

FARMS PURCHASE PROMOTION ACT.

Act No. 20, 1941.

George VI. An Act to provide further facilities for the purchase of farms; to amend the Co-operation Act, 1923-1938, the Government Guarantees Act, 1934-1940, and certain other Acts; and for purposes connected therewith. [Assented to, 9th April, 1941.]
 No. 20, 1941.

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:—

Short title and commencement.

1. (1) This Act may be cited as the "Farms Purchase Promotion Act, 1941."

(2) This Act shall commence upon a date to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 1, 1924.
 New sec. 12A.

2. (1) The Co-operation Act, 1923-1938, is amended—

(a) by inserting next after section twelve the following new section:—

12A. (1) Where a community settlement society proposes to lend money to a member who is not already the owner of a farm, and

(a) such money is to be lent for the purpose of enabling him to purchase land to be occupied by him as a farm; and

(b) the amount proposed to be lent reduced by the value of the share capital of the member or by the sum of three hundred pounds whichever is the smaller sum does not exceed three thousand pounds; and

(c) the amount proposed to be lent reduced by the value of the share capital of the member exceeds seventy per centum but does

Colonial Treasurer may undertake to indemnify community settlement societies.

does not exceed eighty per centum of the value of the land and improvements effected or to be effected thereon as ascertained in such manner as the Co-operative Farms Purchase Promotion Committee under this Act directs, No. 20, 1941.

the Colonial Treasurer may with the approval of the Governor enter into an agreement with the community settlement society proposing to lend such money, and may by such agreement undertake to indemnify such society against such of the loss sustained by that society in respect of the loan as is directly attributable to the fact that the amount so lent reduced by the value of the share capital of the member exceeded seventy per centum of the value of the land and improvements as ascertained in accordance with paragraph (c) of this subsection.

(2) Any such agreement shall operate and have effect until the registrar certifies to the Governor that the amount owing to the society by the member in respect of the loan to which the agreement relates reduced by the value of the share capital of the member is not more than sixty per centum of the value of the land and improvements as ascertained in accordance with paragraph (c) of subsection one of this section.

(3) The instrument evidencing any agreement entered into under this section may be signed by the Colonial Treasurer or for and on behalf of the Colonial Treasurer by any other Minister of the Crown.

(4) The value of the share capital of a member shall, for the purposes of this section, be calculated in such manner as the Co-operative Farms Purchase Promotion Committee constituted under this Act may direct.

Any such direction shall be given in relation to the society specified in the direction and shall not be altered while any agreement with that society under this section has effect.

(5)

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(5) The approval of the Governor to enter into any agreement referred to in subsection one of this section shall not be given except upon the recommendation of the Co-operative Farms Purchase Promotion Committee constituted under this Act.

(6) Such sums as may from time to time become due and payable by the Colonial Treasurer under any agreement authorised by this section shall be paid out of moneys provided by Parliament.

(7) The Colonial Treasurer shall not enter into any agreement under this section where the agreement would involve him in a liability which when added to the total liabilities subsisting in respect of other agreements entered into under this section would in the aggregate exceed the amount of five hundred thousand pounds.

The approval of the Governor to enter into any agreement under this section shall be conclusive evidence that the agreement has not been entered into in contravention of this section.

(8) In respect of each of the quarters respectively commencing on the first day of January, April, July and October in each year the Colonial Treasurer shall furnish a report to Parliament showing—

- (a) the community settlement societies with which he has entered into agreements under this section during the quarter to which the report relates;
- (b) the number of agreements so entered into with each such community settlement society;
- (c) the total amount of the liabilities under the agreements so entered into with each such community settlement society.

Each such report shall be accompanied by a statement showing—

- (i) the community settlement societies with which the Colonial Treasurer had,
before

before the commencement of the quarter to which the report relates, entered into agreements which are still subsisting at the termination of such quarter; No. 20, 1941.

- (ii) the number of such agreements with each such community settlement society;
- (iii) the total amount, as at the termination of such quarter, of the liabilities under the agreements so entered into with each such community settlement society.

Such report and statement shall be laid before both Houses of Parliament as soon as practicable after the termination of the quarter to which the report relates.

- (b) (i) by omitting from paragraph (a) of subsection one of section 84A the word "building"; Sec. 84A.
(Power to appoint director.)
- (ii) by inserting next after paragraph (b) of the same subsection the following new paragraph:—
 - (c) every community settlement society with which the Colonial Treasurer has entered into an agreement under section 12A of this Act.
- (iii) by omitting from subsections two and three of the same section the word "building" wherever occurring;
- (c) by inserting next after section 114A the following new section:— New sec. 114B.

114B. (1) (a) The Minister may constitute a Co-operative Farms Purchase Promotion Committee (in this section referred to as the "committee") consisting of not less than three nor more than five members. Co-operative Farms Purchase Promotion Committee.

(b) One of such members shall be the person for the time being holding the office of registrar who shall by virtue of his office be chairman and executive member of the committee.

(c)

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(c) Another of such members shall be the Under-Secretary to the Treasury or an officer of the Treasury nominated in writing from time to time by the Under-Secretary to act on his behalf, either generally or for any particular meeting of the committee. Any nomination under this paragraph may be revoked by the Under-Secretary by writing under his hand.

(d) Another of such members shall be a person nominated in writing by the Minister for the time being administering the Department of Agriculture. Any nomination under this paragraph may be revoked by the said Minister by writing under his hand.

(2) The other members of the committee (if any) shall be appointed by the Minister and shall hold office for such period as he may deem fit and may be removed from office by the Minister.

(3) It shall be the duty of the committee to make recommendations to the Minister with respect to—

- (a) proposals to promote farms purchase by co-operative methods;
- (b) proposals to improve the methods of operations of societies engaged in promoting farms purchase by co-operative methods;
- (c) proposals to finance the operations of such societies;
- (d) the giving of guarantees under the Government Guarantees Act, 1934-1941, and of indemnities under section 12A of this Act;
- (e) such other matters as may be referred to the committee by the Minister.

(4) Meetings of the committee shall be convened by the chairman or by any two members.

(5) Each member shall, unless he is a person employed by or on behalf of the Crown or is a Member of the Legislative Council or
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the Legislative Assembly of New South Wales, No. 20, 1941.
be paid such fees as may be prescribed by regulation.

(2) The Co-operation Act, 1923-1938, as amended by this section, may be cited as the Co-operation Act, 1923-1941. Citation.

3. (1) The Government Guarantees Act, 1934-1940, is amended— Amendment of Act No. 57, 1934.

(a) (i) by omitting from subsection two of section three the figures "1923-1937" wherever occurring and by inserting in lieu thereof the figures "1923-1941"; Sec. 3. (Authority for Treasurer to guarantee.)

(ii) by inserting at the end of the same subsection the following proviso:—

Provided further that where any such guarantee is for the repayment of any advance to a community settlement society within the meaning of the Co-operation Act, 1923-1941, it shall not be executed except upon the recommendation of the Co-operative Farms Purchase Promotion Committee constituted under that Act.

(b) (i) by inserting in paragraph (e) of section four after the words "building society" wherever occurring the words "community settlement society or community advancement society"; Sec. 4. (Provision relating to guarantees.)

(ii) by omitting from the same paragraph the figures "1923-1932" and by inserting in lieu thereof the figures "1923-1941."

(2) The Government Guarantees Act, 1934-1940, as amended by this section, may be cited as the Government Guarantees Act, 1934-1941. Citation.