

## RURAL BANK (AGENCY) SOLDIERS FAMILIES HOUSING ACT.

Act No. 21, 1941.

**George VI.** **No. 21, 1941.** An Act to make provision for the housing of the families of the Naval, Military and Air Forces; for this purpose to amend the Government Savings Bank Act, 1906, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 9th April, 1941.]

**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:—

**Short title.** **1.** This Act may be cited as the "Rural Bank (Agency) Soldiers Families Housing Act, 1941."

**Amendment of Act No. 48, 1906.** **2.** The Government Savings Bank Act, 1906, as amended by subsequent Acts, is amended—

**New Div. 11.** (a) by inserting in Part VIb next after Division 10, the following new Division:—

DIVISION 11.—*Soldiers Families Housing Agency.*

**Soldiers Families Housing Agency.**

70zz. (1) There shall be an agency in the Government Agency Department called the "Soldiers Families Housing Agency," and the bank may, through such agency, at its discretion, make advances upon such securities and at such rates of interest, and subject to such covenants, conditions and provisions as it may impose to persons who are eligible for advances under this section to enable and assist them to erect, complete or enlarge dwellings.

(2)

(2) The persons who are eligible for advances under this section shall be the persons following, that is to say—

(a) a member of His Majesty's naval, military or air forces who is bound to continuous service with such forces for the duration of the present war between His Majesty and Germany and her Allies, whether or not he has agreed to serve or does serve beyond the limits of the Commonwealth of Australia and those of any territory under the authority of the Commonwealth, or,

(b) the wife of such a member, or

(c) the widow of a person who was such a member.

(b) by inserting in subsection one of section 70M under the short heading "*Group 2*" next after the words "Closer Settlement Agency" the words "Soldiers Families Housing Agency";

Sec. 70M.  
(Grouping of agencies.)

(c) (i) by inserting in paragraph (b) of subsection one of section 70R, after the words "Closer Settlement Agency" the words "and the Soldiers Families Housing Agency";

Sec. 70R.  
(Transfer of powers, etc.)

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

(d) in the case of the Soldiers Families Housing Agency the day upon which the Rural Bank (Agency) Soldiers Families Housing Act, 1941, commences.

(d) by inserting in section three at the end of the matter relating to Part VI, the following words and figures: —

Sec. 3.  
(Consequential.)

DIVISION 11.—*Soldiers Families Housing Agency—s. 70zz.*

No. 21, 1941.

Amendment  
of Act No.  
6, 1919.  
New sec.  
168A.

Verification  
of  
instruments  
executed  
out of  
New South  
Wales by  
persons  
engaged on  
war  
service.

3. The Conveyancing Act, 1919-1939, is amended by inserting next after section one hundred and sixty-eight the following new section:—

168A. (1) Every instrument (other than a will) appearing to have been duly executed outside New South Wales by a person who, at the time of the execution thereof, was engaged on war service shall, so far as regards the execution thereof, be without further proof admissible in evidence in any Court of justice in New South Wales, and before any officer or person having by law or consent of parties authority to hear, receive and examine evidence in New South Wales if such instrument purports to be attested by an officer as defined in the Defence Act, 1903-1939, of the Parliament of the Commonwealth.

(2) It shall be presumed that any signature appended or subscribed on or to any document tendered in evidence under this section is genuine, that any person who is described in any such document as engaged on war service was, in fact, so engaged at the time of the execution by him of the document, and that the person appearing to have attested any such document had in fact authority to attest the same in the character in which he purports so to do, unless the party objecting to the admission of the document proves the contrary.

(3) For the purpose of this section a person shall be deemed to be "engaged on war service" if being a member of His Majesty's naval, military or air forces he is bound to continuous service with such forces for the duration of the present war between His Majesty and Germany and her Allies, whether or not he has agreed to serve or does serve beyond the limits of the Commonwealth of Australia and those of any territory under the authority of the Commonwealth.

(4) In any case where the document tendered in evidence under this section is a power of attorney the following provisions shall have effect:—

(a) a statutory declaration by the donee of the power that the donor of the power is engaged on war service within the meaning of

of this Act, shall be accepted as sufficient evidence of the fact by any person dealing with the donee of the power; No. 21, 1941.

- (b) the donor of the power shall be presumed to remain alive until definite news of his death has been received or such death has been presumed by a court of competent jurisdiction, and the fact that he is reported "missing" or "missing and believed to be killed" or any similar report shall not be construed as giving to persons having knowledge of such report actual notice of his death although the same has in fact occurred.

(5) Attestation in accordance with this section may be taken as sufficient proof of the execution of any instrument under the Real Property Act, 1900.

(6) Nothing in this section shall be construed as limiting any power, authority, privilege or immunity conferred or given by Part II of the Trustee and Wills (Emergency Provisions) Act, 1940.

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