**VERMIN ACT AMENDMENT BILL 1939**

**Legislative Assembly, 31 October 1939, page 1573.**

Second reading

**The Hon. E. J. RUDALL (Augas—Commissioner of Crown Lands**)—This Bill gives to the Commissioner of Crown Lands certain powers with respect to advances to vermin trusts for the purchase of wire-netting. The first provisions relating to vermin trusts were enacted in 1894. Under the Act in question six or more persons could obtain an advance for wire-netting to be erected around agricultural lands or cultivated lands situated outside of district council districts or vermin districts. Members of a trust were made jointly and severally liable for the repayment of all amounts advanced to the trust or its members. In 1900 the number of persons necessary to constitute a trust was reduced to three. This legislation was re-enacted in various Vermin Acts passed from time to time, but was finally repealed in 1930 when it was provided that the relevant legislation should apply only to the extent necessary to enforce the obligations of the existing vermin trusts. The first loan under this system was granted in 1900 and the last loan in 1920. A total amount of £25,344 was granted to trusts and of this £24,024 has been repaid, leaving an outstanding balance of £1,320. In addition, arrears of interest amount to about £950.

In some cases, the collection of these arrears presents considerable difficulties. The land upon which the wire-netting was erected in many instances is held by other than the original members of the trust or has reverted to the Crown. The records of individual amounts paid by members to the trusts were kept by the secretaries of the trusts and in some cases the secretaries are dead and in others the records have been lost or not kept up to date. There is, however, no power to write off these amounts although it is realized that in some instances the amounts are irrecoverable. Subclause (1) of clause 2 therefore gives this power to the Commissioner. Where the land has reverted to the Crown and has been again allotted it has frequently been found that the value of the wire netting then on the land is less than the amount outstanding. It is therefore proposed by subclause (2) of clause 2 to enable the amount outstanding to be written down to the present value of the wire netting, as can be done under the Loans for Fencing and Water Piping Act when land upon which an advance has been made under that Act reverts to the Crown and is again allotted. It is provided that the obligation to repay the amount fixed on allotment is to be made a covenant of the lease or agreement under which the land is taken up. This will provide sufficient security for the repayment of the amount involved and it is therefore enacted that the obligations of the members of the trust shall cease as regards the amount which was originally expended on the re-allotted land.

The Bill therefore enables the advances in question to be remitted when it is considered that this course should be followed. It also enables liability to be imposed on a person taking up on re-allotment land charged with any advance but this liability may be limited to the present value of the asset created by the advance. The whole purpose of the Bill is to clear up an anomalous situation created by the existence of these old vermin trusts which are entirely out of date. Certain land which has reverted to the Crown cannot be allotted because no one will take it while these charges on it are outstanding. The only way is to dispose of some of the liabilities that cannot be collected and put what can be collected on a different footing.

Mr. Eiches—Does this apply in many areas?

The Hon. E. J. BUD ALL—-No. The outstanding amount of principal is only about £1,000. I move the second reading.

The Hon. E. S. BICHABDS secured the adjournment of the debate.