

STATUTORY RULES.

1926. No. 62.

REGULATIONS UNDER THE WAR SERVICE HOMES ACT 1918-1925.

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *War Service Homes Act* 1918-1925, to come into operation forthwith.

Dated this twelfth day of May, 1926.

STONEHAVEN,
Governor-General.

By His Excellency's Command,

W. C. HILL,
Minister of State for Works and Railways.

AMENDMENT OF WAR SERVICE HOMES REGULATIONS 1919.

(Statutory Rules 1919, No. 177. as amended to this date.)

1. After regulation 23 of the War Service Homes Regulations 1919 the following regulation is inserted:—

“23A. A certificate signed by the Commissioner, the Secretary to the War Service Homes Commission or a Deputy Commissioner containing a statement of the account of a purchaser or tenant, to whom land has been sold or leased under section 48 of the Act, shall be evidence of the matters stated.”.

Proof of
account with
Commissioner.

2. Regulation 17 of the War Service Homes Regulations 1919 is amended—

Payment for
repairs.

(a) by inserting therein after the word “purchaser” (wherever occurring) the words “or borrower”; and

(b) by inserting in sub-regulation (1.) thereof, after the word “money” the words “or advance”.

3. After regulation 55A of the War Service Homes Regulations 1919 the following regulations are inserted:—

“55B. If the property is destroyed or damaged by a prescribed risk and the Commissioner is of the opinion that it is undesirable to rebuild the dwelling-house, and the amount for which the property is insured is less than the balance of the purchase money and interest or the balance of the principal and interest unpaid under a contract of sale or mortgage, the Commissioner may draw from the War Service Homes Trust Account the amount for which the property is insured and apply that amount in reduction of the balance of purchase money and interest or the balance of principal

Application of
insurance
money where
property is
damaged or
destroyed and
not rebuilt.

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and interest unpaid under the contract of sale or mortgage, and thereupon the deficiency shall immediately become due to and recoverable by the Commissioner and, until payment, shall bear interest at the prescribed rate.

Reparation of
damage or loss
from prescribed
risk.

“ 55c.—(1.) If the property is destroyed or damaged by a prescribed risk, and the Commissioner decides to make good the loss or damage, it shall not be necessary for him to reinstate exactly or completely that which has been lost or damaged, but he may make good the loss or damage to the extent and in a manner that he determines to be reasonably sufficient and his determination in this connexion shall be final and conclusive.

“(2.) On the loss or damage referred to in the last preceding sub-regulation being made good to the extent and in the manner determined by the Commissioner, the authorized officer shall certify to that effect, and this certificate shall, as between the Commissioner and the assured, be conclusive evidence of the completion of the work incidental to making good the loss or damage.”.

4. After regulation 67 of the War Service Homes Regulations 1919 the following regulation is inserted:—

Waiver of
conditions by
Commissioner
to be in
writing.

“ 68. No provision, condition or requirement under these Regulations requiring any act, matter or thing to be done or written shall be deemed to be waived by reason of any alleged notice or waiver which has not been expressly written, and the Commissioner shall not be deemed to have waived any provision, requirement or condition of these Regulations or of the insurance under these Regulations or any forfeiture, cancellation or avoidance of the insurance, unless the provision, requirement, condition, forfeiture, cancellation or avoidance is expressly stated in writing by or on behalf of the Commissioner to have been waived by the Commissioner.”.