



“contract of sale” means a contract for the sale by the Commission of a dwelling-house pursuant to the provisions of the State Housing Act, 1946;

“family” includes the wife or husband and the children of, and the parents or other relations dependent upon, the purchaser;

“mortgage” means any instrument or agreement whereby security is made in favour of the Commission for payment of advances made by it under the State Housing Act, 1946;

“purchaser” means the person who is purchasing from the Commission a dwelling-house on terms pursuant to a contract of sale under which he is liable for unpaid purchase money, and includes the person liable to the Commission for payments of money in repayment of advances secured by a mortgage;

“the Scheme” means the State Housing Death Benefit Scheme established and provided by this Act.

Adminis-  
tration.

3. Subject to the Minister, this Act shall be administered by the Commission.

Establish-  
ment  
of the  
Scheme.

4. (1) For the purposes of this Act there is hereby established a Scheme which shall be known as the State Housing Death Benefit Scheme.

(2) The Scheme established by this section shall be deemed to have come into operation and to have taken effect on, and to have operated and had effect from and including the twentieth day of February, nineteen hundred and sixty-five.

(3) In order to remove any doubts which but for the enactment of this subsection might arise, it is expressly declared that all matters and things





sixteen years, the amount of the benefit to which the family of the deceased purchaser is entitled under this section shall be the sum of One hundred pounds in respect of each such child.

8. (1) The benefits referred to in section seven of this Act shall be provided by way of credit to the account of the deceased purchaser with the Commission against the balance of purchase money or mortgage advances for which at the time of his death he is liable, and shall not in any case be a cash payment to the family or any member of the family of the deceased purchaser.

Benefits  
to be  
credits to  
accounts of  
purchasers.

(2) No benefit under this Act shall in any case be in excess of the balance of purchase money or mortgage advances for which at the time of his death the deceased purchaser is liable to the Commission, except where the deceased purchaser is one to whom Part V of the State Housing Act, 1946, applies in which case any amount of the benefit in excess of the balance owing on the dwelling-house being purchased shall be applied in reduction of the amount required to freehold the land on which the dwelling-house is erected.

9. (1) Every application for a benefit to be granted under this Act shall—

Application  
for benefit.

(a) be made in the prescribed form to the Commission by the surviving spouse of the deceased purchaser or by his personal representative or by the guardian of any surviving child;

(b) contain such particulars as are prescribed and be accompanied by—

(i) a certificate of the death of the deceased purchaser or such other evidence of the death as the Commission may consider satisfactory; and

(ii) a statutory declaration by the person making the application in the prescribed form setting out particulars of the family of the deceased purchaser and his age and the ages of the children (if any);

(c) be supported by such other evidence (if any) as may be prescribed or as the Commission requires.

(2) The Commission shall consider the application and upon being satisfied that the entitlement to a benefit under this Act is established shall grant the benefit in accordance with the provisions of section seven of this Act but if the Commission is not so satisfied, it may refuse the application.

(3) The Commission may refuse to grant the benefit under this Act in any case where default has been made by the purchaser in due payment of any instalment under the contract of sale or mortgage and such default has at the time of his death continued for not less than three months, unless the Commission is satisfied that having regard to the circumstances such default is occasioned by reasons acceptable to the Commission.

(4) Any person aggrieved by the refusal of the Commission, or its delegate under this Act, to grant any benefit under this Act may within fourteen days after notice of such refusal appeal against the same to the Minister, who may uphold, vary or cancel the decision of the Commission, or as the case may be, its delegate, and the order of the Minister shall be conclusive and binding on all parties.

Benefit to be applied to credit of purchasers' account.

10. Where a benefit is granted under this Act, the Commission shall appropriate and apply that benefit to the credit of the account of the deceased purchaser with the Commission in reduction, or as the case may be, in discharge, of the amount of purchase money or mortgage advances owing to the



dwelling-houses by persons who are in the course of purchasing the same, and in the event of such disposal the benefit granted under this Act shall continue to apply.

Benefits applicable where house transferred subject to liability owing to Commission.

14. Where with the approval of the Commission a person acquires from a purchaser a dwelling-house which the purchaser is purchasing from the Commission and takes over and assumes responsibility for the purchaser's liability to the Commission in respect of the unpaid purchase money or mortgage advances, that person is deemed to be a purchaser under this Act, and in the event of his death prior to the liability to the Commission being discharged, the provisions of this Act shall apply in all respects as though he had entered into a contract of sale or mortgage with the Commission in respect to the purchase of that dwelling-house.

Regulations.

15. The Governor may make regulations not inconsistent with this Act prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and in particular prescribing penalties not exceeding fifty pounds for an offence against the regulations.

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