

HOUSING (FURTHER AMENDMENT) ACT.

Act No. 47, 1960.

Elizabeth II, No. 47, 1960. An Act to enable The Housing Commission of New South Wales to proceed summarily against persons furnishing false information; to authorise the Registrar-General in certain cases to cancel certificates of title issued pursuant to section 31A of the Real Property Act, 1900, as amended by subsequent Acts; for these and other purposes to amend the Housing Act, 1912, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 17th November, 1960.]

BE it enacted by the Queen'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 citation. 1. (1) This Act may be cited as the "Housing (Further Amendment) Act, 1960".

(2) (a) The Housing Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Housing Act, 1912-1960.

(b) The Housing (Amendment) Act, 1960, is amended by omitting subsection two of section two.

Amendment of Act No. 7, 1912. 2. The Housing Act, 1912, as amended by subsequent Acts, is amended—

Sec. 4c. (a) by inserting next after subsection (2A) of section 4C the following new subsection : —

(2B) On the lodgment with the Registrar-General of a copy of a notification in the Gazette whether published before or after the commencement of the Housing (Further Amendment) Act, 1960, rescinding

a notification of resumption of land in whole or in part and in respect of which a certificate of title has issued to the Commission pursuant to section 31A of the Real Property Act, 1900, as amended by subsequent Acts, the Registrar-General shall cancel such certificate of title in so far as it relates to the land the notification of the resumption of which has been rescinded and of which the Commission is the registered proprietor. No. 47, 1960.

- (b) by inserting next after section forty-seven the following new Part :— New Part IV.

PART IV.

OFFENCES.

48. Any person who—

- (a) wilfully makes any false statement or representation to obtain or claim from the Commission accommodation or a rebate of rent as provided for by the Commonwealth and State Housing Agreement Act, 1946, or a rebate of rental under this Act, or any other advantage or concession, or to deceive any officer or servant of the Commission, or to affect the rate or amount of any such rebate of rent or rental; or False statements.
cf. Act No. 39, 1927,
s. 44.
- (b) by means of personation or any fraudulent device whatsoever obtains or claims from the Commission accommodation or any such rebate of rent or rental or any other advantage or concession; or
- (c) by any wilfully false statement or representation aids or abets any person in obtaining or claiming from the Commission accommodation or any such rebate of rent or rental or any other advantage or concession; or
- (d) receives any money in consideration of or in respect of the procuring from the Commission of accommodation or any such rebate of rent or rental or any other advantage or concession,

shall be guilty of an offence against this Act.

No. 47, 1960.**Penalties.**

49. (1) Any person who commits an offence against this Act shall, where no other penalty is expressly provided, be liable on summary conviction to imprisonment for a term not exceeding six months or to a penalty not exceeding two hundred pounds, or both.

(2) Any penalty imposed by this Act or the regulations thereunder may be recovered in a summary manner before a stipendiary magistrate or any two justices in petty sessions.

(3) Any proceedings for an offence against this Act or the regulations thereunder may be commenced at any time within twelve months from the time when the facts first came to the knowledge of the Commission.

(4) Any such proceedings may be taken by the Commission or some person appointed by it by delegation, either generally or in a particular case.

(5) All penalties recovered under this section in respect of an offence referred to in section forty-eight of this Act shall be paid into the Housing Account.