WAR SERVICE HOMES.

**No. 8 of 1946.**

An Act to amend the *War Service Homes Act* 1918–1941*.*

[Assented to 18th April, 1946.]

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* 1946.

(2.) The *War Service Homes Act* 1918–1941 is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *War Service Homes Act* 1918–1946.

**Commencement**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**Definitions.**

**3.** Section four of the Principal Act is amended—

(*a*) by omitting from the definition of “Australian soldier’’ the words “the war which commenced in the year One thousand nine hundred and thirty-nine” and inserting in their stead the words “any war in which His Majesty became engaged on or after the third day of September, One thousand nine hundred and thirty-nine”;

(*b*) by omitting from paragraph (*d*) of the definition of “Australian Soldier” the words “in connexion with the Naval, Military or Air Forces of that part of any part of the King’s Dominions, other than the Commonwealth” and inserting in their stead the words “other than the Commonwealth, in connexion with the Naval, Military or Air Forces of that part”;

(*c*) by omitting from paragraph (*f*) of the definition of “Eligible person “the words” the war which commenced in the year One thousand nine hundred and thirty-nine” and inserting in their stead the words “any war in which His Majesty became engaged on or after the third day of September, One thousand nine hundred and thirty-nine, and before the commencement of the *War Service Homes Act* 1946”;

(*d*) by omitting from paragraph (*f*) of that definition the words “port other than” and inserting in their stead the words “other port, including”; and

(*e*) by adding at the end of the definition of “Holding” the words “or of which an applicant or borrower is the lessee under a Crown leasehold in perpetuity from a State”.

**Total cost of dwelling-house.**

**4.** Section eighteen of the Principal Act is amended—

(*a*) by omitting from sub-section (1.) the words “Nine hundred and fifty” (wherever occurring) and inserting in their stead the words “One thousand two hundred and fifty”; and

(*b*) by adding at the end of sub-section (2.) the words “,or the fair value of the land, as determined by the Commissioner and approved by the Minister, whichever is the less”.

**Sale of dwelling-house.**

**5.** Section nineteen of the Principal Act is amended—

(*a*) by omitting from paragraph (*a*) of sub-section (3.) the words “capital cost to the Commissioner of the dwelling-house and land” and inserting in their stead the words “purchase money”; and

(*b*) by omitting sub-section (9.).

**Advances to acquire land, &c.**

**6.** Section twenty of the Principal Act is amended by adding at the end of paragraph (*a*) of sub-section (1.) the words “,or of which he is the lessee under a Crown leasehold in perpetuity from a State”.

**Maximum advance.**

**7.** Section twenty-one of the Principal Act is amended by omitting from sub-section (1.) the words “Nine hundred and fifty” (wherever occurring) and inserting in their stead the words “One thousand two hundred and fifty”.

**Leases of land in Territories of the Commonwealth.**

**8.** Section forty-four of the Principal Act is amended—

(*a*) by omitting the words “Territory for the Seat of Government” and inserting in their stead the words “Australian Capital Territory”; and

(*b*) by adding at the end thereof the following sub-sections:—

“(2.) The Commissioner may, upon application in writing, make an advance to an eligible person, on the prescribed security, for the purpose of enabling him to discharge any mortgage, charge or encumbrance already existing on land in the Northern Territory or in the Australian Capital Territory which is leased by that eligible person from the Crown.

“(3.) The provisions of Part V. of this Act shall, so far as applicable, apply in relation to an advance made under the last preceding sub-section.”.

**Regulations constituting the Commissioner an authority under *Commonwealth Housing Act* 1927–1928.**

**9.** Section fifty c of the Principal Act is repealed.