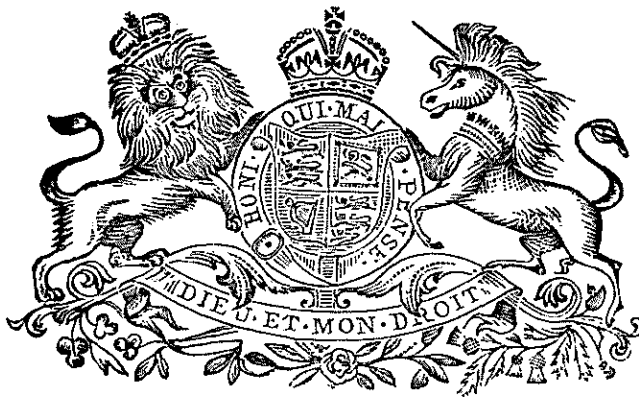


WESTERN AUSTRALIA.



ANNO SEPTIMO

GEORGII QUINTI REGIS,

VIII.

No. 8 of 1916.

AN ACT to facilitate the Execution of Instruments and Powers of Attorney during the Present War.

[Assented to 17th November, 1916.]

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 *Execution of Instruments Act*, 1916, and shall be read and construed as one with the Transfer of Land Act, 1893. Short title.

2. (1.) Notwithstanding anything in the Transfer of Land Act, 1893, instruments and powers of attorney under the Transfer of Land Act, 1893, signed by any person during any period for which the said person is engaged on war service within the meaning of this Act and a further period of three months thereafter, upon verification to the satisfaction of the Registrar of Titles of the signatures thereto, shall although not attested be held to be duly executed. Evidence of due execution of certain instruments under the Transfer of Land Act by persons on war service. See Vic. No. 2757, s. 2.

Definition of "war service."

(2.) For the purposes of this Act, a person shall be deemed to be engaged on war service—

- (a) if he is engaged on naval or military service, either within or outside Western Australia, during the war in which His Majesty is at present engaged;
- (b) if he is engaged on service in any work of any Red Cross Society or Ambulance Association or any other body with similar objects in connection with the said war; or
- (c) if in connection with the said war he is a prisoner of war in the enemy's country or is interned in the country of a neutral power.

(3.) (a) A statutory declaration by any person who, in the opinion of the Registrar of Titles, is qualified to declare as to the fact that any party to any instrument submitted to the Registrar of Titles for registration under the Transfer of Land Act, 1893, is engaged on war service or was so engaged within the preceding three months, shall be accepted by the Registrar of Titles as sufficient evidence of the fact.

(b) A statutory declaration by the donee of a power of attorney or by any person who, in the opinion of the Registrar of Titles, is qualified to declare as to the fact that the donor is engaged on war service or was so engaged within the preceding three months shall be accepted as sufficient evidence of the fact by the Registrar of Titles and every other person dealing with the donee.

Extension of Act to certain persons abroad not actually engaged on war service.
Ibid., s. 3.

3. The benefit of the privileges conferred by this Act on any person in relation to any period for which he is engaged on war service, and for a period of three months thereafter, shall also extend and apply to any person not engaged on war service in relation to any period during which being absent from Western Australia he is, for any reason connected with the said war, unable to return to Western Australia: and this Act shall have effect in its application to any such person with the necessary modifications.

Retrospective operation.

4. This Act shall have effect as from the fourth day of August, One thousand nine hundred and fourteen.