

INTER-STATE DESTITUTE PERSONS RELIEF ACT, 1910-1934.

BEING

THE INTER-STATE DESTITUTE PERSONS RELIEF ACT, 1910,
No. 1008 OF 1910 [ASSENTED TO 23RD NOVEMBER, 1910.]

AS AMENDED BY

INTER-STATE DESTITUTE PERSONS RELIEF (AMENDMENT) ACT,
1931, No. 2022 OF 1931 [ASSENTED TO 12TH NOVEMBER, 1931.]

AND

STATUTE LAW REVISION ACT, 1934, No. 2168 OF 1934
[ASSENTED TO 15TH NOVEMBER, 1934.]

An Act for the relief of persons whose relatives liable
to support them reside in another State of the
Commonwealth, and for other purposes.

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

PART I.

PART I.

PRELIMINARY.

1. This Act may be cited as the "Inter-State Destitute
Persons Relief Act, 1910-1934."

Short title.
Of. U.K.
10 & 11
Geo. 5 c. 33.

2. This Act shall come into operation on a day to be fixed
by the Governor by proclamation published in the *Govern-
ment Gazette*.

Commence-
ment.

3. This Act is divided into Parts, as follows:—

Division of
Act.

PART I.—Preliminary:

PART II.—Summons for Maintenance against Person
in another State:

PART III.—Enforcing Order for Maintenance made in
another State:

PART IV.—Miscellaneous.

s. 2. This Act was proclaimed to commence on 5th January, 1911: *Gazette* 5th January, 1911,
p. 1.

Interpretation.

4. In this Act, unless inconsistent with the context or subject matter—

“collector” means an officer appointed in another State, whose duties, or part of whose duties, are similar to those of the collector appointed under this Act:

“Commonwealth” means the Commonwealth of Australia:

“justice” means justice of the peace:

Amended by
2022, 1931,
s. 2

“order” includes judgment, and an order means an order or judgment whereby any person is adjudged, ordered, or directed to pay money, whether in one sum or by instalments, or to pay money periodically, for or towards the support of any person, or otherwise to make provision for or towards the support of any person. The term also includes an order or judgment for maintenance confirmed under the provisions of any Act reciprocal to the Imperial Act intituled the Maintenance Orders (Facilities for Enforcement) Act, 1920:

“prescribed” means prescribed by this Act or by regulation:

“regulation” means regulation made under this Act:

Amended by
2022, 1931,
s. 3.

“State” means, in Part II., any State in the Commonwealth and any territory under the authority of the Commonwealth (including any territory governed by the Commonwealth under a mandate) concerning which a proclamation under subsection (1) of section 5 has been published and is in force for the time being; and in Part III. “State” means any State in the Commonwealth and any territory under the authority of the Commonwealth (including any territory governed by the Commonwealth under a mandate) concerning which a proclamation under subsection (2) of section 5 has been published and is in force for the time being:

“summons for relief” means a summons to show cause why a person should not support, or should not contribute towards the support of, another person:

“the collector” means the collector appointed under this Act:

“this Act” includes regulations made under this Act:

“this State” means the State of South Australia.

5. (1) When in any State an Act or law is in force containing provisions substantially similar to those contained in, or for carrying out objects substantially similar to the objects of, section 6, the Governor may by proclamation published in the *Government Gazette* declare that Part II. of this Act shall be in force as regards such State, and such State shall thereafter be a State within the meaning of Part II.

Establishment
of reciprocity
by pro-
clamation.

Amended by
2022, 1931,
s. 4.

(2) When in any State an Act or law is in force containing provisions substantially similar to those contained in, or for carrying out objects substantially similar to the objects of, Part III., and sections 21 to 24, both inclusive, the Governor may by proclamation published in the *Government Gazette* declare that Part III. of this Act shall be in force as regards such State, and such State shall thereafter be a State within the meaning of Part III.

(3) Notwithstanding anything in this section, if at any time after the publication of any proclamation under this section neither the provisions in consequence of which such proclamation was published nor any similar provisions are in force in the State regarding which such proclamation was published, such proclamation shall cease to be in force upon the publication in the *Government Gazette* of a proclamation by the Governor revoking the former proclamation, and such State shall thereupon cease to be a State within the meaning of Part II. or Part III., as the case may be.

(4) A proclamation under subsection (1) or subsection (2) shall be deemed to be in force until a proclamation revoking the same is proved.

(5) Proclamations under subsections (1) and (2) or proclamations under subsection (3), regarding the same State, may be in the same or separate documents.

(6) The *Government Gazette* purporting to contain a proclamation under this section shall be sufficient evidence of the validity, contents, and publication of such proclamation, and shall be conclusive evidence of the existence of all conditions precedent to the valid making thereof.

s. 5. At 26th April, 1937, the following proclamations were in force declaring that Part II. and Part III. of this Act shall apply to the following States:—*Gazette*—23rd March, 1911, p. 499 (Tasmania); 20th February, 1913, p. 343 (Western Australia); 2nd October, 1913, p. 762 (Victoria); 5th August, 1915, p. 555 (Queensland); 21st July, 1921, p. 95 (New South Wales).

PART II.

PART II.

SUMMONS FOR MAINTENANCE AGAINST PERSON
IN ANOTHER STATE.

Summons for
relief issued
in another
State may be
served in this
State.

Amended by
2022, 1931,
s. 5.

6. Whenever in any State—

- (a) i. any husband leaves his wife; or
- ii. any parent leaves his or her child under the age of eighteen years, whether legitimate or illegitimate; or
- iii. any child over the age of twenty-one years leaves his or her parent; or
- iv. any person liable to support, or to contribute towards the support of, another person leaves such other person,
- without adequate means of support; or
- v. an order has been made or confirmed by any justice or justices or by any court, not being a court of record, and such order remains unsatisfied wholly or in part;

and in any such case—

- (b) such husband, parent, child, or person, or the person by such order adjudged, ordered, or directed to pay or make provision (each of whom is hereinafter referred to as “the defaulter”), comes to reside or resides, either temporarily or permanently, in this State,

any summons for relief or any process to enforce such order, granted, confirmed, or issued in any State by any justice or justices or out of any court (not being a court of record) upon application made by or on behalf of the wife, child, parent, or person so left, or by or on behalf of the person for whose support such order was made, and against or directed to the defaulter, may be served in this State.

Summons for
relief against
defaulter in
another State.

Amended by
2022, 1931,
s. 6.

7. Whenever in this State—

- (a) i. any husband leaves his wife; or
- ii. any parent leaves his or her child under the age of eighteen years, whether legitimate or illegitimate; or

s. 7. RENTON v. RENTON (1918) 25 C.L.R. 291; 25 A.L.R. 1; 9 Austr. Digest. 1043, reversing RENTON v. RENTON (1917) S.A.L.R. 277. Held that the issue of a summons under section 7 is not a judicial exercise of jurisdiction by a court within the

iii. any child over the age of twenty-one years leaves his or her parent; or

iv. any person liable to support, or contribute towards the support of, another person leaves such other person,

without adequate means of support; or

v. an order has been made or confirmed by any justice or justices or by any court, not being a court of record, and such order remains unsatisfied, wholly or in part; and

(b) such husband, parent, child, or person, or the person by such order adjudged, ordered, or directed to pay or make provision (each of whom is hereinafter referred to as "the defaulter"), goes to reside or resides, either temporarily or permanently, in any State other than this State,

any justice for this State may, upon application made by or on behalf of the wife, child, parent, or person so left, or by or on behalf of the person for whose support such order was made or confirmed (each of whom is hereinafter referred to as "the complainant"), sign and issue a summons directed to the defaulter, to show cause why he or she should not support or should not contribute towards the support of the complainant, or should not pay any moneys due and to become due under such order, as the case may require.

8. (1) No summons shall be issued under section 7 unless the application therefor is supported by an affidavit or declaration made by or on behalf of the complainant, in the

Evidence in support of application for summons.

s. 7. meaning of section 39 (2) (d) of the Judiciary Act, 1903-1915, of the Commonwealth and therefore the summons may properly be issued by a justice who is not a stipendiary or police or special magistrate. The words "leaves without adequate means of support" means fails to provide with such means and do not connote that the husband and wife, being together in South Australia, he went away from her.
(contd.)

BYRNE V. LANCASTER (1924) S.A.S.R. 359. Held that when an application for a summons is made for the support of a child no authority need be shown by a stranger making the application on behalf of the child provided that he is acting in good faith for the protection of the child.

COLQUHOUN V. BELL (1935) S.A.S.R. 346. Where a complaint, laid under section 47 of the Maintenance Act, 1926, and charging the defendant with being the father of an illegitimate child, was served under the provisions of the Service and Execution of Process Act, 1901-1934, of the Commonwealth, the defendant being at all times a resident of another State, held that there was no jurisdiction under the Maintenance Act, 1926, to hear the complaint and that this Act was intended by Parliament as the appropriate provision in the circumstances.

s. 8. BYRNE V. LANCASTER (1924) S.A.S.R. 359. Before a summons can be issued under section 7 upon an application for a summons for the support of an illegitimate child, the deponent must depose positively and not on information and belief as

Inter-State Destitute Persons Relief [Vol. 4 Act, 1910-1934.

form contained in the first schedule, or to the like effect, and stating the matters indicated in the said schedule.

(2) A justice upon issuing a summons under section 7 shall retain the affidavit or declaration whereon the same was made, and shall, as soon as practicable, deliver or send such affidavit or declaration to the clerk of the nearest local court, who shall file the same in the office of his court.

(3) An affidavit for the purposes of this section shall be sworn before a commissioner for taking affidavits in the Supreme Court, and a declaration for such purposes may be made before a justice.

Time and
place for
hearing
summons.

9. Every summons issued under section 7 shall state a place and a time after service for the hearing hereof, which shall be fixed by the justice issuing the summons, regard being had in fixing the length of time to the distance of the alleged place of residence of the defendant from the place fixed for the hearing.

Service of
summons and
proof thereof.

10. (1) A summons issued under section 7 may be served either in this State or any other State.

(2) Service of such summons, or the steps taken in attempting to serve the same, shall be proved by affidavit sworn before a commissioner for taking affidavits in the Supreme Court of this State or of the State wherein service was effected or attempted, or by declaration made before a justice for this State or for the State wherein the service was effected or attempted.

Who may
hear summons.

11. A summons issued under section 7 may be heard and determined by any justice or justices for this State.

Powers of
justices hear-
ing the sum-
mons.

12. If at the hearing of a summons issued under section 7 or any adjournment of such hearing—

(a) service of the summons is proved; or

s. 8.
(*contd.*)

to the paternity of the child. Where the affidavit states positively the fact of paternity, but it appears on the face of the affidavit that the deponent knew this alleged fact only by information supplied to him, the court can go behind the declaration, and it is the duty of the court to examine the declaration for itself and ascertain whether it complies with section 8. A summons issued on such an affidavit is not lawfully issued, and the justices have no jurisdiction to proceed with the application or summons.

s. 12. *BYRNE V. LANCASTER* (1924) S.A.S.R. 359. A justice or justices sitting to determine a summons under this Act constitute a court of summary jurisdiction under the Justices Act, 1921, and have power to state a case under section 162 of that Act

- (b) it is proved to the satisfaction of the justice or justices that a reasonable attempt has been made to serve the summons, and that the defendant has intentionally evaded service thereof,

the justice or justices may proceed to hear and may determine the summons, and may, if satisfied that the defendant is able to support or contribute towards the support of the complainant, make an order for the payment to or on behalf of the complainant of—

- i. such sum (if any) as the justice or justices deem proper for past maintenance, by instalments or otherwise; and
- ii. such periodical sums as the justice or justices deem proper for future maintenance; and
- iii. costs, to be fixed by the justice or justices.

PART III.

PART III.

ENFORCING ORDER FOR MAINTENANCE MADE
IN ANOTHER STATE.

13. (1) The Governor shall appoint a collector for the purposes of this Act, and may appoint such assistant collectors and other officers as he deems necessary for such purposes.

Collector for
inter-State
destitute
persons.

(2) The official title of the collector shall be "Collector for Inter-State Destitute Persons," and the official title of an assistant collector shall be "Assistant Collector for Inter-State Destitute Persons."

14. (1) The collector, upon receiving from a collector appointed in another State the following documents, namely:—

Application
for making
order for
relief enforce-
able in this
State.

- i. The original or a duplicate of an order made or confirmed by a justice or justices for such State signed by him or them, or a copy of such order, certified as correct under the hand or hands of the justice or justices by whom such order was made or confirmed, or a certificate of an order made or confirmed by a court of such State (not being a court of record) under the hand of the clerk or other proper officer of such court and the seal thereof;

Amended by
2022, 1931,
s. 7, and
S.L.R. Act,
1934.

ii. An affidavit in the form in the second schedule, or to the like effect, and stating the particulars indicated in the said schedule, sworn by such collector before a commissioner for taking affidavits in the Supreme Court of such State; and

iii. A request that the order be made enforceable in this State,

shall attend before a justice and apply to have such original or duplicate order, certified copy, or certificate endorsed as provided by section 15.

(2) A document purporting to be such a document as mentioned in subsection (1), and to be signed or signed and sealed as thereby required, shall, for the purposes of this Act, without proof of any signature or seal appearing thereon, be deemed to be what it purports to be, and to be duly signed or signed and sealed, until the contrary is proved.

To be endorsed if defaulter resident in this State.
Amended by 2022, 1931, s. 8.

15. Upon such application being made to a justice and upon production of the original or duplicate order, certified copy, or certificate and the affidavit referred to in section 14, the justice, if satisfied that the person against whom the order was made or confirmed is resident, either temporarily or permanently, within this State, shall endorse such original or duplicate order, certified copy, or certificate with a fiat directing that the order be enforced within this State, and shall sign such endorsement.

Collector to serve copy of endorsed order.
Amended by 2022, 1931, s. 9.

16. (1) Upon obtaining the endorsement referred to in section 15 the collector shall serve, or cause to be served, a copy of such order, certified copy, or certificate, and of the endorsement thereon, certified as correct under his hand, upon the person against whom the order was made or confirmed; and such order shall thereupon be and continue to be enforceable in this State.

(2) The service required by this section may be effected by delivering the document to the person to be served, or by posting the same by registered letter addressed to him at his last known place of residence.

After service all moneys to be payable to the collector.

17. When an original or duplicate order, certified copy, or certificate has been endorsed pursuant to section 15, and a copy thereof has been served pursuant to section 16, all moneys by the order adjudged, ordered, or directed to be paid shall be payable to the collector, who is hereby

authorised to collect and receive the same, and to take all such steps for the recovery thereof as might be taken by the person in whose favour the order was made; and the receipt of the collector for any such money shall be a valid discharge of the liability to pay the same.

18. In addition to the powers and duties hereinbefore conferred and imposed, it shall be the duty of the collector—

Other powers
and duties of
collector.

- i. to collect all moneys payable to him as provided by section 17, and give receipts for the sums so collected;
- ii. to keep proper accounts of all moneys collected and received by him and of all moneys remitted and paid by him;
- iii. to file in his office, and keep proper records of, all documents received by him as mentioned in section 14;
- iv. once at least in every fortnight, or as often as prescribed, to remit to the collectors appointed in the various States all moneys collected and received by him in respect of orders received from such States respectively, less the costs and expenses of collection and remittance, together with proper accounts showing in respect of what orders the various moneys were collected and received and the costs and expenses deducted in respect of such various moneys;
- v. to pay the various moneys received by him from the collectors appointed in other States to the persons on whose behalf such moneys are respectively received, less any costs and expenses connected with the receipt and payment thereof respectively; and
- vi. to exercise such other powers and discharge such other duties as are conferred or imposed upon him by regulation.

19. When an order has been made and signed by a justice or justices for this State, or an order has been made by a court of this State, not being a court of record, in favour of any person resident in this State, or an order has been confirmed in this State, and the person against whom the same is made, or against whom a maintenance order made elsewhere is confirmed in this State, goes to reside or is resident, either temporarily or permanently, in another State,

Collector to
forward orders
for relief for
service in
other States.

Amended by
2022, 1931,
s. 10.

the collector shall, upon application made by or on behalf of the person in whose favour such order was made or the person on whom by law the duty to enforce a maintenance order which has been confirmed in this State is cast, send to a collector appointed in such other State the following documents, namely:—

- i. The original or a duplicate of the said order made by a justice or justices signed as aforesaid, or a copy of such order certified as correct under the hand or hands of the justice or justices by whom such order was made or confirmed in this State, or a certificate of the said order made by a court under the hand of the clerk or other proper officer of such court and the seal thereof;
- ii. An affidavit in the form of the second schedule, or to the like effect, and stating the particulars indicated in the said schedule, sworn by the collector before a commissioner for taking affidavits in the Supreme Court of this State;
- iii. A statement of such information as the collector is able to obtain for the purpose of enabling the collector to whom the documents are sent to identify and discover the whereabouts of the person against whom the order was made; and
- iv. A request that the order be made enforceable in such other State.

Affidavit or
certificate of
collector suffi-
cient proof
of payment.

20. (1) A certificate under the hand of the collector or of a collector appointed in another State, or an affidavit sworn by either of such collectors, stating that any sum or sums therein specified has or have been paid in respect of an order therein mentioned, shall be sufficient evidence of such payment in any proceedings before any court, justice, or other tribunal.

Amended by
2022, 1931,
s. 11.

(2) Upon production of such certificate or affidavit to the clerk of the court in which such order was made or confirmed such clerk shall enter up satisfaction of such order to the extent of the amount by such certificate or affidavit stated to have been paid.

PART IV.

MISCELLANEOUS.

PART IV.

21. (1) Subject to subsection (2), when

Onus of
proof of
identity of
person served.

I. a summons or other process by this Act made servable;
or

II. a summons issued under this Act; or

III. a copy of an original or duplicate order, or of a certified
copy of an order, or of a certificate of an order,

is served upon any person in manner prescribed by this Act,
such person shall be deemed to be the person upon whom the
same was to be served, until the contrary is shown to the satis-
faction of the court, magistrate, justice or justices before
whom the question is in issue.

(2) This section shall not apply unless the person by whom
the document was so served states in his affidavit or declara-
tion of service, or otherwise on oath, affirmation, or declara-
tion, that he believes the person upon whom such document
was served to be the person upon whom the same was to be
served: Provided that nothing in this section shall prevent
such identity being proved by any evidence deemed sufficient
by the court, magistrate, justice or justices before whom the
question is in issue.

22. (a) Any order made under this Act, and any order made
enforceable in this State by virtue of the provisions
of this Act, may be enforced in the same manner
as an order requiring the payment of a sum of
money is enforceable, and

How orders
made under,
or made
enforceable
under, this
Act to be
enforced.

Amended by
S.L.R. Act,
1934.

(b) All moneys which, by any order made under this Act
or by any order so made enforceable, are adjudged,
ordered, or directed to be paid, may be raised and
levied, or payment thereof may otherwise be
enforced, in the same manner as the sum which is
required to be paid by an order requiring the
payment of a sum of money may be raised and
levied, or as payment thereof may otherwise be
enforced,

under the provisions of the Justices Act, 1921: Provided
that—

I. An order made under this Act may be enforced, and any
money thereby adjudged, ordered, or directed to be

paid may be raised and levied, or payment thereof may be otherwise enforced, at the instance of any person in whose favour such order was made or of any other person in his behalf; and

- ii. An order made enforceable in this State by virtue of the provisions of this Act shall be enforced, and any money thereby adjudged, ordered, or directed to be paid shall be raised and levied, or payment thereof shall be otherwise enforced, only at the instance of the collector or of an assistant collector.

Form and
manner of
making affi-
davit.

23. If any affidavit or other document or writing required for the purposes of this Act complies, as to the form and the manner of making thereof, either with the law of the State where the same was made or with the law of this State, such affidavit or other document or writing shall, as to the form and the manner of making thereof, be deemed sufficient in all proceedings under this Act and for all the purposes of this Act.

Punishment
for false
affidavit or
declaration.

24. Any person who wilfully and corruptly makes any affidavit or declaration for any purpose of this Act, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanour, and shall be liable, upon conviction thereof, to be imprisoned, with or without hard labour, for any term not exceeding three years.

Audit of
collector's
accounts.
Amended by
S.L.R. Act,
1934.

25. (1) The collector's accounts shall, once at least in every year, and also whenever directed by the Governor, be audited by the Auditor-General.

(2) The Auditor-General shall, in respect of such accounts, have all the powers conferred upon him by the Audit Act, 1921, and any Act for the time being in force relating to the audit of public accounts.

Salaries and
expenses paid
out of moneys
provided by
Parliament.

26. The salaries of officers appointed under this Act, and the other expenses of administering this Act, shall be paid out of moneys provided by Parliament.

Regulations.

27. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters and things which by this Act are contemplated, required, or permitted to be prescribed, and prescribing, amongst others, the following matters and things:—

- i. The duties of the collector and other officers appointed under this Act;

- II. The methods to be adopted by the collector and other officers in the exercise and discharge of their powers and duties;
- III. The accounts, records, and books to be kept by the collector and other officers, and the methods of keeping the same;
- IV. The collection, remittance, and payment of moneys by the collector;
- V. Generally such matters and things as may be necessary or convenient to enable the collector and other officers to exercise and discharge their powers and duties;
- VI. The forms of any documents to be used for the purposes of this Act, either in addition to or in variation of or substitution for the forms in the schedule to this Act; and
- VII. All such other matters and things as may be necessary or convenient for giving effect to this Act, or for carrying out its objects.

(2) Any regulation so made may impose a penalty not exceeding twenty pounds for any breach of the same or any other regulation.

(3) All regulations so made shall —

- (a) be published in the *Government Gazette*;
- (b) take effect from the date of such publication, or from a later date to be specified herein; and
- (c) be laid before both Houses of Parliament within fourteen days after publication, if Parliament is in session, and if not, then within fourteen days after the commencement of the next session of Parliament.

(4) Notwithstanding any publication thereof, no regulation so made shall continue to have any force or effect if the same is disapproved by resolution of either House of Parliament within thirty sitting days after such regulation has been laid before Parliament, if Parliament is so long in session: Provided that if either House of Parliament is not in session for thirty sitting days after such regulation has been laid before it, then such regulation shall not continue to have any force or effect if disapproved by such House of Parliament within thirty sitting days after the commencement of the next session of Parliament.

PART IV.

Application of
Act to orders
confirmed
under Acts
reciprocal to
Imperial
Maintenance
Orders (Facili-
ties for
Enforcement)
Act, 1920.

Inserted by
2022, 1931,
s. 12.

27a. The provisions of this Act shall extend to the enforcement in this State of a maintenance order confirmed under any law reciprocal to the Imperial Act intituled the Maintenance Orders (Facilities for Enforcement) Act, 1920, by a court in any State concerning which a proclamation has been made under section 5, and of any order made by any court in such State to enforce such maintenance order, and any summons or process or warrant issued by such court for the enforcement of such order may be served or executed in this State.

Procedure for
offences.

Substituted by
S.L.R. Act,
1934.

Ss. 29 and 30
repealed by
S.L.R. Act,
1934.

28. All proceedings in respect of offences against this Act shall be disposed of summarily.

* * * * *

THE SCHEDULES.

THE FIRST SCHEDULE.

Section 8.

Amended by
2022, 1931,
s. 13.

Form of Affidavit (or Declaration) in support of Summons for Relief for Service out of the Jurisdiction.

South Australia.

[Full Christian name and surname of Defaulter]

Complainant.

against

[Full Christian name and surname of Defaulter]

Defendant.

I, [full Christian name and surname] of [address and occupation] do hereby make oath and say (or do solemnly and sincerely declare) as follows:—

1. The above-named defendant is [here state relation of defendant to complainant]. (or On the day of an order was made by [here state name of justice or court] whereby the above-named defendant was ordered to [here state effect of the order made for or towards the support of the complainant] and such order was confirmed [state by what court of the State] on the day of , 19).

2. To the best of my knowledge and belief the said defendant is now residing at in the State of and has been residing there since about [here state the time so far as known or believed].

3. The said defendant left me without adequate means of support. (or There is now due and unpaid under the said order the sum of).

4. The said defendant [here state, so far as known or believed, what means the defendant has and whether employed or not, and, if employed, how employed].

5. I desire to avail myself (or I desire that the complainant may have the benefit) of The Inter-State Destitute Persons Relief Act, 1910,

Sworn (or declared) at , }
the day of }
before me

THE SECOND SCHEDULE.

Sections 14
and 19.

Amended by
2022, 1931,
s. 14.

Form of Affidavit to support Application to enforce Order outside the Jurisdiction. [Name of State where Affidavit sworn.]

[Full Christian name and surname of person in whose favour the order was made]

Complainant.

against

[Full Christian name and surname of person against whom the order was made]

Defendant.

I, of in the State of ,
do hereby make oath and swear as follows:—

1. I am the collector for inter-State destitute persons [or as the official title may be] appointed for the said State under [short or other title of Act].

2. On the day of an order was made by [state by whom or by what court] whereby the above-named defendant was ordered to [state effect of the order and how payments were ordered to be made], and such order was confirmed by [state by what court of the State] on the day of , 19 .

3. The period for appealing against the said order or against the confirmation of the said order has expired, and the said order is still in force.

4. The following amount has been paid under the said order, namely [state the amount (if any) paid, and when paid, and, in case payable by instalments or periodically, up to what time payments have been made] (or No amount has been paid under the said order).

5. There is now remaining due and unsatisfied under the said order the sum of being for weeks [or as the case may be] at per week [or as the case may be].

6. To the best of my knowledge and belief the said defendant is now residing at in the State of , and has been residing there since about [state the time so far as known or believed].

Sworn at in the }
State of , }
the day of , }
before me

Regulations.

The following regulations were in force under this Act on 26th April, 1937:—

Gazette—27th April, 1911, p. 720.

INTESTATE ESTATES

see Administration and Probate.