



ANNO DECIMO SEPTIMO

GEORGI V REGIS.

A.D. 1926.

No. 1731.

An Act to enable the Government to assist Farmers affected by Drought in certain parts of the State by Supplying them with Seed Wheat and other Commodities, and for other purposes.

[Assented to, September 30th, 1926.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. This Act may be cited as the "Drought Relief Act, 1926."

Short title.

2. In this Act—

Interpretation of terms.

"Applicant" means applicant for assistance under this Act:

"Farmer" includes grazier and dairy farmer:

"Minister" means the Commissioner of Crown Lands.

3. (1) The Minister may, for the purposes of affording assistance to farmers in drought-affected areas, supply applicants, or cause them to be supplied, with seed wheat, cereals other than seed wheat, manure, hay, chaff, flour, and any other commodities, whether of the same kind as any of those hereinbefore specified or not, which the Minister thinks necessary for the said purpose: Provided that no commodity shall be supplied under this section after the thirty-first day of December, nineteen hundred and twenty-six.

Minister may supply commodities to farmers.

1557, 1923, s. 3.

(2) The Minister is hereby authorised to purchase or otherwise procure such commodities as are required for the purposes of this section.

(3) For

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(3) For the purposes of this section, the Minister's declaration that any area is or is not drought-affected shall be final and conclusive.

When Minister may grant application.
Ibid., s. 4.

4. If the Minister is satisfied that an applicant—

(a) *bona fide* intends forthwith to put the lands held by him, or part thereof, under crop, and is unable to do so without assistance under this Act, or has fallowed his land, or part thereof, and *bona fide* intends to put his land, or part thereof, under crop; or

(b) requires the commodities applied for to feed his stock, or to maintain himself and his family (if any) on his land,

he may grant to the applicant such assistance under this Act as he thinks fit.

Persons supplied to sign an acknowledgment and contract.
Ibid., s. 5.

5. Every person upon whose application any commodity is supplied under this Act shall sign an acknowledgment and contract in the form contained in the Schedule to this Act, or in such form as is prescribed in that behalf.

Cost of commodities supplied by the Minister to be repaid by applicant.
Ibid., s. 6.

6. (1) The cost to the Minister of any commodity or commodities supplied to any applicant under this Act shall be deemed to be an advance under this Act made by the Minister to the applicant.

(2) Any applicant to whom any such advance is made under this Act shall repay to the Minister the advance—

(a) on or before the first day of February, nineteen hundred and twenty-seven, or within such further time as the Minister may approve; or

(b) upon the alienation (whether voluntary or otherwise) of the applicant's interest in the lands mentioned in the acknowledgment and contract signed by him under section 5, or in any of the said lands,

whichever first happens, together with interest thereon at the rate of Six Pounds per centum per annum, calculated from the date the commodity in respect of which the advance is deemed to have been made was so supplied to the date of repayment: Provided that the applicant may at any time repay the whole or any part of the advance, with interest to the date of payment on the amount so paid; and when part only has been so repaid, interest as aforesaid shall be payable on the balance for the time being remaining unpaid.

(3) The Minister may, in any case which he considers to be one of special hardship, extend, and from time to time further extend, the date of repayment of the whole or any part of the advance made to an applicant, or of the interest thereon, and may fix any date later than the date provided by subsection (2) hereof, as the date from which interest on the advance shall be calculated and paid by the applicant.

7. Notwithstanding

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7. Notwithstanding any provision of the Real Property Act, 1886, or any other Act or law to the contrary, the amount of an advance and interest thereon as provided by section 6 shall be, and until fully paid shall remain, a first charge upon all lands owned by the applicant, and his interest in all lands held by him under lease, at the time when the commodity in respect of which the advance is deemed to have been made was supplied; and if any default be made in the payment of the amount of the advance or any interest thereon or any part thereof, the Minister shall have in respect of the said lands or interests, as the case may be, the same powers of sale as are given by the Real Property Act, 1886, to a mortgagee under a mortgage in respect of which default has been made in the payment of the principal money or interest or any part thereof.

Advance to be first charge on land of applicant.

Cf. *ibid.*, s. 7.

8. In any case in which, before the passing of this Act, any commodity has been supplied by the Commissioner of Crown Lands of the State to any person, and that person has signed an acknowledgment and contract in the form contained in the Schedule to this Act, or in a similar form or in a form to the like effect which contains one or more of the clauses appearing in the form contained in the said Schedule, numbered (1), (2), (3), and (4), or one or more clauses similar thereto—

Provisions of the Act to apply where commodities have already been supplied.

Ibid., s. 8.

- (a) the commodity shall be deemed to have been supplied under this Act;
- (b) the cost thereof to the Commissioner shall be deemed to be an advance under this Act made by the Minister to the said person; and
- (c) all the provisions of this Act shall, *mutatis mutandis*, apply as if the commodity had been supplied under this Act.

9. Any person who wilfully makes any false statement in any application, acknowledgment and contract, return, statement, or declaration under or for the purposes of this Act, shall be liable to be imprisoned for a term not exceeding two years.

False statement punishable.

Ibid., s. 9.

10. Any person to whom any commodity has been supplied under this Act, who, without the written consent of the Minister, barter or sells, or attempts to barter or sell, the said commodity, or any quantity thereof, shall be liable to be imprisoned for a term not exceeding two years.

Punishment for selling commodities supplied.

Ibid., s. 10.

11. Any person to whom any commodity has been supplied under this Act, who—

Punishment for misuse of commodities supplied.

Ibid., s. 11.

- (a) uses or attempts to use the said commodity, or any quantity thereof, for a purpose other than that for which it was supplied; or
- (b) fails to return to the Minister the said commodity, or any quantity thereof, if he does not intend to use the same for the purpose for which it was supplied; or

(c) fails,

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(c) fails, upon request of the Minister, to furnish him with a statement of such particulars, or to make such returns, as are prescribed,

shall be guilty of an offence, and shall be liable to a penalty not exceeding Fifty Pounds, or to be imprisoned for a term not exceeding six months.

How notices and demands may be given or made.
Ibid., s. 12.

12. Any notice to be given to, or any demand to be made on, any person under this Act, shall be sufficiently given or made if—

(a) given or made personally to or on him; or

(b) sent by post and directed to his address as stated in any application by him, or to his place of residence, so far as the same is known to the Minister.

Regulations.

13. The Governor may make all such regulations as may be necessary or convenient for giving effect to this Act, or for carrying out its objects and purposes.

Proceedings for offences.

14. All proceedings in respect of offences against this Act shall be disposed of summarily.

How expenses to be provided.

15. (1) The Treasurer of the State may, from time to time, make advances to the Minister for carrying out the purposes of this Act.

(2) So far as is practicable, the advances made under subsection (1) of this section shall be repaid, and the other expenses of administering this Act shall be defrayed out of the moneys paid to the Minister in repayment of the moneys advanced under this Act; and any deficiency which may arise shall be made good out of money provided by Parliament for that purpose.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

TOM BRIDGES, Governor.

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THE SCHEDULE.

DROUGHT RELIEF ACT, 1926.

I [*Full name*] Sec. 5.
 hereby acknowledge that I have received from the Honorable the Commissioner of Crown Lands an order to obtain the commodities hereunder mentioned, and I hereby agree with the said Commissioner—

- (1) to pay and reimburse him the amount which may be paid by him for the said commodities by the first day of February, nineteen hundred and twenty-seven, or within such further time as may be approved by him, with interest at the rate of Six Pounds per centum per annum from the date the commodities are obtained until payment of the said sum;
- (2) to pay the said sum, or any unpaid portion thereof, together with interest accrued at any time upon conveyance or transfer or mortgage of my interest in the lands hereinafter mentioned, or any of them;
- * (3) to use the said goods this year on the lands hereunder mentioned or on some of such lands; and
- (4) to give the said Commissioner a Bill of Sale over the crop when called upon to do so.

Description of Goods.	Quantity of Goods.	† Land Held by Applicant.

* *This passage may be crossed out where inapplicable.*

† *Here state numbers and situations of sections or other sufficient description of all lands owned or held by the applicant.*

Dated this day of 192....

Signature.....

Address

Witness —

Signature

Address