

GROUP SETTLEMENT.

16° GEO. V., No. XLIV.

No. 44 of 1925.

AN ACT relating to Group Settlement.

[Assented to 31st December, 1925.]

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 *Group Settlement Act*, Short title.
1925.

2. (1.) The Governor may grant, for an estate in fee simple, to any person who is one of a group of settlers on an area declared by the Governor by a notification in the *Gazette* to be a group settlement area within the meaning of this Act, a parcel of land within such area, under Part VIII. of the Land Act, 1898, relating to free homestead farms: Grants of holdings to group settlers.

Provided that any parcel of land so granted may, if the Minister for Lands thinks fit, exceed the limit of one hundred and sixty acres as prescribed by the said Act.

(2.) The Governor may grant to any person a conditional purchase lease under the Land Act, 1898, of land acquired under the Agricultural Lands Purchase Act, 1909, and situated within an area declared by the Governor to be a group settlement area.

Payment of expenditure on holding.

3. (1.) Every grant, and every conditional purchase lease under this Act, shall be issued subject to the payment by the grantee or lessee of such part of the expenditure on the group settlement area chargeable to the group settlers, including capitalised interest, as is apportioned to the parcel of land intended to be granted or leased, and the survey and other fees payable in respect thereof.

(2.) The amount of such expenditure on the area chargeable to the group settlers and the part thereof to be apportioned to each parcel of land intended to be granted, shall be assessed and determined by the Managing Trustee of the Agricultural Bank.

(3.) A group settler may, if he so desires, in lieu of such payment, on the issue of a grant or lease execute a mortgage to the Agricultural Bank to secure such payment with interest at the prescribed rate by instalments extending over a period not exceeding thirty years, under and subject to the conditions applicable to advances by the Agricultural Bank under the Agricultural Bank Act, 1906, and its amendments, with such notifications as may be expressed in the mortgage or prescribed by regulations under this Act.

(4.) If a group settler shall not, within the prescribed time, notify the Department of Lands and Surveys, in writing, of his acceptance of such grant or lease when tendered to him on the conditions and subject to the provisions of this Act, he shall cease to have any interest in the parcel of land intended to be granted or leased, notwithstanding that under any agreement or permit to occupy in furtherance of a scheme of group settlement he is or may have been in occupation thereof.

Charge on live stock and chattels.

4. (1.) A mortgage to the Agricultural Bank expressed to be made under the Agricultural Bank Act, 1906, and this Act, shall by force of this Act have effect as an assignment by the mortgagor to the Agricultural Bank by way of further security of the live stock and other chattels (including the progeny of live stock) of the mortgagor which at the date of the mortgage, or at any time thereafter, are or may be in, on or about the mortgagor's land as described in the mortgage, so far as such live stock and other chattels were supplied to the mortgagor by the Department of Lands and Surveys or acquired by him out of advances made to him by that Department.

(2.) If the holding of a group settler is mortgaged to the Agricultural Bank under the provisions of this Act, and live stock or chattels have been supplied by the Department of Lands and Surveys to the group settler, or advances have been made by that Department to the group settler to enable him to acquire live stock or chattels, the amount due in respect thereof by such group settler to the Department of Lands and Surveys shall, by force of this Act, be deemed to be an advance by the Agricultural Bank to the group settler and shall be payable with interest by the group settler to the Bank, and the Group Settlers' Advances Act, 1925, shall have effect as if the words "the Agricultural Bank of Western Australia" were inserted therein in place of the words "Minister for Lands" and "Department of Lands and Surveys."

5. (1.) All moneys received by the Agricultural Bank in payment of interest and in repayment of principal on and in respect of mortgages to the Bank under the preceding sections of this Act, shall be paid to the credit of a suspense account to be kept at the Treasury.

Interest and instalments of principal or mortgages to be paid to an account at Treasury.

(2.) The amount for the time being to the credit of such account may be applied—

- (a) In payment to the Agricultural Bank of a prescribed percentage for administrative expenses ;
- (b) to recoup the Consolidated Revenue Fund interest and sinking fund contributions on loan money appropriated to schemes of group settlement to which this Act extends ; and
- (c) subject to such payments, to such purposes relating to group settlement as Parliament approves, or in respect to interest received as the Governor thinks fit.

6. Grants or conditional purchase leases may be issued under section two of this Act, although all the blocks of a group may not have been prepared for settlement, notwithstanding the provisions of any agreement or permit to occupy to the contrary ; and a group settler to whom a grant or lease is made or tendered in respect of a block allotted to him may be released or discharged from group work, and the group may be partially dissolved.

Partial dissolution of groups.

Register to be kept.

7. A register of the mortgages to the Agricultural Bank under the preceding sections of this Act shall be kept at the office of the Agricultural Bank, and such register shall be open to public inspection free of charge ; but the Bills of Sale Act, 1899, shall not apply, and a mortgagor shall not, in any proceedings in bankruptcy, be deemed the reputed owner of any live stock or chattels thereby assigned to the Bank.

Further advance by Agricultural Bank.

8. Advances under the provisions of the Agricultural Bank Act, 1906, may be made by the Agricultural Bank to any grantee or lessee under this Act who may have mortgaged his holding to the Bank in pursuance of this Act :

Provided that the securities for such advances shall rank *pari passu* with the mortgage under this Act, and the said advance shall be made out of funds of the Bank appropriated to the purpose of advances under this section.

Provisions of Agricultural Bank Act incorporated.

9. Subject to this Act, and the regulations, the provisions of the Agricultural Bank Act, 1906, and the Acts amending the same, are incorporated with this Act.

Power to make Regulations.

10. The Governor may make regulations for the purposes of this Act. By such regulations the Governor may so modify the provisions of the Agricultural Lands Purchase Act, 1909, relating to the payment of half-yearly instalments of the purchase money with interest under conditional purchase leases as to limit such payments during a period not exceeding ten years from the commencement of the lease to interest only.