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INCREASE OF RENT (WAR RESTRICTIONS) ACT, 1939-1948.

Chief Secretary's Department,
Perth, 29th October, 1948.

HIS Excellency the Lieutenant-Governor in Executive Council, acting pursuant to the provisions of the Increase of Rent (War Restrictions) Act, 1939-1948, has been pleased to amend the Increase of Rent (War Restrictions) Act, Recovery of Possession and Restriction on Eviction Regulations, made under and for the purposes of the said Act and published in the *Government Gazette* on the 3rd day of September, 1948, in the manner mentioned in the Schedule hereunder.

H. T. STITFOLD,
Under Secretary.

Schedule.

The abovementioned regulations are amended as follows:—

1. Insert a new paragraph (o) after paragraph (n) in subregulation (5) of regulation 3, as follows:—

(o) Any other ground which may be deemed satisfactory by the Court in which proceedings are commenced to recover possession or for ejection.

2. Insert a new regulation after regulation 8 to stand as regulation 8A, as follows:—

8A. When a notice to quit heretofore given under the provisions of the Commonwealth Regulations or heretofore or hereafter given under these regulations operates so as to terminate the tenancy, then until such time as the lessee gives up possession either voluntarily or under an order of the Court he shall be deemed to have continued and to continue to hold the premises on the terms and conditions of his former tenancy (other than the original period thereof), so far as applicable.

3. Insert in their proper places new regulations to stand as regulations 10, 11, 12 and 15 as follows:—

Court to Consider Hardship.

Cf. C'wth Reg. 63, as amended by S.R. Nos. 31 of 1947, r. 25, and 22 of 1948, r. 9.

10. (1) On the hearing of any proceedings by a lessor for an order for the recovery of possession of any premises or for the ejection of the lessee therefrom (whether the proceedings were commenced before or after the commencement of this regulation), the Court shall take into consideration, in addition to all other relevant matters—

(a) any hardship which would be caused to the lessee or any other person by the making of the order;

(b) any hardship which would be caused to the lessor or any other person by the refusal of the Court to make the order; and