

Forest Vale (Share Farmers Enabling) Bill, 1923.

EXPLANATORY NOTE.

The objects of this Bill are to enable the Minister to set apart for settlement purchases under the Closer Settlement Acts portions of land within the Forest Vale Estate which are leased or occupied under share-farming conditions, and to validate certain leases and permits to occupy affecting those portions.

For a period of six months after such portions have been set apart for settlement purchases, it is proposed that the lands shall be available only to the persons entitled to the lease or to occupy under the permit.

Provision is also made as to the manner in which an application by the lessee or occupier of the land shall be dealt with, and for reduction of the term of residence by the period during which continuous residence has been performed on the lease or the permit to occupy.

No. , 1923.

A BILL

To provide for the disposal of certain lands on the Forest Vale Estate acquired under the Closer Settlement Acts; to validate certain leases and agreements; to confer preferential rights on certain occupiers and lessees; to amend the Closer Settlement Act, 1904, and certain other Acts; and for purposes connected therewith.

[MR. WEARNE;— *October*, 1923.]

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:—

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Short title.

1. This Act may be cited as the "Forest Vale (Share Farmers Enabling) Act, 1923," and shall be read with the Closer Settlement Act, 1904, as amended by subsequent Acts.

Validation of leases.

2. (1) The leases granted or the permits to occupy 10 issued before the commencement of this Act in respect of the lands set out in the Schedule are hereby validated.

(2) The operation of this section shall not extend to prevent any action being taken to forfeit any of the said leases or terminate any of the said permits for any 15 breach of any of the covenants or conditions thereof which may have occurred prior to the commencement of this Act.

Setting apart for settlement purchase.

3. (1) The Minister may, notwithstanding that any land referred to in the Schedule is affected by a lease or 20 permit to occupy, set apart all or so much of the land as he may think fit for settlement purchase under the Closer Settlement Acts.

(2) Any land which is so affected by a lease or permit shall only be so set apart at the request of the 25 person who is entitled to the lease thereof or to occupy under the permit.

(3) For a period of six months after the setting apart of land affected by a lease or permit to occupy—

(a) no application under the said Acts in respect 30 of the land shall be entertained if it is made by any person other than the person entitled to the lease or to occupy the land under the permit;

(b) no application may be made in respect of more 35 than one block by any one person.

Application, how dealt with.

4. (1) The Minister shall refer any application to purchase the land affected by a lease or a permit to occupy, received within the said period of six months 40 from

from a person entitled to the lease or in occupation under the permit given prior to the commencement of this Act, to the local land board for a report as to—

- 5 (a) whether the applicant is entitled to the lease or to occupy under the permit; and
- (b) whether the applicant is qualified to make a purchase under the Closer Settlement Acts; and
- 10 (c) whether in the opinion of the board he is likely to satisfactorily work and develop the land in respect of which the application is made; and
- (d) what period of continuous residence has been performed by the person entitled to the lease or to occupy under the permit or his predecessors in title.

15 (2) If the board reports in favour of the applicant the Minister may without further reference to the board allow the application.

(3) Section twenty-eight of the Closer Settlement Act, 1904, shall not apply to any such application, but 20 any settlement purchase allowed under this section shall otherwise be subject to the provisions of the Closer Settlement Acts; save that the term of residence to be performed in respect of any such settlement purchase shall be reduced by the period during which the local 25 land board shall have reported that continuous residence has been performed on the lease or the permit to occupy by the applicant or his predecessors in title.

5. Upon the allowance by the Minister under the provisions of this Act of any settlement purchase the 30 lease or permit to occupy by which the land comprised in the settlement purchase is affected shall determine and the Minister may make any adjustments in respect of rent or other moneys due to the Crown in respect of the lease or occupation and may make such necessary 35 refunds as to the Minister may seem fit.

Determina-
tion of leases.

6. (1) The Governor may make regulations for Regulations carrying the provisions of this Act into effect.

- (2) The regulations shall—
- 40 (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in such regulations;
- (c)

140

Forest Vale (Share Farmers Enabling).

(c) be laid before both Houses of Parliament within fourteen sitting days if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session. If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

SCHEDULE.

County.	Parish.	Portion.	Area.	
			acres.	
Gipps	Gorman's Hill	9	800	15
"	"	10	781	
"	"	11	780	20
"	"	12	782	
"	"	13	780	
"	"	14	789	
"	"	15	775	
"	"	16	780	
"	"	17	784	
"	Pulligal	23	776	25
"	"	24	785	
"	"	25	784	
"	"	26	775	
"	"	28	785	
"	"	29	774	
"	"	30	800	
"	"	31	760	
"	"	32	1,431	30
Dowling	Narden	39	802	
"	"	40	780	
"	"	41	780	35