

STAMP.

6² AND 7⁰ GEO. VI., No. XL.

No. 40 of 1942.

AN ACT to amend the Stamp Act, 1921-1941.

[Assented to 23rd December, 1942.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Stamp Act Amendment Act*, 1942, and shall be read as one with the Stamp Act, 1921-1941 (No. 10 of 1922 as reprinted in the Sessional Volume of Statutes for the year 1933 and amended by the Act No. 35 of 1941), hereinafter referred to as the principal Act. Short title

2. A new section is inserted in the principal Act after section seventy-five as follows:— New section inserted in principal Act.

75A. (1) If the Commissioner is satisfied—

- (a) that by reason of any circumstances arising out of the necessity to conserve manpower during the continuance of the war in which His Majesty is engaged at the passing of this Act, any branch in Western Australia of any bank has been closed

(whether the closing thereof was brought about by compulsion of any law of the Commonwealth or otherwise); and

- (b) that any of the business of such branch has been transferred to any other bank in Western Australia,

and if the Commissioner is also satisfied—

- (c) that as a direct result of such transfer any person has executed an instrument as security for or evidence of any debt to the bank to which the business is transferred as aforesaid, and that the instrument is executed in substitution for another duly stamped instrument which was given as security for or evidence of a debt to the branch which has been closed as aforesaid; or

- (d) that as a direct result of such transfer any person has executed an instrument for the conveyance to the bank to which the business is transferred of any duly stamped security given to the branch which has been closed,

the Commissioner may recommend and the Treasurer may direct that the instrument shall be exempt from duty, and that the instrument may be stamped with a particular stamp denoting that it is not chargeable with any duty.

(2) If prior to the passing of this Act any duty was paid for the stamping of any instrument, and if the Commissioner certifies to the Treasurer that he is satisfied that, if the instrument had been presented for stamping after the said passing, he would have directed that it be exempt from duty, the Treasurer may, without any further appropriation than this section, refund the amount of such duty to the person by whom it was paid.