

# New South Wales.



ANNO PRIMO

## EDWARDI VIII REGIS.

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### Act No. 38, 1936.

An Act to amend the Farmers' Relief Act, 1932-1935, in certain respects; and for purposes connected therewith. [Assented to, 23rd July, 1936.]

**B**E 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.** (1) This Act may be cited as the "Farmers' Relief Short title. Amendment (Debts Adjustment) Act, 1936."

(2) The Farmers' Relief Act, 1932-1935, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

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*Farmers' Relief Amendment (Debts Adjustment).*

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(3) The Principal Act, as amended by this Act, may be cited as the Farmers' Relief Act, 1932-1936.

Amendment  
of Act No.  
33, 1932.

Sec. 8.  
(Stay  
order.)

**2.** The Principal Act is amended by inserting in subsection one of section eight after the words "thirty-six" the words "and any farmer who proposes to make application to the Board under section 34A of this Act for assistance may at any time before the first day of July, one thousand nine hundred and thirty-seven".

Further  
amendment  
of Act No.  
33, 1932.

Sec. 11.  
(Matters to  
be con-  
sidered.)

**3.** The Principal Act is further amended by inserting in section eleven after the words "this Act" where lastly occurring the words "or if, notwithstanding any relief or assistance whether by way of debts adjustment or otherwise that it would be competent to grant to a farmer under this Act, the farmer will not have a reasonable prospect of continuing and carrying on his farming operations successfully".

Further  
amendment  
of Act No. 33,  
1932.

Sec. 28.  
(Disburse-  
ments for  
season in  
which stay  
order is  
granted.)

**4.** The Principal Act is further amended—

(a) (i) by inserting at the end of paragraph (d) of subsection two of section twenty-eight the words "under this Part of this Act";

(ii) by inserting after paragraph (f) of the same subsection the following new paragraph:—

(g) seventhly, in payment of interest on any advance made to the farmer under section 34E of this Act.

(iii) by inserting at the end of subsection five of the same section the following new paragraph:—

This subsection shall not apply to or in respect of the provision as to payment of interest contained in paragraph (g) of subsection two of this section.

(b) (i) by inserting at the end of paragraph (d) of subsection one of section twenty-nine the words "under this Part of this Act";

(ii)

Sec. 29.  
(Disburse-  
ments—sub-  
sequent  
seasons.)

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*Farmers' Relief Amendment (Debts Adjustment).*

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- (ii) by inserting after paragraph (f) of the same subsection the following new paragraph:—
- (g) seventhly, in payment of interest on any advance made to the farmer under section 34E of this Act;
- (iii) by omitting from the same subsection the words “paragraphs (e) and (f)” and by inserting in lieu thereof the words “paragraphs (e), (f) and (g)”;
- (iv) by inserting at the end of subsection four of the same section the following new paragraph:—

This subsection shall not apply to or in respect of the provision as to payment of interest contained in paragraph (g) of subsection one of this section.

**5.** The Principal Act is further amended by inserting at the end of section thirty-one the following new subsection:—

Further amendment of Act No. 33, 1932.

(4) (a) Where a farmer has been granted assistance under Part IIA of this Act and the stay order granted to such farmer has been removed, the Board may direct the Rural Bank of New South Wales to advance to the farmer through its Farmers' Relief Agency such moneys upon such securities and subject to such covenants, conditions and provisions (including provision for the payment of interest at a rate not exceeding four per centum per annum) as the Board may in the direction specify, for any or all of the purposes specified in subparagraphs (i), (ii), (iii) and (v) of paragraph (a) of subsection one of this section.

Sec. 31.  
(Advances and guarantees by Board.)

(b) The Rural Bank of New South Wales shall make any advance which the Board may direct under this subsection through its Farmers' Relief Agency, out of moneys available to the Bank for the purposes of that Agency.

(c) The moneys as advanced shall be paid to the farmer or to the credit of such bank account as the Board may direct.

**6.**

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*Farmers' Relief Amendment (Debts Adjustment).*

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Further amendment of Act No. 33, 1932.

Sec. 33.

(Farmers not to mortgage, etc., assets without consent of Board.)

**6.** The Principal Act is further amended—

(a) by inserting at the end of section thirty-three the following new subsection:—

(6) Nothing in this Act contained shall prevent or be deemed ever to have prevented the farmer, with the consent of the Board (and in the case of a sale to which subsection one of section thirty-two of this Act applies with the consent of the mortgagee) from mortgaging, charging, pledging or creating any lien upon or otherwise encumbering or transferring, assigning or parting with the possession or control of any part of his real or personal property, credits or effects or from acquiring or entering into any agreement to acquire any property whatsoever, whether real or personal.

(b) by omitting from section 33E the words “and of” and by inserting in lieu thereof the words “out of”.

Sec. 33E.  
(Correction.)

**7.** The Principal Act is further amended—

(a) by inserting in paragraph (a) of section 34g after the words “in part” the words “or suspend or allow further time for payment of”;

(b) by inserting after the same paragraph the following new paragraph:—

(a1) the Board may—

(i) suspend or allow further time for payment of; or

(ii) require the farmer to execute such further securities as it may deem necessary in respect of; or

(iii) with the concurrence of the Auditor-General, write off, either wholly or in part,

any debt due by a farmer to the Board in respect of any advance made under this Part of this Act.

Further amendment of Act No. 33, 1932.

Sec. 34g.

(Power to write off debts in certain cases.)

By Authority:

ALFRED JAMES KENT, I.S.O., Government Printer, Sydney.—1936.

[3d.]

*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. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 21 July, 1936.*

## New South Wales.



ANNO PRIMO

## EDWARDI VIII REGIS.

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### Act No. 38, 1936.

An Act to amend the Farmers' Relief Act, 1932-1935, in certain respects; and for purposes connected therewith. [Assented to, 23rd July, 1936.]

**B**E 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.** (1) This Act may be cited as the "Farmers' Relief Short title. Amendment (Debts Adjustment) Act, 1936."

(2) The Farmers' Relief Act, 1932-1935, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3)

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

W. W. HEDGES,  
*Chairman of Committees of the Legislative Assembly.*

*Farmers' Relief Amendment (Debts Adjustment).*

(3) The Principal Act, as amended by this Act, may be cited as the Farmers' Relief Act, 1932-1936.

Amendment  
of Act No.  
33, 1932.  
Sec. 8.  
(Stay  
order.)

**2.** The Principal Act is amended by inserting in subsection one of section eight after the words "thirty-six" the words "and any farmer who proposes to make application to the Board under section 34A of this Act for assistance may at any time before the first day of July, one thousand nine hundred and thirty-seven".

Further  
amendment  
of Act No.  
33, 1932.  
Sec. 11.  
(Matters to  
be con-  
sidered.)

**3.** The Principal Act is further amended by inserting in section eleven after the words "this Act" where lastly occurring the words "or if, notwithstanding any relief or assistance whether by way of debts adjustment or otherwise that it would be competent to grant to a farmer under this Act, the farmer will not have a reasonable prospect of continuing and carrying on his farming operations successfully".

Further  
amendment  
of Act No. 33,  
1932.  
Sec. 28.  
(Disburse-  
ments for  
season in  
which stay  
order is  
granted.)

**4.** The Principal Act is further amended—

(a) (i) by inserting at the end of paragraph (d) of subsection two of section twenty-eight the words "under this Part of this Act";

(ii) by inserting after paragraph (f) of the same subsection the following new paragraph:—

(g) seventhly, in payment of interest on any advance made to the farmer under section 34E of this Act.

(iii) by inserting at the end of subsection five of the same section the following new paragraph:—

This subsection shall not apply to or in respect of the provision as to payment of interest contained in paragraph (g) of subsection two of this section.

Sec. 29.  
(Disburse-  
ments—sub-  
sequent  
seasons.)

(b) (i) by inserting at the end of paragraph (d) of subsection one of section twenty-nine the words "under this Part of this Act";

(ii)

*Farmers' Relief Amendment (Debts Adjustment).*

(ii) by inserting after paragraph (f) of the same subsection the following new paragraph:—

(g) seventhly, in payment of interest on any advance made to the farmer under section 34E of this Act;

(iii) by omitting from the same subsection the words “paragraphs (e) and (f)” and by inserting in lieu thereof the words “paragraphs (e), (f) and (g)”;

(iv) by inserting at the end of subsection four of the same section the following new paragraph:—

This subsection shall not apply to or in respect of the provision as to payment of interest contained in paragraph (g) of subsection one of this section.

**5.** The Principal Act is further amended by inserting at the end of section thirty-one the following new subsection:—

(4) (a) Where a farmer has been granted assistance under Part II<sub>A</sub> of this Act and the stay order granted to such farmer has been removed, the Board may direct the Rural Bank of New South Wales to advance to the farmer through its Farmers' Relief Agency such moneys upon such securities and subject to such covenants, conditions and provisions (including provision for the payment of interest at a rate not exceeding four per centum per annum) as the Board may in the direction specify, for any or all of the purposes specified in subparagraphs (i), (ii), (iii) and (v) of paragraph (a) of subsection one of this section.

(b) The Rural Bank of New South Wales shall make any advance which the Board may direct under this subsection through its Farmers' Relief Agency, out of moneys available to the Bank for the purposes of that Agency.

(c) The moneys as advanced shall be paid to the farmer or to the credit of such bank account as the Board may direct.

Further  
amendment  
of Act No.  
33, 1932.

Sec. 31.  
(Advances  
and  
guarantees  
by Board.)

**6.**

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*Farmers' Relief Amendment (Debts Adjustment).*

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Further amendment of Act No. 33, 1932.

Sec. 33.

(Farmers not to mortgage, etc., assets without consent of Board.)

**6.** The Principal Act is further amended—

(a) by inserting at the end of section thirty-three the following new subsection:—

(6) Nothing in this Act contained shall prevent or be deemed ever to have prevented the farmer, with the consent of the Board (and in the case of a sale to which subsection one of section thirty-two of this Act applies with the consent of the mortgagee) from mortgaging, charging, pledging or creating any lien upon or otherwise encumbering or transferring, assigning or parting with the possession or control of any part of his real or personal property, credits or effects or from acquiring or entering into any agreement to acquire any property whatsoever, whether real or personal.

(b) by omitting from section 33E the words “and of” and by inserting in lieu thereof the words “out of”.

Sec. 33E.  
(Correction.)

**7.** The Principal Act is further amended—

(a) by inserting in paragraph (a) of section 34g after the words “in part” the words “or suspend or allow further time for payment of”;

(b) by inserting after the same paragraph the following new paragraph:—

(a1) the Board may—

(i) suspend or allow further time for payment of; or

(ii) require the farmer to execute such further securities as it may deem necessary in respect of; or

(iii) with the concurrence of the Auditor-General, write off, either wholly or in part,

any debt due by a farmer to the Board in respect of any advance made under this Part of this Act.

Further amendment of Act No. 33, 1932.

Sec. 34g.

(Power to write off debts in certain cases.)

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

Government House,

Sydney, 23rd July, 1936.

P. W. STREET,

*Lieutenant-Governor.*



*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. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 3 July, 1936.*

## New South Wales.



ANNO PRIMO

## EDWARDI VIII REGIS.

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Act No. , 1936.

An Act to amend the Farmers' Relief Act, 1932-1935, in certain respects; and for purposes connected therewith.

**B**E 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  
5 the same, as follows:—

**1.** (1) This Act may be cited as the "Farmers' Relief Short title.  
Amendment (Debts Adjustment) Act, 1936."

(2) The Farmers' Relief Act, 1932-1935, as amended by subsequent Acts, is in this Act referred to as the  
10 Principal Act.

*Farmers' Relief Amendment (Debts Adjustment).*

(3) The Principal Act, as amended by this Act, may be cited as the Farmers' Relief Act, 1932-1936.

2. The Principal Act is amended by inserting in subsection one of section eight after the words "thirty-six" the words "and any farmer who proposes to make application to the Board under section 34A of this Act for assistance may at any time before the first day of July, one thousand nine hundred and thirty-seven".

Amendment of Act No. 33, 1932. Sec. 8. (Stay order.)

3. The Principal Act is further amended by inserting in section eleven after the words "this Act" where lastly occurring the words "or if, notwithstanding any relief or assistance whether by way of debts adjustment or otherwise that it would be competent to grant to a farmer under this Act, the farmer will not have a reasonable prospect of continuing and carrying on his farming operations successfully".

Further amendment of Act No. 33, 1932. Sec. 11. (Matters to be considered.)

4. The Principal Act is further amended—

Further amendment of Act No. 33, 1932.

(a) (i) by inserting at the end of paragraph (d) of subsection two of section twenty-eight the words "under this Part of this Act";  
(ii) by inserting after paragraph (f) of the same subsection the following new paragraph:—  
(g) seventhly, in payment of interest on any advance made to the farmer under section 34E of this Act.

Sec. 28. (Disbursements for season in which stay order is granted.)

(iii) by inserting at the end of subsection five of the same section the following new paragraph:—

This subsection shall not apply to or in respect of the provision as to payment of interest contained in paragraph (g) of subsection two of this section.

(b) (i) by inserting at the end of paragraph (d) of subsection one of section twenty-nine the words "under this Part of this Act";

Sec. 29. (Disbursements—subsequent seasons.)

(ii)

*Farmers' Relief Amendment (Debts Adjustment).*

(ii) by inserting after paragraph (f) of the same subsection the following new paragraph:—

5 (g) seventhly, in payment of interest on any advance made to the farmer under section 34E of this Act;

(iii) by omitting from the same subsection the words "paragraphs (e) and (f)" and by inserting in lieu thereof the words "paragraphs (e), (f) and (g)";

10

(iv) by inserting at the end of subsection four of the same section the following new paragraph:—

15 This subsection shall not apply to or in respect of the provision as to payment of interest contained in paragraph (g) of subsection one of this section.

5. The Principal Act is further amended by inserting at the end of section thirty-one the following new sub-  
20 section:—

(4) (a) Where a farmer has been granted assistance under Part IIA of this Act and the stay order granted to such farmer has been removed, the Board may direct the Rural Bank of New South Wales to advance to the farmer through its Farmers' Relief Agency such moneys upon such securities and subject to such covenants, conditions and provisions (including provision for the payment of interest at a rate not exceeding four per centum per annum) as the Board may in the direction specify, for any or all of the purposes specified in subparagraphs (i), (ii), (iii) and (v) of paragraph (a) of subsection one of this section.

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(b) The Rural Bank of New South Wales shall make any advance which the Board may direct under this subsection through its Farmers' Relief Agency, out of moneys available to the Bank for the purposes of that Agency.

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(c) The moneys as advanced shall be paid to the farmer or to the credit of such bank account as the Board may direct.

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Further amendment of Act No. 33, 1932.

Sec. 31. (Advances and guarantees by Board.)

*Farmers' Relief Amendment (Debts Adjustment).*

6. The Principal Act is further amended—

(a) by inserting at the end of section thirty-three the following new subsection:—

5 (6) Nothing in this Act contained shall prevent or be deemed ever to have prevented the farmer, with the consent of the Board (and in the case of a sale to which subsection one of section thirty-two of this Act applies with the consent of the mortgagee) from mortgaging, charging, pledging or creating any lien upon or otherwise encumbering or transferring, assigning or parting with the possession or control of any part of his real or personal property, credits or effects or from acquiring or entering into any agreement to acquire any property whatsoever, whether real or personal.

(b) by omitting from section 33E the words “and of” and by inserting in lieu thereof the words “out of”.

20 7. The Principal Act is further amended—

(a) by inserting in paragraph (a) of section 34G after the words “in part” the words “or suspend or allow further time for payment of”;

25 (b) by inserting after the same paragraph the following new paragraph:—

(a1) the Board may—

(i) suspend or allow further time for payment of; or

30 (ii) require the farmer to execute such further securities as it may deem necessary in respect of; or

(iii) with the concurrence of the Auditor-General, write off, either wholly or in part,

35 any debt due by a farmer to the Board in respect of any advance made under this Part of this Act.

Further amendment of Act No. 33, 1932.

Sec. 33.

(Farmers not to mortgage, etc., assets without consent of Board.)

Sec. 33E.

(Correction.)

Further amendment of Act No. 33, 1932.

Sec. 34G.

(Power to write off debts in certain cases.)