

FARMERS' RELIEF AMENDMENT (DEBTS ADJUSTMENT) ACT.

Act No. 38, 1936.

Edward VIII, An Act to amend the Farmers' Relief Act, 1932-
No. 38, 1936. 1935, in certain respects; and for purposes
connected therewith. [Assented to, 23rd
July, 1936.]

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
the same, as follows:—

Short title.

1. (1) This Act may be cited as the "Farmers' Relief
Amendment (Debts Adjustment) Act, 1936."

(2) The Farmers' Relief Act, 1932-1935, as amended
by subsequent Acts, is in this Act referred to as the
Principal Act.

(3) The Principal Act, as amended by this Act, may
be cited as the Farmers' Relief Act, 1932-1936.

Amendment
of Act No.
33, 1932.
Sec. 8.
(Stay
order.)

2. The Principal Act is amended by inserting in sub-
section one of section eight after the words "thirty-six"
the words "and any farmer who proposes to make appli-
cation to the Board under section 34A of this Act for
assistance may at any time before the first day of July,
one thousand nine hundred and thirty-seven".

Further
amendment
of Act No.
33, 1932.
Sec. 11.
(Matters to
be con-
sidered.)

3. The Principal Act is further amended by inserting
in section eleven after the words "this Act" where lastly
occurring the words "or if, notwithstanding any relief
or assistance whether by way of debts adjustment or
otherwise that it would be competent to grant to a farmer
under this Act, the farmer will not have a reasonable
prospect of continuing and carrying on his farming
operations successfully".

4.

**Farmers' Relief Amendment (Debts Adjustment)
Act.**

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No. 38, 1936.

4. The Principal Act is further amended—

Further
amendment
of Act No. 33,
1932.

- (a) (i) by inserting at the end of paragraph (d) of subsection two of section twenty-eight the words "under this Part of this Act";
- (ii) by inserting after paragraph (f) of the same subsection the following new paragraph:—
- (g) seventhly, in payment of interest on any advance made to the farmer under section 34E of this Act.
- (iii) by inserting at the end of subsection five of the same section the following new paragraph:—

Sec. 28.
(Disbursements for season in which stay order is granted.)

This subsection shall not apply to or in respect of the provision as to payment of interest contained in paragraph (g) of subsection two of this section.

- (b) (i) by inserting at the end of paragraph (d) of subsection one of section twenty-nine the words "under this Part of this Act";
- (ii) by inserting after paragraph (f) of the same subsection the following new paragraph:—
- (g) seventhly, in payment of interest on any advance made to the farmer under section 34E of this Act;
- (iii) by omitting from the same subsection the words "paragraphs (e) and (f)" and by inserting in lieu thereof the words "paragraphs (e), (f) and (g)";
- (iv) by inserting at the end of subsection four of the same section the following new paragraph:—

Sec. 29.
(Disbursements—subsequent seasons.)

This subsection shall not apply to or in respect of the provision as to payment of interest contained in paragraph (g) of subsection one of this section.

5.

**Farmers' Relief Amendment (Debts Adjustment)
Act.**

No. 38, 1936.

**Further
amendment
of Act No.
33, 1932.**

**Sec. 31.
(Advances
and
guarantees
by Board.)**

5. The Principal Act is further amended by inserting at the end of section thirty-one the following new subsection:—

(4) (a) Where a farmer has been granted assistance under Part II_A of this Act and the stay order granted to such farmer has been removed, the Board may direct the Rural Bank of New South Wales to advance to the farmer through its Farmers' Relief Agency such moneys upon such securities and subject to such covenants, conditions and provisions (including provision for the payment of interest at a rate not exceeding four per centum per annum) as the Board may in the direction specify, for any or all of the purposes specified in subparagraphs (i), (ii), (iii) and (v) of paragraph (a) of subsection one of this section.

(b) The Rural Bank of New South Wales shall make any advance which the Board may direct under this subsection through its Farmers' Relief Agency, out of moneys available to the Bank for the purposes of that Agency.

(c) The moneys as advanced shall be paid to the farmer or to the credit of such bank account as the Board may direct.

**Further
amendment
of Act No. 33,
1932.**

Sec. 33.

**(Farmers
not to mort-
gage, etc.,
assets
without con-
sent of
Board.)**

6. The Principal Act is further amended—

(a) by inserting at the end of section thirty-three the following new subsection:—

(6) Nothing in this Act contained shall prevent or be deemed ever to have prevented the farmer, with the consent of the Board (and in the case of a sale to which subsection one of section thirty-two of this Act applies with the consent of the mortgagee) from mortgaging, charging, pledging or creating any lien upon or otherwise encumbering or transferring, assigning or parting with the possession or control of any part of his real or personal property, credits or effects or from acquiring or entering into any agreement to acquire any property whatsoever, whether real or personal.

(b)

(b) by omitting from section 33E the words “and of” and by inserting in lieu thereof the words “out of”. No. 38, 1936.
Sec. 33E.
(Correc-
tion.)

7. The Principal Act is further amended—

(a) by inserting in paragraph (a) of section 34G after the words “in part” the words “or suspend or allow further time for payment of”; Further
amendment
of Act No.
33, 1932.
Sec. 34G.

(b) by inserting after the same paragraph the following new paragraph:— (Power to
write off
debts in
certain
cases.)

(a1) the Board may—

(i) suspend or allow further time for payment of; or

(ii) require the farmer to execute such further securities as it may deem necessary in respect of; or

(iii) with the concurrence of the Auditor-General, write off, either wholly or in part,

any debt due by a farmer to the Board in respect of any advance made under this Part of this Act.
