



ANNO DECIMO

# GEORGII V REGIS.

A.D. 1919.

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No. 1397.

An Act to enable the Government to assist Farmers affected by the Drought now prevailing in certain parts of the State by Guaranteeing certain Liabilities of such Farmers and Supplying certain Commodities to such Farmers upon Credit, and for other purposes.

*[Assented to, November 27th, 1919.]*

**B**E 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, 1919." Short title.

2. In this Act— Interpretation.

"Applicant" means applicant for assistance under this Act :

"Farmer" includes grazier :

"Minister" means the Commissioner of Crown Lands.

*Provision for Government Guarantees.*

3. (1) The Minister may enter into an arrangement with any person to whom any farmer in a drought-affected area has applied for a supply of commodities upon credit to guarantee the liability of such farmer in respect of commodities supplied to him upon credit by such person to such an amount as the Minister thinks proper. Certain liabilities of farmers may be guaranteed.

(2) Every such guarantee shall be in the Form No. 1 in the Schedule hereto.

4. Every

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Where guarantee given, agreement to be signed by applicant.

4. Every farmer in whose favor a guarantee has been given by the Minister under this Act shall sign an agreement in the Form No. 2 in the Schedule hereto, and the guarantee shall not come into force until such agreement has been duly signed.

Amount of guarantee to be first charge on the land.  
Cf. Drought Relief Act, 1914, s. 10.

5. Notwithstanding any provision of the Real Property Act, 1886, or any other Act or law to the contrary, any amount becoming payable by the Minister under any guarantee given pursuant to this Act 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 or agreement, at the time when the guarantee was given: Provided that, as soon as any amount becomes a charge upon any lands of the applicant pursuant to this section, the Minister shall give written notice of such charge and of the amount thereof to any registered mortgagee or encumbrancee of such land.

No guarantee to be given after 31st December, 1920.

6. No guarantee shall be given under the authority of this Act after the thirty-first day of December, nineteen hundred and twenty.

*Provision for Supply of Commodities upon Credit.*

Minister may supply commodities to farmers.  
Cf. Drought Relief Act, 1914, s. 3.

7. (1) The Minister may, for the purpose of affording assistance to farmers in drought-affected areas, supply applicants, or cause them to be supplied, upon credit, with seed wheat or other cereals, manure, hay, chaff, implements, live stock, 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.

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

Minister may grant application.  
Cf. *ibid.*, s. 7.

8. If the Minister is satisfied that an applicant—

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

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

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

Certain provisions of Drought Relief Act, 1914, to apply.

9. For the purposes of sections 7 and 8 of this Act, sections 8 to 20 inclusive of the Drought Relief Act, 1914 (except section 12 thereof), and also the Schedule to the said Act, shall be deemed to have been expressly re-enacted in this Act: Provided that, notwithstanding

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notwithstanding anything contained in the said sections, interest on every such advance as is referred to in the said sections shall be at a rate to be fixed by the Treasurer from time to time, and shall be calculated from a date to be fixed in each case by the Minister to the date of repayment of the advance.

*General Provisions.*

**10.** The Minister shall not grant any application for assistance under this Act unless he is satisfied that the applicant has been unable to obtain upon credit such commodities as he reasonably requires for the successful occupation of his land and in order to effectively carry on the business of farming or grazing such land, from the persons from whom he has been accustomed to obtain such commodities upon credit.

Assistance not to be given if applicant can still get credit.

**11.** Any farmer holding any land for a freehold estate, or under any lease or agreement under the Crown Lands Act, 1915, or any other Act providing for the leasing of lands belonging to the Crown, who is, as a result of the drought now prevailing in certain portions of the State, in need of such assistance as is provided for by this Act, may apply for such assistance.

Who may apply for assistance.  
Cf. Drought Relief Act, 1914, s. 4.

**12.** Without limiting the effect of section 9, any person who wilfully makes any false statement in any application for assistance under the provisions of this Act, or in any statement in support thereof, shall be guilty of a misdemeanour, and shall be liable to be imprisoned, with or without hard labor, for a term not exceeding four years.

False statement punishable.  
Cf. *ibid.*, s. 13.

**13.** The Governor may, by proclamation, declare from time to time what portions of the State are to be deemed to be drought-affected areas for the purposes of this Act.

Governor may define drought-stricken area.

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

Provision for expenses.

(2) So far as practicable, such advances shall be repaid, and the other expenses of administering this Act shall be defrayed, out of the moneys paid to the Minister by farmers in repayment of advances or in repayment of moneys paid by the Minister under guarantees, and any deficiency which may arise shall be made good out of moneys provided by Parliament for that purpose.

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

H. L. GALWAY, Governor.

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## THE SCHEDULE.

## FORM No. 1.

Section 3 (2).

In consideration of [*name, address, and occupation of the distributor*] having supplied [*name, address, and occupation of the person supplied*] with certain goods at the total price of \_\_\_\_\_, I, the Hon. \_\_\_\_\_, the Commissioner of Crown Lands for the State of South Australia, acting as a public officer for and on behalf of His Majesty's Government of the said State, do hereby guarantee payment by the said [*person supplied*] to the said [*distributor*] on or before the day of \_\_\_\_\_, 19\_\_\_\_, of the said sum of [*total price*], together with interest thereon at the rate of \_\_\_\_\_ per centum per annum, calculated from the date when the said goods were supplied to the said \_\_\_\_\_ to the date of payment of the said sum, or on the part thereof from time to time remaining unpaid: to the extent that the total of the proceeds of the grain reaped from the crop sown on the land of the said [*person supplied*] in the year 1920 is less than the said sum of [*total price*]: Provided that the total sum to be payable under this guarantee shall in no case exceed [*limit of guarantee*].

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 191\_\_\_\_.

[*Signature*]

Witness

[*Signature*][*Address*]

## FORM No. 2.

Section 4.

In consideration of the Honorable \_\_\_\_\_, the Commissioner of Crown Lands for the State of South Australia, acting as a public officer for and on behalf of His Majesty's Government of the said State, having guaranteed payment by me for goods supplied to me by [*distributor*], I do hereby agree with the said \_\_\_\_\_ as such Commissioner of Crown Lands and as such public officer as aforesaid:—

- (1) That I will pay and reimburse to him, or to the Commissioner of Crown Lands for the time being for the said State, as such public officer as aforesaid, all sums of money paid in pursuance of the guarantee hereinbefore referred to, together with interest thereon at the rate of \_\_\_\_\_ per centum per annum, calculated from the date when such sums respectively are paid under the said guarantee until payment thereof respectively under this agreement, such payments to be made on demand or upon conveyance or transfer of my interest in the lands hereunder mentioned (or any of them), whichever first happens; and
- (2) That I will use the goods supplied as aforesaid on the said lands or on some of the said lands.

Lands owned or held by the said \_\_\_\_\_ [*Here state numbers and situations of sections, or other sufficient descriptions of all lands owned or held by the person supplied*].

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 191\_\_\_\_.

[*Signature*][*Address*]

Witness

[*Signature*][*Address*]

[Duty Stamp.]