



ANNO SEXTO

GEORGI V REGIS.

A.D. 1915.

No. 1226.

An Act to make Provision for the Settlement of Returned Soldiers on Crown Lands.

[Assented to, December 23rd, 1915.]

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 “Returned Soldiers Settlement Act, 1915.” Short title.

2. This Act is incorporated with the Crown Lands Act, 1915 (hereinafter referred to as “the principal Act”), and with the Irrigation and Reclaimed Lands Act, 1914, and those Acts and this Act shall be read as one Act; and, except so far as they are inconsistent with this Act, the provisions of the principal Act shall apply to and in respect of the lands set apart under this Act, both before and after they are leased under this Act: Provided that, where the lands are within an irrigation area under the said Irrigation and Reclaimed Lands Act, the provisions of that Act, except so far as they are inconsistent with this Act, shall apply as aforesaid. Incorporation with Crown Lands Act, and application of that Act.

3. In this Act the term “discharged soldier” means any person who— Interpretation.

- (a) has been a member of the Australian Imperial Forces or of any other naval or military force raised in the Commonwealth of Australia by the Minister of Defence for service in the war in which His Majesty is at present engaged, and
- (b) has served outside the Commonwealth in connection with the said war; and
- (c) has

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(c) has returned to this State; and

(d) has received his discharge from service, either before or after his return to this State:

Provided that nothing in this section shall apply to any person whose discharge from service was due to incapacity resulting from his own default or misconduct.

Areas of Crown land may be set apart for allotment to discharged soldiers under Crown Lands Act.

4. (1) The Governor may from time to time, by proclamation, set apart any area or areas of Crown land for allotment pursuant to this Act to discharged soldiers.

(2) Any proclamation under this section may, at any time, be revoked in so far as it relates to land which is not required, or which is not suitable, for the purpose for which it was set apart.

Special provisions for settlement of discharged soldiers on Crown lands.

5. (1) The land so set apart shall be subdivided into such blocks as the Land Board, with the approval of the Commissioner, determines.

(2) Such blocks may be offered, in such manner as the Commissioner approves, to discharged soldiers on perpetual lease, or on leases for such terms of years as the Commissioner thinks convenient.

This subsection shall apply notwithstanding that the land was acquired under Part X. of the principal Act or under any repealed Act or enactment providing for the acquisition of land by the Crown for closer settlement, and notwithstanding that the land is within an irrigation area under the Irrigation and Reclaimed Lands Act, 1914

(3) Application for blocks shall be made to the Land Board, and shall contain particulars as to the following matters:—

(a) The name, address, and occupation of the applicant, and his occupation prior to becoming a member of any such force as mentioned in section 3;

(b) His service in the force of which he was a member, specifying —

i. the name of such force;

ii. the period of his service, and the date of his discharge;

iii. the reason for his discharge; and

iv. particulars as to any physical disability caused by wounds or disease resulting from his service;

(c) The block or blocks for which application is made;

(d) The purpose for which the applicant proposes to use the land;

(e) The experience of the applicant in the business for which he proposes to use the land, or in any other class of farming or cultivating land;

(f) The amount of capital available for expenditure by the applicant in connection with the land;

(g) The

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(g) The nature and estimated amount of assistance, if any, that the applicant will require to enable him to work the land successfully; and

(h) Such other particulars as are prescribed.

(4) All applications shall be dealt with by the Land Board, and it shall be the duty of the Board, in dealing with such applications, as far as practicable to assist applicants in acquiring suitable blocks.

6. (1) In considering applications under this Act the Board shall take into consideration, either with or without special application, the advisability of assisting applicants with respect to any of the following matters:—

Minister may assist settlers with respect to erection of buildings, purchase of stock, &c.

(a) The clearing, fencing, draining, irrigating, and general improvement of lands leased under this Act;

(b) The erection of buildings on any such land; and

(c) The purchase of implements, stock, seeds, plants, trees, and such other things as may be deemed necessary for the successful occupation and cultivation of the land.

(2) If in the opinion of the Board it is desirable that assistance should be given to the settler with respect to any or all of the foregoing matters, it shall make a recommendation to that effect to the Commissioner, and shall set out in its recommendation the nature and extent of the assistance recommended, and the grounds of the recommendation. On receipt of any such recommendation the Commissioner may take such action thereon, in accordance with regulations under this Act, as he thinks fit.

(3) All moneys advanced or expended by the Commissioner under the authority of this section in respect of any land shall bear interest at such rate as is determined by the Commissioner, and shall be secured by a first mortgage over the settler's interest in the said land: Provided that the Commissioner may, if he thinks fit, in any case of hardship, dispense, either wholly or in part, with the payment of interest under this section.

7. The Commissioner may remit, wholly or in part, and in respect of such period or periods as he thinks fit, any rent payable by a settler under a lease granted pursuant to this Act, or may postpone the due date for the payment of any such rent.

Remission of rent.

8. All moneys received from lessees under this Act shall be dealt with as if they were received from lessees under the principal Act or, where the lands are within an irrigation area under the Irrigation and Reclaimed Lands Act, 1914, as if they were received from lessees under that Act.

Disposal of moneys received from settlers.

9. No lease granted under this Act shall be transferred, except on the recommendation of the Land Board and with the consent of the Commissioner.

Restriction on right of transfer.

10. (1) In

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Governor may make regulations.

10. (1) In addition to any power by any other section of this Act, or by any provision of the principal Act, conferred on the Governor to make regulations as to any matter (which power shall in every case be implied for the purposes of any section of this Act in which regulations are referred to, or in which the word "prescribed" is used), the Governor may make any regulations which may be necessary or convenient for carrying out any of the provisions of this Act, or for better effecting the objects of this Act, and in particular (without limiting the effect of this section) for all or any of the following purposes, namely:—

(a) the conditions of leases granted under this Act, including provisions as to—

- I. the form or forms of leases;
- II. improvements to be effected by lessees;
- III. residence of lessees on the land;
- IV. the method of computing the rent to be paid by lessees; and
- V. the transfer, surrender, and forfeiture of leases:

(b) the application of any of the provisions of the principal Act or of any other Act relating to Crown lands to lands set apart or leased under this Act.

(2) The provisions of subsections (2), (3), and (4) of section 291 of the principal Act shall apply to any regulation made under this Act.

Annual report.

11. (1) The Commissioner shall, as early as possible after the end of each financial year, cause to be prepared a report showing, for the previous financial year,—

- (a) the aggregate areas of land set apart under this Act;
- (b) the number of applications received for such land, and the number of blocks and the aggregate area allotted;
- (c) the amount expended in assisting settlers under this Act; and
- (d) such other particulars as are prescribed.

(2) Every such report shall be laid before Parliament within thirty days after the receipt thereof by the Commissioner if Parliament is then in Session, and if not, then within thirty days after the commencement of the next ensuing Session.

Financial provision.

12. The moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for such purposes.

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

H. L. GALWAY, Governor.