

individuals in any transaction and determine how that transaction should be finalized so that the final purchaser might eventually obtain a clear title to his property. While on the surface this could appear to be a big problem for those persons who will be appointed to the position of arbitrators, I feel that as decisions are reached and a pattern is more or less set for solving these problems, it will to a large extent be found that the problems will start to solve themselves. In other words, the individual parties will realize that it is in their own interests to get together and sort out their difficulties along the lines of the pattern which has been set by the arbitrator in connexion with similar problems. As I said earlier, the measure is essentially a Committee Bill, and it will be advisable to discuss the effects of the various provisions when the individual clauses are being dealt with. Therefore, I conclude by again commending the Government for the introduction of the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, providing, *inter alia*—

In this Act unless inconsistent with the context or subject-matter—

"Mortgage" includes any charge or lien on any property for securing money or money's worth; "mortgage money" means money or money's worth secured by a mortgage; "mortgagor" includes any person from time to time deriving title under the original mortgagor or entitled to redeem a mortgage according to his estate interest or right in the mortgaged property; "mortgagee" includes any person at any time deriving title under the original mortgagee.

Mr. RYLAH (Attorney-General).—
I move—

That, in the definition of "Mortgage," the word "property" be omitted with the view of inserting the word "land"

As this is a Sale of Land Bill, it is concerned only with mortgages of land, and the use of the word "property" could create difficulties. This amendment was recommended by Mr. Justice Adam to the Statute Law Revision Committee, which

adopted his recommendation as will be seen from a perusal of paragraph 4 of the committee's second report.

The amendment was agreed to.

Mr. RYLAH (Attorney-General).—
I move—

That the following sub-clauses be added to the clause:—

"() This Act shall not bind the Crown but shall bind all statutory bodies or authorities and for the purposes of this Act all statutory bodies or authorities shall be deemed to be persons who are required to give a notice of intention to subdivide land into allotments in the form of the Thirtieth Schedule to the Local Government Act 1958."

() The Minister may from time to time by notice in writing under his hand and published in the *Government Gazette*—

- (a) exempt for such period or periods not exceeding in all twelve months from all or any of the provisions of this Act any land or any class or description of land which on the day that this Act received the Royal Assent was subject to a terms contract or to a mortgage;
- (b) make any such exemption subject to such terms and conditions as are specified in the notice; and
- (c) vary or revoke any such exemption.

This amendment really contains two main propositions. The first new sub-clause proposed to be inserted makes it clear that the Act does not bind the Crown, but does bind all statutory authorities, such as the Housing Commission and the Country Roads Board. Furthermore, it makes it clear that those statutory bodies or authorities will have to comply with clause 9 of the Bill, which requires subdivisions to be registered in the Titles Office before land is sold. This was recommended by the Statute Law Revision Committee in its original report, and confirmed in the committee's second report.

The second sub-clause proposed to be inserted is designed to give the Minister power to exempt certain lands from the operation of the Act. The power is limited to land which was subject to a terms contract, or to a mortgage, at the passing of this Bill, and will enable any injustices which might arise from the sudden change in the law to be avoided.

The second part of this amendment, to which I have just referred, is designed to overcome possible difficulties

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