

DISCHARGED SOLDIERS SETTLEMENT.

10° GEO. V., No. XXXIII.

No. 45 of 1919.

AN ACT to amend the Discharged Soldiers Settlement Act, 1918.

[Assented to 17th December, 1919.]

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 *Discharged Soldiers Settlement Act Amendment Act*, 1919, and shall be read as one with the Discharged Soldiers Settlement Act, 1918, hereinafter referred to as the principal Act. Short title.

2. Section three of the principal Act is amended by adding to the interpretation of "Discharged soldier" the following words:—"The term 'discharged soldier' includes any person who, as a member of the Army Medical Corps Nursing Service, was employed on active service outside the Commonwealth, and may be extended by the Minister to include any person who, as a munition worker or other war-worker, was employed outside the Commonwealth." Amendment of
Section 3.

3. Section four of the principal Act is amended by inserting after the word "thereof," in paragraph (c), the following words:—"or who as the next of kin or under any testamentary disposition of a deceased person within the meaning of those words in the interpretation of the term 'dependant' has acquired the holding of such deceased person." Amendment of
Section 4.

Amendment of
Section 11.

4. Section eleven of the principal Act is amended by adding to the second proviso the following words:—"but shall extend to conditional purchase holdings purchased for or acquired by a discharged soldier under section twenty-two of this Act in respect of the balance of the price of the land payable to the Department of Lands and Surveys after the date of such purchase or acquisition"; and by adding a subsection, as follows:—

(2.) This section shall extend and apply to a conditional purchase lease acquired by a dependant as the next of kin or under any testamentary disposition of a deceased person within the meaning of those words in the interpretation of the term "dependant."

Amendment of
Section 12.

5. Section twelve of the principal Act is amended by inserting after the word "granted" the words "or acquired by," and by inserting after the word "term" the words "or for the first five years next after such acquisition."

Amendment of
Section 15.

6. Section fifteen of the principal Act is amended by substituting for the words "five hundred pounds," in subsection (2) the words "six hundred and twenty-five pounds."

Amendment of
Section 16.

7. Section sixteen of the principal Act is repealed, and a section is inserted in its place, as follows:—

Security for
advances.

16. (1.) Moneys advanced by the Board or the Agricultural Bank, under the provisions of this Act, with interest thereon, shall be secured by a mortgage upon the land acquired by the discharged soldier under the provisions of this Act, or upon any other land of the discharged soldier.

All moneys so advanced with interest thereon shall also, until repaid, by force of this Act be and remain a charge on the crops and chattels of the discharged soldier to whom such advances are made, and which may be upon any land so mortgaged to the Board or the Agricultural Bank as aforesaid, and on all other live stock (including the progeny thereof) and chattels of such discharged soldier acquired under this Act.

(2.) Such lands, crops, and chattels, so long as the same continue charged as security for such advances, shall not, without the consent of the Board or the Agricultural Bank, as the case may be, be alienated except in the exercise of the powers of the Board or the Agricultural Bank, or be subject to be attached, levied, or distrained upon, or taken in execution.

(3.) The Bills of Sale Act, 1899, shall not apply to the charge on the crops and chattels of a discharged soldier under the provisions of this Act, but a register shall be kept in the office of the Agricultural Bank in Perth of all persons to whom advances have been made, and such register shall be open to public inspection.

(4.) Provided, however, that nothing in this section contained shall prejudice or affect the rights, powers, or remedies of any prior mortgagee in respect of the property of any discharged soldier under any mortgage or security registered prior to the granting of such advance.

8. A subsection is added to section twenty-two of the principal Act, as follows:—

Amendment of
Section 22.

(2.) The Board may, with the approval of the Minister, purchase for a discharged soldier any alienated land, including land held under conditional purchase or pastoral lease, which a discharged soldier may desire to acquire, and the provisions of this Act relating to land disposed of to discharged soldiers shall apply to land so acquired.

9. Subsection (2) of section twenty-eight of the principal Act is amended by omitting the words "not exceeding in the aggregate fifty thousand pounds."

Amendment of
Section 28.

10. Section twenty-nine of the principal Act is hereby amended by inserting after the word "remit" the words "stamp duties payable under the Stamp Act, 1882."

Amendment of
Section 29.

11. A discharged soldier under the age of twenty-one years shall, for the purposes of the principal Act as amended by this Act, and of mortgaging or otherwise dealing with land and chattels, have the same capacity as if he were of full age.

Minors to be
deemed of full
age.
