

Act No. 6, 1910.

An Act to amend the Crown Lands Acts in certain respects; and for purposes consequent thereon or incidental thereto. [19th August, 1910.]

CROWN LANDS  
(AMENDMENT).  
—

**B**E 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:—

*Preliminary.*

**1.** This Act may be cited as the “Crown Lands (Amendment) Act, 1910,” and shall be construed with the Crown Lands Acts. Short title.

*Extension of period for reappraisement.*

**2.** Where by the Crown Lands Acts it is provided that the capital value of a homestead selection after the grant thereof, or of a conditional purchase lease, or the rent of a conditional lease or of a settlement lease, shall be determined at the expiration of a period of ten years, such period is hereby extended to fifteen years. Extension of period for reassessment.

This section shall apply to the holdings aforesaid, whether held before or after the commencement of this Act.

*Withdrawal*

*Crown Lands (Amendment).**Withdrawal of application to convert into mineral conditional purchase.*

Amendment of s. 7  
of Act of 1884.

**3.** Section seven of the Crown Lands Act of 1884 is amended by adding at the end thereof the following further proviso :—

Provided further that the Minister may permit any such application for conversion to be withdrawn or annulled upon sufficient reason being shown to him before the issue of certificate of conformity in respect of such conditional purchase for mining purposes. On such withdrawal or annulment being permitted, the moneys paid with the application for conversion (less such amount as the Minister may direct to be deducted for costs) shall be refunded.

*Limitation of value of improvements to be effected on conditional purchases or conditional leases.*

Value of improve-  
ments to be effected.

**4.** Notwithstanding any provision of the Crown Lands Acts it shall not be necessary to effect improvements on any conditional purchase, other than a conditional purchase under section forty-seven of the Crown Lands Act of 1884, or on any conditional lease, within three years from the date of confirmation of the application for such conditional purchase or conditional lease, to a greater value than thirty per centum of the price of the subject land, or to effect improvements within five years from such date to a greater value than fifty per centum of such price. The price of the land the subject of any conditional lease shall for the purposes of this section be deemed to be the price at which it is convertible into an additional conditional purchase.

The provisions of this section are extended to apply to any such conditional purchase or to any conditional lease in respect of which the period for effecting the improvements is current at the commencement of this Act.

## AMENDMENT OF CROWN LANDS (AMENDMENT) ACT, 1908.

Amendment of  
subsection (1) of s. 4  
of Act of 1908.

**5.** (1) Subsection one of section four of the Crown Lands (Amendment) Act, 1908, is amended by omitting the provisos and all the words following to the end of the subsection.

(2) Where, before the commencement of this Act, the capital value or price of land has been determined under the said provisos, such capital value or price shall be deemed to have been and shall be the capital value or price upon which the rent of the homestead selection or grant was payable at the date of application for conversion, unless a lower value or price has been so determined.

**6.**

*Crown Lands (Amendment).*

**6.** (1) Subsection one of section seven of the same Act is amended— Amendment of subsection (1) of s. 7 of Act of 1908.

- (a) in paragraph (b), by omitting the words “or if the Minister or the applicant is dissatisfied with the value as so determined or notified,” and omitting the words “or on application by the applicant for conversion”;
- (b) in the proviso, by omitting all the words after “conversion,” and inserting in lieu thereof the words “and shall determine the capital value of the land as at the date of the application for the settlement lease.”

(2) Where, under subsection one of section seven of the said Act, a board has, before the commencement of this Act, determined the capital value of land converted, such value shall be deemed to have been and shall be the capital value as determined or notified prior to the application for conversion, unless a lower value has been determined under section seven as aforesaid; and, where such value has not been determined or notified prior to the application for conversion, the value shall be such sum as the Minister and the applicant for conversion agree to; or, failing such agreement, the board shall determine the capital value under the provisions of the said subsection as amended by this Act.

**7.** Subsection three of section twenty-five of the said Act is repealed. Such repeal shall take effect as from the first day of February, one thousand nine hundred and nine. Repeal of subsection (3) and amendment of subsection (1) of s. 25 of Act of 1908.

The following amendments are also made in subsection one of the said section:—

- (a) The words “conditional purchase lease” are inserted next after the expression “or any part of a”
- (b) The words “so applied for” are inserted between the words “lease” and “being”

**8.** Section twenty-eight of the said Act is hereby repealed. Repeal of s. 28. Such repeal shall take effect as from the first day of February, one thousand nine hundred and nine: Provided that such repeal shall not affect anything lawfully done under the said section.

AMENDMENT OF ACTS.

**9.** The several additions, alterations, substitutions, and omissions set out in the Schedule hereto shall be made in the sections and subsections of the Acts mentioned in such Schedule. Amendments set out in Schedule.

SCHEDULE.

*Crown Lands (Amendment).*

## SCHEDULE.

Title of Act.	No. of section and subsection.	Amendment.
Crown Lands Act of 1884.	117	The words "original conditional purchases" are substituted for the words "whole area"
Crown Lands Act of 1895.	10	"Minister" is substituted for "Governor"
Crown Lands Act of 1895.	50	"Minister" is substituted for "Governor" This amendment shall take effect from the first day of February, one thousand nine hundred and nine.
Crown Lands Act of 1895.	51	The words "by this Act or by a condition attached to any lease" are inserted after the expression "to be conferred" The words "or by such condition as aforesaid" are inserted immediately preceding the expression "shall in all cases be"
Appraisement Act, 1902.	5 subsec. (1)	The words "or with the consent of the Minister at any time thereafter should he be satisfied that the circumstances warrant it" are added at the end of the subsection.
Crown Lands Amendment Act of 1905.	4 subsec. (1)	The following words:—" (e) conditional purchase leases" are inserted next after " (d) settlement leases"
Crown Lands (Amendment) Act, 1908.	5 subsec. (1)	After paragraph (b) (ii) the following proviso is inserted:—" Provided that upon confirmation of the conversion the board shall define the area of the conditional lease which may be converted into additional conditional purchase, and that the right of conversion is hereby limited to such area."
Crown Lands (Amendment) Act, 1908.	5 subsec. (1)	The words "with or without an" are substituted for the word "or" in paragraph (c), and the words "at the date of conversion of the settlement lease" are added at the end of the paragraph.
Crown Lands (Amendment) Act, 1908.	6	Paragraph (c) is hereby repealed.
Crown Lands (Amendment) Act, 1908.	17	The words "or scrub leases" are inserted next after "improvement leases"
Crown Lands (Amendment) Act 1908.	22 subsec. (1)	The following is added at the end of subsection (1):—" Where any land applied for is not within an area set apart for additional conditional purchase lease, as aforesaid, the capital value for the first ten years' period of the lease shall be that determined by the board, subject to the provisions of section six of the Crown Lands Act of 1889"

# Act No. 7, 1910.

17

## *Closer Settlement Promotion.*

### SCHEDULE—*continued.*

Title of Act.	No. of section and subsection.	Amendment.
Crown Lands (Amendment) Act, 1908.	22 subsec. (2) par. (a).	The words "lease or an additional conditional purchase" are substituted for the words "or conditional lease"
Crown Lands (Amendment) Act, 1908.	29	The words "Such setting apart as aforesaid shall also have the effect of revoking any previous setting apart of the same land unless expressly excluded from revocation by the terms of the notification" are added at the end of the section.
Crown Lands (Amendment) Act of 1908.	44 subsec. (iii)	"fourteen" is substituted for "seven". This amendment shall be deemed to have taken effect on and from the coming into force of the Crown Lands (Amendment) Act, 1908.