



ANNO DECIMO NONO

GEORGII V REGIS.

A.D. 1928.

No. 1886.

An Act to enable the State Bank of South Australia 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, November 7th, 1928.]

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, 1928."

Short title.

2. In this Act—

Interpretation of terms.

"Applicant" means applicant for assistance under this Act :

"Bank" means the State Bank of South Australia :

"Farmer" includes grazier and dairy farmer.

3. (1) The Bank 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 Bank thinks necessary for the said purpose, but no commodity shall be supplied after the thirty-first day of December, nineteen hundred and twenty-nine.

Bank may supply commodities to farmers.
1832, 1927, s. 3.

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

Drought Relief Act.—1928.

Application for
assistance.

4. Any farmer holding any land for any estate of freehold, or under lease from or agreement with the Crown, other than under the Pastoral Act, 1904, or the Irrigation Act, 1922, may make application to the Bank for assistance under this Act.

Provision for
share-farmers.

5. (1) Any person holding land as mentioned in section 4, who has entered into an agreement with any other person to farm such land, or any part thereof, on shares, may, if such other person is unable to carry into effect the provisions of such agreement without such assistance as is provided for by this Act, apply to the Bank for such assistance to be granted to such other person.

(2) The cost of commodities supplied upon an application pursuant to subsection (1) hereof shall be deemed to be an advance made to the applicant, and shall be repaid to the Bank by the applicant in the same manner as if the advance had been made to the applicant himself; and all the provisions of this Act relating to advances, to the repayment thereof, and the payment of interest thereon, and to the manner of securing the same, shall apply to such cost.

(3) Subject to any agreement between the applicant and the other person referred to in subsection (1) thereof, the applicant shall be entitled to be reimbursed by such other person all amounts paid by the applicant pursuant to subsection (2) hereof, except to the extent (if at all) that the advance was made in respect of commodities which, under the agreement between them, were to be provided by the applicant.

When Bank may
grant application.
Of. *ibid.*, s. 6.

6. If the Bank is satisfied that an applicant or, in such a case as is mentioned in section 5, the person on whose behalf the application is made—

(a) *bona fide* intends forthwith to put the lands held or farmed, as the case may be, 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 thereof, 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,

the Bank may grant to the applicant or to the person on whose behalf the application was made (according to the nature of the case) such assistance under this Act as it thinks fit.

Persons supplied to
sign an acknowledgment and contract.
Ibid., s. 7.

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

8. (1) The

Drought Relief Act.—1928.

8. (1) The amount fixed in each case by the Bank as the cost of any commodity or commodities supplied to or on behalf of any applicant under this Act, shall be deemed to be an advance under this Act made by the Bank to the applicant.

Cost of commodities supplied by the Bank to be repaid by applicant.
Cf. *ibid.*, s. 8.

(2) Any applicant to or on behalf of whom any such advance is made under this Act shall repay to the Bank the advance—

(a) on or before the first day of February, nineteen hundred and thirty, or within such further time as the Bank may approve; or

(b) upon the alienation (whether voluntary or otherwise) or mortgage of the applicant's interest in the lands mentioned in the acknowledgment and contract signed by him under section 7, or in any of the said lands,

whichever first happens, together with interest thereon at a rate fixed by the Bank but not exceeding Six Pounds Ten Shilings 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 bank may, in any case in which it 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.

9. 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 8 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 for sale and purchase, 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 Bank 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.
Ibid., s. 9.

10. 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 guilty of a misdemeanour and shall be liable to be imprisoned for a term not exceeding two years.

False statement punishable.
Ibid., s. 11.

11. Any

Drought Relief Act.—1928.

Punishment for
selling commodities
supplied.
Ibid., s. 12.

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

Punishment for
misuse of com-
modities supplied.
Ibid., s. 13.

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

- (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 Bank 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, upon request of the Bank, to furnish it 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. 14.

13. 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 Bank.

Regulations.

14. 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.

15. All proceedings in respect of offences against this Act (not being misdemeanours) shall be disposed of summarily.

How expenses to be
provided.

16. (1) The Treasurer of the State may, from time to time, make advances to the Bank 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 Bank 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.

G. J. R. MURRAY, Deputy Governor.

THE

Drought Relief Act.—1928.

THE SCHEDULE.

DROUGHT RELIEF ACT, 1928.

I (*full names*).....
 hereby acknowledge that I have received from the State Bank of South Australia,
 an order to obtain the commodities hereunder mentioned, and I hereby agree with
 the said Bank—

- (1) to pay and reimburse the Bank by the first day of February, 1930, or within such further time as may be approved by it, the amount which may be paid by it for such of the said commodities as I obtain pursuant to the said order, with interest thereon at the rate of Six Pounds Ten Shillings per centum (6½%) per annum calculated 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 the interest accrued, on the first day of February, 1930, or at any time upon conveyance or transfer or mortgage of my interest in the lands herein-after mentioned (or any of them) whichever happens first ;
- * (3) to use the said goods before the thirty-first day of December, 1929, on the lands hereunder mentioned or on some part of such lands ;
- (4) to give the said Bank a Bill of Sale over any crops on the said land when called upon to do so ;
- (5) not to dispose of the proceeds of the said crops without the written consent of the Bank first had and obtained.

Description of Goods.	Quantity of Goods.	† Land Held by Applicant.	Land Proposed to be Cropped, Section and Hundred.

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

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

Dated this.....day of.....19....

1/- Duty
Stamp.

Signature.....

Address

Witness—

Signature

Address

Drought Relief Act.—1928.

DROUGHT RELIEF ACT, 1928.

I (*full names*)of.....
 hereby acknowledge that I have (or that.....
 of.....has, on my application), received from the
 State Bank of South Australia, an order for the supply to the said.....
 ofthe commodities
 hereunder mentioned, and I hereby agree with the said Bank—

- (1) to pay and reimburse the Bank by the first day of February, 1930, or within such further time as may be approved by it, the amount which may be paid by it for such of the said commodities as the said.....
may obtain pursuant to the said order, with interest thereon at the rate of Six Pounds Ten Shillings per centum (6½%) per annum calculated 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 the interest accrued, on the first day of February, 1930, or at any time upon conveyance or transfer or mortgage of my interest in the lands hereinafter mentioned (or any of them), whichever happens first;
- (3) that the said.....will use the said goods before the thirty-first day of December, 1929, on the lands hereunder mentioned, or on some part of such lands;
- (4) to give the said Bank a Bill of Sale over any crops on the said land when called upon to do so;
- (5) that neither I nor the said.....will dispose of the proceeds or part of the proceeds of the said crops without the written consent of the Bank first had and obtained.

Description of Goods.	Quantity of Goods.	*Lands on which to be used, Section and Hundred.

**Here state the numbers and situations of sections or other sufficient description of all lands held by the person supplied.*

Dated this.....day of.....19....

1/- Duty Stamp.

Signature.....

Address

Witness—

Signature.....

Address