

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Regulations under the Mortgagors' Interest Reduction Ordinance 1931.

I FRANK BRENNAN, the Attorney-General of the Commonwealth of Australia, in pursuance of the powers conferred upon me by the *Mortgagors' Interest Reduction Ordinance 1931*, hereby make the following Regulations, to come into operation forthwith.

Dated this sixteenth day of September, One thousand nine hundred and thirty-one.

FRANK BRENNAN
Attorney-General.

MORTGAGORS' INTEREST REDUCTION REGULATIONS.

- | | |
|--|--|
| Short title. | 1. These Regulations may be cited as the Mortgagors' Interest Reduction Regulations. |
| Definitions. | 2. In these Regulations, unless the contrary intention appears—
“document” means any application, copy of application, notice or order required or permitted by the Ordinance or these Regulations;
“the Clerk” means the Clerk of Petty Sessions appointed under the <i>Court of Petty Sessions Ordinance (No. 2) 1930</i> ;
“the Ordinance” means the <i>Mortgagors' Interest Reduction Ordinance 1931</i> . |
| Form of application. | 3. Any application by a mortgagor under section five of the Ordinance shall be in accordance with Form A in the Schedule to these Regulations. |
| Original application to be delivered to Clerk. | 4. The mortgagor shall serve the original application on the Clerk and shall, at the same time pay a fee of Two shillings. A copy of the application shall be served by the mortgagor upon the mortgagee. |
| Service of documents. | 5. Any document required by the Ordinance or these Regulations to be served upon or given to any party, may be so served or given by delivering the document to the person on whom it is to be served or given, or by delivering it at the residence or place of business of that person or by sending it by post, prepaid, addressed to that person at his address as appearing in the mortgage, and in default of that address therein appearing, to his last-known residence or place of business; and any such document if served or given by post, shall, unless the contrary be proved, be deemed to have been served or given at the time when the letter containing the document would have been delivered in the ordinary course of post; and in proving the service or giving by post of the document it shall be sufficient to prove that it was properly addressed and posted: |

Provided that for the purposes of this regulation a "place of business" shall not be deemed to be the place of business of the person to be served or given unless he is the master or one of the masters thereof.

6.—(1.) The Clerk shall give not less than fourteen days notice to the mortgagor and the mortgagee of the date, time and place of sittings of the Court at which the application is set down to be heard. Notice of sittings of Court.

(2.) The notice shall be in accordance with Form B in the Schedule to these Regulations and be prepared by the Clerk in triplicate and service thereof upon the mortgagor and the mortgagee shall be effected in the manner prescribed in the last preceding regulation.

(3.) One copy of the notice shall be filed by the Clerk and an endorsement made thereon showing the time and mode of service.

7. The order of the Court on any application made under section five of the Ordinance shall be in accordance with Form C in the Schedule to these Regulations. Order of Court.

FORM A.

I.R.A. No.

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Mortgagors' Interest Reduction Ordinance 1931.

APPLICATION TO COURT BY A MORTGAGOR UNDER SECTION 5.

I, (A.B.)

do hereby apply to the Court of Petty Sessions for a reduction from % to % of the rate of interest payable under my Mortgage *

The name and address of the Mortgagee is as follows.....

Dated at this day of 193

Applicant.

(Mortgagor)

* State registered number of mortgage or other particulars sufficient to identify.

Fee 2s.

Original.

To

The Clerk of Petty Sessions, Canberra.

Duplicate.

To

Mortgagee.

FORM B.

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Mortgagors' Interest Reduction Ordinance 1931.

NOTICE OF CASE COMING ON BEFORE COURT.

In the Court of Petty Sessions }
at Canberra. }

To....., of.....
In the matter of the *Mortgagors' Interest Reduction Ordinance 1931* and in the matter of..... and.....

The above-mentioned matter having come under the cognizance of the Court of Petty Sessions, you are hereby notified that at the sittings of the said Court, to be holden at Canberra, at Ten o'clock in the forenoon on the day of 193, the said matter will be brought before the Court for hearing or otherwise as may be ordered in that behalf.

Signed this day of , 193

(L.S.)

Clerk of Petty Sessions.

FORM C.

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Mortgagors' Interest Reduction Ordinance 1931.

ORDER FOR REDUCTION OF INTEREST.

In the Court of Petty Sessions }
at Canberra. }

In the matter of the *Mortgagors' Interest Reduction Ordinance 1931* and in the matter of..... and.....

Whereas on the.....day of....., 193..., a certain matter wherein [names of parties and nature of case to be here set out] was brought before the Court of Petty Sessions:

And whereas the said Court has duly heard and determined the said matter:

It is hereby adjudged that the rate of interest payable under the mortgage [here state registered number of mortgage or other particulars sufficient to identify] by the said....., mortgagor, to the said....., mortgagee, shall be reduced to.....per centum per annum [or shall not be reduced] and further that the said.....shall pay to the said..... for his costs in this behalf.

Given under my hand at Canberra, in the said Territory, this.....
day of....., 193.....

Magistrate.