

EJECTMENTS POSTPONEMENT (AMENDMENT) ACT.

Act No. 26, 1932.

George V.
No. 26, 1932. An Act to amend the Ejectments Postponement Act, 1931, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 17th October, 1932.]

BE

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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 "Ejectments Post- Short title.
ponement (Amendment) Act, 1932."

2. The Ejectments Postponement Act, 1931, is <sup>Amendment
of Act
No. 30, 1931.</sup> amended—

(a) by omitting from section two from the definition ^{Sec. 2.} of "dwelling-house" the word "now"; <sup>"Dwelling-
house."</sup>

(b) by omitting subsection one of section four and ^{Sec. 4.} by inserting in lieu thereof the following new <sup>Substituted
subsec. (1).</sup> subsections:— <sup>New subsecs.
(1A), (1B).</sup>

(1) Where in any court an order or judgment for the recovery of possession of any dwelling-house or for the ejectment of the occupier therefrom is made, recorded, signed or given, the court, upon the application of the occupier, and upon being satisfied that he is in impoverished circumstances shall, notwithstanding anything contained in the Common Law Procedure Act, 1899, or any other Act or in the rules of court made under any Act stay or suspend execution on any such order or judgment or postpone the date of possession for a period to end not less than three months from the date of the occupier's application.

(1A) Where the order for the recovery of possession of a dwelling-house is made under the Landlord and Tenant Act, 1899, an application by the occupier under subsection one of this section may be made at the time of the hearing of the application for or the making of the order for the recovery of possession.

(1B) Where the action or proceeding for the ejectment of an occupier of a dwelling-house is instituted in the Supreme Court or in the district court, an application under subsection one of this section may be lodged by the occupier at any time after the institution of such action or proceeding,

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proceeding, and before the judgment in such action or proceeding is executed; and if an application is so lodged a judgment for the ejectment of the occupier shall not be executed until such application has been heard and determined.

New s. 7A.

(c) by inserting after section seven the following new section:—

**Rules of
Supreme
and
district
courts.**

7A. The judges of the Supreme Court and the judges of the district court respectively may make rules of court regulating the procedure in the Supreme Court and in the district court respectively in all matters arising under this Act.
