

Act No. 3, 1909.

An Act to declare the law with respect to the revocation of reservations and with respect to preferential occupation licenses under the Improvement Leases Cancellation Act, 1906; to validate the setting apart of and applications for certain land under the Crown Lands Acts, and the confirmation of the same; and for purposes consequent thereon or incidental thereto. [1st October, 1909.]

IMPROVEMENT
LEASES
CANCELLATION
(DECLARATORY).

BE it enacted by the King'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:—

1. This Act may be cited as the "Improvement Leases Cancellation (Declaratory) Act, 1909." Short title.
2. Notwithstanding any Acts, and notwithstanding any decision which has been given by any court, the revocation in pursuance of the Improvement Leases Cancellation Act, 1906, of any reservation of land from sale or lease shall be deemed to have taken effect on the date of the notification revoking such reservation; and any setting apart under the Crown Lands Acts of any such land for sale or lease shall be deemed to have been and to be valid. Validation of certain applications.

The fact that applications under the Crown Lands Acts for the sale or lease of any such land were made before the expiration of sixty days after any such notification of revocation shall not affect the validity of any such applications, and any confirmation of the same shall be deemed to have been and to be valid.

3. Nothing in this Act shall affect any claim which may be made against the Crown by any holder of a preferential occupation license under the Improvement Leases Cancellation Act, 1906, in respect of any occupation prior to the expiration of sixty days after the revoking of any such reservation as aforesaid of any land the subject of the decision of the High Court of Australia in the matter of the appeals of the Minister for Lands and others against the Bank of New South Wales and Scott and others; such occupation being such as would have been wrongful but for the passing of this Act: Saving of claims for unlawful occupation.

Provided

Consolidated Revenue Fund and Public Works Fund (No. 2).

Provided that such claim is made in writing by such holder, addressed to the Minister for Lands, within two months after the commencement of this Act.

Application of
Crown Lands Acts
to preferential
occupation licenses.

4. The provisions of the Crown Lands Acts relating to preferential occupation licenses shall be deemed to have applied and shall apply to any preferential occupation licenses created by section three of the Improvement Leases Cancellation Act, 1906.
