

lessees of such subdivisions in such manner as may seem to it equitable, notwithstanding that the amount thus apportioned to the owner or lessee of one subdivision may be in excess of the maximum amount that such owner or lessee is entitled to obtain under any other part of these regulations.

34. Forms Nos. 6 and 10 in the First Schedule hereto may be modified to such extent as may be necessary in cases in which the land affected is not under the Land Transfer Act, 1915.

35. The costs and fees for the preparation and completion of mortgages for advances under paragraphs (a), (b), and (d) of subsection (1) of section 2 of the Discharged Soldiers Settlement Amendment Act, 1917, shall be determined in accordance with Part I or Part II of the scale hereinafter set forth, as the case may require, and shall be paid by the mortgagor.

SCALE OF COSTS AND FEES FOR MORTGAGES.

Part I.—Mortgages under the Land Transfer Act, 1915.

Law-costs of perusing title, and of preparing, completing, and registering mortgage (exclusive of cash disbursements, if any),—

	£	s.	d.
For advance not exceeding £750	1	1	0
For advance exceeding £750, but not exceeding £1,500	1	11	6
For advance exceeding £1,500, but not exceeding £2,500	2	2	0
For advance exceeding £2,500	3	3	0

Provided that an extra fee of 5s. may be charged where a solicitor not residing in the registration centre employs an agent to register the mortgage.

Part II.—Mortgages under the Deeds Registration Act, 1908.

Law-costs of perusing title, and of preparing, completing, and registering mortgage (exclusive of cash disbursements, if any),—

	£	s.	d.
For advance not exceeding £750	2	2	0
For advance exceeding £750, but not exceeding £1,000	2	12	6
For advance exceeding £1,000, but not exceeding £1,500	3	3	0
For advance exceeding £1,500, but not exceeding £2,500	4	4	0
For advance exceeding £2,500	5	5	0

Provided that an extra fee of 5s. may be charged where a solicitor not residing in the registration centre employs an agent to register the mortgage.

36. In order to encourage the early payment of the instalments of principal and interest payable for any advance granted under the provisions of section 2 of the Discharged Soldiers Settlement Amendment Act, 1917, the following provisions shall apply with respect to every such instalment:—

- (a.) If the mortgagor (not being in arrears with any previous instalment or other payment due for any advance made under any Part of these regulations) pays an instalment on or before its due date, or not later than the fourteenth day thereafter, he shall be entitled to a rebate of one-tenth of so much thereof as consists of interest.
- (b.) Such rebate may be deducted and retained by the mortgagor from the full nominal amount of the instalment when making the payment.
- (c.) The rebate of interest hereby provided for shall be allowed in respect of so much of all instalments as consists of interest paid in connection with advances made under section 2 of the Discharged Soldiers Settlement Amendment Act, 1917, prior to the coming into force of this regulation; provided that such payments have been made on or before the due date or not later than the fourteenth day thereafter.
- (d.) Not later than one month before any instalment payable half-yearly falls due, the Commissioner of Crown Lands shall post to the mortgagor at his last known address a notice specifying the due date of the instalment, the full nominal amount thereof, the amount of the rebate, and the date on which the right to the rebate will lapse; provided that the rights and liabilities of the mortgagor shall not be affected by the non-posting or non-receipt of such notice or by any error therein.

37. The fees to be allowed to solicitors in connection with the realization of securities under the provisions of the Discharged Soldiers Settlement Amendment Act, 1921–22, shall be as follows:—

- (a.) For the preparation and completion of instructions, applications, conditions of sale, and all correspondence in connection with the realization of such securities up to the time of sale of property by Registrar of Supreme Court, a sum not exceeding £8 8s.
- (b.) For the preparation and completion of any instrument for the transfer or conveyance of land, or

any estate or interest therein to the Crown, whether under the Land Transfer Act, 1915, or under the Property Law Act, 1908, a sum not exceeding £3 3s.

This sum is exclusive of any actual and necessary disbursements, but inclusive of all charges for attendances, searches, and investigations of title.

38. For every consent to the transfer of the estate or interest of any mortgagor of any property subject to a mortgage for advances under the said Act there shall be paid a fee of 10s.

PART III.

D WELLINGS.

39. In the following regulations, unless inconsistent with the context,—

“Capital value” of a dwelling means the capital value fixed by the Minister, and shall cover the value of the land, the cost of its acquisition, the cost of survey, roading, subdivision, and other works and operations done on the land (including the value of the dwelling), the proper proportion of the value of so much of the land as is absorbed by roads or streets, and the estimated cost of administration:

“Dwelling” means any residence erected on land set apart for the purpose of soldiers’ dwellings pursuant to section 4 of the Discharged Soldiers Settlement Amendment Act, 1917, and includes the land on which the same is erected or which is held therewith, and also includes all outbuildings and sanitary and drainage arrangements necessary for such residence:

“Purchaser” includes any discharged soldier to whom land has been disposed of under these regulations, whether under agreement to purchase or under a provisional undertaking to purchase as hereinafter provided.

40. (1.) Land set apart for the purposes of section 4 of the Discharged Soldiers Settlement Amendment Act, 1917, shall be divided into such allotments as the Minister may direct; and the Minister may cause to be erected thereon buildings suitable for soldiers’ residences, or may convert any buildings thereon into soldiers’ residences, and may from time to time alter, enlarge, repair, rebuild, and improve any such dwellings.

(2.) The capital value of any dwelling disposed of under these regulations shall not exceed £1,000.

41. The Land Board, with the consent of the Minister, may dispose of any such allotment to a discharged soldier under agreement to purchase as hereinafter provided.

42. (1.) Applications for allotments shall be made to the Land Board in the form No. 12 in the First Schedule hereto, and shall be accompanied by a deposit of 5 per centum of the capital value (in the case of an allotment on which a residence has been erected), or 5 per centum of the estimated prospective capital value (in the case of an allotment upon which a residence is to be erected by the Minister), or shall be accompanied by a deposit of such lesser sum as the Minister, in any special case, may determine.

(2.) The amount of such deposit shall, if the application is approved by the Minister and the Land Board, be applied towards the cost of the dwelling, and shall, if the application is not so approved, be refunded to the applicant.

43. Every applicant for an allotment under these regulations shall be required to appear personally before the Land Board, or before such person or persons as the Land Board may appoint.

44. (1.) Allotments may be disposed of either before or after residences have been erected thereon by the Minister.

(2.) In the case of an allotment disposed of upon which no residence has been erected, the Minister may erect thereon a residence with the necessary appurtenances in accordance with plans and specifications agreed upon between himself and the purchaser, provided that the capital value of the dwelling shall not exceed the maximum prescribed by these regulations.

45. Every agreement to purchase shall be in the form No. 13 in the First Schedule hereto, and shall provide for the payment of the balance of the capital value (after deducting therefrom the amount deposited in accordance with clause 42 hereof), together with interest thereon at the rate of 5 per centum per annum, by monthly instalments payable on the first day of each and every month for a period of twenty-five years and a half, such instalments being calculated at the rate of 11s. 8d. per month for every £100 included in the balance of capital value.

46. (1.) The total period during which instalments shall be payable as provided in the last preceding clause shall be divided into periods of six months, the first of such periods commencing on the first day of the month next following the date of the execution of the agreement to purchase.

(2.) The total amount of the monthly instalments for any such period of six months shall be deemed to be in part satisfaction of principal and interest for that period, in proportions calculated in accordance with the table in the Second