

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1935.

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A BILL

For the limitation and barring of actions for refunds of payments made under the provisions of the Flour Acquisition Act, 1931-1934; and for purposes connected therewith.

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Flour Acquisition (Limitation of Actions) Act, 1935." Short title.

(2) This Act shall commence upon a date to be appointed by the Governor and notified by proclamation published in the Gazette.

**2.** (1) Without affecting the generality of the provisions of section twelve of the Flour Acquisition Act, 1931-1934, no action, claim or demand whatsoever shall lie or be made or allowed by or in favour of any person whomsoever against His Majesty or any Minister or against any officer or person acting or purporting to have acted in the execution of such Act for the refund of the price or of any part of the price or of any money paid or purporting to have been paid (whether involuntarily or without prejudice or under protest or otherwise) by such first-mentioned person as the price or part of the price of any flour purchased or purporting to have been purchased or deemed to have been purchased by or on behalf of such person from His Majesty or from the Minister acting or purporting to act or to have acted for and on behalf of His Majesty under the provisions of such Act or for the refund of any money collected or received by His Majesty or any Minister or by any officer of the State of New South Wales for or in respect of any flour gristed from wheat harvested prior to the first day of January, one thousand nine hundred and thirty-four, or in intended or purported execution of the said Act notwithstanding that the person paying such money to His Majesty or the Minister or such officer paid the same involuntarily or without prejudice or under protest or otherwise.

Actions and demands for refunds barred.

(2) Any and every action claim and demand whatsoever by or in favour of any person whomsoever against His Majesty or any Minister or against any officer or person acting or purporting to have acted in the execution of the said Act for any refund as referred to in subsection one of this section shall be and the same is hereby extinguished.

**3.** The provisions of this Act shall apply to proceedings pending at the commencement of this Act as well as to proceedings brought after the commencement of this Act.

Application of Act to pending proceedings.

