



ANNO VICESIMO PRIMO

GEORGI V REGIS.

A.D. 1930.

No. 1954.

An Act to suspend the operation of certain provisions of the Loans for Fencing Act, 1919.

[Assented to, October 2nd, 1930.]

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

1. (1) This Act may be cited as the "Loans for Fencing Short titles.
Suspensory Act, 1930."

(2) The Loans for Fencing and Water Piping Acts, 1919 to 1929, and this Act may be cited as the "Loans for Fencing and Water Piping Acts, 1919 to 1930."

(3) The Loans for Fencing Act, 1919, is hereinafter referred to No. 1403 of 1919.
as "the principal Act."

2. This Act is incorporated with the other Acts mentioned in Incorporation.
section 1 of this Act, and those Acts and this Act shall be read as one Act.

3. (1) Notwithstanding anything contained in the principal Act, Power to suspend
certain repayments.
the Commissioner on the recommendation of the Bank, may, subject as hereinafter provided, suspend the operation of the provisions of the principal Act requiring the repayment by District Councils and occupiers within the purview of section 35 of the principal Act respectively, of instalments of loans for fencing granted to them prior to the first day of February, nineteen hundred and thirty, under that Act during such period as he thinks fit; and the Commissioner may, subject as aforesaid, and upon the said recommendation from time to time extend the suspension for a further period.

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(2) Any period of suspension under this section—

- (a) may commence from a date prior to the passing of this Act, but not earlier than the first day of January, nineteen hundred and thirty :
- (b) shall, with all (if any) extensions thereof, expire not later than the thirty-first day of December, nineteen hundred and thirty-two, and not exceed two years.

(3) The power hereby conferred on the Commissioner may be exercised in the case of any District Council or occupier, which or who makes application in writing to the Commissioner in that behalf : Provided that the District Council or occupier shall satisfy the Commissioner, by such evidence as the Commissioner may require, that it or he is unable, by reason of the effects of the recent drought, to pay its or his instalments of principal and interest due in respect of the loan at the times and in manner provided by the principal Act.

(4) Interest at such rate as is fixed by the Commissioner on the recommendation of the Bank on the amount of the loan unpaid at the time of the commencement of the period of suspension shall be payable during the period of suspension. The said interest shall be paid at such times after the expiration of the period of suspension as are fixed by the Commissioner on the recommendation of the Bank, and shall for all purposes be deemed to be an instalment payable under the principal Act.

(5) When the provisions of the principal Act mentioned in subsection (1) hereof have been suspended as therein provided in the case of any District Council or occupier, the Council or occupier shall not be liable, during the period of suspension, to make any payment on account of principal or interest due in respect of the loan to which the suspension applies.

(6) The Commissioner may, if he thinks fit, for the purposes of subsection (1) hereof, fix periods of suspension of different lengths in the case of different District Councils or occupiers.

(7) A period equal in length to the period of suspension fixed by the Commissioner under this section in the case of any loan shall be added to the period within which the loan is required by the principal Act to be repaid ; and every instalment of the principal moneys payable on account of the loan, and interest on the moneys, which, but for the provisions of this Act, would have been payable on some date during the period of suspension, shall be payable upon the corresponding date in the added period ; and the suspension shall not alter the dates upon which the other instalments and interest fall due.

When liability of District Council suspended, suspension to extend to occupiers.

4. (1) When the Commissioner has granted a suspension under this Act to any District Council with respect to any loan, the obligations on the part of occupiers and other persons as to payments falling due with respect to the loan, during the period of suspension, shall be suspended for the same period, but interest on the loan as provided by subsection (4) of section 3 shall be payable in manner provided by the said subsection.

(2) Any

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(2) Any payment, which, but for this section, an occupier or other person would have been liable to make on some date during a period of suspension shall be made by the occupier or person on the corresponding date in the added period referred to in subsection (7) of section 3.

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

A. HORE-RUTHVEN, Governor.