this Act, has by reason of any proceedings under the law relating to bankruptcy, or any action taken by a mortgagee of his land, or cancellation of the lease or agreement or other cause, been deprived of the fee simple of the land, or as the case may be, his interest in the land under the lease or agreement; and
 - (b) the discharged soldier has made arrangements for working any land as tenant, sharefarmer, or otherwise; and
 - (c) the Minister is satisfied that the discharged soldier is worthy of further help, the Minister on the recommendation of the board may make a loan to the discharged soldier for the purpose of enabling him to purchase livestock, plant, seed, fodder, equipment or other goods required for working the land and maintaining himself and his family.
- (2) Every such loan shall be made upon such security and such terms and conditions as the Minister thinks proper.
- (3) Section 28 of this Act shall apply in relation to any goods and chattels purchased out of money lent under this section.

29B—Powers of Minister as to reverted lands

Where any land which has been held in fee simple or on lease or agreement under this Act or any Act repealed by this Act, has reverted to the Crown, whether on a surrender, cancellation, or other termination of the estate in fee simple or the lease, or agreement, and whether before or after the passing of the *Discharged Soldiers Settlement Act Amendment Act 1940* the Minister may, at his discretion do all or any of the following things:

- (a) enter into an agreement with any person for the working of the land or any part thereof on shares;
- (b) purchase any stock, plant, or materials or make any other payment required in connection with the carrying out of any such agreement;
- (c) maintain and keep in repair any improvements on the land;
- (d) erect, construct or carry out on the land any further improvements which in the Minister's opinion are necessary or desirable.

Part 5—Miscellaneous

30—Power to dispose of surplus lands

- (1) Where it appears to the Governor that any land acquired under this Act or any Act repealed by this Act, is not suitable for or is not required for the settlement of discharged soldiers and is not required for any purpose of the Government of the State, or that it is desirable, in order to better effectuate the object of this Act, that he should exercise any of the powers conferred upon him by this section, he may—
 - (a) sell the property, or any estate, right, or interest therein either by public auction or private contract; or
 - (b) exchange the property, or any estate, right or interest therein, for any other land or property, or any estate, right, or interest therein; or
 - (c) dispose in any other way of the property, or any estate, right, or interest therein; or
 - (d) if the land is vested in the Minister, direct the Minister to sell, exchange, or dispose of the land as aforesaid, in which case the Minister may execute any and every assurance, deed, instrument, and writing, and do all such other acts and things as may be deemed necessary or expedient for that purpose,for such price or other consideration as he deems sufficient, and upon such (if any) terms and conditions as he deems proper.
- (2) For the purpose of carrying out any such transaction as mentioned in subsection (1) of this section, the Governor may execute any and every assurance, deed, instrument, and writing, and do all such other things as may be deemed necessary or expedient.
- (3) The Minister's receipt shall be a sufficient discharge for any moneys to be paid in pursuance of any such transaction, and it shall not be necessary for the person paying any such moneys to inquire whether or not a proper case has arisen for the exercise of any power conferred by this Act.
- (4) All moneys received by the Minister in pursuance of any such transaction shall be paid to the Treasurer to the credit of the loan account.

- (5) Nothing in this section shall be deemed to derogate from any power vested in the Governor or any other person by this Act or any other Act, or otherwise howsoever.
- (6) The Minister shall, not later than the thirtieth day of September in every year, present to the Governor a report stating—
 - (a) particulars of all properties (if any) with regard to which the Governor has, during the period ended on the preceding thirtieth day of June, exercised any of the powers conferred by this section; and
 - (b) how the properties have been dealt with respectively under this section; and
 - (c) the price or other consideration, and the other terms or conditions (if any), in each case.

Every such report shall be laid before both Houses of Parliament within fourteen days after it is presented to the Governor if Parliament is in session, and if not, then within fourteen days after the commencement of the next session.

31—Cancellation of lease or agreement when holding abandoned

- (1) Notwithstanding anything contained in any lease, agreement, or permit issued pursuant to this Act, any Act repealed by this Act, or any regulations thereunder, if the person holding land under any such lease, agreement, or permit—
 - (a) is absent from the land continuously for one month or more without having notified the Minister of his whereabouts and without leaving any person upon the land; or
 - (b) intimates, whether verbally or by writing, to the Minister or any other person in the employment of the Government that he has abandoned his land, or makes any intimation to the like effect,

the Minister may, by writing under his hand, without notice to the said person, and without re-entry, forthwith determine the lease, agreement, or permit, and thereupon the interest of the said person in the land shall absolutely cease and determine.

- (2) Upon any such determination the land comprised in the lease, agreement, or permit may be dealt with as Crown lands set apart under section 12 or in any other way in which Crown lands may lawfully be dealt with.

32—Surrender of fee simple of land in exchange for agreement

- (1) Where any land purchased under section 17 or the corresponding provision of any Act repealed by this Act, is vested in fee simple in a discharged soldier and a mortgage of the land has been given to the Minister to secure payment to him of any money paid by him for the purchase of the land or of any money advanced by him to the discharged soldier pursuant to this Act, any Act repealed by this Act, and any Acts incorporated therewith and—
 - (a) the discharged soldier is unable to meet any payment of money becoming due under the mortgage; and
 - (b) the Minister is of opinion that the discharged soldier has worked and maintained his land in a satisfactory and proper manner,

the Minister may permit the discharged soldier to surrender and transfer his land to His Majesty under the provisions of this section.

- (2) Where any land is surrendered and transferred to His Majesty under this section the Minister may grant to the discharged soldier surrendering the land an agreement over the land.
- (3) The agreement shall contain the same covenants and conditions as other agreements granted under section 17: Provided that the term of the agreement shall be calculated from the date when the land was originally purchased by the Minister for the settlement thereon of a particular discharged soldier: Provided also that the amount of purchase-money specified in the agreement shall include the amount of principal owing by the discharged soldier under his mortgage in respect of moneys paid by the Minister for the purchase price of the land, and may also include at the discretion of the Minister all or any of the following amounts, namely:
 - (a) the whole or any portion of the principal owing by the discharged soldier to the Minister in respect of any advance other than the moneys paid by the Minister for the purchase price of the land;
 - (b) any arrears of interest due to the Minister under the mortgage or on account of any other advance made to the discharged soldier.
- (4) Section 20 shall not apply when any land is granted on agreement under this section.

33—Cancellation of title to surrendered land

If any land transferred to His Majesty pursuant to the next preceding section of this Act is under the provisions of the *Real Property Act 1886* the Registrar-General shall upon the lodging with him of the transfer of the land make an entry on the folium in the register book relating to the land as follows: "Cancelled, the within land having become vested in the Crown", and shall cancel any certificate of title to the land lodged with any such transfer as aforesaid by endorsing the entry aforesaid thereon and shall sign the entry and endorsement.

34—Remission of rent and advances

- (1) The Minister may remit, wholly or in part, and in respect of such period or periods as he thinks fit, any rent, purchase-money, or interest payable by a settler under a lease granted or agreement entered into pursuant to this Act, or any Act repealed by this Act, or by any discharged soldier under a lease granted, or agreement entered into, pursuant to either of the Acts incorporated with this Act, or may postpone the due date for the payment of any such rent, purchase-money, or interest.
- (2) The Minister may remit wholly or in part, and in respect of such period or periods as he thinks fit, any moneys due in respect of the principal of or interest on any advance repayable pursuant to this Act or any Act repealed by this Act, or may postpone the due date for the payment of any such advance or instalment thereof.

35—Power to reduce rent and capitalise interest

The Minister may, on the recommendation of the board—

- (a) reduce the rent or purchase-money payable by a settler under a lease granted or agreement entered into pursuant to this Act or any Act repealed by this Act;
- (b) reduce the amount of the principal of any advance made pursuant to this Act or any Act repealed by this Act;

- (c) capitalise any arrears of interest due under any agreement or advance entered into or made pursuant to this Act or any Act repealed by this Act, and add the interest to the purchase price under the agreement or the amount of the advance, as the case may be.

36—Power of Minister to vary agreements

- (1) The Minister, on the recommendation of the board, may extend the term of any agreement for sale and purchase of land entered into pursuant to section 30 of this Act, or section 19 of the *Discharged Soldiers Settlement Act Amendment Act 1918* but not so to extend the said term beyond sixty-four years from the commencement thereof as fixed by the agreement.
- (2) The instalments of purchase-money to be paid under the agreement during the remainder of the term (as so extended) shall be such as are fixed by the Minister.
- (3) The Minister, on the recommendation of the board, may remit in respect of such period or periods as he thinks fit any part of the purchase-money payable under any such agreement, and may reduce any such purchase-money.

37—Provisions for relief of settlers in irrigation areas

- (1) The Minister of the Crown (hereinafter in this section referred to as *the Minister*) to whom, for the time being, the administration of the *Irrigation Act 1930* is committed by the Governor may, with respect to any discharged soldier who holds, whether on lease, or under an agreement, or in fee simple, any such land as is referred to in section 110 of the *Irrigation Act 1930* exercise all or any of the following powers namely:
- I He may add any moneys advanced by him to a discharged soldier for any of the purposes mentioned in subdivision III of subsection (1) of section 26 to the moneys secured by any mortgage given, or to be given, to him by the discharged soldier, and in such case may discharge any bill of sale or other security given by any discharged soldier pursuant to subsection (3) of section 26 as security for any money advanced as aforesaid, or may retain the bill of sale as collateral security;
- II He may capitalise any arrears of interest due under any mortgage given by a discharged soldier pursuant to section 26 and add the interest to the principal moneys secured by the mortgage;
- III He may make an advance under this Act to any discharged soldier for the purpose of paying any arrears of irrigation rates or any arrears of rent in respect of any land held by the discharged soldier;
- IV He may take as security for any advance made to a discharged soldier under this Act or any Act repealed by this Act and any moneys added thereto pursuant to this Act and any further advances made to the discharged soldier pursuant to this Act, a mortgage containing such terms as, on the recommendation of the Director of Lands, he approves, and may in such a case discharge any existing mortgage given by the discharged soldier as security for the first-mentioned advance;
- V He may remit wholly or in part any moneys due to him by any discharged soldier in respect of the principal of or the interest on any advance;

- VI He may reduce the rent payable by any discharged soldier for any land held by the discharged soldier on lease from the Crown or may remit any such rent;
 - VII He may direct that the rent payable by any discharged soldier for any land held by the discharged soldier on lease from the Crown shall be payable quarterly in advance;
 - VIII He may direct that any irrigation rates be remitted wholly or in part, and upon the giving of any such direction the rates shall be remitted accordingly.
- (2) The powers conferred on the Minister by subsection (1) of this section shall be exercised by the Minister on the recommendation of the Director of Lands.
- (3) Where pursuant to this section any sum of money is added to the capital sum secured by an existing mortgage, the mortgage shall, unless and until a new mortgage is taken in lieu of the existing mortgage, be deemed to be a security for the sum so added, and to provide for the repayment thereof by instalments payable at the same time as the instalments of the original sum secured by the mortgage are payable, and of such number that the last of them would be payable at the time when the last instalment of the original advance would be payable.

38—Registration of alterations and variations of leases and mortgages

Where any action taken by the Minister under section 37 alters the rent payable under a lease, or in any way varies the terms or conditions of a lease or mortgage, the provisions of Part 13 of the *Real Property Act 1886* shall apply with respect to the alteration or variation.

39—Exemption of certain documents from registration fees

Notwithstanding anything contained in the *Real Property Act 1886* or any other Act, where for the purpose of giving effect to the provisions of section 32, 35, or 37, or the corresponding provision of any Act repealed by this Act, it is necessary or expedient to register any instrument in the Lands Titles Registration Office or the General Registry Office, or to make any entry in the register book, no fees shall be payable in connection with the registration or the making of the entry.

40—Powers of board

In addition to and without prejudice to other powers vested in it, the board shall, for the purpose of obtaining information to assist the board in carrying out its powers, functions, and duties under this Act, have the following powers, that is to say—

- I The members of the board and each of them may by themselves, or by any person appointed by them for the purpose, enter upon and inspect any land, building, or place, and inspect any goods and other things, the entry upon or inspection of which appears to them or him to be requisite;
- II They may require by summons under the hand of the chairman, the attendance of all such persons as they think fit to call before them, and may require answers or returns to such inquiries as they think fit to make;
- III They may by notice in writing, signed as aforesaid, require and compel the production of any books, papers, or documents;

- IV They may inspect any books, papers, and documents produced before them, and retain them for such reasonable periods as they think fit, and may make copies of such matters therein as are relevant, or take extracts of any such matters;
- V They may examine witnesses on oath, affirmation, or declaration, which may be administered by any member of the board.

41—Powers of board in respect of witnesses

- (1) If any person—
 - (a) who has been personally served with a summons to attend before the board, and whose expenses, as provided in subsection (2) hereof, have been paid or tendered to him, neglects to attend in obedience to the summons; or
 - (b) wilfully insults the board, or any member thereof; or
 - (c) misbehaves himself before the board; or
 - (d) interrupts the proceedings of the board; or
 - (e) being called or examined as a witness before the board, refuses to be sworn, or to affirm or declare, or refuses or neglects to produce any books, papers, or documents mentioned in a notice under section 40 personally served upon him, or prevaricates in his evidence, or refuses to answer any lawful question,he shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding one hundred dollars.
- (2) Every person required by the board under the powers conferred by this Act to attend before it shall be allowed such expenses as would be allowed to a witness attending on subpoena before the Supreme Court, and in case of dispute as to the amount to be allowed the same shall be referred to the Master of the Supreme Court, who, on request under the hand of the chairman, shall ascertain and certify the proper amount of the expenses.

42—Duty of witness to continue in attendance

- (1) Every person who has been duly summoned to attend before the board shall appear and report himself from day to day unless excused by the chairman, or until he is released from further attendance by the chairman.
- (2) If any person fails to so report himself he shall be deemed to have neglected to attend before the board in obedience to his summons, and shall be punishable accordingly.

43—Punishment for false evidence

Any person who, upon oath, affirmation, or declaration taken or made under this Act, wilfully and corruptly gives any false evidence before the board shall be guilty of perjury, and may be imprisoned for any term not exceeding four years.

44—Provision for control of co-operative factories etc

Every cool store, fruit-packing shed, shearing shed, or factory erected or purchased by the Minister for the use on co-operative principles of settlers shall be under the management and control of such persons as are appointed by the settlers for the time being entitled to use the same, or, in default of appointment by the said settlers after a notice from the Minister requiring the appointment, as are appointed by the Minister.

45—Instruments to be exempted from stamp duty

Notwithstanding anything contained in the *Stamp Duties Act 1923* no stamp duty shall be chargeable upon any instrument executed by any returned soldier or other person for the purpose of giving effect to any transaction authorised by the Act or any Act repealed by this Act.

46—Disposal of moneys received from settlers

All moneys received from discharged soldiers to whom land has been allotted under this Act shall be dealt with as if they were received in respect of land allotted under the *Crown Lands Act 1929* or, where the lands are within an irrigation area under the *Irrigation Act 1930* as if they were received in respect of land allotted under that Act.

47—Annual report

- (1) The Minister shall, as early as possible after the end of each financial year, cause to be prepared a report showing, for the previous financial year—
 - (a) the aggregate areas of land set apart under this Act; and
 - (b) the number of applications received for the said land, and the number of blocks and the aggregate area allotted; and
 - (c) the amount expended in assisting discharged soldiers under this Act; and
 - (d) such other particulars as are prescribed.
- (2) Every such report shall be laid before Parliament within thirty days after the receipt thereof by the Minister if Parliament is then in session, and if not, then within thirty days after the commencement of the next ensuing session.

48—Regulations

- (1) In addition to any power by any other section of this Act, or by any provision of the *Crown Lands Act 1929* conferred on the Governor to make regulations as to any matter (which power shall in every case be implied for the purposes of any section of this Act in which regulations are referred to, or in which the word "prescribed" is used), the Governor may make any regulations which may be necessary or convenient for carrying out any of the provisions of this Act, or for better effecting the objects of this Act, and in particular (without limiting the effect of this section) for all or any of the following purposes, namely:
 - I The conditions of leases granted and agreements entered into under this Act, including provisions as to—
 - (a) the form or forms of leases and agreements; and
 - (b) improvements to be effected by lessees and purchasers; and
 - (c) residence of lessees and purchasers on the land; and

- (d) the method of computing the rent and purchase-money to be paid by lessees and purchasers respectively; and
 - (e) the transfer, surrender, and forfeiture of leases and agreements, and the assignment, subletting, and mortgaging of leases and agreements;
- II The application of any of the provisions of the *Crown Lands Act 1929* or of any other Act relating to Crown lands to lands set apart or allotted under this Act.
- (2) The provisions of subsections (2), (3), and (4) of section 288 of the *Crown Lands Act 1929* shall apply to any regulation made under this Act.

49—Financial provision

The moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for those purposes.

50—Summary proceedings for offences

All proceedings in respect of offences against any provision of this Act (except section 43) shall be disposed of summarily.

51—Validation and saving of past proceedings

Anything done since the passing of the *Discharged Soldiers Settlement Act 1917* shall be as valid as if that Act had been passed with the amendments made by the *Discharged Soldiers Settlement Act Amendment Act 1918* and as if the other provisions of the *Discharged Soldiers Settlement Act Amendment Act 1918* had been incorporated in the first mentioned Act on the passing thereof: Provided that nothing in this section or in the *Discharged Soldiers Settlement Act Amendment Act 1918* shall render invalid anything done before the passing of the *Discharged Soldiers Settlement Act Amendment Act 1918*.

Schedule—Acts repealed

Reference to Act	Short title	Extent of repeal
No. 1313 of 1917	<i>Discharged Soldiers Settlement Act 1917</i>	The whole
No. 1346 of 1918	<i>Discharged Soldiers Settlement Act Amendment Act 1918</i>	The whole
No. 1388 of 1919	<i>Discharged Soldiers Settlement Act Further Amendment Act 1919</i>	The whole
No. 1439 of 1920	<i>Discharged Soldiers Settlement Act Further Amendment Act 1920</i>	The whole
No. 1542 of 1922	<i>Discharged Soldiers Settlement Act Further Amendment Act 1922</i>	The whole
No. 1581 of 1923	<i>Discharged Soldiers Settlement Act Further Amendment Act 1923</i>	The whole
No. 1721 of 1925	<i>Discharged Soldiers Settlement (Relief) Act 1925</i>	The whole
No. 1990 of 1930	<i>Crown Lands (Administration) Act 1930</i>	Section 6 and Schedule 4
No. 2058 of 1931	<i>Discharged Soldiers Settlement Act 1931</i>	The whole

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Repeal of Act

The *Discharged Soldiers Settlement Act 1934* was repealed by Sch 1 cl 6(b) of the *Crown Land Management Act 2009* on 1.6.2010.

Principal Act and amendments

Year	No	Title	Assent	Commencement
1934	2152	<i>Discharged Soldiers Settlement Act 1934</i>	18.10.1934	1.5.1937 (<i>Gazette 25.3.1937 p644</i>)
1935	2256	<i>Crown Lands Act Amendment Act 1935</i>	21.12.1935	21.12.1935
1940	24	<i>Discharged Soldiers Settlement Act Amendment Act 1940</i>	7.11.1940	7.11.1940
1978	28	<i>Statutes Amendment (Irrigation Acts) Act 1978</i>	30.3.1978	3.7.1978 (<i>Gazette 29.6.1978 p2236</i>)
1981	94	<i>Discharged Soldiers Settlement Act Amendment Act 1981</i>	23.12.1981	21.1.1982 (<i>Gazette 21.1.1982 p152</i>)

Provisions amended since 3 February 1976

- Legislative history prior to 3 February 1976 appears in marginal notes and footnotes included in the consolidation of this Act contained in Volume 3 of *The Public General Acts of South Australia 1837-1975* at page 463.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Pt 1		
s 3	<i>omitted under Legislation Revision and Publication Act 2002</i>	
Pt 3		
s 24A		
s 24A(1)	amended by 94/1981 s 3	21.1.1982
s 24B		
s 24B(1)	amended by 94/1981 s 4	21.1.1982
s 25	<i>deleted by 94/1981 s 5</i>	21.1.1982
Pt 5		
s 37		
s 37(1)	amended by 28/1978 s 33	3.7.1978