

**WORKERS' HOMES.**

19° GEO. V., No. XXXV.

No. 35 of 1928.

**AN ACT to amend the Workers' Homes Act, 1911.**

[Assented to 28th December, 1928.]

**B**E 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. (1) This Act may be cited as the *Workers' Homes Act Amendment Act, 1928*, and shall be read as one with the Workers' Homes Act, 1911, hereinafter referred to as the principal Act. Short title.

(2) The principal Act as amended by this Act may be cited as the *Workers' Homes Act, 1911-1928*.

2. Section three of the principal Act is amended by inserting before the word "who" in the second line of the interpretation of the word "worker" the words "(subject to paragraph (2) of section 44B)." Amendment of s. 3.

3. Section six of the principal Act (inserted by section 3 of the Act No. 75 of 1912) is amended by adding thereto a subsection as follows:— Amendment of s. 6.

"(4) Moneys to the credit of the Fund may be invested by the Treasurer on behalf of the Board in such securities as he may think fit."

Amendment  
of s. 8.

4. Section eight of the principal Act is amended by substituting for the words "six hundred and fifty pounds" in the proviso, the words "eight hundred pounds."

Amendment  
of s. 11.

5. Section eleven of the principal Act is amended by substituting the words "thirty-five years" for the words "thirty years" in line three of paragraph (b).

Amendment  
of s. 14.

6. Section fourteen of the principal Act is amended as follows :—

(a) The words "quarterly or half-yearly" in paragraph (i) of paragraph (a) of subsection (2) are omitted.

(b) A subparagraph is inserted in paragraph (b) of subsection (2) as follows :—

"(iii) that if the lessee fails to maintain the dwelling-house in good repair and condition, the Board or any person acting with the authority of the Board may, at any time after the expiration of two months from notice to the lessee of such default, enter upon the demised premises and effect all repairs which the Board deems necessary, and the expense thereby incurred, with interest at such rate as shall be approved by the Minister, shall be paid by the lessee to the Board on demand, and until repayment shall remain a charge on the dwelling-house, notwithstanding that the total amount of capital expenditure in respect of such dwelling-house is thereby increased to more than eight hundred pounds."

Amendment  
of s. 16.

7. Section sixteen of the principal Act is amended by adding thereto the following words: "and thereafter the lease shall be held subject only to the payment by the lessee of the ground rent and all rates, taxes, and assessments," and covenants (ii.), (iv.), (v.), (vi.) and (vii.) shall cease to have effect, and section nineteen shall not apply.

Amendment  
of s. 19.

8. Section nineteen of the principal Act is amended as follows—

(a) by inserting in subsection (1), after the word "lessee," in the third line, the words "prior to the

issue of a certificate of purchase"; and by inserting after the word "Board" the words "or to another worker with the approval of the Board";

(b) by omitting the word "shall" in subsection (2) and inserting the word "may" in place thereof.

9. Section twenty of the principal Act is amended by adding thereto the following words, "but the value of any additions and improvements shall be added to the original capital cost." Amendment  
of s. 20.

10. Subsection (1) of section twenty-four of the principal Act is amended by substituting for the words "six hundred and fifty pounds" in the proviso the words "eight hundred pounds." Amendment  
of s. 24.

As consequential amendments the words "eight hundred pounds" are substituted for the words "five hundred and fifty pounds" in subsection (2) of section thirty-two, and in paragraph (b) of subsection (2) of section thirty-four.

11. Section twenty-nine of the principal Act is amended as follows:— Amendment  
of s. 29.

(a) In subparagraphs (i) and (ii) of paragraph (a) the words "thirty-five years" are substituted for the words "thirty years" and "twenty years" respectively.

(b) In subparagraph (iii) of paragraph (a) the words "twenty-five years" are substituted for the words "fifteen years."

(c) In paragraph (c) the words "at the prescribed rate" are substituted for the words "at the rate of six per centum."

12. Section thirty of the principal Act is amended by omitting the words "to five and a-half per centum in lieu of six per centum," and inserting in place thereof the words "by one-half per centum," in paragraph (a) of the section. Amendment  
of s. 30.

13. Section thirty-four of the principal Act is amended by inserting the word "prescribed" before the word "rate," in the fourth line of paragraph (b) of subsection (2), and by omitting the words "of six per centum." Amendment  
of s. 34.

Amendment  
of s. 36.

14. Section thirty-six of the principal Act is amended by inserting after the word "sublet" in paragraph (a) the words "or left unoccupied," and by inserting after the word "sub-lease" in paragraph (b) the word "mortgage."

Amendment  
of s. 37.

15. Section thirty-seven of the principal Act is amended by inserting the words "to a worker" after the word "made" in paragraph (c) of subsection (1).

Application of Com-  
monwealth Housing  
Act, 1927-1928.

No. 35 of 1927,  
s. 9.

No. 10 of 1928,  
s. 3.

16. A section is inserted in Part IV. of the principal Act as follows:—

44B. Expenditure by the Board of moneys advanced to the Board under the provisions of the Commonwealth Housing Act, 1927-1928, may be made by the Board under this Part of this Act, but not otherwise, and subject to the following provisions, which shall apply:—

- (1) The maximum amount which may be lent by the Board to any one person shall be one thousand eight hundred pounds, and shall be ninety per centum of the valuation made by or on behalf of the Board of the property in respect of which the loan is made.
- (2) No provision of this Act which would exclude from the benefits of this Part of this Act a person in receipt of an income (as determined by the Board) not exceeding twelve pounds per week shall have effect.
- (3) No loan shall be made by the Board to any person who already owns a house, except for the purpose of discharging a mortgage upon one dwelling-house of which he is the owner.
- (4) A loan shall not be made for the purpose of discharging a mortgage unless the conditions of the mortgage, or the conditions of any further loans on the property, are, in the opinion of the Board, unduly disadvantageous to the mortgagor, or for the purpose of enlarging a dwelling-house of which he is the owner.
- (5) Except for the purpose of enlarging an existing dwelling-house, a loan shall not be made to any person who, or whose wife or husband, has already received a loan and has not repaid it in full.

- (6) A loan shall not be made in respect of any dwelling-house unless the person making application for the loan satisfies the Board that—
- (a) if the loan is for the purpose of the purchase of a dwelling-house, he will reside in the dwelling-house immediately on its purchase ;
  - (b) if the loan is for the purpose of the erection of a dwelling-house, he will reside in the dwelling-house immediately on its completion ; and
  - (c) if the loan is for the purpose of the discharge of a mortgage, or for the purpose of enlarging a dwelling-house, he is residing in the dwelling-house.
- (7) For the purposes of this section any reference to an amount lent or to a loan shall be read as including a reference to an amount used by the Board for the purpose of a rent-purchase agreement.