

HOUSING TRUST.

1° AND 2° GEO. VI., No. XXVIII.

No. 28 of 1937.

AN ACT to amend the Short Title and Sections fourteen (c) and fifteen of the Housing Trust Act, 1930.

[Assented to 18th January, 1938.]

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 *Housing Trust Act Amendment Act, 1937*, and shall be read as one with the Housing Trust Act, 1930 (No. 36 of 1930), hereinafter called the principal Act. Short title.

2. Paragraph (c) of section fourteen of the principal Act is hereby repealed and the following paragraph substituted therefor:— S. 14 (c) principal Act repealed and new paragraph substituted.

(c) If a purchaser has resided in a cottage and is desirous of being released from his agreement he may make application to the Trust to that effect, and the Trust may in its discretion after considering the circumstances grant the application and release the purchaser from any further liability under the contract. The provisions of this paragraph shall apply to all agreements whether executed before or after the commencement of the Housing Trust Act Amendment Act, 1937. On granting an application

under this paragraph the Trust may in its discretion refund to the purchaser so much of the instalments already paid by the purchaser less the prescribed charges for rates and taxes, maintenance and administration, if any.

Amendment
of s. 15,
principal Act.

3. Section fifteen of the principal Act is amended by adding a subsection as follows:—

(3.) (a) If in the opinion of the Trust the financial circumstances of the purchaser have altered to his advantage so that the purchaser is no longer entitled to the beneficial terms under the contract, then it shall be lawful for the Trust, on giving one calendar month's notice in writing to the purchaser, to require the purchaser to pay the whole of the outstanding balance of the purchase money under the contract, either in one sum or over such period as the Trust may consider just, notwithstanding that the instalments have not yet fallen due.

(b) If the purchaser shall fail or neglect within the time hereinbefore specified to pay the outstanding balance of purchase money, the Trust may by notice in writing to the purchaser determine the contract, and thereupon all beneficial interest of the purchaser therein shall cease and the Trust shall be entitled to possession of the cottage: Provided that, upon the purchaser's interest ceasing under this paragraph and upon the purchaser delivering possession of the cottage to the Trust, the Trust may in its discretion refund to the purchaser that portion (if any) of the capital cost paid by the purchaser less the prescribed amount for rates, taxes, maintenance, and administration.

(c) The provisions of this subsection shall apply to all agreements, whether executed before or after the commencement of the Housing Trust Act Amendment Act, 1937.

Amendment
of short title
and citation
of principal
Act as
amended.

4. The short title of the principal Act is amended by inserting before the word "Housing" in the short title the word "McNess," and the principal Act as amended by this Act may be cited as the McNess Housing Trust Act, 1930-1937.