

## No. XVI.

### An Act to declare the effect of and to amend the law relating to withdrawals and reservations from lease or from occupation license, and the revocation and cancellation of the same; to validate certain reservations from lease; and for other purposes. [27th March, 1895.]

BE it enacted by the Queen'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:—

Land withdrawn  
from lease or license  
shall be deemed to  
have been reserved.

1. (i) Where land at any time between the first day of January, one thousand eight hundred and eighty-five, and the commencement of this Act (inclusive of both dates) has been withdrawn from lease but not reserved from lease generally or in any particular manner, the said land shall, on and after the day when the withdrawal was made, be deemed to have been and to be land reserved from lease generally.

Where land at any time between the dates aforesaid has been withdrawn from occupation license, the said land shall, on and after the day when the withdrawal was made, be deemed to have been and to be land reserved from occupation license.

(ii) Any notice in the *Gazette* purporting to have been a cancellation or revocation of a withdrawal from lease or from occupation license as aforesaid shall, on and after the day when the notice was published, be deemed to have been and to be a valid revocation of the reservation from lease or from occupation license (as the case may be) effected by virtue of this section.

Land withdrawn  
prior to 1 January,  
1885, to be deemed  
reserved from lease  
and license.

2. (i) Land withdrawn at any time, prior to the first day of January, one thousand eight hundred and eighty-five, from lease shall, on and after the day when the withdrawal was made, be deemed to have been, and to be land reserved from lease generally, and shall also on and after the first day of January, one thousand eight hundred and eighty-five, be deemed to have been and to be land reserved from occupation license.

*Reserves Declaratory.*

(ii) Any notice in the *Gazette* purporting to have been a cancellation or revocation of a withdrawal from lease as aforesaid shall, on and after the day when the notice was published, be deemed to have been and to be a valid revocation of a reservation from lease and license effected by virtue of this section.

3. (i) Whereas the Governor, with or without the advice of the Executive Council, has at various times prior to the first day of December, one thousand eight hundred and eighty-nine, by notice in the *Gazette*, reserved or purported to reserve certain land from lease, and doubts have arisen as to his power to make those reservations, and as to the legal effect of the same when made: Be it therefore enacted that the said land shall on and after the days when the said reservations were made be deemed to have been and to be duly reserved from lease generally, and from occupation license.

(ii) Any notice in the *Gazette* purporting to have been a cancellation or revocation of a reservation made or purporting to have been made as aforesaid shall be deemed to have been and to be a valid revocation of the reservation.

4. Where at any time before the commencement of this Act, land then under lease or license has been reserved from lease or occupation license (whether by virtue of the operations of this Act or otherwise) the said land shall, on and after the day when the reservation was made, be deemed to have been and to be land withdrawn from any lease other than a special or conditional lease, and from occupation license: Land reserved shall be deemed to have been withdrawn from lease and license.

Provided that this section shall not have effect in any case where, since the day aforesaid, rent or license fee has been demanded by the Crown, and has been paid by the holder of the lease or license aforesaid in respect of the said land.

5. The cancellation at any time before the commencement of this Act by notice in the *Gazette* of a reservation of land from lease, or of a withdrawal of land from lease shall, on and after the day of the publication of the notice, be deemed to have been and to be a revocation of the reservation or withdrawal of the land from lease. Cancellation to operate as a revocation.

6. After the commencement of this Act the revocation of any reservation from lease, or of any reservation from occupation license, or of any reservation from lease and occupation license, shall not take effect until after the expiration of sixty days from the day of the publication in the *Gazette* of the notice of revocation. Revocation not to take effect until sixty days after notice in Gazette.

7. Nothing in this Act shall affect the validity of the applications made by Eliza Ann Nott, on the fourth day of May, one thousand eight hundred and ninety-three, for a conditional purchase (No. 93-36) and a conditional lease (No. 93-31) in the land district of Coonamble. Saving clause.

8. This Act may be cited as the "Reserves Declaratory Act, 1895," and shall be construed as one with the Crown Lands Act of 1884, the Crown Lands Titles and Reservations Validation Act of 1886, the Conditional Purchases and Leases Validation Act of 1887, the Crown Lands [Auction Sales Balances] Act of 1887, the Crown Lands Act Further Amendment Act, and the Crown Lands Act of 1889. And the said Acts and this Act may be together cited as the "Crown Lands Acts, 1884-1895." Short title.