

Third  
schedule.

**6** The Principal Act is amended—

- (a) by omitting from rule 11 of the rules set forth in the third schedule the words "Every such entry shall be signed by the chairman at the meeting at which such proceeding has taken place.", and substituting therefor the words "Every such entry shall be subject to confirmation at a subsequent meeting of the Board or the committee, as the case may be, and shall, as confirmed, be signed by the chairman of the meeting confirming it.";
- (b) by omitting from rule 12 of those rules the words "be signed by the chairman" and substituting therefor the words "have been confirmed and signed by the chairman of the meeting confirming it"; and
- (c) by omitting sub-rule (3) of rule 24.

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**HOMES.**

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**No. 5 of 1953.**

AN ACT to amend the *Homes Act 1935*, the *Casual Workers and Unemployed Persons Homes Act 1936*, the *Homes (Old Age Pensioners) Act 1940*, the *Homes (Temporary Housing Accommodation) Act 1946*, and the *Homes Act (No. 3) 1951*.

[20 April, 1953.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

- 1**—(1) This Act may be cited as the *Homes Act 1953*.  
 (2) The *Homes Act 1935*, as subsequently amended, is in this Act referred to as the Principal Act.  
 (3) This Act shall commence on the first day of July, 1953.

Short title,  
citation, and  
commence-  
ment.

Repeal.

- 2** The enactments that are specified in the first schedule to this Act are repealed to the extent specified in that schedule.

**3** Section three of the Principal Act is amended—

Interpreta-  
tion.

(a) by omitting the definition of "Capital cost" and substituting therefor the following definitions:—

" 'Building works' includes the construction, structural alteration, repair, demolition, or maintenance (including the re-pointing, re-decoration, and external cleaning) of a building or structure, and the preparation for, and laying of, the foundations of a proposed building or structure:

" 'Capital cost', used in relation to a dwelling-house, includes such sum as the Director may determine to cover the cost, if any, of survey and subdivision, and the development, of the land on which the dwelling-house is erected (including the construction of streets) and any other costs incidental to the acquisition, subdivision, and development of the land and the erection of the dwelling-house, together with interest on all expenditure in connection with the land and dwelling-house up to the time of the completion of the dwelling-house:";

(b) by omitting from the definition of "Contract of sale" the words "land or", and inserting after that definition the following definitions:—

" 'Department' means the Housing Department established by this Act:

'Director' means the Director of Housing appointed under this Act:"; and

(c) by inserting after the definition of "Manager" the following definition:—

" 'Plant' includes any machine, tool, appliance, equipment, or building materials used, or designed for use, in or in connection with the carrying out of building works:".

**4** Sections four and five of the Principal Act are repealed and the following sections are substituted therefor:—

"4.—(1) In the exercise of his functions under this Act the Director shall be subject to the directions of the Minister. Administration.

(2) The exercise of the functions of the Board under this Act shall be deemed to be part of the duties and business of the Board.

"5. All land, money, and other property acquired, vested in, or held by the Director or the Board by or under, or for the purposes of, this Act, shall be held by the Director or by the Board, as the case may be, for and on behalf of the Crown." Property to be held on behalf of the Crown.

Director of  
Housing.

**5** Section six A of the Principal Act is amended by omitting subsection (5) and substituting therefor the following subsection:—

“(5) For the purpose of acquiring, holding, disposing of, and otherwise dealing with, land, the Director shall be a corporation sole by the name of the Director of Housing, and by that name shall have perpetual succession and a seal of office.”.

**6** After section six A of the Principal Act the following section is inserted:—

Housing  
Department.

“**6B.**—(1) There shall be a department of the Public Service, to be called the Housing Department.

(2) Except as provided by subsection (3) of this section, the officers who are employed in the Housing Division of the Bank at the commencement of this section and such of the officers who are employed in the Rural Finance Division of the Bank at the commencement of this section as the Governor, on the recommendation of the Public Service Commissioner, may determine, shall be transferred to the service of the Department at rates of remuneration not less favourable than those received by them at the commencement of this section.

(3) Notwithstanding anything in subsection (2) of this section, the Governor, on the recommendation of the Public Service Commissioner, may, by order-in-council published in the *Gazette*, exclude any specified officers from the operation of that subsection, and an officer who is specified in an order-in-council under this subsection shall, subject to the provisions of the *Public Service Act 1923*, continue to be employed in the service of the Bank.

(4) The Governor may, subject to the provisions of the *Public Service Act 1923*, appoint such officers as he may consider necessary for the administration of this Act.

(5) The Director may, with the approval of the Minister, engage and dismiss casual employees for work other than clerical work in the Department and pay to them such remuneration as is prescribed in the industrial award that is applicable to their employment, or, if no industrial award is applicable thereto, as the Minister may approve.

(6) For the purposes of the *Public Service Act 1923*, the Director shall be deemed to be the permanent head of the Department, and shall have the same powers and authority in relation thereto as if he were an officer under that Act.

(7) In this section, unless the contrary intention appears—

‘Industrial award’ means—

I. An order or award under the *Commonwealth Conciliation and Arbitration Act 1904-1952*, and an agreement under that Act having the force of an order or award: and

II. A determination under the *Wages Boards Act 1920*:

‘Officer’ includes a temporary employee.”.

**7** Section seven of the Principal Act is repealed and the following sections are substituted therefor:—

“7.—(1) The Treasurer may, for the purposes of this Act, borrow any sums of money not exceeding fourteen million pounds, of which—

Borrowing powers of the Treasurer.

I. Ten million pounds shall be borrowed on behalf of the Director, and shall be applied accordingly: and

II. Four million pounds shall be borrowed on behalf of the Board, and shall be applied accordingly.

(2) The Treasurer may re-appropriate any moneys borrowed under the authority of the Acts specified in the second schedule, or of any of those Acts, for the purposes of this Act generally, and may apply any moneys so re-appropriated for such of the purposes of this Act as he may determine, and may cause to be made in the books and accounts of the Treasury such adjustments as may be necessary in consequence of the re-appropriation and application of those moneys or any of them.

“7A.—(1) The Director shall, as directed by the Treasurer, reimburse the Board in respect of the repayment of the whole, or such part as the Treasurer may direct, of the moneys borrowed by the Board, before the commencement of the *Homes Act 1953*, under the authority of section fourteen A of the *State Advances Act 1935* and in respect of the whole, or such part as the Treasurer may direct, of the annual and other charges incurred or payable by the Board in respect of the moneys so borrowed.

Director to reimburse Board in respect of certain borrowings, &c., by Board.

(2) The expenditure incurred by the Director under this section shall be debited to such account as the Treasurer may direct.

“7B.—(1) The Director shall pay to the Treasurer interest at a rate to be determined by the Treasurer for each financial year in respect of the moneys borrowed by the Treasurer and applied in accordance with this Act for the purposes of the Director, or on such part of those moneys as has not been repaid to the Treasurer.

Interest in respect of borrowed moneys to be paid to the Treasurer by the Director.

(2) The interest to be paid by the Director under this section shall be paid quarterly on the last days of September, December, March, and June in each financial year.

“7C. In addition to any other accounts that the Director is required by this Act to keep, the Director shall keep such accounts, in such form, and containing such particulars, as the Treasurer may direct.

Accounts to be kept by the Director.

“7D. The Director shall, as and when required by the Treasurer, furnish to the Treasurer such information, and produce to the Treasurer for examination such books, accounts, vouchers, and records, relating to the receipt and expenditure of moneys by the Director under or for the purposes of this Act, as the Treasurer may require.”

Duty of Director to furnish information, &c., to Treasurer.

**8** Section eight of the Principal Act is amended by inserting in subsection (1), after the word “Act”, the words “(Agricultural Bank)”.

Capital account continued.

Working  
account  
continued.

**9** Section nine of the Principal Act is amended by inserting in subsection (1), after the word "Act", the words "(Agricultural Bank)".

Setting apart  
Crown land.

**10** Section ten of the Principal Act is amended—

- (a) by omitting from subsections (2) and (3) the word "Board" (wherever occurring) and substituting therefor, in each case, the word "Director";
- (b) by omitting from subsection (4) the word "Board" and substituting therefor the word "Director", and by omitting from that subsection the word "Manager" and substituting therefor the word "Director";
- (c) by omitting from subsection (5) the word "Board" (second occurring) and substituting therefor the words "sale pursuant to Part IV. of", and by omitting from that subsection the word "Board" (second occurring) and substituting therefor the word "Director";
- (d) by omitting subsections (6) and (7) and substituting therefor the following subsection:—
 

“(6) On receipt from the Board of the sum payable by the Board under subsection (1c) of section seventeen, the Director shall pay the price so debited against him to the credit of the Department of Lands and Surveys, and thereupon the Commissioner shall credit the Director with the payment.”; and
- (e) by omitting subsection (8) and substituting therefor the following subsections:—

“(8) Where any Crown land so set apart or any lot into which it is so subdivided is not immediately required by the Director for the purposes of this Act he may let the whole or any part of that Crown land, or, as the case may be, may let that lot, to such person, at such rent, on such terms and conditions, and for such term (not exceeding ten years), as he thinks fit.

“(9) Where any Crown land or lot is let by the Director under subsection (8) of this section, the Director shall, during the term for which it is let, pay to the credit of the Department of Lands and Surveys interest at the rate of four pounds per centum per annum on the price debited against him in pursuance of subsection (5) of this section in respect of that Crown land or lot.”.

**11** Section eleven of the Principal Act is repealed and the following section is substituted therefor:—

Power of  
Director to  
acquire land.

“11. The Director may, under and in accordance with the provisions of the *Public Authorities' Land Acquisition Act*

1949, acquire any land that is required by him for the purposes of this Act, and that Act is incorporated with this Act accordingly.”

**12** Section thirteen of the Principal Act is repealed and the following section is substituted therefor:—

“13.—(1) Where a dwelling-house is erected on a lot in a subdivision, that dwelling-house, together with the lot on which it is erected, may be sold to an eligible person, notwithstanding that the cost of subdivision has not been finally determined. Sale of dwelling-houses before the cost of subdivision is determined.

(2) For the purposes of this section, the purchase price of a dwelling-house, together with the lot on which it is erected, shall be such sum as the Director certifies to be the best estimate of the capital cost thereof that can be made at the time of sale and that, in his opinion, should be sufficient to ensure that the sale does not result in a capital loss.”

**13** After section fourteen A of the Principal Act the following section is inserted:—

“14B. The Director, and any officer or employee of the Department, and any other person authorised in that behalf by the Director, may at any time enter upon any land that is held by or vested in the Board under or for the purposes of this Act, with such servants, workmen, assistants, vehicles, plant, and animals as he may think necessary and may, on that land, erect dwelling-houses and carry out any works that are required for the purposes of, or are incidental to, the subdivision and development of that land (including the construction of streets) and the erection of dwelling-houses thereon.” Power of Director, &c., to enter on lands of the Board.

**14** Section sixteen of the Principal Act is amended— Board may let dwelling-houses.

- (a) by omitting the word “Until” and substituting therefor the words “Subject to subsection (2) of this section, until”;
- (b) by omitting the word “Board” (second occurring) and substituting therefor the word “Director”; and
- (c) by adding at the end thereof the following subsection:—

“(2) The rent to be paid by a person to whom a dwelling-house is let in pursuance of this section shall be so fixed that the annual rent so payable is not less than the total of the amounts that, in the opinion of the Director, are necessary to meet—

- I. Interest on the capital cost of the dwelling-house and the land on which it is erected:
- II. The rates, taxes, and insurance premiums payable in respect of the dwelling-house and the land on which it is erected:
- III. The estimated annual cost of maintenance of the dwelling-house: and
- IV. The costs of administration.”

Sale of  
dwelling  
houses.

**15** Section seventeen of the Principal Act is amended—

- (a) by omitting from subsection (1) the word “wife” and substituting therefor the word “spouse”;
- (b) by inserting after subsection (1) the following subsections:—

“(1A) A person who desires to purchase a dwelling-house acquired or erected in pursuance of Part III., shall make application in that behalf, as prescribed, to the Board.

“(1B) On receipt of an application under subsection (1A) of this section, the Board, if it is satisfied that neither the applicant nor his spouse (if any) is the owner of a dwelling-house within this State and that it is proper that the application should be granted, may enter into a contract for the sale to the applicant, in accordance with the provisions of this Part, of the dwelling-house in respect of which the application is made, together with the land on which it is erected or which is to be held therewith.

“(1C) Where the Board enters into a contract of sale under subsection (1B) of this section, the Board shall, forthwith after entering into the contract of sale, pay to the Director a sum equal to the purchase price specified in the contract of sale.”;

- (c) by adding at the end of subsection (2) the words “, after consultation with the Director.”;
- (d) by omitting from subsection (3) the words “to the Board”;
- (e) by omitting from subsection (6) the words “from the Board” (twice occurring); and
- (f) by inserting after subsection (7) the following subsections:—

“(7A) Where the title to any land that becomes the subject of a contract of sale by the Board under this Part is in the Crown or the Director and not in the Board, the contract of sale shall be enforceable by and against the Board in all respects as if the Governor or the Director, as the case may be, had, immediately before the execution of the contract of sale, lawfully agreed to sell the land to the Board for valuable consideration.

“(7B) For the purpose of giving effect to this section—

- I. Where the title to the land is in the Crown, the Governor shall, at the request of the Board, grant the land in fee simple to the Board or, if the Board so requests, to the purchaser from the Board: or

- II. If the title to the land is in the Director, the Director shall, at the request of the Board, convey or transfer the land in fee simple to the Board or, if the Board so requests, to the purchaser from the Board, and the Director shall accordingly execute all such instruments as may be necessary for that purpose.

“(7C) For the purposes of paragraph 1. of subsection (7B) of this section, the Governor may, in the name and on behalf of Her Majesty, by deed of grant, grant any land to which that paragraph relates, the title to which is in the Crown, to the Board or to the purchaser from the Board in the same manner and in the same form, and subject to the same reservations, in all respects, as if the land were Crown land sold to the Board or the purchaser under and in accordance with the provisions of the *Crown Lands Act 1935*.

“(7D) No fee or stamp duty shall be payable by the Board on or in respect of the grant of any land by the Governor to the Board or the conveyance or transfer of any land by the Director to the Board, under this section, or in respect of the filing or registration of any instrument filed or registered for the purpose of giving effect to the grant, or the conveyance or transfer, of that land to the Board.”.

**16** Section eighteen of the Principal Act is amended—

- (a) by omitting the words “by the Board under” and substituting therefor the words “under or for the purposes of”;
- (b) by omitting the numerals “1934” and substituting therefor the numerals “1951”; and
- (c) by adding at the end thereof the following subsection:—

Sale of land where War Service Homes Department is assisting the purchaser.

“(2) The provisions of section seventeen, so far as they are applicable and with the necessary adaptations, shall apply to and in respect of the sale of land by the Board under this section as if the land were land contracted to be sold by the Board under that section.”.

**17** Section twenty-seven of the Principal Act is repealed and the following section is substituted therefor:—

“27. The Board may, in its discretion, refuse to enter into a contract for the sale of any land and dwelling-house, or to make any advance, to an eligible person, and a decision of the Board under this section shall be final.”.

Discretion of Board.



Remedies for recovery of instalments.

**18** Section thirty-five of the Principal Act is amended by inserting after subsection (2) the following subsections:—

“(2A) Subject to subsection (2B) of this section, the Board may, pending the sale of any land or land and dwelling-house in pursuance of subsection (2) of this section, let the land or land and dwelling-house to such person, at such rent, and on such terms and conditions, as it may think fit.

“(2B) The provisions of subsection (2) of section sixteen shall apply to and in respect of the letting of any land or land and dwelling-house under subsection (2A) of this section as if that land or land and dwelling-house were let under that section;”.

Extension of time for repayment.

**19** Section thirty-nine of the Principal Act is amended by adding at the end of subsection (1) the words “to be made to the Board.”.

Sale or leasing of land, &c., not immediately required.

**20** Section forty-three of the Principal Act is amended by adding at the end thereof the following subsection:—

“(2) The moneys that are received by the Board upon the sale or letting of any property in pursuance of this section shall be applied as the Treasurer may direct, and the Treasurer may make such adjustments in the books and accounts of the Treasury as he may think necessary for giving effect to the provisions of this subsection.”.

**21** After section forty-three of the Principal Act the following sections are inserted:—

Power of Director to sell or hire plant to persons erecting dwelling houses.

“43A The Director may, with the approval of the Minister, sell or hire plant to persons who desire to provide homes for themselves, and to building contractors, at such price or rate, and on such other terms and conditions, as the Director may think fit.

Sale, &c., of plant not immediately required.

“43B If the Director is satisfied that any plant held by, or vested in, him under or for the purposes of this Act is not immediately required for the purposes of this Act, he may, with the approval of the Minister, sell or hire all or any of that plant to such persons, and on such terms and conditions, as the Director may think fit.

Annual profit and loss accounts: Balance sheets.

**22** Section forty-six of the Principal Act is amended by adding at the end thereof the following subsections:—

“(2) As soon as practicable after the close of each financial year, the Director shall cause to be prepared in respect of the operations of the Director under this Act during that financial year—

- I. A profit and loss account: and
- II. A balance-sheet.

“(3) If, in any financial year, the profit and loss account of the Director for the immediately preceding financial year shows—

- I. A credit balance, the Director shall pay to the Treasurer, to the credit of the Consolidated Revenue, the amount of that credit balance: or

- II. A debit balance, the Treasurer shall pay to the Director out of the Consolidated Revenue (which, to the necessary extent, is appropriated accordingly) the amount of that debit balance.”.

**23** After section forty-six of the Principal Act the following section is inserted:—

“46A.—(1) As soon as practicable after the close of each financial year the Director shall submit to the Minister a report on the operations of the Director under this Act during that financial year. Annual report of Director.

(2) The Minister shall cause a copy of the report under subsection (1) of this section to be laid on the table of each House of Parliament within the first seven sitting days of the House after the report is received by the Minister.”.

**24** The title of the Principal Act is amended by omitting therefrom the words “Persons of limited means” and substituting therefor the words “Eligible Persons”. Title.

**25**—(1) The sections of the Principal Act that are specified in the first column of the table set forth in the second schedule to this Act are amended as respectively specified in the second column of that table. Consequential amendments.

(2) The several Acts that are specified in the third schedule to this Act are amended as respectively specified in that schedule.

**26** Section one of the *Homes Act* (No. 3) 1951 is amended by omitting from subsection (1) the numeral “(3)” and substituting therefor the numeral “(2)”. Amendment of the Homes Act (No. 3) 1951.

**27**—(1) Subject to subsection (2) of this section, on the commencement of this Act, all— Transitory provisions.

(a) Crown land set apart, before the commencement of this Act, in pursuance of section ten of the Principal Act; and

(b) other land purchased, acquired, or taken by the Board, before the commencement of this Act, under or for the purposes of the Principal Act,

shall be deemed to have been so set apart, or so purchased, acquired, or taken, as the case may be, on behalf of the Director for the purposes of the Principal Act, whether or not that Crown land has been granted to the Board under section ten of the Principal Act, or the Board has, at the commencement of this Act, obtained title to that other land, as the case may be.

(2) Subsection (1) of this section shall not apply to any land, or any part of any land, mentioned in that subsection, that has, before the commencement of this Act, become the subject of a contract of sale by the Board in pursuance of the Principal Act.

(3) All plant vested in or held by the Board under or for the purposes of this Act, as appearing in the accounts and records of the Board immediately before the commence-

ment of this Act shall, on the commencement of this Act, by virtue of this subsection and without further authority, vest in and become the property of the Director, freed and discharged from all liens, charges, claims, demands, and other liabilities, and shall be held and used by the Director for the purposes of the Principal Act.

(4) If a person (other than the Board) suffers any loss, injury, or damage by reason of the operation of this section, he shall be entitled to be paid such compensation as may be agreed upon between that person and the Director, or, in default of agreement, as may be determined by arbitration in accordance with the provisions of the *Arbitration Act 1892*, and that Act shall apply to the arbitration as if the arbitration were pursuant to a submission under that Act.

(5) For the purposes of this section, the value of all—

(a) land to which subsection (1) of this section applies; and

(b) plant to which subsection (3) of this section applies,

shall be determined by a committee consisting of the Under-Treasurer, the Director, and the Manager, and in the books and accounts of the Treasury an amount equal to the net value thereof, as so determined, shall be debited to the Director and credited to the Board.

(6) The burden and benefit of all—

(a) contracts for or in relation to—

(i) the erection of dwelling-houses by or on behalf of the Board; and

(ii) the supply of services, materials, and labour in connection with the erection of dwelling-houses by or on behalf of the Board; and

(b) agreements under or for the purposes of section fifteen of the Principal Act,

entered into by the Board before the commencement of this Act are, by virtue of this subsection and without further authority, transferred to the Director as if the Director were specifically named in those contracts and agreements as a party thereto in lieu of the Board and those contracts and agreements may be enforced by and against the Director accordingly.

(7) All legal proceedings commenced by or against the Board before the commencement of this Act in relation to any rights, powers, obligations, or liabilities arising under or by virtue of any contract or agreement to which subsection (6) of this section relates may be continued by or against the Director, and any damages or costs, or both, that, but for that subsection, could have been awarded in favour of or against the Board in those proceedings may be awarded in favour of or against the Director, and shall be recoverable accordingly.

(8) The Treasurer shall cause such adjustments to be made in the books and accounts of the Treasury as may be necessary for the purpose of giving effect to the provisions of subsections (5), (6), and (7) of this section.

(9) If any doubt or difficulty arises in relation to any of the matters specified in this section, or if, in the opinion of the Governor, this section omits to make adequate provision for any matter or thing necessary to be provided for in relation to any matter so specified or any question arising therefrom or incidental thereto, the Governor may, by order-in-council published in the *Gazette*, make such provision as he thinks just and reasonable in the circumstances for the purpose of removing the doubt or difficulty, or rectifying the omission, or determining the question, and, upon being so published, the order-in-council shall have effect as if it had been enacted in this Act; but the power conferred upon the Governor by this subsection shall not be exercised after the expiration of twelve months after the commencement of this Act.

THE FIRST SCHEDULE.

(Section 2.)

ENACTMENTS REPEALED.

Year and number of enactment.	Short title of enactment.	Extent of repeal.
26 Geo. V. No. 98	<i>Homes Act 1935</i>	Parts VI.A and VI.B
1 Edw. VIII. and 1 Geo. VI. No. 57	<i>Casual Workers and Unemployed Persons Homes Act 1936</i>	Section 3
5 Geo. VI. No. 44	<i>Homes Act (No. 2) 1941</i>	The whole Act

THE SECOND SCHEDULE.

(Section 25.)

CONSEQUENTIAL AMENDMENTS OF THE PRINCIPAL ACT.

FIRST COLUMN. Section Amended.	SECOND COLUMN. How Amended.
11A	(a) By inserting before the word "Board" the words "Director, or, as the case requires, the". (b) By inserting before the word "it" the words "him or".
12	By omitting the word "Board (wherever occurring) and substituting therefor, in each case, the word "Director".
12A	(a) By inserting in subsection (1), before the word "Board", the words "Director, or, as the case requires, the". (b) By inserting in subsection (2), before the word "Board" (first occurring), the words "Director, or, as the case requires, the", and by inserting in that subsection, before the word "Board" (second occurring), the words "Director or the". (c) By inserting in subsection (3), before the word "Board", the words "Director, or, as the case requires, the", and by inserting in that subsection, before the word "it", the words "him or".
14	By omitting the word "Board" and substituting therefor the word "Director".
14A	(a) By omitting the word "Board" and substituting therefor the word "Director". (b) By omitting the word "it" (first occurring) and substituting therefor the word "him", and by omitting the word "it" (second occurring) and substituting therefor the word "he".
15	(a) By omitting the word "Board" (wherever occurring) and substituting therefor, in each case, the word "Director". (b) By omitting from subsection (3) the word "it" and substituting therefor the word "he".

## THE THIRD SCHEDULE.

(Section 25.)

### CONSEQUENTIAL AMENDMENTS OF ACTS OTHER THAN THE PRINCIPAL ACT.

*Casual Workers and Unemployed Persons Homes Act 1936.*

(1 Edw. VIII. and 1 Geo. VI. No. 57.)

1. Section 2 is amended by inserting after sub-paragraph (d) of paragraph 1. of subsection (1) the following sub-paragraph:—  
“(da) ‘Director’:”.

2. Section 6 is amended—

- (a) by inserting in subsection (1), before the word “Board”, the words “Director or the”; and
- (b) by omitting from subsection (3) the word “Board” and substituting therefor the word “Director”, and by omitting from that subsection the words “thirty-eight of the *Hydro-Electric Commission Act 1929*” and substituting therefor the words “twenty-four of the *Hydro-Electric Commission Act 1944*”.

3. Section 8 is amended—

- (a) by omitting therefrom the word “Until” and substituting therefor the words “Subject to subsection (2) of this section, until”;
- (b) by omitting the word “Board” (second occurring) and substituting therefor the word “Director”; and
- (c) by adding at the end thereof the following subsection:—  
“(2) The provisions of subsection (2) of section sixteen of the *Homes Act* shall apply to and in respect of the letting of any dwelling-house and land under this section as if that dwelling-house and land were let under that section.”.

4. Section 9 is amended—

- (a) by inserting after subsection (1) the following subsections:—  
“(1A) A person who desires to purchase a dwelling-house acquired or erected in pursuance of Part III., together with the land on which it is erected, shall make application in that behalf, as prescribed, to the Board.  
(1B) On receipt of an application under subsection (1A) of this section, the Board, if it is satisfied, after consultation with the Director, that the applicant is an eligible person, may enter into a contract for the sale to the applicant, in accordance with the provisions of this Part, of the dwelling-house and land in respect of which the application is made.  
(1C) Where the Board enters into a contract of sale under subsection (1B) of this section the Board shall pay to the Director a sum equal to the purchase price specified in the contract of sale.”;
- (b) by omitting from subsection (3) the words “to the Board”; and
- (c) by adding at the end thereof the following subsection:—  
“(10) Subject to the foregoing provisions of this section, the provisions of section seventeen of the *Homes Act*, so far as they are applicable and with the necessary adaptations,

shall apply to and in respect of the sale of any dwelling-house and land under this section and the enforcement of the contract for the sale thereof as if that dwelling-house and land were sold under that section.”

5. Section 10 is amended—

(a) by adding at the end of subsection (2) the words “, and shall deliver a copy thereof to the Director.”; and

(b) by omitting subsection (5) and substituting therefor the following subsections:—

“(5) Before granting or rejecting an application under this section, the Board shall confer with, and shall take into consideration any recommendations made by, the Director.

(5A) Subject to subsection (5) of this section, the Board may, in its discretion, grant or reject an application under this section, and the decision of the Board shall be final.”

*Homes (Old Age Pensioners) Act 1940.*

(4 & 5 Geo. VI. No. 82.)

1. After section 1 the following section is inserted:—

Interpreta- “1A. In this Act—  
tion.

‘Account’ means the account referred to in section two:  
‘Director’ means the Director of Housing.”

2. Section 2 is amended—

(a) by omitting subsections (1) and (2) and substituting therefor the following subsections:—

“(1) For the purpose of the provision of homes for old age pensioners, there shall be opened and kept in the books of the Director a separate account to be called ‘The Homes (Old Age Pensioners) Act Account’.

(2) There shall be credited to the account—

I. The balance of the moneys standing, at the commencement of the *Homes Act 1953*, to the credit of the account of the same name kept in the books of the Agricultural Bank of Tasmania: and

II. Such other sums as may be provided by Parliament for that purpose.”;

(b) by omitting from subsections (3), (4), and (5), respectively, the word “Board” (wherever occurring) and substituting therefor, in each case, the word “Director”; and

(c) by omitting from subsection (6) the word “thirty-eight” and substituting therefor the word “twenty-four”, and by omitting from that subsection the numerals “1929” and substituting therefor the numerals “1944”.

3. Section 3 is amended by omitting therefrom the word “Board” (wherever occurring) and substituting therefor, in each case, the word “Director”.

*Homes (Temporary Housing Accommodation) Act 1946.*

(10 Geo. VI. No. 10.)

1. Section 3 is amended by omitting therefrom the word “Board” (twice occurring) and substituting therefor, in each case, the word “Director”.

2. Section 4 is amended by omitting from subsections (4), (5), and (6), respectively, the word “Board” (wherever occurring) and substituting therefor, in each case, the word “Director”.

3. Section 5 is amended—

- (a) by omitting the word "Board" (first, second, and third occurring) and substituting therefor, in each case, the word "Director"; and
- (b) by adding at the end thereof the words "and any reference in those provisions to the Board shall be construed accordingly as a reference to the Director."

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## COAL MINING INDUSTRY (GOVERNMENT ASSISTANCE).

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No. 6 of 1953.

AN ACT to amend the *Coal Mining Industry (Government Assistance) Act 1952.* [20 April, 1953.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—(1) This Act may be cited as the *Coal Mining Industry (Government Assistance) Act 1953.* Short title and citation.

(2) The *Coal Mining Industry (Government Assistance) Act 1952* is in this Act referred to as the Principal Act.

**2** Section three of the Principal Act is amended—

- (a) by adding at the end of paragraph (a) of subsection (1) the words "and the interest payable in respect of those moneys"; and
- (b) by omitting paragraph (b) of that subsection.

Government assistance to owners of coal mines.

**3** The title of the Principal Act is amended by omitting therefrom the words "and other persons". Title.