



ANNO VICESIMO SECUNDO

GEORGII V REGIS.

A.D. 1931.

No. 2039.

An Act to Extend the provisions of the Financial Emergency Act, 1931, so as to provide for the Reduction of Interest payable on Bonds issued by the State Bank of South Australia, or by any Municipal Corporation or District Council, and on certain other Loans, and for other purposes.

[Assented to, December 2nd, 1931.]

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 "Financial Emergency Act Extension Act, 1931". Short title.

2. This Act is incorporated with the Financial Emergency Act, 1931, and that Act and this Act shall be read as one Act. Incorporation.

3. In this Act—

Interpretation.

"Bond" includes bond, debenture, inscribed or other stock, bill, or other instrument or security issued for money lent to the State Bank or any Municipal Corporation or District Council:

"District Council" means District Council under the District Councils Act, 1929:

"Municipal Corporation" means the Corporation of any Municipality under the Municipal Corporations Act, 1923:

"State Bank" means the State Bank of South Australia constituted by the State Bank Act, 1925.

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Application of Part V. of the Financial Emergency Act.

4. (1) Part V. of the Financial Emergency Act, 1931, shall apply in relation to the interest on any bonds issued by the State Bank or any Municipal Corporation or District Council.

(2) For the purpose of giving effect to this section any such bond shall be deemed to be a mortgage within the meaning of the said Part V., and the Bank, Corporation, or Council issuing the bond shall be deemed to be the mortgagor, and the holder of the bond shall be deemed to be the mortgagee.

(3) In the application of the said Part V. to any bond issued by the State Bank subsection (3) of section 20 of the Financial Emergency Act, 1931, shall be construed as though the words "four and a quarter" were inserted in lieu of the word "five" in the last line thereof; and in the application of the said Part V. to any bond issued by a Municipal Corporation or District Council the said subsection (3) of section 20 of the Financial Emergency Act, 1931, shall be construed as though the words "four and a half" were inserted in lieu of the word "five" in the last line thereof.

(4) For the purpose of this Act bonds issued by the State Bank of South Australia, constituted under the State Advances Act, 1895, shall be deemed to have been issued by the State Bank as defined in this Act.

Power to cancel and re-issue bonds when interest reduced.

5. If a reduction is made, whether by agreement or order of the Court, in the rate of interest payable under any bond of a Municipal Corporation or District Council, the Municipal Corporation or District Council concerned shall be entitled to call in and cancel that bond and to issue in lieu thereof a new bond showing the reduced rate of interest, and every such new bond shall be issued upon the same terms and conditions as the original bond except as to the rate of interest.

Power to reduce interest due to the State Bank.

6. (1) Notwithstanding anything contained in any of the Acts mentioned in subsection (2) of this section or any other Act the State Bank may, in its discretion, by notice in the *Gazette*, order that a reduced rate or rates of interest shall be payable to it on all or any of the moneys due or becoming due to it under all or any of the Acts mentioned in subsection (2) of this section, and such reduced rates shall take effect from the first day of August, nineteen hundred and thirty-one. Any such notice upon publication in the *Gazette* shall have the force of law.

(2) The Acts referred to in subsection (1) are the following:—

- I. Advances for Homes Act, 1928 :
- II. Advances to Settlers Act, 1930 :
- III. Immigration Act, 1923 :
- IV. Drought Relief Act, 1928 :
- V. Frost Relief Act, 1927 :

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- VI. Loans for Fencing Act, 1930 :
 VII. Vermin Act, 1914 :
 VIII. Loans to Producers Act, 1927 :
 IX. Farmers Relief Act, 1931 :
 X. Any other Act dealing with the same subject matter as the Acts hereinbefore mentioned.

(3) Where any principal moneys due or becoming due under any of the said Acts are repayable to the Bank in instalments, the Bank may in its discretion increase the number of instalments and reduce the amount of any instalments and extend the time for completing the repayment of the said principal moneys, but so that the time for completing the said repayment under any such Act as aforesaid shall not be extended beyond the maximum period allowed for repayment under that Act.

7. Notwithstanding anything contained in the Crown Lands Act, 1929, the Irrigation Act, 1930, or the Discharged Soldiers Settlement Acts, 1917 to 1925, or any other Act the Treasurer may by notice in the *Gazette* order that a reduced rate or reduced rates of interest shall be payable on all or any of the moneys advanced under the Crown Lands Act, 1929, the Irrigation Act, 1930, or the Discharged Soldiers Settlement Acts, 1917 to 1925, or any previous Act dealing with the same subject matters or on the purchase price of any land held under agreement to purchase from the Crown, or on the cost of any improvements to land effected by the Crown. The Treasurer may by the said notice fix any date not earlier than the first day of August, nineteen hundred and thirty-one, as from which any reduction shall take effect. Any such notice shall upon publication in the *Gazette* have the force of law.

Power to reduce certain interest due to the Crown.

8. Notwithstanding anything contained in the Pastoral Acts, 1904 to 1929, the Commissioner of Crown Lands may, by notice in the *Gazette* reduce the rate of interest payable on all or any of the moneys due or becoming due to the Crown under section 69 of the Pastoral Act, 1904 (as enacted by section 6 of the Pastoral Act Further Amendment Act, 1922) by such amount as the Commissioner thinks proper. The said Commissioner may, by the notice fix any date not later than the first day of August, nineteen hundred and thirty-one, as from which any reduction shall take effect. Any such notice shall upon publication in the *Gazette* have the force of law.

Reduction of interest under Pastoral Acts, 1904 to 1929.

9. This Act shall apply in relation to any interest payable after the thirty-first day of July, nineteen hundred and thirty-one, whether the bond, loan, or advance in respect of which it is payable was issued or made before or after the commencement of this Act.

Application of Act.

10. Section 19 of the Financial Emergency Act, 1931, is amended by striking out the words "the first day of October, nineteen hundred and thirty-one" in the first line of subsection (2) thereof and inserting in lieu thereof "such day as is fixed by the Governor by proclamation".

Amendment of Financial Emergency Act, 1931, s. 19—

Application of Act to Banks

11. (1) Section

Financial Emergency Act Extension Act.—1931.

Further amendment
of Financial
Emergency Act,
1931.

11. (1) Section 8 of the Financial Emergency Act, 1931, is amended by inserting after "circumstances" in the seventh line thereof the words "having regard to the rights of the mortgagor under Part V. of this Act".

(2) The Financial Emergency Act, 1931, is amended by inserting therein after section 8 the following section:—

Power of trustee to
make reduction
retrospective.

8A. In making any agreement for the reduction of interest under section 8 a trustee is hereby authorised to agree to a reduction commencing from the date of the mortgagor's application therefor to the trustee or from any later date.

(3) Section 18 of the said Act is amended by inserting after the word "Part" in the first line thereof the words "and in Part III. of this Act".

(4) Section 20 of the said Act is amended by striking out the word "currency" in the third line of subsection (1) thereof and inserting in lieu of that word the word "existence".

(5) Section 20 of the said Act is amended by inserting therein after subsection (5) the following subsection:—

(5A) Any order made by the Court under this section shall date from the day on which the mortgagor first applied to the mortgagee for a reduction in interest unless the Court for good cause fixes a later date.

(6) Section 22 of the said Act is amended by inserting after the word "Part" in the second line of subsection (1) thereof the words "or in pursuance of any written agreement for the reduction of interest made between the mortgagor and the mortgagee", and by inserting after the word "Part" in the first line of subsection (4) thereof the words "or of any written agreement for the reduction of interest made between the mortgagor and mortgagee".

(7) The said Act shall be construed as though at the time of the commencement thereof the amendments and additions made by this section had been included therein.

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

A. HORE-RUTHVEN, Governor.