

Act No. 20, 1906.

An Act to amend the Pastures Protection Act, 1902, the Pastures Protection Amendment Act, 1904, the Crown Lands Acts, the Western Lands Acts, and other Acts; to make further provision for the encouragement of the erection of rabbit-proof fencing; and for other purposes. [30th November, 1906.]

PASTURES  
PROTECTION  
(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 "Pastures Protection Short title. (Amendment) Act, 1906," and shall be read with the Pastures Protection Act, 1902 (hereinafter referred to as the Principal Act), and the Pastures Protection Amendment Act, 1904.

2.

*Pastures Protection (Amendment).*

Repeal.

2. Sections nineteen, twenty-five, twenty-eight, and one hundred and sixty of the Principal Act are repealed.

*Definitions.*

Definitions in section 4 of Principal Act.

3. (1) Section four of the Principal Act is amended as follows:—

(a) in the definition of local land board, insert the following words at the end of the definition:—“and wherever the words ‘local land board’ occur, the commissioners appointed under the Western Lands Acts shall be deemed to be the local land board referred to, so far as relates to the Western Division, and the decision or determination of such commissioners in regard to any matter or thing decided or determined by them as a local land board shall be final and conclusive.”

(b) In the definition of “Occupier” the words “and also includes the occupier or caretaker of a public watering place, as defined by the Public Watering Places Act, 1900,” are added at the end of the definition.

(c) In the definition of “Owner”—

(i) in paragraph (a) omit “the person registered as”; and after “holder” insert “or the holder subject to mortgage”

(ii) omit paragraphs (b) and (c), and insert the following new paragraph:—

“The holder, or the holder subject to mortgage of any purchase, whether conditional or otherwise, from the Crown, or of a homestead selection or homestead grant.”

(iii) Omit paragraphs (f) and (g), and insert the following new paragraph:—

“and for the purposes of Part IV, includes the trustees of commons and public reserves, and the person for the time being in the authorised possession or charge of land, or of large stock, or sheep.”

(d) Omit the definition of “Public road” or “road” and insert the following definition:—

“Public road” or “road” means any land proclaimed, dedicated, resumed, or otherwise provided as a public thoroughfare or way, or any land defined, reserved, or left as a road in any subdivision of Crown lands, and for the purposes of Part IV includes any road which has been ordinarily used for three years at least by the public.

(e)

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(e) Omit the definitions of "Travelling sheep" and "Travelling stock" and insert the following definition:—

"Travelling sheep" or "travelling stock" means any sheep or stock other than stock in actual work whilst being driven or carried by land or water, or which have within one month next preceding been so driven or carried along or over any place whatsoever other than the run on which they are ordinarily depastured.

(f) The following definitions are inserted in the section:—

"Crown lands" means Crown lands as defined in the Crown Lands Act of 1884.

"Western Division" has the meaning given to that expression in the Crown Lands Acts.

"Western Lands Acts" has the meaning given to that expression in the Western Lands (Amendment) Act, 1905.

(2) References in the Principal Act to a Part or Division of that Act shall be deemed to refer to such Part or Division as amended by this Act, and to any enactments in this Act relating to matters dealt with in such Part or Division. References to Parts and Divisions of Principal Act.

*Western Division.*

4. So far as relates to the Western Division, the Minister may depute to the commissioners appointed under the Western Lands Acts any of the powers or duties conferred or imposed upon him by this or the Principal Act. Minister may depute his duties to western land commissioners.

5. When any district within the Western Division has been proclaimed under section twenty-seven of the Principal Act to be rabbit-infested, the provisions of the Western Lands Acts relating to the destruction of rabbits shall not be enforced within such district while such proclamation remains in force. Suspension of certain provisions of Western Lands Acts.

*Districts and boards.*

6. (1) Sections six and seven of the Principal Act are repealed; but, notwithstanding such repeal, the said sections shall remain in force in each district until the date of the first election of directors of the board for such district after the commencement of this Act, which election shall be held in the month of May, one thousand nine hundred and seven. Until such first election the directors of the board shall retain their offices. Thereafter the board for each district shall consist of eight directors, who shall *ex officio* be inspectors, and who shall be elected or established in office under this and the Principal Act. Constitution of pastures protection boards.

(2) Upon such first election three directors shall retire, being those whose term of office would first have expired under the Principal Act, and five directors shall be elected in their stead.

(3)

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(3) Of such five directors, one, to be determined by lot, shall retire with the three remaining original directors, at the expiration of one year from the date of the first election as aforesaid, and the other four directors shall hold office for two years. After such election four directors for each district shall be elected annually in the month of May, who shall hold office for two years.

(4) At the first meeting of a board after an election of directors, or after the office of chairman becomes vacant, the board shall elect one of its members to be chairman, and on such election the chairman appointed by the Governor under the Principal Act shall vacate his office.

In the absence of the chairman from a meeting of a board the directors present shall elect one of their number to be chairman for the meeting. Four directors shall form a quorum.

(5) Section eleven of the Principal Act is amended by substituting the words "two or four divisions in his discretion" in lieu of the words "three divisions," and by substituting the words "two directors or one director, as the case may be," for the words "one director."

Appointment of temporary inspector.

7. In case of the suspension, illness, or absence of an inspector for one or more districts, the Minister may appoint a person who may exercise the powers and shall discharge the duties of such inspector during such suspension, illness, or absence, at such salary as the Minister may determine. Such salary shall be paid by the board or boards, out of the fund or funds as in the case of the appointment of an inspector. The board or boards may, with the consent of the Minister, discontinue the payment of the salary of an inspector suspended or absent from his duties.

Amendment of section 12 of Principal Act.

8. Section twelve of the Principal Act is amended by inserting the words "and who has paid all rates due by him under this Act to the board" after the words "Every person whose name is on the roll hereinbefore referred to."

Amendment of section 17 of Principal Act.

9. Section seventeen of the Principal Act is amended by inserting the words "in the month of February next following" after the word "published."

*Rates.*

Amendment of subsection one of section 18 of Principal Act.

10. The last proviso to subsection one of section eighteen of the Principal Act is amended as follows:—

- (a) By omitting the words "enclosed by a fence erected before or after the commencement of this Act" and inserting the words "on the external boundaries of which there is a fence."
- (b) By inserting at the end of the subsection the words "or in respect of any holding or portion of a holding within a group. Any fence which, in the opinion of the board, is sufficiently approximate to any boundary shall be deemed to be on such boundary for the purposes of this section."

11.

*Pastures Protection (Amendment).*

11. The following subsection is inserted after subsection one of section eighteen of the Principal Act:—

(2) For the purposes of this section, the carrying capacity of unstocked or partly stocked land shall be determined by the board quinquennially on an average basis extending over the preceding five years, the first of such determinations to be made for the first assessment required after the first day of January, one thousand nine hundred and seven.

For the purposes of any assessment, agricultural land shall be deemed to be land which has been used for agricultural purposes during the year next preceding that for which the assessment is made.

12. Every owner or occupier liable to be rated under the Principal Act, and every owner of any large stock or sheep, shall, on or before the tenth day of January in each year, deliver personally or send by post by registered letter to the board for the district, in the prescribed form, a return of his land and of his large stock or sheep in such district, and of any of his large stock or sheep travelling in any other district, on the thirty-first day of December next preceding. Any such owner or occupier failing to make any such return shall be liable to a penalty not exceeding twenty pounds.

13. Every board is relieved from liability to make payments to the sheep account in the Treasury under section twenty-five of the Principal Act in respect of moneys received for rates before the commencement of this Act, but in lieu of such payments shall expend within five years after the commencement of this Act, in the destruction of rabbits on public lands within its district, or in the erection of rabbit-proof fencing on the boundaries of such lands, or partly in one such way and partly in another, or in such other way as the Minister may approve of, an amount equal to the moneys which were vested in the board by subsection four of section twenty-four of the Principal Act, after deducting any liabilities of the board outstanding at the date of such vesting.

In case of any dispute as to the amount of the moneys to be so expended, the matter shall be determined by the Auditor-General.

Each board shall furnish to the Minister, in the month of January in each year, details of its expenditure under this section.

*Application of Act.*

14. Subsection two of section twenty-seven of the Principal Act is amended by omitting the following words:—“The provisions of this Part, except so far as the same relate to the destruction of noxious animals, shall not apply to any lands held under any form of lease from the Crown in the Western Division, as defined by the Crown Lands Acts.”

*Pastures Protection (Amendment).**Fencing.*

Exemption from fencing boundary in certain cases.

15. If any holding, or portion of a holding, or group of holdings, is bounded in part by a natural feature along which, in the opinion of the board, it is unnecessary to erect a rabbit-proof fence, such holding, or portion of a holding, or group shall be deemed to be enclosed by a rabbit-proof fence, provided that the remaining boundaries are sufficiently so fenced.

*Purchase of wire-netting, &c.*

Amendment of section 30 of Principal Act.

16. Section thirty of the Principal Act is amended as follows—
- (a) in subsection two by omitting the words “spread over not more than” and inserting the words “extending over such period as may be determined by the Minister, not exceeding”;
  - (b) in subsection four by omitting the words “occupiers or” in the first paragraph, “occupiers and” in the first proviso, and “or occupier” in paragraph (a) of the second proviso;
  - (c) in the first paragraph of subsection four, and before the first proviso, by omitting the words “agreed upon” and inserting the word “prescribed”;
  - (d) in the first proviso to subsection four by omitting the words “not more than twenty years,” and inserting the words “a period not exceeding that within which the cost of the netting, materials, machinery, plant, and substances is to be paid for by the board to the Colonial Treasurer.”
  - (e) in paragraph (a) of the second proviso by inserting at the end thereof the following words:—“Such charge shall have priority over all mortgages or other charges thereon (whether made before or after the commencement of this Act) other than debts due to the Crown.”

Penalty for default in payment of annual instalments.

17. If any owner of a holding makes default in respect of the payment of any instalment payable to a board in respect of wire-netting or other material, machinery, plant, or substances, interest shall be charged by the board on such instalment at a rate not exceeding ten per centum per annum from the date appointed for the payment thereof until the same is paid, and such interest shall be added to and be deemed to form part of such instalment.

Payment to board by adjoining owner of cost of netting supplied by board.

18. (1) Where the owner of a holding owes money to a board for wire-netting or other materials, whether such money is or is not then payable, and is entitled to any contribution from an adjoining owner towards the cost of any fencing in respect of which such netting or materials were supplied, such adjoining owner may, and if directed in pursuance of this section shall, pay to the said board, instead of to the first-mentioned owner, so much of the said contribution as is due and

*Pastures Protection (Amendment).*

and payable in respect of the said netting and materials: Provided that the amount to be so paid shall not exceed the amount owing by the first-mentioned owner to the board as aforesaid.

(2) Where money is so owing to the board, the board may apply to have the said contribution assessed. Assessment at request of board.

(3) Where any owner of a holding applies to have any such contribution assessed, notice thereof shall be given to the board for the district within which the fence is situate, and any person duly appointed in its behalf by such board may attend at such assessment, and shall be heard. Notice to board of assessment.

(4) Where any assessment of such contribution is made, whether on the application of any owner or on the application of a board, payment may be directed to be made to the board in the terms of this section, and the money shall be paid as so directed. Payment directed by local land board.

**19.** (1) If it appears to a board that the occupier or owner for the time being of any holding in respect of which any wire netting or other material has been purchased from the board, but not fully paid for, has neglected to maintain or repair such netting or material, or any part thereof, the board may give notice to such occupier or owner to execute the works necessary to maintain or repair the same. If such works be not forthwith executed to the satisfaction of the board, the board may cause such works to be executed, and may recover such cost from the occupier or owner. Maintenance of wire netting and material in respect of which moneys are payable to a board.

(2) A certificate in the prescribed form, signed by the chairman of the board, of the amount claimed by such board to be due for such cost, shall be prima facie evidence that the amount stated in such certificate is actually due.

**20.** A board, with the consent of the Minister, may sell for cash only to the occupier of any holding, on application by such occupier in the prescribed form, any wire-netting, materials, machinery, plant, or substances obtained by such board under section thirty of the Principal Act: Provided that any such netting, materials, machinery, plant, or substances shall only be used on, or in connection with, the holding in regard to which the application was made. Supplying of netting, &c., to occupiers of holdings.

**21.** Where the owner of a holding owes money to a board for wire-netting or other materials, and such holding is forfeited to the Crown, the property of such owner in such netting and materials, and any right which such owner may have to recover contribution in respect of the same, shall pass to and vest in the board. Where holding forfeited, netting to vest in board.

**22.** If any person wilfully uses or disposes of any wire-netting, materials, machinery, plant, or substances supplied by a board under this or the Principal Act, for any purpose or in any way other than that for which they were so supplied, he shall, on conviction, be liable to a penalty not exceeding fifty pounds. Penalty for misuse of wire-netting, &c.

*Barrier*

*Pastures Protection (Amendment).**Barrier fences.*

Powers of board to erect fences.

**23.** Section thirty-one of the Principal Act is repealed, and the following is substituted in its place:—

(1) A board may:

- (a) Erect a rabbit-proof fence, or make rabbit-proof any existing fence, on any land, whether public or private, within or without the district, or across any road or travelling stock route, making gates in such fence for the passage of the public and their stock; and
- (b) co-operate with the board of any other district in any such work.

(2) Any fence, whether erected or made rabbit-proof by a board or boards, or by the Crown, or by any person before or after the commencement of this Act, may be declared by the Governor by notification to be a "barrier fence," and shall be deemed to be a barrier fence within the meaning and for the purposes of this and the Principal Act so long as such notification remains in force: Provided that any such notification may be cancelled or amended by the Governor.

Payment by purchaser or lessee of Crown lands on which is a barrier fence.

**24.** Where a barrier fence or any portion thereof is situated within or on the boundary of Crown lands, and is owned wholly or in part by the Crown or a board, any person becoming the purchaser or lessee (other than an annual lessee) of any of such lands shall pay the value of so much of such fence as is situated within or is on the boundary of the lands so purchased or leased, such payment to be made to the Crown or the board, or other owner of the fence according to their respective interests therein, in accordance with the provisions of the Crown Lands Acts or the Western Lands Acts. The value of any portion of the fence within the boundary of the lands purchased or leased shall be the value thereof to the purchaser or lessee, and the value of any portion on the boundaries of such lands shall be the value at the date of the purchase or lease.

Amendment of section 34 of Principal Act.

**25.** Section thirty-four of the Principal Act is amended by adding at the end thereof a new subsection, as follows:—

(3) Provided also that a board or boards may cease to maintain and repair a barrier fence which it or they considers or consider to be unnecessary.

*Private fences.*

Amendment of section 37 of Principal Act.

**26.** Paragraph (a) of section thirty-seven of the Principal Act is amended by substituting the words "at least thirty-six inches in width, not less than eighteen gauge, with a mesh not wider than one and a half inch" for the words "at least forty-two inches in width, of a mesh and gauge to be approved of by the board."



*Pastures Protection (Amendment).*

27. Section forty of the Principal Act is amended by adding at the end thereof the words "or the Western Lands Acts."

Amendment of section 40 of Principal Act.

28. Section forty-two of the Principal Act is repealed and the following is substituted in its place:—

Contribution to the cost of rabbit-proof fences.

(1) Where a boundary, or any part thereof, of any holding is fenced with a rabbit-proof fence, or a fence on such boundary, or part thereof, has been made rabbit-proof at the expense of the occupier or owner of such holding, or of the occupier or the owner of any land included in the holding, a contribution towards the cost of the work shall, subject to the provisions of this section, be payable by the owner of any land outside the holding and adjoining the rabbit-proof fence to the occupier or owner who has incurred such expense:

Provided that a contribution shall not be payable where the local land board is of opinion—

- (a) that the rabbit-proof fence has been erected, or the fence has been made rabbit-proof, otherwise than bona fide for the purpose of excluding or destroying rabbits; or
- (b) that no benefit is derived from the fence by the holding from the owner of which the contribution is demanded; or
- (c) that the nature of such holding is such that it cannot be kept rabbit-proof by the erection and reasonable maintenance and repair of a rabbit-proof fence as described by this Act:

Provided, however, that should the owner of such holding at any time make use of such fence as part of a rabbit-proof enclosure, or should the holding or any part thereof adjoining such fence be included in any group formed under this or the Principal Act, such owner shall be liable for payment of a contribution as aforesaid in respect of so much of such fence as forms the boundary of such enclosure or group:

Provided also that, notwithstanding that the local land board may in any case have decided that no benefit was derived from the fence by the holding from the owner of which a contribution may have been demanded, if such board at any time subsequently decides that a benefit is then being derived from the fence by such holding, a contribution as aforesaid shall thereupon become payable in respect thereof.

(2) The right to receive a contribution as aforesaid shall vest, and the liability to pay the same shall arise, when the then occupier or owner of the holding gives to the then owner of the land outside the holding the prescribed notice of demand; and after the date when such notice is given, the amount of the contribution, or so much thereof as may for the time being be unpaid, shall, until payment, be and remain a charge upon the land in respect of which such contribution is payable.

Who shall pay and receive contributions.

(3)

*Pastures Protection (Amendment).*

Provisions as to contributions.

(3) The following provisions as to contributions shall apply:—

- (a) Any fence which, in the opinion of the local land board, is sufficiently approximate to any boundary shall be deemed to be on such boundary for the purposes of this section.
- (b) The local land board shall determine the amount of the contribution payable, and, subject to the provisions of this section, shall assess the amount of such contribution at half the value of the fence, or half the value of the work of making the fence rabbit-proof, as the case may be; and such value shall be the value at the date when the aforesaid notice of demand was given.

Rental in lieu of contribution.

(4) No holder of an occupation license or preferential occupation license, or of any lease from the Crown having less than five years to run at the date of completion of a rabbit-proof fence on the boundary of an adjoining holding, and no owner who uses as a boundary a fence which is outside the boundaries of his holding, shall be liable for payment of a contribution under this or section forty-three of the Principal Act, but in lieu thereof such holder or owner shall be liable to pay an annual rental in respect of such fence from the date when a claim in writing is made in that behalf by the person entitled thereto. The amount of such annual rental, and the dates for payment thereof, shall, on application, be determined by the local land board. Such amount shall be assessed at an amount not exceeding six per centum upon half the value of the fence, or half the value of the work of making the fence rabbit-proof, as the case may be, together with such further amount towards the average cost of the maintenance and repair of the fence as may be agreed upon between the parties, or, failing such agreement, as may be determined by the local land board.

Saving.

(5) Nothing in the Crown Lands Acts, the Western Lands Acts, or the Dividing Fences Act, shall relieve any person from liability to make any payment under this Act.

Application of section.

(6) Any claim for contribution in respect of a rabbit-proof fence erected or any fence made rabbit-proof before the passing of this Act shall, notwithstanding anything in this section, be determined under the provisions of section forty-two of the Principal Act.

*Grouping of holdings.*

Inquiry as to erection of ring fence.

29. (1) Where it is considered expedient by a board that any area of land should be enclosed by a rabbit-proof ring fence, or where a petition is received by a board from a majority in number of the owners of the holdings or portions of holdings within any area which it is desired by such majority should be so enclosed, the board shall hold an inquiry in open court for the purpose of determining whether such ring fence should be required to be erected as hereinafter provided.

Notice

*Pastures Protection (Amendment).*

Notice as prescribed of the time and place appointed for holding such inquiry shall be given to the owners of all holdings or portions of holdings proposed to be included within the ring fence.

In any such inquiry a board may administer an oath to witnesses and examine witnesses on oath

(2) If upon such inquiry it is found that not less than three-fourths in number of the owners of the holdings or portions of holdings proposed to be enclosed, owning not less than one-half of the total area of such holdings or portions of holdings, desire that the ring fence should be erected in the position indicated in the notice aforesaid, or in any position reasonably approximating thereto, the board shall so report to the Minister and make a recommendation for or against the proposal: Provided that no owner shall, without his consent, be required to erect any fence which would cause a severance of his holding. Report by board to Minister.

Any public lands may, with the consent of the Minister, be included in the area proposed to be enclosed by the ring fence, in which case the Crown shall, with respect to the payment for such fence, have the same rights and liabilities as an owner of private land.

(3) If the Minister consents to the erection of the ring fence, and to the supplying of the wire-netting required for the erection thereof, the board may give notice in the prescribed form to the owner of any holding or portion of a holding within the area proposed to be included within the ring fence, stating that it is prepared to sell wire-netting to such owner for the purpose of the fence, and requiring him to erect a rabbit-proof fence upon the outside boundaries of so much of such area as is included within his holding, or to make rabbit-proof any existing fence on such boundaries. Such owner shall thereupon forthwith erect or make rabbit-proof such fence accordingly, and shall thereafter maintain and repair it to the satisfaction of the board. Where a rabbit-proof fence already exists on any such boundaries, it shall, for the purposes of this section, be deemed to have been made rabbit-proof in pursuance of the provisions thereof. Notice to owners to erect fence.

(4) If any such owner does not forthwith so erect or make rabbit-proof such fence, or if, after it has been erected or made rabbit-proof, he fails to maintain or repair it to the satisfaction of the board, the board may erect or make rabbit-proof or maintain or repair the fence, and may recover the cost thereof from the owner of the holding, and, until payment, such cost shall be and remain a charge upon such holding. Obligation to make and maintain fence.

(5) Upon completion of the rabbit-proof ring fence as aforesaid, the lands (including all roads) enclosed thereby shall form a group of holdings, and the provisions of the Principal Act, except subsection one and paragraph (a) of subsection two of section forty-eight of that Act, and the provisions of this Act, shall, except so far as modified by this section, apply to such group. Application of Principal Act.

(6)

*Pastures Protection (Amendment).*

Annual contributions  
by owners of land  
within fence.

(6) Every owner of a holding who has, in pursuance of this section, erected a rabbit-proof fence, or made rabbit-proof any existing fence on the boundary of his holding, or at whose cost the board has erected or made rabbit-proof such fence, shall be entitled to an annual contribution in respect thereof from the owners of all other holdings, or portions of holdings, included within the ring fence, in the proportion which such respective holdings, or portions of holdings, bear to the aggregate area of the holdings, or portions of holdings, included within the fence. The respective amounts of such annual contributions shall be determined by the local land board, and shall be assessed at six per centum of the value of the respective owners' interests in the fence, together with such allowance towards the average cost of the maintenance and repair of the fence as may be agreed upon between the parties, or, failing such agreement, as may be determined by the local land board.

But the owner of a holding which is enclosed within a rabbit-proof fence erected before or after the formation of the group shall not be liable to pay any contribution under this subsection.

Method of paying  
contributions.

(7) The yearly contributions payable by the various owners within the group shall be paid to the secretary of the group appointed under section forty-eight of the Principal Act, or in any case where the group is not known to have a duly appointed secretary, or the duly appointed secretary cannot be found, to the owner of any holding, or portion of a holding, included within the group whom the board may designate as secretary. The secretary may, in either case, recover any such contribution, and shall annually distribute all such contributions received by him amongst the owners entitled thereto.

Tenant right.

(8) Notwithstanding anything contained in the Crown Lands Acts, the owner of a holding shall have tenant right, as provided therein, in any rabbit-proof fencing erected or paid for by him under this section: Provided that no lessee of Crown lands who, under the conditions of his lease, is or may be required to erect a rabbit-proof fence on the boundaries of the land leased, shall be entitled to tenant right therein by reason of anything in this subsection.

Amendment of  
section 46 of  
Principal Act.

**30.** Section forty-six of the Principal Act is amended as follows:—

- (a) in the first paragraph, by substituting the words "if the consent of the board has been obtained before or after the making of the ring fence" for the words "with the consent of the board"
- (b) in the third paragraph, by substituting the words "the Crown shall thereupon have the same rights and liabilities as regards the receipt or payment of contributions under the provisions of section forty-eight of this Act" for the words "the Crown shall thereupon become liable in the same way."

*Pastures Protection (Amendment).*

**31.** Where the Minister has agreed to the inclusion of any public lands within a group, any rights or liabilities thereby acquired or incurred by the Crown in respect of such lands shall devolve upon any person subsequently becoming the owner of such lands, or any part thereof, such rights and liabilities to be in proportion to the area of such lands owned by such person: Provided that where any contribution has been paid by the Crown towards the cost of the erection of a rabbit-proof ring fence enclosing the group, the Minister may require such owner to pay in the prescribed manner to the Colonial Treasurer a like proportion of the amount so paid.

Rights and liabilities in respect of public lands within a group.

*Destruction of rabbits and noxious animals.*

**32.** Section fifty-five of the Principal Act is amended by substituting the words "rabbits or noxious animals" for the words "noxious animals."

Amendment of section 55 of Principal Act.

*Procedure.*

**33.** Section sixty-six of the Principal Act is amended by adding the words "Where time is so allowed, the local land board may order that interest at the rate of five per centum per annum be paid on the amount due in respect of such contribution, value, or sum of money."

Amendment of section 66 of Principal Act.

**34.** Section sixty-eight of the Principal Act is amended by inserting the words "and the Western Lands Acts" after the words "conferred by the Crown Lands Acts."

Amendment of section 68 of Principal Act.

**35.** Section seventy of the Principal Act is amended by substituting the word "Act" for the word "Part" wherever occurring in that section.

Amendment of section 70 of Principal Act.

*Travelling sheep.*

**36.** Section ninety-six of the Principal Act is amended as follows:—

Amendment of section 96 of Principal Act.

- (a) In subsection one, by omitting the words "two hundred or more";
- (b) in subsection one, by omitting the words "the district in which such run is situated" and inserting in lieu thereof, the words "such run";
- (c) in subsection one, by inserting after the words "specified in such permit" at the end of the first paragraph, the following proviso:—"Provided that such permit shall not be necessary in any case where sheep are being removed from one run to another belonging to the same owner, such runs being not more than forty miles apart";
- (d) in subsection four, by adding the following words at the end of the subsection:—"but such charges may in any case be refunded by the board at its discretion."

*General*

*Royal Alexandra Hospital for Children Incorporation Amendment.**General powers.*

Minister may refer to local land board for report.

**37.** The Minister may refer to the local land board any question as to the proposed inclusion of public lands within a group of holdings, or the granting of his consent to the erection of a private rabbit-proof fence on a boundary common to private and public lands, or as to any other matter which he may deem necessary or proper to be determined for the administration of this or the Principal Act; and such board shall hear, examine, and report thereon to the Minister.

*Legal procedure.*

Amendment of section 159 of Principal Act.

**38.** Section one hundred and fifty-nine of the Principal Act is amended—

(a) by omitting paragraph (a) of subsection one;

(b) by adding the following subsection :—

(3) Any sum of money which any person is, in pursuance of this Act, required or made liable to pay may be recovered in a court of petty sessions, under the Small Debts Recovery Act, 1899, or in a district court.

*Regulations.*

Regulations.

**39.** The Governor may exercise, for the purposes of this Act, the powers of making regulations conferred upon him by section one hundred and sixty-nine of the Principal Act.