CROWN DEBTORS RELIEF ACT, 1934.

No. 2182 of 1934.

An Act to afford relief to certain persons and authorities who are indebted to the Crown under the Advances for Homes Act, 1928, the Vermin Act, 1931, and the Loans for Fencing and Water Piping Act, 1930, and for purposes incidental thereto.

[*Assented to 29th November,* 1934.]

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

Short title.

1. This Act may be cited as the " Crown Debtors Relief Act, 1934 ".

Interpretation and incorporation.

2. (1) In this Act the expression " Advances for Homes Act, 1928," includes any previous Act relating to the same subject matter as that Act and a reference to any part or provision of the Advances for Homes Act, 1928, includes a reference to the corresponding provision of any such previous Act.

(2) Sections 3 to 6 of this Act are incorporated with the Advances for Homes Act, 1928, and all other Acts incorporated with that Act.

(3) Sections 7 and 8 of this Act are incorporated with the Acts named therein.

Relief to borrowers under the Advances for Homes Act, 1928.

Reduction in rate of interest on advances for homes.

3. (1) On every advance made before the passing of this Act under Part III. of the Advances for Homes Act, 1928, on which the annual rate of interest payable is more than five per cent., the rate of interest shall during the period commencing on the first of January, nineteen hundred and thirty-five, and ending on the thirty-first of December, nineteen hundred and thirty-six, be reduced to five per cent., and shall be subject to a further rebate of one-half per cent. when instalments are paid punctually in accordance with section 33 of the Advances for Homes Act, 1928.

(2) Where on any such advance as mentioned in subsection (1) of this section the rate of interest is five per cent. without any provision for rebates when instalments are paid punctually, the said rate shall be subject during the period mentioned in subsection (1) of this section to a rebate of one-half per cent. when instalments are paid punctually in accordance with section 33 of the Advances for Homes Act, 1928.

Abolition of interest on certain arrears

4. During the period commencing on the first of January nineteen hundred and thirty-five and ending on the thirty-first of December, nineteen hundred and thirty-six, interest shall not be charged on any interest or insurance premium which is overdue by any purchaser or borrower under Part III. of the Advances for Homes Act, 1928, at the time of the passing of this Act, or which becomes overdue during the said period.

Determination of contracts and release from personal covenants.

5. (1) The State Bank of South Australia may release any purchaser or borrower whose land or land and dwelling-house has been repossessed by the Bank under section 37 of the Advances for Homes Act, 1928, before the passing of this Act, or is so repossessed by the Bank not later than the thirty-first of December, nineteen hundred and thirty-six, from all personal liability under any contract or mortgage relating to such land or land and dwelling-house.

(2) Where the said Bank has at any time whether before or after the passing of this Act taken possession of any land or land and dwelling-house, pursuant to section 37 of the Advances for Homes Act, 1928, it may let such land or land and dwelling-house on any terms and conditions which it deems just, and the person who was the purchaser or mortgagor immediately before the bank took possession of the land or land and dwelling-house, may be granted by the Bank a preferential right to take the land or land and dwelling-house as tenant of the Bank on the terms fixed by the Bank.

Power to write off arrears of interest and insurance.

6. If the said Bank is satisfied that any interest or insurance premium which is overdue at the time of the passing of this Act or becomes overdue before the first of January, nineteen hundred and thirty-seven, by any purchaser or borrower under the Advances for Homes Act, 1928, is irrecoverable it may recommend to the Treasurer that the interest or insurance premium be written off and the Treasurer may upon that recommendation write off the amount recommended and thereupon the purchaser or borrower shall be under no further liability in respect thereof.

Arrears under the Vermin Act, 1931, *and the Loans for Fencing and Water Piping Act,* 1930.

Power to write off arrears under Vermin Act and Loans for Fencing and Water Piping Act.

7. (1) If the State Bank of South Australia is satisfied that any instalments of any advance under the Vermin Act, 1931, or the Loans for Fencing and Water Piping Act, 1930, or any corresponding provisions of any previous Act are irrecoverable the Bank may recommend to the Treasurer that those instalments be written off and the Treasurer may accordingly write them off.

(2) If the advances were made under the Vermin Act, 1931, every person, vermin board or district council liable to the Bank in respect of the advance, shall, upon such writing off, be relieved of all liability in respect of any amounts written off.

(3) If the advances were made under the Loans for Fencing and Water Piping Act, 1930, every person and district council liable to the Bank in respect of the advances shall, upon such writing off be relieved of all liability in respect of any amounts written off.

Application of section 7.

8. Section 7 of this Act applies only to instalments overdue at the time of the passing of this Act.