

VALUATION OF LAND (AMENDMENT) ACT.

Act No. 53, 1963.

Elizabeth II, An Act to make further provisions with respect to the hearing and determination of objections to certain valuations; for this purpose to amend the Valuation of Land and Local Government (Further Amendment) Act, 1961, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 13th December, 1963.]

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:—

Short title. 1. This Act may be cited as the "Valuation of Land (Amendment) Act, 1963".

2.

2. The Valuation of Land and Local Government (Further Amendment) Act, 1961, is amended by omitting subsection four of section two and by inserting in lieu thereof the following subsection :—

Sec. 2.

(Amendment of Act No. 67, 1961.)

(4) Objections lodged with the valuer-general under

Part III of the Valuation of Land Act, 1916-1959, in respect of valuations made before the appointed day, not being objections which have been withdrawn by the objector or determined by the Land and Valuation Court before the commencement of the Valuation of Land (Amendment) Act, 1963, shall be dealt with in accordance with the following provisions :—

- (a) All objections so lodged which, at the appointed day, had not been included in a list forwarded to the registrar of the Land and Valuation Court under subsection two of section thirty-seven of the Valuation of Land Act, 1916-1961, shall be deemed to have been lodged with the valuer-general pursuant to Part III of the Valuation of Land Act, 1916-1961, and shall be dealt with and determined under the provisions of that Act as if they had been lodged in respect of valuations made after the appointed day.
- (b) (i) Subject to paragraph (c) of this subsection all objections so lodged which, at the appointed day, had been included in a list forwarded to the registrar of the Land and Valuation Court under subsection two of section thirty-seven of the Valuation of Land Act, 1916-1961, shall be removed from the Land and Valuation Court and shall be returned by the registrar to the valuer-general to be dealt with as provided in this paragraph.
(ii) The valuer-general shall notify each objector concerned that his objection has been removed from the Land and Valuation Court

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Court and that he may within thirty days after the date of such notification require the valuer-general to refer the objection to a valuation board for hearing and determination and that in default of any such requirement within the time specified the objection shall be deemed to be withdrawn.

- (iii) Within thirty days after the date on which the valuer-general gives to an objector a notification under subparagraph (ii) of this paragraph, such objector may require the valuer-general to refer the objection to a valuation board for hearing and determination and the valuer-general shall refer such objection accordingly.
- (iv) A reference of an objection to a valuation board under subparagraph (iii) of this paragraph shall be deemed to have been required under subsection two of section thirty-five of the Valuation of Land Act, 1916-1961, and the objection shall be dealt with and determined under the provisions of that Act as if it had been lodged in respect of a valuation made after the appointed day.
- (v) Any objection which an objector does not, within the time specified in a notification given to him under subparagraph (ii) of this paragraph, require the valuer-general to refer to a valuation board for hearing and determination shall be deemed to be withdrawn.

(c) All objections so lodged—

- (i) which relate to valuations of land in any case in which a claim is made for compensation by reason of the acquisition of any such land under the Public Works Act, 1912, as amended by subsequent Acts, or under any other Act; or
- (ii)

(ii) the hearing of which by the Land and Valuation Court has been commenced before the commencement of the Valuation of Land (Amendment) Act, 1963; or

(iii) which have been set down for hearing before the Land and Valuation Court,

may be continued and completed under the provisions of the Valuation of Land Act, 1916-1959, as if the amendments made by subsection one of this section had not been made.
