

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1921.

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## A BILL

To abolish the Housing Board, and to provide for the appointment of a Superintendent of Housing; to vest certain lands in the Sydney Harbour Trust Commissioners; to amend the Housing Act, 1912, the Housing (Extension) Act, 1919, and certain other Acts; 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.** This Act may be cited as the "Housing (Amend-Short title.ment) Act, 1921," and shall be construed with the Housing Act, 1912 (hereinafter referred to as the Principal Act).

**2.** Section two of the Principal Act is amended— Amendment of Principal Act, s. 2.

- (1) by omitting the words “ ‘ Board ’ means Housing Board constituted by this Act ” ;
- (2) by inserting after the definition of the word “ Prescribed ” the following new definition :—  
“ Superintendent ” means Superintendent of Housing appointed under this Act.

**3.** (1) The words “ board ” and “ Housing Board ” Amendment of Principal Act. wherever appearing in the Principal Act are omitted, and the word “ superintendent ” is inserted in lieu thereof.

(2) The word “ its ” wherever appearing in the Principal Act as referring to the board or to the Housing Board is omitted, and the word “ his ” is inserted in lieu thereof.

**4.** Section three of the Principal Act is omitted and the following section is inserted in lieu thereof :— Amendment of Principal Act— substituted section.

3. (1) The Governor shall, for the purposes of this Act, appoint some fit and proper person to be Superintendent of Housing. Superintendent of Housing.

(2) The Governor may, during the absence from duty from whatever cause of the superintendent, appoint some person to act as his deputy.

(3) Such deputy shall, while so acting, have the powers, duties, and liabilities of, and be entitled to the same rights, remedies, capacities, and immunities as the superintendent.

(4) No person shall be concerned to inquire whether or not any occasion has arisen requiring or authorising such deputy so to act, or as to the necessity or propriety of such appointment ; and all acts or things done or omitted by such deputy shall be as valid and effectual, and shall have the same consequences as if the same had been done or omitted by the superintendent.

**5.** The following new sections are inserted in the Principal Act next after section three as inserted by this Act :— Amendment of Principal Act—new sections.

3A. The Superintendent of Housing is hereby constituted a corporation sole under that name, with perpetual succession and a seal of office. The Superintendent a corporation sole. appointment

appointment of the Superintendent of Housing and of his deputy, and their signatures, and the seal of the Superintendent of Housing, shall be judicially noticed.

3B. The salaries of the superintendent and of his deputy may, with the approval of the Governor, be paid from the Housing Fund. Salaries to be paid from Housing Fund.

**6.** Section eight of the Principal Act is amended as follows :— Amendment of Principal Act, s. 8.

- (1) By omitting the word "it" wherever appearing therein and inserting the word "he" in lieu thereof.
- (2) By adding at the end of paragraph five of the second proviso, as inserted by paragraph (c) of section nine of the Housing Extension Act, 1919, the words "The superintendent may, however, with the approval of the Minister, extend such periods to forty years and twenty-five years respectively, in any case in which he considers it expedient so to do."

**7.** (1) Paragraph (e) of subsection one of section sixteen of the Principal Act is omitted.

(2) Sections seventeen, eighteen, and nineteen of the Principal Act are omitted. Repeal of ss. 17, 18, 19 of Principal Act.

**8.** Subsection one of section twenty of the Principal Act is amended by omitting the word "it" and inserting in lieu thereof the word "him." Amendment of Principal Act, s. 20 (1).

**9.** Section twenty-one of the Principal Act is amended as follows :— Amendment of Principal Act, s. 21.

- (1) In paragraph (d), by omitting the word "it" and inserting the word "him" in lieu thereof.
- (2) In paragraph (e), by omitting the words "the fees of the board and" and inserting in lieu thereof the words "the salaries of the superintendent and of his deputy if paid from the Housing Fund, and."
- (3) In paragraph (f), as inserted by section eleven of the Housing (Extension) Act, 1919, by omitting the word "board's" and inserting in lieu thereof the word "superintendent's."

**10.** Section twenty-two of the Principal Act is amended by omitting the words "a manager who shall be the executive officer of the board and such other" and inserting in lieu thereof the word "such."

Amendment of Principal Act, s. 22.

**11.** The Principal Act is amended by the insertion of the following new short heading and section next after section twenty-two of that Act :—

Amendment of Principal Act—new section.

*Delegation of powers and duties.*

22A. (1) The superintendent may, with the approval of the Minister, arrange with the Commissioners of the Government Savings Bank for the delegation to them of all or any of the powers and duties in relation to any land and the buildings thereon, conferred and imposed on the superintendent by this Act or by any Act amending the same, and such Commissioners shall thereupon, as the fully constituted deputy and attorney of and for the superintendent, be authorised to exercise and perform the powers and duties so delegated as aforesaid, and for so doing shall be entitled to receive, as such Commissioners, such annual fee or commission as is mutually agreed upon by and between the superintendent and such Commissioners.

Superintendent may arrange with Government Savings Bank Commissioners for delegation of powers and duties. cf. Queensland Workers' Homes Act, 1919, s. 26.

(2) Any such fee or commission shall be paid out of the Housing Fund.

**12.** Section thirty of the Principal Act, as inserted by section three of the Housing (Extension) Act, 1919, is amended by the addition of the following proviso :—

Amendment of Principal Act, s. 30.

Provided that the superintendent may, with the approval of the Minister, extend such periods to forty years and twenty-five years respectively, in any case in which he considers it expedient so to do.

*Saving clause.*

**13.** Except as provided in subsection three of section fourteen of this Act, any rights or liabilities which could have been enforced by or against the Housing Board if this Act

Saving clause.

Act

Act had not been passed, shall, from and after the passing of this Act, be enforceable by or against the Superintendent of Housing.

*Vesting of land in Sydney Harbour Trust Commissioners.*

**14.** (1) The lands described in a proclamation published under section seventeen of the Principal Act in the Government Gazette, number seventy, of the eighth day of May, one thousand nine hundred and twelve, are hereby transferred to and vested in the Sydney Harbour Trust Commissioners as constituted under the Sydney Harbour Trust Act, 1900, and such lands shall, from and after the passing of this Act, be deemed to be subject in all respects to the provisions of the Sydney Harbour Trust Act, 1900, relating to lands vested in the said Commissioners.

Vesting of  
certain lands  
in Sydney  
Harbour  
Trust Com-  
missioners.

(2) The proclamation referred to in the last preceding subsection is hereby rescinded.

(3) Any rights or liabilities which, under the duties of management imposed on the Housing Board pursuant to section 17 of the Principal Act and such proclamation, could have been enforced by or against the Housing Board if this Act had not been passed, shall, from and after the passing of this Act, be enforceable by or against the said Commissioners.