

Queensland



ANNO UNDECIMO

ELIZABETHAE SECUNDAE REGINAE

No. 9

An Act to Amend "The State Housing Acts, 1945 to 1961," and "The Workers' Homes Acts Repeal Act of 1961," each in certain particulars

[ASSENTED TO 27TH MARCH, 1962]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

Short title

1. This Act may be cited as "*The State Housing Acts and Another Act Amendment Act of 1962.*"

Parts of Acts

2. This Act is divided into Parts as follows :—

PART I—PRELIMINARY ;

PART II—AMENDMENTS OF "THE STATE HOUSING ACTS, 1945 TO 1961" ;

PART III—AMENDMENTS OF "THE WORKERS' HOMES ACTS REPEAL ACT OF 1961."

PART II—AMENDMENTS OF “ THE STATE HOUSING ACTS, 1945 TO 1961 ”

3. (1) This Part II of this Act shall be read as one with “ *The State Housing Acts, 1945 to 1961.*” Interpretation

(2) “ *The State Housing Acts, 1945 to 1961,*” and this Part II of this Act may be collectively cited as “ *The State Housing Acts, 1945 to 1962.*” Collective title

4. Section thirty-three of “ *The State Housing Acts, 1945 to 1961,*” is amended by adding the following subsection :— Amendment of s. 33 of 9 Geo. VI. No. 24

“ **(4) (a)** The provisions of subsections (1), (2) and (3) of this section apply subject to this subsection.

(b) The Governor in Council may by Order in Council reduce the rate of interest payable, pursuant to—

(i) the provisions of subsections (1) or (2) of this section; or

(ii) the Order in Council under subsection (2) of this section,

specified in the Order in Council under this subsection, by borrowers of advances and purchasers under contracts of sale in respect of whose advances and contracts the provisions or the Order in Council so specified apply or applies.

(c) Every borrower of an advance or purchaser under a contract of sale to whose advance or contract the provisions of subsections (1) or (2) of this section, or the Order in Council under subsection (2) of this section, specified in an Order in Council under this subsection apply or applies, may, on and from the date specified in the Order in Council under this subsection, pay to the Commission interest at the reduced rate specified in the Order in Council under this subsection in respect of the amount not repaid or paid, on or before such date, of the advance or purchasing price.

Payment of interest at such reduced rate in compliance in every respect with the conditions with respect to interest (save as respects the rate of interest) of the advance or contract shall be deemed to be compliance by the borrower or purchaser with those conditions.

Any reduced rate of interest prescribed by an Order in Council under this subsection shall not be increased during the balance still to run, on and after the date specified in the Order in Council, of the period during which it has been agreed between the Commission and the borrower or purchaser that the advance shall be repaid or, as the case may be, the purchasing price shall be paid.

Any such reduced rate of interest may be further reduced by Order in Council under this subsection.

(d) The Governor in Council may by Order in Council under this subsection reduce on and from the first day of March, one thousand nine hundred and sixty-two, any rate of interest which he is authorised by this subsection to reduce."

PART III—AMENDMENTS OF "THE WORKERS' HOMES ACTS REPEAL ACT OF 1961"

Interpreta-
tion

5. (1) This Part III of this Act shall be read as one with "*The Workers' Homes Acts Repeal Act of 1961.*"

Collective
title

(2) "*The Workers' Homes Acts Repeal Act of 1961,*" and this Part III of this Act may be collectively cited as "*The Workers' Homes Acts Repeal Acts, 1961 to 1962.*"

Amendment
of s. 7 of
10 Eliz. II.
No. 13

6. Section seven of "*The Workers' Homes Acts Repeal Act of 1961,*" is amended by adding the following subsection:—

"(4) With respect to every lease acquired and held under the provisions of the repealed Acts deemed, pursuant to Part III of "*The State Housing Acts and Another Act Amendment Act of 1957,*" to be a freeholding lease within the meaning of the said Part III the lessee whereof shall have given to the Commission the notice of election prescribed by section fourteen of the said Part III on or after the twenty-fifth day of May, one thousand nine hundred and sixty-one, interest payable by such lessee under the provisions applicable in his case of section seventeen of the said Part III shall, in lieu of the rate prescribed by those provisions, be at the rate prescribed to be payable in respect of advances or

contracts of sale specified in paragraph (a) of subsection (2) of section thirty-three of "*The State Housing Acts, 1945 to 1962*,"—

- (a) by the Order in Council made on the twenty-fifth day of May, one thousand nine hundred and sixty-one, and published in the *Gazette* of the twenty-seventh day of May, one thousand nine hundred and sixty-one, in the case of every such notice of election given during the continuance in force of that Order in Council ;
- (b) by the Order in Council made on the first day of March, one thousand nine hundred and sixty-two, and published in the *Gazette* of the third day of March, one thousand nine hundred and sixty-two, in the case of every such notice of election given during the continuance in force of that Order in Council; or
- (c) by any subsequent Order in Council made hereafter under subsection (2) of section thirty-three of "*The State Housing Acts, 1945 to 1962*," in the case of every such notice of election given during the continuance in force of the subsequent Order in Council:

Provided that if, by Order in Council under subsection (4) of section thirty-three of "*The State Housing Acts, 1945 to 1962*," the Governor in Council reduces the rate of interest prescribed to be payable by any Order in Council referred to in this subsection, then, on and from the date specified in the Order in Council under the said subsection (4), such reduced rate of interest shall be deemed to be the rate of interest prescribed to be payable by the Order in Council in question referred to in this subsection."

7. Section nine of "*The Workers' Homes Acts Repeal Act of 1961*," is amended by adding the following proviso:—

"Provided that the regulations made under the repealed Acts and published in the *Gazette* of the second day of January, one thousand nine hundred and thirty-one, as amended by a regulation made under the repealed

Amendment
of s. 9 of
10 Eliz. II.
No. 13

Acts and published in the *Gazette* of the twenty-eighth day of March, one thousand nine hundred and thirty-six, shall be continued in force pursuant to this subsection subject to the following modifications :—

- (a) in regulation twenty-seven of such regulations the following subparagraph shall be substituted for subparagraph (c) of the first paragraph, namely :—
 - “(c) The gross value of his estate does not exceed four thousand pounds (£4,000) ;” ; and
 - (b) clause (4) of regulation six of “The State Housing Regulations of 1945” as amended by regulations made under “*The State Housing Acts, 1945 to 1961,*” published in the *Gazette* of the third day of June, one thousand nine hundred and sixty-one, shall be substituted for regulation thirty-two and clause (2) of regulation thirty-three of such regulations, and for the purpose of such substitution the said clause (4) shall be deemed a regulation made under the repealed Acts and continued in force by this Act and shall be read with and subject to any necessary modifications accordingly.”
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