

STATUTORY RULES.

1929. No. 87.

REGULATIONS UNDER THE DEFENCE ACT 1903-1927.

I, THE DEPUTY OF THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulation under the *Defence Act 1903-1927*, to come into operation as from 26th September, 1928.

Dated this eighth day of August, 1929:

D. R. S. DE CHAIR

Deputy of the Governor-General.

By His Excellency's Command,

T. W. GLASGOW

Minister of State for Defence.

MUNITIONS SUPPLY REGULATIONS.

(Statutory Rule 1926, No. 210, as amended to date.)

Amendment.

After Regulation 32 insert the following new regulation:—

“32A. (1) Where judgment has been given by any Court against any employee for the payment of any sum of money, the person in whose favour the judgment is given may serve on a Paying Officer a copy of the judgment, certified under the hand of the Registrar or other proper officer of the Court by which the judgment was delivered, and a statutory declaration stating that the judgment has not been satisfied by the judgment debtor, and setting out the amount due by the judgment debtor under the judgment.

(2) Upon the service upon him of a copy of a judgment and a statutory declaration in pursuance of this section, the Paying Officer shall as soon as practicable notify the judgment debtor in writing of the service of the copy judgment and statutory declaration, and require him to state in writing, within a time to be specified by the Paying Officer, whether the judgment has been satisfied, and, if so, to furnish evidence in support thereof, and, if the judgment has not been satisfied to state the amount then due under the judgment.

(3) If the employee fails to prove to the satisfaction of the Paying Officer, within the time specified by the Paying Officer, that the judgment has been satisfied the Paying Officer may from time to time deduct from any moneys due to the employee such

sums as are in his opinion necessary to enable the judgment to be satisfied, or may direct the deduction therefrom of such sums, and shall pay, or direct the payment of, those sums to the judgment creditor:

Provided that in no case shall a deduction be made which will reduce the amount to be received by the employee to less than £2 per week, or to less than one-third of the amount which would, but for the provisions of this section, be payable to the employee.

(4) Where more than one judgment and statutory declaration are served upon a Paying Officer in respect of one judgment debtor, the judgments shall be satisfied in the order in which copies of the judgments are served upon the Paying Officer.

(5) A payment made to a judgment creditor in pursuance of this section shall, as between the Commonwealth and the employee, be deemed to be a payment by the Commonwealth to the employee.

(6) A person to whom any payment has been made in pursuance of this section shall notify the Paying Officer immediately a judgment debt in respect of which the payment was made is satisfied.

Penalty: £50 or imprisonment for three months.

(7) If any payment made in pursuance of this section exceeds the amount due under the judgment, the excess shall be repayable by the judgment creditor to the judgment debtor, and, in default of payment, may be recovered by the judgment debtor from the judgment creditor in any Court of competent jurisdiction.

(8) The foregoing provisions of this section shall not apply in relation to any employee whose estate the Paying Officer is satisfied has been sequestrated either voluntarily or compulsorily for the benefit of his creditors, and who has not yet obtained a certificate of discharge.

(9) In this section 'Paying Officer' means such officer as the Board appoints as Paying Officer for the purposes of this regulation."