

Act No. 44, 1906.

CLOSER
SETTLEMENT
(AMENDMENT).

An Act to amend the Closer Settlement Act, 1904; and for other purposes. [19th December, 1906.]

BE 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 "Closer Settlement (Amendment) Act, 1906," and shall be construed with the Closer Settlement Act, 1904, hereinafter referred to as the Principal Act.

Amendment of
section 4 of Principal
Act.

2. Section four of the Principal Act is amended as follows:—
In the definition of "design plan" the words "as approved under this Act" are substituted for the words "as determined by the closer settlement board."

3.

Closer Settlement (Amendment).

3. (1) Where private land is, before or after the commencement of this Act, vested in the Crown under this or the Principal Act, whether by purchase or by compulsory taking, and at the time of such vesting any part of such land is held by a lessee from the then owner under a bona fide lease, such lessee shall be deemed to have attorned to and become the tenant of the Minister in respect of such part of the land on the terms of the said lease.

On vesting of land, lessees of then owner to become tenants of Minister.

(2) At any time during such tenancy the Minister may, on such conditions as he thinks fit, allow such tenant a preferential right to apply for a settlement purchase under the Principal Act and this Act.

Tenant may be allowed preferential right to settlement purchase.

4. Section twenty-four of the Principal Act is repealed, and the following is enacted:—

Provisions in lieu of section 24 of Principal Act.

(1) Before disposal under the Principal Act or this Act of any land, a plan of subdivision showing the areas and values per acre of the proposed settlement purchases shall be approved by the Minister, and shall, subject to the provisions of section thirty-eight of the Principal Act, be the design plan of the land.

(2) The Minister may at any time, and in any respect, alter any design plan, whether made before or after the commencement of this Act.

5. Section twenty-six of the Principal Act is amended as follows:—

Amendments of section 26 of Principal Act.

- (a) by substituting the words "land not exceeding forty acres" for the words in paragraph (a);
- (b) by substituting the following words for sub-paragraph one of paragraph (c):—
If any person holding more than forty acres divests himself of land for the purpose of so applying for a settlement purchase, his application shall be disallowed.
- (c) by substituting in sub-paragraph two of the said paragraph the words "The person applying" for the words "such person."

6. Any land acquired by the Crown under the Closer Settlement Act, 1901, or the Closer Settlement Act, 1904, and not set apart for settlement prior to the commencement of this Act, shall be disposed of under the provisions of the Principal Act and this Act, and in accordance with a design plan approved under the said Acts.

Disposal of land required, but not set apart before commencement of this Act.

7. The Governor, by notification in the Gazette, may reserve any land within a settlement purchase area from sale, selection, or lease, and may revoke any such reservation.

Reservation from sale, selection, or lease.

Careless Use of Fire (Amendment).

Land not disposed of
at end of twelve
months.

8. Where any land within a settlement purchase area is, after the expiration of twelve months from the notification of such area, undisposed of, the holder of any settlement purchase within the area, and adjoining such land, may apply to have such land added to his settlement purchase. Such application shall be made as in the case of a settlement purchase, and, on being approved by the Minister, shall entitle the applicant to hold such land under and subject to the conditions applicable to the settlement purchase, except that the conditions as to the payment of the purchase money shall be such as may be determined by the Minister.
