

WESTERN LANDS (AMENDMENT) ACT.

Act No. 14, 1963.

Elizabeth II,
No. 14, 1963 An Act to provide a longer term for which Western Lands leases may be granted; to provide for the collection or waiving of arrears of certain Crown dues; to authorise the appointment of a Deputy Assistant Western Lands Commissioner; for these and other purposes to amend the Western Lands Act of 1901, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 2nd April, 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 "Western Lands (Amendment) Act, 1963".

Amend-
ment of
Act No.
70, 1901. **2.** The Western Lands Act of 1901, as amended by subsequent Acts, is amended—

Sec. 8.
(Appoint-
ment of
deputy.) (a) by inserting at the end of subsection one of section eight the following new paragraph :—

In the case of the appointment of an Assistant Commissioner to be the deputy of the Commissioner for any period in accordance with the foregoing provisions of this subsection, the Minister may appoint a person to be the deputy of such Assistant Commissioner for the same period, and any person so appointed shall, while so acting, exercise and perform all the powers, authorities, duties and functions of an Assistant Commissioner.

Sec. 18.
(Duration
of lease.) (b) by inserting in section eighteen after the words "debt to the Crown" the words "unless the Minister otherwise approves. The Minister may so approve
in

in respect of the whole or any part of such debt No. 14, 1963
irrespective of whether the forfeiture, cancellation
or lapsing was declared before or after the com-
mencement of the Western Lands (Amendment)
Act, 1963”;

- (c) by inserting next after section 18c the following New sec.
new section : — 18cc.

18cc. It shall be lawful for the Minister for Minister
Lands to bring under that name, and as nominal may sue
plaintiff on behalf of the Crown, any action or suit for money.
for the recovery of arrears of rent or of any other cf. Act No.
sums which under this Act may be due to the 7, 1913,
Crown. And no such action or suit shall be sec. 251.
prejudiced or abate or require amendment merely
because after the commencement thereof the
Minister who brought the same may have gone out
of office or because another Minister may have
been appointed or the office may for the time being
be vacant : Provided that costs may be given for
or against such plaintiff in the same way as in any
ordinary action or suit.

- (d) by omitting from paragraph (b) of subsection one Sec. 23.
of section twenty-three the words “expiring not (Minister's
later than the thirtieth day of June, one thousand power to
nine hundred and seventy-three” and by inserting grant
in lieu thereof the words “not exceeding forty leases.)
years”;

- (e) (i) by omitting from section 28A the words Sec. 28A.
“, unless extended to a lease in perpetuity under (Special
the provisions of section 18E of this Act, be leases
for a term, to expire not later than the thirtieth may be
day of June, one thousand nine hundred and granted.)
seventy-three” and by inserting in lieu thereof
the words “be a lease in perpetuity, or for any
term not exceeding forty years”;

- (ii) by inserting in the same section after the
words “may think fit.” the following new
paragraph : —

The local land board shall determine the
rental of any lease in perpetuity granted under
this section for each separate period of ten
years

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years commencing from the date of granting of the lease, and in determining such rental, the local land board shall have regard to the purpose of the lease.

(iii) by omitting from the same section the words "whether before or after the commencement of the Western Lands (Amendment) Act, 1934, may on application, be extended either as to the whole or any part of the lease, for any period up to the thirtieth day of June, one thousand nine hundred and seventy-three. Such extension" and by inserting in lieu thereof the words "for a term not exceeding forty years whether before or after the commencement of the Western Lands (Amendment) Act, 1963, may on application, be extended from time to time either as to the whole or any part of the lease. Any such extension shall be for a period not exceeding forty years,";

(iv) by inserting in the same section after the words "together with" the words ", unless the Minister otherwise approves,";

Sec. 39.
(Leases of
subdivided
area.)

(f) by inserting in subsection one of section thirty-nine after the words "surrendered lease." where firstly occurring the words "Any person having an interest in the subdivided lease shall be deemed to have an equivalent interest whether by way of mortgage or otherwise in the new leases.".

CORONERS