

## WESTERN LANDS (AMENDMENT) ACT.

---

Act No. 15, 1918.

**George V, No. 15.** An Act to amend and extend the provisions of the Western Lands Act of 1901, and the Western Lands (Amendment) Act of 1905; and for other purposes. [Assented to, 21st March, 1918.]

**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 :—

Short title. **1.** This Act may be cited as the "Western Lands (Amendment) Act, 1918," and shall be read with and form part of the Western Lands Act of 1901, and the Western Lands (Amendment) Act of 1905.

*Surrender and subdivision of leases.*

Surrender of lease. **2.** The owner, with the consent of the mortgagee, if any, of any lease under the Western Lands Acts expressed to be issued for Pastoral Purposes in regard to which the right of withdrawal under section seventeen of the Western Lands Act of 1901 has been exercised may apply as prescribed to surrender such lease to the Governor.

Subdivision of lease. **3.** Upon the acceptance of any such surrender the land comprised in the said lease may be subdivided into portions in such form and in such areas as the Minister on the recommendation of the Commissioners may approve.

**4.**

**4.** The Governor may grant a lease of the land comprised in any such portion to such person as may be nominated in that behalf by the owner as aforesaid or to the owner himself and the term of every such lease shall be for the unexpired period of the term of the surrendered lease. **George V, No. 15.** Leases of subdivided area.

**5.** The commissioners shall determine the rental to be paid in respect of each such portion: Provided that except where any such portion is leased under section eight of this Act the aggregate of such rentals shall amount to the rent that would be payable if the lease had not been surrendered. Determination of rentals.

**6.** (1) Every such lease granted as aforesaid shall be subject to the conditions contained in the lease which has been surrendered. Conditions of leases.

(2) The Governor shall have the right to reserve a road out of the land leased of a width not exceeding ten chains for the use of travelling stock.

**7.** The lessee of any such portion as aforesaid shall in respect of the improvements on the land at the date of commencement of the lease be entitled to tenant-right only in such improvements as the holder of the surrendered lease would be entitled to tenant-right in. Tenant-right.

**8.** The Governor may under section four of this Act grant special leases of any such portions as are intended to be used for any purpose other than grazing. Such leases shall be subject to such conditions as the Minister upon the recommendation of the commissioners may determine, but shall not be subject to subsection one of section six of this Act: The rentals of such leases shall be determined by the commissioners, and shall not be subject to the provisions of section nineteen of the Western Lands Act of 1901. Special leases.

*Withdrawal of land from lease.*

**9.** The Governor may withdraw the whole or any part of the land comprised in any western lands lease and situated within the land district of Walgett North in any case in which in his opinion such land is required for the purpose of settlement, and in connection with such withdrawal shall acquire any freehold portions owned. Power to withdraw from lease.

**George V,**  
**No. 15.** owned by the lessee and situated within, and used in conjunction with such lease. Upon publication in the Gazette of such withdrawal or acquisition the lessee shall be entitled as compensation to the market value of his interest in the lease of the land so withdrawn together with the market value of such freehold portions. Where part only of the land comprised in a lease is withdrawn the lessee shall be further entitled to compensation for any damage caused to the residue of such land by severance. The amount of compensation shall be determined by the commissioners.

Unless otherwise agreed to, the lessee shall be allowed not less than six months from the date of the publication in the Gazette of the withdrawal within which to remove his stock and plant from the land so withdrawn, and shall pay rent at the same rate per acre as under the western lands lease.

Appeal.

**10.** The Minister or the lessee if dissatisfied with the determination of the commissioners may appeal as prescribed, and such appeal shall be heard by a district court judge appointed for the purpose by the Governor.

*Miscellaneous.*

Amendment  
of s. 34 of  
W.L. Act,  
1905.

**11.** Section thirty-four of the Western Lands Act (Amendment) Act of 1905 is amended by inserting after the words "Crown Lands Acts" the following words: "or any land comprised in a reserve from lease or license which has been revoked", and after the words "surrendered lands" the words "or such revoked reserves".