
WAR SERVICE HOMES.

No. 13 of 1929.

An Act to amend the *War Service Homes Act*
1918-1927.

[Assented to 22nd March, 1929.]

BE it enacted by the King's Most Excellent Majesty, the Senate,
and the House of Representatives of the Commonwealth of
Australia, as follows :—

Short title and
citation.

1.—(1.) This Act may be cited as the *War Service Homes Act* 1929.

(2.) The *War Service Homes Act* 1918-1927* is in this Act referred to as the Principal Act.

* Act No. 43, 1918, as amended by No. 28, 1919; No. 35, 1920; No. 18, 1923; No. 26, 1925; No. 47, 1926; and by No. 17, 1927.

(3.) The Principal Act, as amended by this Act, may be cited as the *War Service Homes Act 1918-1929*.

2. Section five of the Principal Act is amended by adding at the end of sub-section (2.) the words "and to borrow moneys for the purposes of this Act".

Power to borrow moneys.

3. Section nineteen A of the Principal Act is amended by omitting from paragraph (a) the word "or" and inserting in its stead the word "and".

Sale of house only to person not already an owner.

4.—(1.) Section twenty-eight B of the Principal Act is repealed.

Repeal of s. 28B.

(2.) This section shall be deemed to have commenced on the date of the commencement of the *War Service Homes Act 1918*.

5. Section thirty-one of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the words "and tenantable" and inserting in their stead the words "order and"; and
- (b) by omitting from paragraph (a) of sub-section (2.) the words "Seven hundred" and inserting in their stead the words "Nine hundred and fifty".

Property to be kept in repair until payment in full.

6. Section thirty-five of the Principal Act is amended—

- (a) by omitting paragraph (b) of sub-section (2.) and inserting in its stead the following paragraph:—

"(b) where the proposed transferee is not an eligible person or is an eligible person not approved under the last preceding paragraph—the conditions that the Commissioner is satisfied that the transfer is in the interests of the transferor, that the Commissioner is not aware of any other eligible person approved by him who is willing to become the transferee, and such other conditions as the Commissioner determines." ; and

Land, &c., not to be transferred, &c., while subject to mortgage, &c.

- (b) by inserting after sub-section (2.) the following sub-section:—

"(3.) In granting consent to any transfer to which paragraph (b) of the last preceding sub-section applies in pursuance of this section, the Commissioner may determine—

- (a) the price which may be charged by the transferor for the land or land and dwelling-house, or estate or interest therein, as the case may be ;
- (b) the value of the transferor's interest therein ; and
- (c) the adjustment rendered necessary as between the Commissioner, the transferor and the transferee by reason of the transfer,

and may, if he thinks fit, advance to the transferee such amount as is necessary, not exceeding ninety per centum of the value of the property transferred, and not exceeding in any event the amount which the Commissioner could advance to an eligible person in respect of the purchase by that person of that property."

War Service
Homes Trust
Account.

7.—(1.) Section thirty-nine of the Principal Act is amended—

(a) by omitting from paragraph (c) of sub-section (2.) the words “interest, rents,”;

(b) by inserting in paragraph (c) of sub-section (2.), after the word “except”, the words “interest, rent and”; and

(c) by inserting after sub-section (3.) the following sub-section :—

“(4.) Any amounts received by the Commissioner under this Act by way of interest or rent shall be paid to the Consolidated Revenue Fund.”.

(2.) This section shall be deemed to have commenced on the first day of July One thousand nine hundred and twenty-eight.

8.—(1.) After section forty-eight B of the Principal Act the following section is inserted :—

Re-sales may
be at
valuation.

“48c. Where a dwelling-house and land have been sold by the Commissioner and have, through failure of the purchaser to complete the purchase or other cause, reverted to the Commissioner, he may, notwithstanding anything contained in this Act, re-sell the dwelling-house and land at their valuation at the date of the re-sale.”.

(2.) This section shall be deemed to have commenced on the date of the commencement of the *War Service Homes Act 1918*.

9. After section fifty B of the Principal Act the following section is inserted :—

Regulations
constituting the
Commissioner
an authority
under *Common-
wealth Housing
Act 1927-1928*.

“50c.—(1.) The Governor-General may make regulations providing for the constitution of the Commissioner as an authority under the *Commonwealth Housing Act 1927-1928* and for the modification of the provisions of the *Commonwealth Housing Act 1927-1928* to enable the Commissioner to act as an authority thereunder :

Provided, however, that the regulations shall not empower the Commissioner acting as such an authority to advance more than the difference between the amount which may be advanced under this Act and eighteen hundred pounds :

And provided further that the regulations shall not be inconsistent with any agreement by which the Commonwealth or the Commissioner is bound.

(2.) Any interest paid by an eligible person to the Commissioner upon advances made to that person out of moneys received by the Commissioner as an advance under the *Commonwealth Housing Act 1927-1928* shall, notwithstanding the provisions of section thirty-nine of this Act, be credited to the War Service Homes Trust Account which shall be debited with amounts due by way of repayment of advances made under the *Commonwealth Housing Act 1927-1928*, together with interest on those advances.”.