



ANNO SEXTO

GEORGI VI REGIS.

A.D. 1942.

No. 21 of 1942.

An Act to amend the South Australian Housing Trust Act, 1936-1940.

[Assented to 12th November, 1942.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "South Australian Housing Trust Act Amendment Act, 1942".

(2) The South Australian Housing Trust Act, 1936-1940, as amended by this Act, may be cited as the "South Australian Housing Trust Act, 1936-1942".

(3) The South Australian Housing Trust Act, 1936-1940, is hereinafter referred to as "the principal Act".

Amendment of
s. 2. of
principal Act—
Interpretation.

2. Section 2 of the principal Act is amended by inserting therein after the definition of "member" the following definition :—

"Minister" means the Minister of the Crown to whom for the time being the administration of this Act is committed by the Governor :

Amendment of
s. 8 of
principal Act—
Vacancy in
office of
member.

3. Section 8 of the principal Act is amended by striking out paragraph (c) of subsection (2) thereof and by inserting in lieu thereof the following paragraph :—

(c) is absent from three consecutive meetings of the trust without leave granted by the Minister ;

4. Section 14 of the principal Act is repealed and the following sections are enacted and inserted in the principal Act in lieu thereof:—

Amendment of principal Act—

14. All real and personal property of the trust shall be held by the trust for and on behalf of the Crown.

Trust to hold property on behalf of Crown.

14a. The chairman or any member, officer, or employee of the trust shall not, as such, be subject to the Public Service Act, 1936-1941.

Application of Public Service Act, 1936-1941.

14b. The trust shall within fourteen days after making any decision for any capital expenditure from any moneys of the trust furnish the Minister with a copy of that decision.

Report to Minister.

14c. (1) The trust shall furnish the Minister with such reports, documents, papers, and minutes as may be required by Parliament pursuant to any Act or pursuant to any resolution of either House of Parliament.

Duty to furnish papers, etc.

(2) The trust shall also furnish the Minister with all information on any business of the trust as may be required by him.

5. Section 20 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof):—

Amendment of s. 20 of principal Act—
Power to borrow.

(2) The trust shall not borrow any money pursuant to this Act or mortgage or charge any of its property or give any of its property as security for any loan except with the consent in writing of the Minister.

6. Section 25 of the principal Act is amended so as to read as follows:—

Amendment of s. 25 of principal Act—

25. (1) The average cost per house of all houses of group A at any time built under this Act within the metropolitan area as defined by section 28a of this Act (including the cost of the sites of the houses, the fences, and the sewerage) shall not exceed the sum of five hundred and fifty pounds.

Cost of houses.

(2) The cost of any house of group B built under this Act (including the cost of the site of the house, the fences, and the sewerage) shall not exceed six hundred and forty times the daily living wage at the time when the contract for the building of the house is made.

In this subsection "living wage" means the living wage per day for male adult employees as last previously

declared under the Industrial Code, 1920-1936, for the area in which the particular house is situated.

Amendment of
s. 27 of
principal Act—
Qualifications
of applicant.

7. Section 27 of the principal Act is amended by adding at the end of paragraph (b) of subsection (1) thereof the following proviso:—

Provided that if the trust is satisfied that any person applying for the lease of a house of group A owns a dwelling-house which is situated at a place remote from his place of employment and that by reason of the distance of the dwelling-house from his place of employment he cannot reside in that dwelling-house whilst continuing in his employment, the trust may let a house of group A to such person:

Amendment of
s. 27 of
principal Act—
Rentals.

8. Section 27 of the principal Act is amended by striking out paragraph (c) of subsection (1) thereof and by inserting in lieu thereof the following paragraph:—

(c) The trust shall let the houses of group A at such rents as the trust from time to time decides and, notwithstanding the provisions of any other Act, the trust may from time to time vary the rents of any such houses which are constructed to provide similar accommodation and are situated in the same or comparable localities, so that the rents of the houses shall be the same notwithstanding that the cost of building some of the houses exceeds the cost of building other of the houses: Provided that the aggregate of the rentals charged in any financial year by the trust for all houses of group A, whether built within or outside the metropolitan area as defined by section 28a of this Act, shall not exceed an amount equal to eight pounds per centum of the total capital cost to the trust of those houses.

Amendment of
s. 28a of
principal Act—
Cost of houses
outside the
metropolitan
area.

9. Section 28a of the principal Act (as enacted by section 3 of the South Australian Housing Trust Act Amendment Act, 1940) is amended—

(a) by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection:—

(2) Notwithstanding the provisions of section 25 of this Act, the average cost per house of all houses of group A at any time built under this Act outside the metropolitan area (including the cost of the sites of the houses, the fences and the sewerage) shall not exceed the sum of six hundred and fifty pounds.

(b) by striking out subsection (4) thereof.

10. The following section is enacted and inserted in the principal Act after section 28a thereof:—

Enactment of
s. 28b of
principal Act—

28b. In computing the income of any person for the purposes of section 27, 28 or 28a—

Provisions as
to computing
income of
tenant.

(a) any payment by way of endowment under the Child Endowment Act, 1941, of the Commonwealth, to such person or to his spouse or to any of his or her children shall be disregarded by the trust;

(b) any portion of any wages paid to such person or to his or her spouse or to any of his or her children may be disregarded by the trust during the duration of any war in which His Majesty was engaged at the passing of the South Australian Housing Trust Act Amendment Act, 1942, and during the period of twelve months after the cessation of such war, if the trust is satisfied that the said portion of the wages was payable in respect of overtime worked by the person receiving the wages or was payable to that person as extra or additional wages by reason of any provision of an award or determination of any court or tribunal requiring wages to be paid at penalty rates.

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

C. M. BARCLAY-HARVEY, Governor.