

LEGISLATIVE ASSEMBLY

Read 1° 16 October, 1968.

(Brought in by Sir William McDonald and Mr. Borthwick.)

A BILL

To amend the *Soldier Settlement Act* 1958 and the *Land Settlement Act* 1959 with respect to Crown Grants and Mortgages under the said Acts, and for other purposes.

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited as the *Settlement Grants and Mortgages Act* 1968. Short title.

2. The *Soldier Settlement Act* 1958 is amended as follows :— Act No. 6373 reprinted to No. 7328. Further amended by No. 7487.

10 (a) After section 41 there shall be inserted the following section :— New s. 41A.

“41A. Where any land or any portion of any land set apart for the purposes of soldier settlement pursuant to this Act is not required Return to Crown of land set apart for soldier settlement purposes but not required for those purposes.

for those purposes the Governor in Council, on the recommendation of the Commission, may direct that the land or the portion of the land shall cease to be set apart for those purposes, and on such direction—

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(a) the land shall again be and be deemed to be unalienated Crown land not subject to this Act; and

(b) the entry in the accounts of the Commission showing the value of the land as a liability to Consolidated Revenue shall be removed from those accounts.” ;

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S. 67A.

Crown grant to be subject to covenants conditions exceptions and reservations.

(b) In sub-section (1) of section 67A after the words “ issue of a Crown grant ” there shall be inserted the expression “ (which shall be subject to such covenants conditions exceptions and reservations as the Governor in Council thinks fit) ” ;

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S. 108.

(c) After sub-section (3) of section 108 there shall be inserted the following sub-section :—

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Commission may guarantee repayment of loans granted under Act No. 6360, and may recoup from Credit Account where there is failure to repay.

“ (4) The Commission may as a condition of any loan granted to a settler or other discharged soldier under the *Rural Finance Corporation Act 1958* guarantee the repayment of such loan as if it were an advance referred to in sub-section (1) made to him by any other person, and where he fails to pay to the Commission any amount which he is required to pay for the purposes of the repayment of the loan the Commission may recoup itself in the same manner as is set out in sub-section (3). ” ;

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S. 3.

Reference to regulations to include regulations under Act No. 6846.

(d) In—

(i) the interpretation of “ Regulations ” in section 3 after the words “ this Act ” there shall be inserted the expression “ or the *Rural Finance and Settlement Commission Act 1961* ” ;

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S. 100.

(ii) sub-paragraph (ii) of paragraph (b) of section 100 after the words “ this Act ” there shall be inserted the expression “ or the *Rural Finance and Settlement Commission Act 1961* ” .

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3. The *Land Settlement Act 1959* is amended as follows :—

Act No. 6634
reprinted to
No. 7328.
Further
amended by
No. 7487.

(a) After sub-section (2) of section 23 there shall be inserted the following sub-section :—

S. 23.

“ (3) Where pursuant to sub-section (2)—

Crown grant
and mortgage
to be subject
to certain
requirements.

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(a) a Crown grant is made, it shall be subject to such covenants conditions exceptions and reservations as the Governor in Council thinks fit ; and

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(b) a mortgage is executed, it shall be subject to such covenants and conditions as the Commission thinks fit.” ;

(b) In—

S. 3.

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(i) the interpretation of “ Prescribed ” in section 3 after the words “ this Act ” (where second occurring) there shall be inserted the expression “ or under the *Rural Finance and Settlement Commission Act 1961* ” ;

Reference to
regulations to
include
regulations
under Act No.
6846.

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(ii) sub-paragraph (ii) of paragraph (b) of section 32 after the words “ this Act ” there shall be inserted the expression “ or the *Rural Finance and Settlement Commission Act 1961* ”.

S. 100.

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