

New South Wales.



ANNO TERTIO DECIMO

GEORGI V REGIS.

Act No. 5, 1922.

An Act to amend the Returned Soldiers Settlement Act, 1916, and certain other Acts; and for purposes connected therewith. [Assented to, 5th September, 1922.]

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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Returned Soldiers Settlement (Amendment) Act, 1922." Short title.

In this Act, the Returned Soldiers Settlement Act, 1916, as amended by the Returned Soldiers Settlement (Amendment) Act, 1917, and the Returned Soldiers Settlement (Amendment) Act, 1919, is referred to as the Principal Act.

2.

Returned Soldiers Settlement (Amendment).

Amendment of
Principal Act.
Sec. 10.

2. The Principal Act is amended as follows :—

Sec. 14.

- (1) By omitting from section ten the following words :—“ Such consent shall not for a period of ten years from the date of commencement of title to the holding be given to a transfer or other dealing (other than by way of mortgage only) to or with any person who is not a discharged soldier or engaged on military or naval service with His Majesty’s forces, or the forces of His Majesty’s allies, or the widow of a soldier or sailor who died on active service or of a discharged soldier ; and any transfer or dealing within such period except by way of mortgage only to any person other than a discharged soldier shall be invalid and void.”
 - (2) By inserting in the head note to section fourteen, after the word “ waiver ” the words “ or remission,” and by omitting from the same head note the words “ due by Crown settlers on active service.”
 - (3) By inserting in section fourteen after the word “ waive ” the words “ or remit.”
 - (4) By omitting from paragraph (a) of section fourteen the words “ due to the Crown.”
 - (5) By inserting in the same paragraph after the word “ money ” the words “ whether included in an instalment or not.”
 - (6) By omitting from the same paragraph the words “ due or payable by a discharged soldier ” and inserting the words “ due, payable, or paid to the Crown by or on behalf of a discharged soldier or sailor, or a soldier or sailor who died while on active service.”
 - (7) By inserting in the same paragraph after the words “ such soldier ” the words “ or sailor.”
 - (8) By inserting in paragraph (b) of the same section after the words “ rent due ” the words “ payable or paid to the Crown by or on behalf of a discharged soldier or sailor, or a soldier or sailor who died while on active service.”
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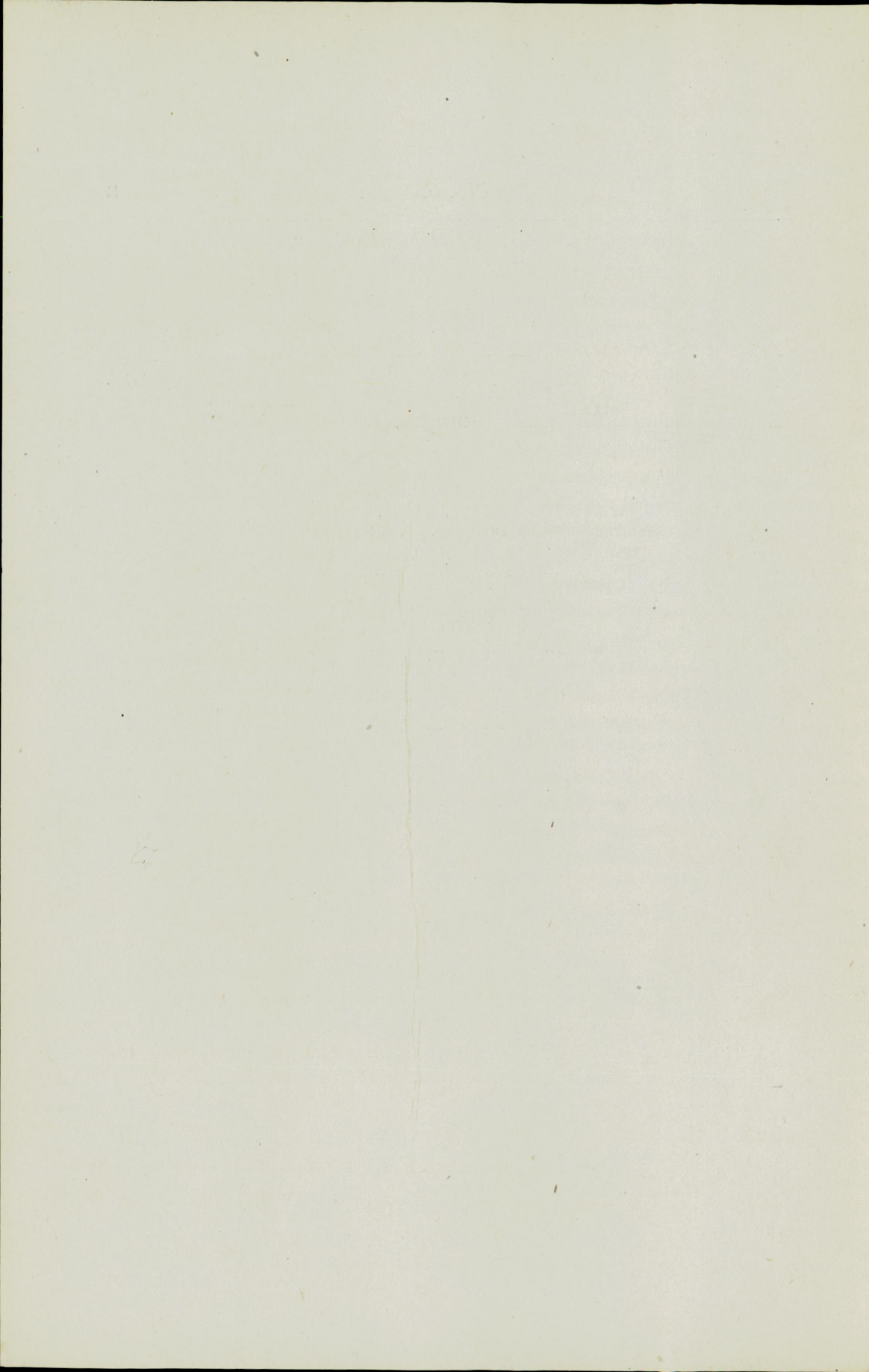
Returned Soldiers Settlement (Amendment).

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By Authority:

JOHN SPENCE, Acting Government Printer, Sydney, 1922.



I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 August, 1922.*

New South Wales



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In this Act, the Returned Soldiers Settlement Act, 1916, as amended by the Returned Soldiers Settlement (Amendment) Act, 1917, and the Returned Soldiers Settlement (Amendment) Act, 1919, is referred to as the Principal Act. **2.**

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

R. B. WALKER,
Chairman of Committees of the Legislative Assembly.

*Returned Soldiers Settlement (Amendment).***2.** The Principal Act is amended as follows :—Amendment of
Principal Act.
Sec. 10.

- (1) By omitting from section ten the following words :—“ Such consent shall not for a period of ten years from the date of commencement of title to the holding be given to a transfer or other dealing (other than by way of mortgage only) to or with any person who is not a discharged soldier or engaged on military or naval service with His Majesty's forces, or the forces of His Majesty's allies, or the widow of a soldier or sailor who died on active service or of a discharged soldier ; and any transfer or dealing within such period except by way of mortgage only to any person other than a discharged soldier shall be invalid and void.”
- (2) By inserting in the head note to section fourteen, after the word “ waiver ” the words “ or remission,” and by omitting from the same head note the words “ due by Crown settlers on active service.” Sec. 14.
- (3) By inserting in section fourteen after the word “ waive ” the words “ or remit.”
- (4) By omitting from paragraph (a) of section fourteen the words “ due to the Crown.”
- (5) By inserting in the same paragraph after the word “ money ” the words “ whether included in an instalment or not.”
- (6) By omitting from the same paragraph the words “ due or payable by a discharged soldier ” and inserting the words “ due, payable, or paid to the Crown by or on behalf of a discharged soldier or sailor, or a soldier or sailor who died while on active service.”
- (7) By inserting in the same paragraph after the words “ such soldier ” the words “ or sailor.”
- (8) By inserting in paragraph (b) of the same section after the words “ rent due ” the words “ payable or paid to the Crown by or on behalf of a discharged soldier or sailor, or a soldier or sailor who died while on active service.”

In the name and on behalf of His Majesty I assent to this Act.

W. E. DAVIDSON,
Governor.

*Government House,
Sydney, 5th September, 1922.*

Returned Soldiers Settlement (Amendment) Bill, 1922.

SECTIONS OF PRINCIPAL ACT SHOWING PROPOSED AMENDMENTS.

10. Land leased or sold to a discharged soldier under this Act shall not be capable of being transferred or otherwise dealt with before or after grant unless the Minister's or, in the case of a holding within an irrigation area, the Water Conservation and Irrigation Commission's consent thereto has been obtained; and except where the Minister or such Commission is satisfied that the settler is compelled by sickness of himself or family, financial difficulties or incapacity or other adverse circumstances, to leave his holding, it shall not be transferable—except by way of mortgage—until the expiry of five years from the date of the commencement of the lease or purchase. Such consent shall not for a period of ten years from the date of commencement of title to the holding be given to a transfer or other dealing (other than by way of mortgage only) to or with any person who is not a discharged soldier or engaged on military or naval service with His Majesty's forces, or the forces of His Majesty's allies, or the widow of a soldier or sailor who died on active service or of a discharged soldier; and any transfer or dealing within such period except by way of mortgage only to any person other than a discharged soldier shall be invalid and void.

Restriction on right of transfer.

Waiver or remission of rent and interest due by Crown settlers on active service.

14. The Minister may upon application made to him waive or remit the payment of—

Waiver of rent and interest.

- (a) the whole or part of the interest due to the Crown on the balance of purchase money **whether included in an instalment or not** on any purchase under the Crown Lands Acts or on any settlement purchase under the Closer Settlement Acts, or on any holding under the Returned Soldiers Settlement Act, 1916, ~~due or payable by a discharged soldier,~~ **due, payable, or paid to the Crown by or on behalf of a discharged soldier or sailor, or a soldier or sailor who died while on active service,** during the time when such soldier or sailor was on active service and six months thereafter;
- (b) the whole or part of the rent due, **payable, or paid to the Crown** in respect of any homestead selection, lease or license for the aforesaid periods.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 16 August, 1922.*

New South Wales



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Act No. , 1922.

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*Returned Soldiers Settlement (Amendment).***2.** The Principal Act is amended as follows :—Amendment of
Principal Act.
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- 5 (1) By omitting from section ten the following words :—“ Such consent shall not for a period of ten years from the date of commencement of title to the holding be given to a transfer or other dealing (other than by way of mortgage only) to or with any person who is not a discharged soldier or engaged on military or naval service with His Majesty’s forces, or the forces of His Majesty’s allies, or the widow of a soldier or sailor who died on active service or of a discharged soldier ; and any transfer or dealing within such period except by way of mortgage only to any person other than a discharged soldier shall be invalid and void.”
- 10 (2) By inserting in the head note to section four-
teen, after the word “ waiver ” the words “ or remission,” and by omitting from the same head note the words “ due by Crown settlers on active service.”
- 15 (3) By inserting in section fourteen after the word “ waive ” the words “ or remit.”
- 20 (4) By omitting from paragraph (a) of section fourteen the words “ due to the Crown.”
- 2 (5) By inserting in the same paragraph after the word “ money ” the words “ whether included in an instalment or not.”
- 30 (6) By omitting from the same paragraph the words “ due or payable by a discharged soldier ” and inserting the words “ due, payable, or paid to the Crown by or on behalf of a discharged soldier or sailor, or a soldier or sailor who died while on active service.”
- 35 (7) By inserting in the same paragraph after the words “ such soldier ” the words “ or sailor.”
- 40 (8) By inserting in paragraph (b) of the same section after the words “ rent due ” the words “ payable or paid to the Crown by or on behalf of a discharged soldier or sailor, or a soldier or sailor who died while on active service.”