**DISCHARGED SOLDIERS SETTLEMENT BILL 1931**

**House of Assembly, 3 November 1931, pages 2215-7**

Second reading

**The COMMISSIONER of CROWN LANDS (Hon. R. S. Richards—Wallaroo)—**This Bill and the Crown Lands Amendment Bill should be taken jointly as nearly as possible. A number of petitions and deputations have been received from soldier settlers in various parts of the State asking for concessions to enable them to tide over their present difficulties due to low prices of produce and other causes. Although the administration of the Discharged Soldiers Settlement Act is under the control of the Minister of Repatriation, I have received petitions from a number of the soldier settlers, and met some of them during the visit to the South-East referred to in my speech on the Crown Lands Amendment Bill, I was greatly impressed with the manner in which the settlers presented their cases, and feel sure that, generally speaking, they are only looking for reasonable help to enable them to overcome the difficulties which are the result of circumstances over which they individually have had no control. Provision is made in the Financial Emergency Act Extension Bill, now before Parliament, giving the Treasurer power to reduce the rate of interest payable on all or any of the moneys advanced under the Discharged Soldiers Settlement Acts, or, in the purchase price of any land held under agreement to purchase from the Crown. No direction is given in that Bill as to the minimum to which interest will be reduced, but I understand that it is unlikely that any reduction to a rate below 5 per cent, will be granted. It is, therefore, unlikely that the majority of settlers holding land under agreements to purchase under the Discharged Soldiers Settlement Acts will obtain any relief so far as interest is concerned, as shown by the following figures:—

£

Agreements carrying interest at 4 per cent, per annum 495

Agreements carrying interest at 5 per cent, per annum 2,423,441

Agreements carrying interest at 5½ per cent, per annum 9,310

Agreements carrying interest at 6 per cent, per annum 242,339

Agreements carrying interest at 6½ per cent per annum 1,996

£2,677,581

If the interest rate were reduced to 5 per cent, the concession would, however, be appreciable in regard to advances under the Act, as indicated in the following table:—

|  |  |  |  |
| --- | --- | --- | --- |
|  | Settlers in  Irrigation Areas | Settlers Outside  Irrigation Areas | Totals |
|  | £ s. d | £ s. d | £ s. d |
| 5 per cent | 869,198 15 8 | 51,138 8 4 | 920,337 4 0 |
| 5½ per cent | 16,376 11 2 | 575,208 10 9 | 591,585 1 11 |
| 6 per cent | 143,122 5 8 | 678,141 8 8 | 821,263 14 4 |
| 6½ percent | 33,301 9 4 | 577 2 1 | 33,878 11 5 |
|  | £1,061,999 1 10 | £1,305,065 9 10 | £2,367,064 11 8 |

The Discharged Soldiers Settlement Act at present contains provisions for certain concessions such as dispensing with payment of interest and remission of rent or instalments of purchase money which have fallen due. In this Bill it is proposed to extend the powers of the Minister to enable reductions of purchase money under agreements to purchase and reductions of principal under a bill of sale or mortgage to be made. These powers are already given in regard to settlers in the irrigation areas and it is proposed that the same power should be available for adoption in exceptional cases in other parts of the State. It will be an advantage in certain of these cases to have the power to reduce, but it is considered that reduction of purchase money or mortgages should not at this stage be adopted generally as the means of meeting the present difficulties of the settlers as it is desirable that consideration of adjustment of values should be postponed until markets are more stabilised. As indicated in the report on the Bill, power will be given to capitalise arrears so as to relieve settlers of the liability for immediate payment of large amounts of arrears in cases in which the Minister would not feel justified in remitting same. Requests have been received from soldiers to be allowed to surrender their agreements to purchase for perpetual leases, and power is sought in the Bill to allow such surrenders to be accepted. The Bill provides for other amendments which are explained in the following report:—

This Bill gives the Minister various powers under which concessions of different kinds may be made to discharged soldiers who hold land under lease or agreement from the Crown. Most of the concessions proposed to be given by the Bill to discharged soldiers generally have already been given to soldiers on the irrigation areas. Under the Discharged Soldiers Settlement (Relief) Act, 1925, power was given to the Minister to remit arrears of rent, interest, or principal due under a lease or mortgage, and to grant certain other concessions to soldiers in irrigation areas. Similar concessions will, if the Bill be passed, be extended to all discharged soldier settlers, whether holding land in irrigation areas or elsewhere. Section 12 of the Discharged Soldiers Settlement Act, 1917, gives power to the Minister to remit, wholly or in part, any rent or purchase money payable by a settler under a lease or agreement or to postpone the due date for the payment of any such rent or purchase money. Clause 8 extends this power to include moneys payable under an advance. Many returned soldiers, in addition to being granted a lease or agreement of their land, also received assistance from the Government by way of an advance for the purpose of purchasing farming implements, carrying out clearing, erecting houses, &c. These advances are secured by a mortgage, bill of sale, or other security, and the clause therefore extends the power of remission of the Minister to include amounts payable in respect of such advances. The power of remission, however, both under the original section and under clause 3, extends only to payments actually due, and does not give power to the Minister to reduce payments falling due in the future.

Clause 4 therefore gives power to the Minister to reduce the rent or purchase money payable by a settler under a lease or agreement entered into pursuant to the principal Act. At the present time the Minister has power to reduce rents on irrigation leases held by soldier settlers, and the clause extends this concession to all settlers. Under the clause the Minister is also given power to reduce the amount of the principal of any advance made. This power is new, but is really an extension of the principle under which the Minister is given power to remit these amounts. The Minister, since 1925, has had power to remit amounts due under an advance in respect of settlers in irrigation areas. In addition, the clause gives power to the Minister to capitalise any arrears of interest due under an agreement or advance and to add such capitalised amounts to the capital amounts payable under the agreement or advance, as the case may be.

Under section 18 of the Discharged Soldiers Settlement Act Amendment Act, 1918, it is provided that before a lease or agreement will be granted to a discharged soldier, the soldier is required to occupy the block for a period of twelve months under permit from the Minister. The object of this provision was, firstly, to allow the Minister to satisfy himself that the soldier was a proper person to work the block, and, secondly, for the soldier to occupy the block for a period sufficient to enable him to do certain preliminary work necessary before taking over any obligations in respect of the block. At the present time, however, cases may occur where blocks already in full production have reverted to the Crown, and will be allotted to soldier settlers. It is unnecessary and undesirable in such a case to permit a soldier to be in occupation of the block for twelve months as required by section 18. Clause 5, therefore, provides that in any case where the Minister is of opinion, by reason of the state of cultivation of the block, the section should not apply, the Minister may declare accordingly, and in such an event it will not be necessary for the settler to remain upon the block for twelve months under the permit before being granted his lease or agreement.

Section 19 of the amending Act of 1918 gives power to the Governor to dispose of any land acquired for the purpose of soldier settlements but which was not used for such purpose. Some of this surplus land has been disposed of upon agreement for sale and purchase, but in no case has the term of the agreement exceeded 35 years. Clause 6 empowers the Minister to extend the term of any such agreement, but so that the whole of the term of the agreement, including the extension, will not exceed 64 years. If any such agreement is extended, the instalments will be fixed at such amounts spread over the whole of the term as the Minister thinks fit. In addition, the Minister is given power to remit any part of the purchase money or to reduce the purchase money. The holders of these agreements, of course, should not be placed in any different category from ordinary Crown leases, and the power now sought to be given by this clause is one which is available for ordinary Crown lease. Section 10 of the Discharged Soldiers Settlement (Relief) Act, 1925, provides for the remission of stamp duties in cases where concessions were granted under the provisions of section 7 of the Act of 1925 to soldier settlers in irrigation areas. Under the Bill similar concessions are being granted by clause 4 to soldier settlers outside irrigation areas. Clause 7, therefore, provides that where these concessions are given effect to outside irrigation areas the necessary documents will also be free from stamp duty. Clause 8 contains a general provision whereby any holder of an agreement for sale and purchase under the Discharged Soldiers Settlement Acts may surrender for a perpetual lease. On an application for surrender the Minister will fix the rental at which the perpetual lease will be granted, and notice of the rental will be given to the holder of the agreement, who will be given three months in which to accept or refuse the lease offered.

It is not necessary to emphasise the fact that the two Bills I have just introduced are for the specific purpose of affording a measure of relief to those who come under the ambit of the proposed legislation. I move the second reading.

Mr. GILES secured the adjournment of the debate until November 4.