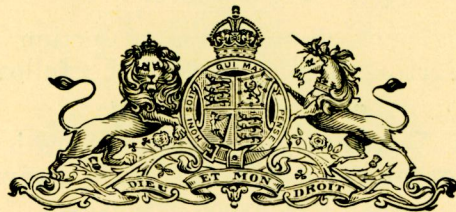


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 24 October, 1940.

New South Wales.



ANNO QUARTO

GEORGII VI REGIS.

Act No. , 1940.

An Act to amend the Farmers' Relief Act, 1932-1939, and certain other Acts in certain respects; and for purposes connected therewith.

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
5 the same, as follows:—

1. (1) This Act may be cited as the "Farmers' Relief (Amendment) Act, 1940." Short title and citation.

(2) The Farmers' Relief Act, 1932-1939, is in this Act referred to as the Principal Act.

54163 420—

(3)

Farmers' Relief (Amendment).

(3) The Principal Act as amended by this Act may be cited as the Farmers' Relief Act, 1932-1940.

2. The Principal Act is amended—

Amendment of Act No. 33, 1932.

5 (a) by omitting from subsection one of section eight the word "forty" and by inserting in lieu thereof the word "forty-three";

Sec. 8. (Stay orders.)

(b) by omitting subsection eleven of section nine and by inserting in lieu thereof the following subsection:—

Sec. 9. (Form and effect of stay order.)

10 (11) The Board may extend the operation of any stay order from year to year: Provided that not more than three such extensions of any stay order shall be made to take effect after the date upon which the period referred to in subsection ten of this section and applicable with respect to the stay order, expires, or after the date of commencement of the Farmers' Relief (Amendment) Act, 1940, whichever is the later date.

20 Any extension of the operation of a stay order made under the subsection which this subsection replaces shall have effect as if this subsection had been in force at the time such extension was made.

25 3. The Principal Act is further amended by omitting from subsection ten of section 34n the word "six" and by inserting in lieu thereof the word "twelve."

Further amendment of Act No. 33, 1932.

Sec. 34n. (Protection orders.)

4. The Principal Act is further amended—

Further amendment of Act No. 33, 1932.

30 (a) by inserting at the end of subsection three of section ten the words "and where any land under the provisions of the Real Property Act, 1900, is affected by such removal, he shall also withdraw any caveat lodged by him in pursuance of subsection four of section nine of this Act";

Sec. 10. (Power of Board to remove stay order.)

35

(b)

Farmers' Relief (Amendment).

(b) by inserting at the end of subsection seven of section 34N the following words:—

Sec. 34N.
(Protection orders.)

15

“The Director shall also forthwith register every such protection order in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land”;

10

(c) by omitting from subsection eight of the same section the words “the register of protection orders kept by the Director” and by inserting in lieu thereof the words “the Register of Causes, Writs and Orders affecting land”;

15

(d) by inserting at the end of subsection twelve of the same section the words “and shall register such particulars in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land.”

20

5. (1) No amendment of the Farmers' Relief Act, 1932, made by any subsequent Act (including this Act) shall be held to operate or to have operated so as to release any party or surety to any bond executed and delivered to the Farmers' Relief Board or to the Rural Reconstruction Board in pursuance of section thirteen of that Act, whether as originally enacted or as amended from time to time.

Parties to certain bonds not to be released.

25

(2) A reference in any such bond executed before the commencement of this Act to the Farmers' Relief Act, 1932, or to the Farmers' Relief Act, 1932-1934, or to the Farmers' Relief Act, 1932-1935, or to the Farmers' Relief Act, 1932-1936, or to the Farmers' Relief Act, 1932-1937, or to the Farmers' Relief Act, 1932-1938, or to the Farmers' Relief Act, 1932-1939, shall as from such commencement be read and construed as a reference to the Farmers' Relief Act, 1932-1940.

35

(3) The Rural Reconstruction Act, 1939, is amended by omitting section ten.

Amendment of Act No. 45, 1939.
Sec. 10.
(Consequential.)

(b) [Faint, illegible text]

(c) [Faint, illegible text]

(d) [Faint, illegible text]

Farmers' Relief (Amendment) Bill, 1940.

EXPLANATORY NOTE.

THE objects of this Bill are to provide for—

- (1) extension for a further three years of the time within which a farmer who proposes to make application for debts adjustment may apply for a stay order;
- (2) extension of the possible life of existing stay orders for a period of three years;
- (3) extension of the period for which protection orders may continue in operation from six months to twelve months;
- (4) minor machinery amendments to the Farmers' Relief Act.

54163



No. , 1940.

A BILL

To amend the Farmers' Relief Act, 1932-1939, and certain other Acts in certain respects; and for purposes connected therewith.

[MR. SINCLAIR;—16 OCTOBER, 1940.]

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. (1) This Act may be cited as the "Farmers' Relief (Amendment) Act, 1940." Short title and citation.

(2) The Farmers' Relief Act, 1932-1939, is in this Act referred to as the Principal Act.

Farmers' Relief (Amendment).

(3) The Principal Act as amended by this Act may be cited as the Farmers' Relief Act, 1932-1940.

2. The Principal Act is amended—

Amendment of Act No. 33, 1932.

5 (a) by omitting from subsection one of section eight the word "forty" and by inserting in lieu thereof the word "forty-three";

Sec. 8. (Stay orders.)

(b) by omitting subsection eleven of section nine and by inserting in lieu thereof the following subsection:—

Sec. 9. (Form and effect of stay order.)

10 (11) The Board may extend the operation of any stay order from year to year: Provided that not more than three such extensions of any stay order shall be made to take effect after the date upon which the period referred to in subsection ten of this section and applicable with respect to the stay order, expires, or after the date of commencement of the Farmers' Relief (Amendment) Act, 1940, whichever is the later date.

20 Any extension of the operation of a stay order made under the subsection which this subsection replaces shall have effect as if this subsection had been in force at the time such extension was made.

25 3. The Principal Act is further amended by omitting from subsection ten of section 34x the word "six" and by inserting in lieu thereof the word "twelve."

Further amendment of Act No. 33, 1932.

Sec. 34x. (Protection orders.)

4. The Principal Act is further amended—

Further amendment of Act No. 33, 1932.

30 (a) by inserting at the end of subsection three of section ten the words "and where any land under the provisions of the Real Property Act, 1900, is affected by such removal, he shall also withdraw any caveat lodged by him in pursuance of subsection four of section nine of this Act";

Sec. 10. (Power of Board to remove stay order.)

35

(b)

Farmers' Relief (Amendment).

- (b) by inserting at the end of subsection seven of section 34N the following words:—

Sec. 34N.
(Protection orders.)

5 “The Director shall also forthwith register every such protection order in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land”;

- 10 (c) by omitting from subsection eight of the same section the words “the register of protection orders kept by the Director” and by inserting in lieu thereof the words “the Register of Causes, Writs and Orders affecting land”;

- 15 (d) by inserting at the end of subsection twelve of the same section the words “and shall register such particulars in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land.”

20 **5.** (1) No amendment of the Farmers' Relief Act, 1932, made by any subsequent Act (including this Act) shall be held to operate or to have operated so as to release any party or surety to any bond executed and delivered to the Farmers' Relief Board or to the Rural Reconstruction Board in pursuance of section thirteen of that Act, whether as originally enacted or as amended from time to time.

Parties to certain bonds not to be released.

25 (2) A reference in any such bond executed before the commencement of this Act to the Farmers' Relief Act, 1932, or to the Farmers' Relief Act, 1932-1934, or to the Farmers' Relief Act, 1932-1935, or to the Farmers' Relief Act, 1932-1936, or to the Farmers' Relief Act, 30 1932-1937, or to the Farmers' Relief Act, 1932-1938, or to the Farmers' Relief Act, 1932-1939, shall as from such commencement be read and construed as a reference to the Farmers' Relief Act, 1932-1940.

35 (3) The Rural Reconstruction Act, 1939, is amended by omitting section ten.

Amendment of Act No. 45, 1939.
Sec. 10.
(Consequential.)

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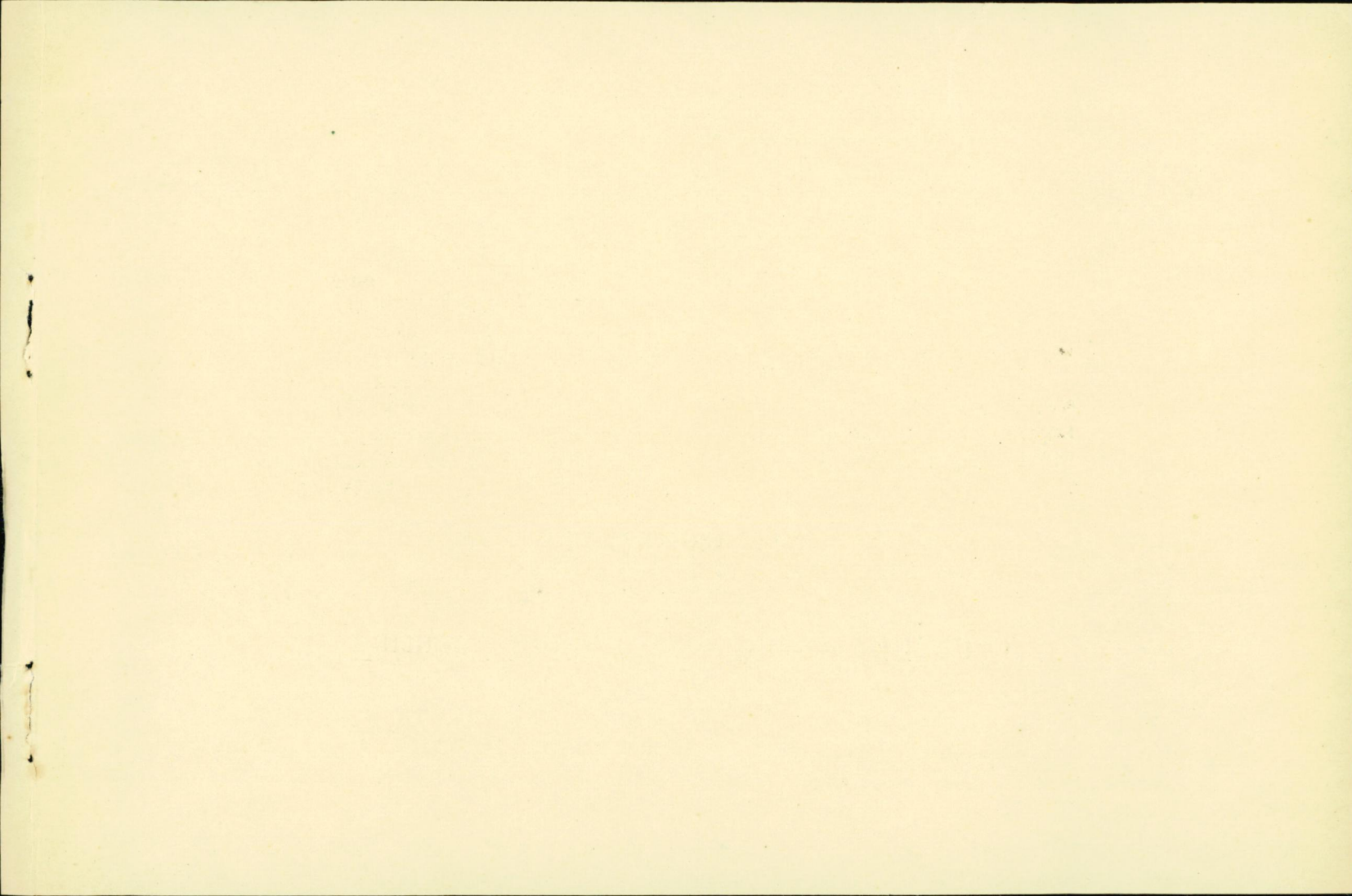
Farmers' Relief (Amendment) Bill, 1940.

EXPLANATORY NOTE.

THE objects of this Bill are to provide for—

- (1) extension for a further three years of the time within which a farmer who proposes to make application for debts adjustment may apply for a stay order;
- (2) extension of the possible life of existing stay orders for a period of three years;
- (3) extension of the period for which protection orders may continue in operation from six months to twelve months;
- (4) minor machinery amendments to the Farmers' Relief Act.

54163



No. , 1940.

A BILL

To amend the Farmers' Relief Act, 1932-1939, and certain other Acts in certain respects; and for purposes connected therewith.

[MR. SINCLAIR;—16 OCTOBER, 1940.]

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
5 the same, as follows:—

1. (1) This Act may be cited as the "Farmers' Relief (Amendment) Act, 1940." Short title and citation.

(2) The Farmers' Relief Act, 1932-1939, is in this Act referred to as the Principal Act.

54163 420—

(3)

Farmers' Relief (Amendment).

(3) The Principal Act as amended by this Act may be cited as the Farmers' Relief Act, 1932-1940.

2. The Principal Act is amended—

Amendment
of Act No. 33,
1932.

5 (a) by omitting from subsection one of section eight the word "forty" and by inserting in lieu thereof the word "forty-three";

Sec. 8.
(Stay
orders.)

(b) by omitting subsection eleven of section nine and by inserting in lieu thereof the following subsection:—

Sec. 9.
(Form and
effect of
stay order.)

10 (11) The Board may extend the operation of any stay order from year to year: Provided that not more than three such extensions of any stay order shall be made to take effect after the date upon which the period referred to in sub-

15 subsection ten of this section and applicable with respect to the stay order, expires, or after the date of commencement of the Farmers' Relief (Amendment) Act, 1940, whichever is the later date.

20 Any extension of the operation of a stay order made under the subsection which this subsection replaces shall have effect as if this subsection had been in force at the time such extension was made.

25 **3.** The Principal Act is further amended by omitting from subsection ten of section 34N the word "six" and by inserting in lieu thereof the word "twelve."

Further
amendment
of Act No. 33,
1932.

Sec. 34N.
(Protection
orders.)

4. The Principal Act is further amended—

Further
amendment
of Act No. 33,
1932.

30 (a) by inserting at the end of subsection three of section ten the words "and where any land under the provisions of the Real Property Act, 1900, is affected by such removal, he shall also withdraw any caveat lodged by him in pursu-

35 Act";

Sec. 10.
(Power of
Board to
remove stay
order.)

(b)

Farmers' Relief (Amendment).

(b) by inserting at the end of subsection seven of section 34N the following words:—

Sec. 34N.
(Protection orders.)

5 “The Director shall also forthwith register every such protection order in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land”;

10 (c) by omitting from subsection eight of the same section the words “the register of protection orders kept by the Director” and by inserting in lieu thereof the words “the Register of Causes, Writs and Orders affecting land”;

15 (d) by inserting at the end of subsection twelve of the same section the words “and shall register such particulars in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land.”

20 **5.** (1) No amendment of the Farmers' Relief Act, 1932, made by any subsequent Act (including this Act) shall be held to operate or to have operated so as to release any party or surety to any bond executed and delivered to the Farmers' Relief Board or to the Rural Reconstruction Board in pursuance of section thirteen of that Act, whether as originally enacted or as amended from time to time.

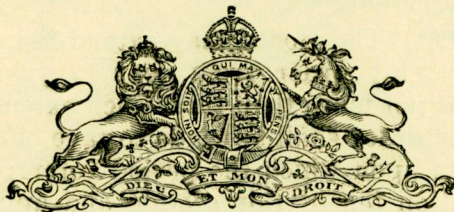
Parties to certain bonds not to be released.

25 (2) A reference in any such bond executed before the commencement of this Act to the Farmers' Relief Act, 1932, or to the Farmers' Relief Act, 1932-1934, or to the Farmers' Relief Act, 1932-1935, or to the Farmers' Relief Act, 1932-1936, or to the Farmers' Relief Act, 30 1932-1937, or to the Farmers' Relief Act, 1932-1938, or to the Farmers' Relief Act, 1932-1939, shall as from such commencement be read and construed as a reference to the Farmers' Relief Act, 1932-1940.

35 (3) The Rural Reconstruction Act, 1939, is amended by omitting section ten.

Amendment of Act No. 45, 1939.
Sec. 10.
(Consequential.)

New South Wales.



ANNO QUARTO

GEORGI VI REGIS.

Act No. 27, 1940.

An Act to amend the Farmers' Relief Act, 1932-1939, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 7th November, 1940.]

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. (1) This Act may be cited as the "Farmers' Relief (Amendment) Act, 1940."

Short title and citation.

(2) The Farmers' Relief Act, 1932-1939, is in this Act referred to as the Principal Act.

Farmers' Relief (Amendment).

(3) The Principal Act as amended by this Act may be cited as the Farmers' Relief Act, 1932-1940.

2. The Principal Act is amended—

Amendment
of Act No. 33,
1932.

Sec. 8.
(Stay
orders.)

(a) by omitting from subsection one of section eight the word "forty" and by inserting in lieu thereof the word "forty-three";

Sec. 9.
(Form and
effect of
stay order.)

(b) by omitting subsection eleven of section nine and by inserting in lieu thereof the following subsection:—

(11) The Board may extend the operation of any stay order from year to year: Provided that not more than three such extensions of any stay order shall be made to take effect after the date upon which the period referred to in subsection ten of this section and applicable with respect to the stay order, expires, or after the date of commencement of the Farmers' Relief (Amendment) Act, 1940, whichever is the later date.

Any extension of the operation of a stay order made under the subsection which this subsection replaces shall have effect as if this subsection had been in force at the time such extension was made.

Further
amendment
of Act No. 33,
1932.

Sec. 34N.
(Protection
orders.)

3. The Principal Act is further amended by omitting from subsection ten of section 34N the word "six" and by inserting in lieu thereof the word "twelve."

Further
amendment
of Act No. 33,
1932.

Sec. 10.
(Power of
Board to
remove stay
order.)

4. The Principal Act is further amended—

(a) by inserting at the end of subsection three of section ten the words "and where any land under the provisions of the Real Property Act, 1900, is affected by such removal, he shall also withdraw any caveat lodged by him in pursuance of subsection four of section nine of this Act";

(b)

Farmers' Relief (Amendment).

- (b) by inserting at the end of subsection seven of section 34N the following words:—
 “The Director shall also forthwith register every such protection order in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land”;
- (c) by omitting from subsection eight of the same section the words “the register of protection orders kept by the Director” and by inserting in lieu thereof the words “the Register of Causes, Writs and Orders affecting land”;
- (d) by inserting at the end of subsection twelve of the same section the words “and shall register such particulars in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land.”

Sec. 34N.
(Protection orders.)

5. (1) No amendment of the Farmers' Relief Act, 1932, made by any subsequent Act (including this Act) shall be held to operate or to have operated so as to release any party or surety to any bond executed and delivered to the Farmers' Relief Board or to the Rural Reconstruction Board in pursuance of section thirteen of that Act, whether as originally enacted or as amended from time to time.

Parties to certain bonds not to be released.

(2) A reference in any such bond executed before the commencement of this Act to the Farmers' Relief Act, 1932, or to the Farmers' Relief Act, 1932-1934, or to the Farmers' Relief Act, 1932-1935, or to the Farmers' Relief Act, 1932-1936, or to the Farmers' Relief Act, 1932-1937, or to the Farmers' Relief Act, 1932-1938, or to the Farmers' Relief Act, 1932-1939, shall as from such commencement be read and construed as a reference to the Farmers' Relief Act, 1932-1940.

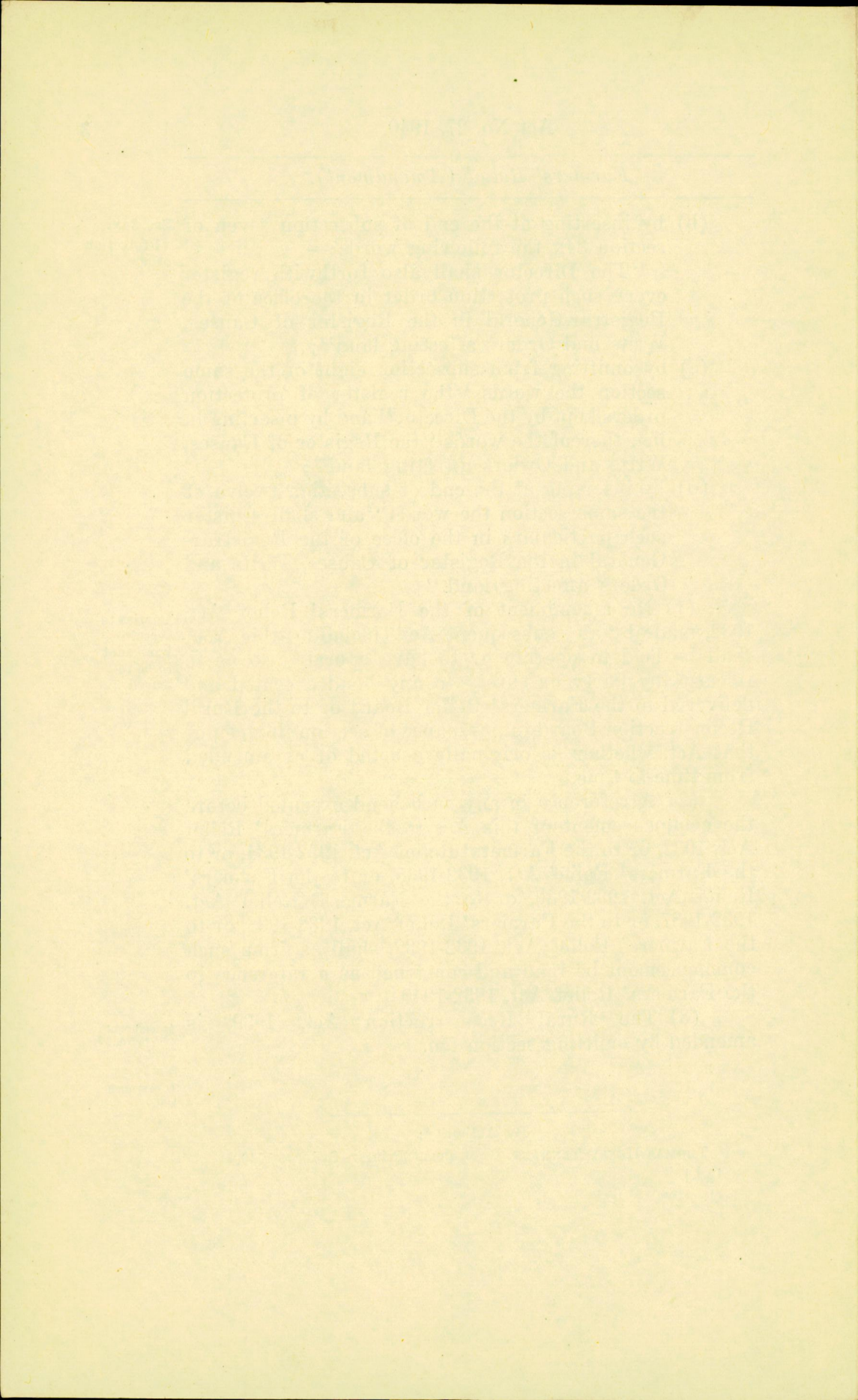
(3) The Rural Reconstruction Act, 1939, is amended by omitting section ten.

Amendment of Act No. 45, 1939.
Sec. 10.
(Consequential.)

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1940.

[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, 31 October, 1940.*

New South Wales.



ANNO QUARTO

GEORGII VI REGIS.

Act No. 27, 1940.

An Act to amend the Farmers' Relief Act, 1932-1939, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 7th November, 1940.]

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. (1) This Act may be cited as the "Farmers' Relief (Amendment) Act, 1940." Short title
and citation.

(2) The Farmers' Relief Act, 1932-1939, 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).

(3) The Principal Act as amended by this Act may be cited as the Farmers' Relief Act, 1932-1940.

Amendment
of Act No. 33,
1932.

Sec. 8.
(Stay
orders.)

Sec. 9.
(Form and
effect of
stay order.)

2. The Principal Act is amended—

(a) by omitting from subsection one of section eight the word "forty" and by inserting in lieu thereof the word "forty-three";

(b) by omitting subsection eleven of section nine and by inserting in lieu thereof the following subsection:—

(11) The Board may extend the operation of any stay order from year to year: Provided that not more than three such extensions of any stay order shall be made to take effect after the date upon which the period referred to in subsection ten of this section and applicable with respect to the stay order, expires, or after the date of commencement of the Farmers' Relief (Amendment) Act, 1940, whichever is the later date.

Any extension of the operation of a stay order made under the subsection which this subsection replaces shall have effect as if this subsection had been in force at the time such extension was made.

Further
amendment
of Act No. 33,
1932.

Sec. 34N.
(Protection
orders.)

Further
amendment
of Act No. 33,
1932.

Sec. 10.
(Power of
Board to
remove stay
order.)

3. The Principal Act is further amended by omitting from subsection ten of section 34N the word "six" and by inserting in lieu thereof the word "twelve."

4. The Principal Act is further amended—

(a) by inserting at the end of subsection three of section ten the words "and where any land under the provisions of the Real Property Act, 1900, is affected by such removal, he shall also withdraw any caveat lodged by him in pursuance of subsection four of section nine of this Act";

(b)

Farmers' Relief (Amendment).

- (b) by inserting at the end of subsection seven of section 34N the following words:—
 “The Director shall also forthwith register every such protection order in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land”;
- (c) by omitting from subsection eight of the same section the words “the register of protection orders kept by the Director” and by inserting in lieu thereof the words “the Register of Causes, Writs and Orders affecting land”;
- (d) by inserting at the end of subsection twelve of the same section the words “and shall register such particulars in the office of the Registrar-General in the Register of Causes, Writs and Orders affecting land.”

Sec. 34N.
 (Protection
 orders.)

5. (1) No amendment of the Farmers' Relief Act, 1932, made by any subsequent Act (including this Act) shall be held to operate or to have operated so as to release any party or surety to any bond executed and delivered to the Farmers' Relief Board or to the Rural Reconstruction Board in pursuance of section thirteen of that Act, whether as originally enacted or as amended from time to time.

Parties to
 certain
 bonds not
 to be re-
 leased.

(2) A reference in any such bond executed before the commencement of this Act to the Farmers' Relief Act, 1932, or to the Farmers' Relief Act, 1932-1934, or to the Farmers' Relief Act, 1932-1935, or to the Farmers' Relief Act, 1932-1936, or to the Farmers' Relief Act, 1932-1937, or to the Farmers' Relief Act, 1932-1938, or to the Farmers' Relief Act, 1932-1939, shall as from such commencement be read and construed as a reference to the Farmers' Relief Act, 1932-1940.

(3) The Rural Reconstruction Act, 1939, is amended by omitting section ten.

Amendment
 of Act No. 45,
 1939.
 Sec. 10.
 (Consequen-
 tial.)

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

WAKEHURST,
 Governor.

*Government House,
 Sydney, 7th November, 1940.*

ARTICLE 10

(b) In the event of the death of any person named in the will, the executor shall have the power to sell, lease, convey, or otherwise dispose of any real or personal property of the estate in the manner and for the purposes specified in the will, and the executor shall be deemed to have acted in conformity with the will in so far as he has exercised such power.

(c) The executor shall have the power to execute any instrument which may be necessary or proper to carry out the purposes of the will, and to do all such other acts and things as may be necessary or proper to give effect to the will.

(d) The executor shall have the power to sue and be sued, to defend himself and the estate, and to do all such other acts and things as may be necessary or proper to carry out the purposes of the will.

ARTICLE 11

(1) The executor shall have the power to sell, lease, convey, or otherwise dispose of any real or personal property of the estate in the manner and for the purposes specified in the will, and the executor shall be deemed to have acted in conformity with the will in so far as he has exercised such power.

(2) The executor shall have the power to execute any instrument which may be necessary or proper to carry out the purposes of the will, and to do all such other acts and things as may be necessary or proper to give effect to the will.

(3) The executor shall have the power to sue and be sued, to defend himself and the estate, and to do all such other acts and things as may be necessary or proper to carry out the purposes of the will.

W. K. BILBEE

Attorney