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No. , 1918.

A BILL

To abolish the Western Land Board of New South Wales and to substitute a single Commissioner in lieu of such board; to fix the salary and term of office of such Commissioner; to confer certain powers and impose certain duties on such Commissioner; to amend the Western Lands Act of 1901, the Valuation of Land Act, 1916, and certain other Acts; and for purposes consequential thereon or incidental thereto.

[MR. ASHFORD;— *July, 1918.*]

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:—

5

Short title
and com-
mencement.

1. This Act may be cited as the "Western Lands (Commission Reconstitution) Act, 1918," and shall come into force on the first day of January, one thousand nine hundred and nineteen.

It shall be read with and form part of the Western Lands Act of 1901, as amended by the Western Lands (Amendment) Act of 1905, and the Western Lands (Amendment) Act, 1918, and the said Act as so amended is hereinafter called the Principal Act.

Repeal of
ss. 4-8.

2. Sections four, five, six, seven, and eight of the Principal Act are repealed, and the following sections are inserted in lieu thereof:—

Appointment
of Commis-
sioner.

4. For the purposes of this Act the Governor may appoint a fit and proper person to be Western Lands Commissioner, who shall exercise all the powers and discharge all the duties hereinafter in this Act mentioned.

Term of
office.

5. The Commissioner shall, subject to the provisions hereinafter in this Act contained, hold office for a term of seven years from the date of his appointment, and shall be eligible for reappointment. He may be removed from office by the Governor for misbehaviour or incompetence.

Any vacancy in the office of Western Lands Commissioner shall be filled by the Governor for the unexpired portion of the existing term.

Salary of
Commis-
sioner.

6. The Commissioner shall be paid a salary at the rate of one thousand two hundred and fifty pounds per annum. Such salary is hereby charged upon the Consolidated Revenue Fund, and such fund to the extent required for the payment of such salary is hereby permanently appropriated.

Deputy Com-
missioner.

If the Commissioner is absent from his duties the Governor may appoint a Deputy Commissioner, who, during such absence, shall have the powers and perform the duties and be subject to the liabilities of the Commissioner.

7.

5 7. (1) The Commissioner shall not, directly or indirectly, be interested in any land in the Western Division, or in any matter which may arise in connection therewith under this Act. Any contravention of this enactment shall render void the seat of the Commissioner as well as any adjudication or appraisal in which he takes part, and in which he is personally interested. Any wilful violation of this section shall be a misdemeanour.

Disabilities of Commissioner.

10 Before acting the Commissioner shall take the prescribed oath.

15 (2) The Commissioner shall devote the whole of his time and attention to his duties under this Act, and shall not be engaged in any other business for gain.

20 8. For the purposes of giving effect to the provisions of the Crown Lands Acts so far as they are operative in the Western Division, the Commissioner sitting in open court is hereby empowered to exercise all the powers conferred upon local land boards, or chairmen of such boards, by the abovementioned Acts, and for all purposes of the said Acts shall be a local land board in all cases, as well as in any case that may be, or is required to be, referred to any local land board under the provisions of any Act (other than the Crown Lands Acts) now or hereafter in force. Local land boards shall have no jurisdiction in the Western Division.

Commissioner to have power of land board.

30 3. (1) Section nine of the Principal Act is amended by omitting "section nine of the Crown Lands Act of 1899" and substituting therefor "sections fourteen and two hundred and forty-six of the Crown Lands Consolidation Act, 1913."

Consequential amendments.

(2) Section ten of the same Act is repealed.

35 (3) Section twelve of the same Act is amended by omitting "the Commissioners or any of them" and substituting therefor "the Commissioner," and by omitting the words "or them."

40 (4) Sections five and six of the Western Lands (Amendment) Act of 1905 are repealed.

(5)

(5) In the Principal Act the expression "the Commissioner" shall be substituted for "the Commissioners," "any Commissioner," or "the Commissioners or any of them," and the words "or them," in paragraph (m) of Schedule A to the said Act are omitted; and all words in the plural number, when referring to the Western Lands Commissioners, shall be read in the singular. 5

Valuation
of land in
Western
Division.

4. The Valuation of Land Act, 1916, is amended as follows:— 10

- (a) In section fourteen omit "Western Land Board of New South Wales" insert "Western Lands Commissioner." 10
- (b) In subsection two of section thirty-eight omit all after the words "District Court Judge" where first occurring. 15
- (c) In subsection three of the same section omit "A member of" insert "the judge constituting." 15
- (d) In section forty omit "president" insert "judge." 20
- (e) In subsection two of section forty-two omit "The president of the court" insert "The judge presiding at the court." 20