

## CROWN LANDS (AMENDMENT) ACT.

### Act No. 32, 1960.

**Elizabeth II, No. 32, 1960.** An Act to amend the law relating to the sale, leasing and reservation of Crown lands; to provide for additional and increased penalties under the Crown Lands Consolidation Act, 1913; to widen the powers of closer settlement advisory boards to enter land; for these and other purposes to amend the Crown Lands Consolidation Act, 1913, the Closer Settlement (Amendment) Act, 1907, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 28th April, 1960.]

**B**E 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 "Crown Lands (Amendment) Act, 1960."

Amendment of Act No. 7, 1913.      **2.** (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Sec. 1.  
(Short title.  
Division  
into Parts.)      (a) by inserting in the matter relating to Part IV in paragraph (b) of section one after the words "AFTER-AUCTION PURCHASES—" the words "TENDER PURCHASES—";

Part IV.  
Heading.      (b) by inserting in the heading to Part IV after the words "AFTER-AUCTION PURCHASES—" the words "TENDER PURCHASES—";

(c)

- (c) by inserting after section 64A the following short heading and new section :—

No. 32, 1960.  
New sec.  
64B.

*Tender Purchases.*

64B. (1) Crown lands whether above or below or beyond highwater mark may be sold by tender under this section.

(2) Before any land is offered for sale under this section notice of the proposed offering shall be published in the Gazette and in a local newspaper and such other newspapers as the Minister may determine. The notices shall—

- (a) indicate the places at which a diagram of the land and particulars of the proposed terms and conditions of the sale may be inspected; and
- (b) call upon all persons interested to set forth in writing and forward to the Minister within one month from the date of the publication of the notice any objection which may appear to them to exist to the sale.

The proposed terms and conditions shall be as determined by the Minister : Provided that the time allowed for any deferred payments shall in no case exceed ten years after the day of sale, and that all such deferred payments shall bear interest at the rate of five per centum per annum and that in every case the deposit shall be not less than ten per centum of the purchase money.

(3) After the expiration of one month from the date of the publication of the notices referred to in subsection two of this section the Minister shall refer the proposal together with any objections in writing received by him to the local land board for inquiry and report.

(4)

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(4) The local land board shall report to the Minister—

- (a) whether in its opinion the best practicable use of the land is for a purpose other than grazing or agriculture or other farming pursuits, and, if so, whether abnormal expenditure would be necessary to prepare the land for its best practicable use;
- (b) whether in its opinion there are any objections in the public interest to the proposed sale;
- (c) whether in its opinion any additional conditions should be attached to the sale, or any variation made in the conditions proposed to be so attached and, if so, what additional conditions or variations;
- (d) upon any other matters referred by the Minister to the board.

(5) If the local land board reports that in its opinion the best practicable use of the land is for a purpose other than grazing or agriculture or other farming pursuits and that abnormal expenditure would be necessary to prepare the land for its best practicable use, the Minister may by notification in the Gazette offer the land for sale by tender subject to such terms and conditions as he may determine, but subject to the proviso contained in subsection two of this section. The notification shall specify the terms and conditions so determined, and the time, being not less than two months from the date of the notification, during which tenders may be lodged, and attention shall be invited to the notification by advertisement in a local newspaper and such other newspapers as the Minister may determine.

(6) Without prejudice to the generality of subsections two and five of this section the terms and conditions referred to therein may relate to—

- (a) Crown land not included in the land offered for sale as well as to the land so included;
- (b)

- (b) the reclamation and improvement of any Crown land; No. 32, 1960.
- (c) the transfer of the land to which the sale relates;
- (d) the use to be made of the land to which the sale relates including the subdivision thereof, and the erection of dwellings or shops or other buildings thereon; and
- (e) the provision of roads or bridges to serve the land to which the sale relates.

(7) If the purchaser fails to comply with any term or condition attaching to the sale, or if any money payable to the Crown in accordance with any such term or condition remains unpaid for thirty days after the day when the payment of the money falls due, the purchase may be declared to have lapsed, and all moneys paid in respect of the land shall thereupon become forfeited.

(8) There shall not be included in any land offered for sale under this section such strips as may be necessary to provide the public with reasonable access to and opportunity for the reasonable enjoyment of the waters of the sea or of any lake or river.

(2) The Finances Adjustment Act, 1932, as amended by subsequent Acts, is amended by inserting at the end of subsection (3A) of section three the following new paragraph :—

This subsection shall not apply to interest in respect of any debt to the Crown incurred under or by operation of section 64B of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts.

Amendment of Act No. 27, 1932.  
Sec. 3.  
(Interest on certain debts incurred after 31st December, 1932.)

3. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—

- (a) by omitting from section nineteen the words "direction to survey" wherever occurring;

(b)

Further amendment of Act No. 7, 1913.  
Sec. 19.  
(Appeals and references to Land and Valuation Court.)

**Crown Lands (Amendment) Act.****No. 32, 1960.**Secs. 38-46.  
(Repeal.)Sec. 57.  
(Conversion  
of condi-  
tional lease  
into addi-  
tional condi-  
tional pur-  
chase.)

(b) by omitting sections thirty-eight to forty-six both inclusive;

(c) (i) by omitting from subsection one of section fifty-seven the words "and all provisions of this Act relating to the making of ordinary additional conditional purchases and to such additional conditional purchases when made shall apply to an additional conditional purchase made out of a conditional lease, subject, however, to qualification in the following respects" and by inserting in lieu thereof the words "subject to the following provisions";

(ii) by omitting paragraphs (a), (b), (bA), (c) and (d) of the same subsection and by inserting in lieu thereof the following paragraphs :—

(a) Application for the conversion shall be made in the manner and in or to the effect of the form and shall be accompanied by the deposit and survey fee or instalment thereof as prescribed.

(b) If no sufficient objection exists the local land board shall confirm the application, and the chairman shall within the prescribed time thereafter issue a certificate of such confirmation.

The local land board may, for sufficient reason, disallow any application wholly or in part.

(c) Any areas required for roadways may be excluded by the local land board from the conversion, and the boundaries may be otherwise modified at the discretion of the board. Areas excluded from the conversion for roadways shall be deemed to have been surrendered to the Crown as from the time when the application for conversion is confirmed by the local land board.

(d)

(d) Upon confirmation by the local land board, the conversion shall be deemed to have taken effect as from the date of application for conversion. No. 32, 1960.

(e) The price of the conditional purchase shall be the price of the land as fixed in pursuance of any provision in that behalf contained in this Act, or where no price has been so fixed, twenty shillings per acre.

(iii) by inserting at the end of the same section the following new subsection :—

(5) Upon conversion of the whole or part of a conditional lease into an additional conditional purchase under this section the additional conditional purchase shall be subject to the general provisions of this Act relating to additional conditional purchases.

(d) by omitting section fifty-eight;

Sec. 58.  
(Non-residential conditional purchase.)

(e) by omitting section sixty-one;

Sec. 61.  
(Additional conditional purchase lease, etc., not within classified area.)

(f) by omitting paragraph (a) of subsection one of section sixty-six and by inserting in lieu thereof the following paragraph :—

Sec. 66.  
(Miscellaneous special purchases.)

(a) small areas and in the opinion of the local land board should not be otherwise disposed of—or;

(g) (i) by omitting from subsection five of section eighty-five the words “original conditional purchases and conditional leases to be taken up in virtue of and at the same time as original conditional purchases within the said area—”;

Sec. 85.  
(Power to classify Crown lands.)

(ii)

**No. 32, 1960.**

(ii) by omitting from the same subsection the words “not being conditional leases taken up in virtue of and at the same time as original conditional purchases within the said area—”;

Subst.  
sec. 87.

(h) by omitting section eighty-seven and by inserting in lieu thereof the following section :—

Classified  
areas,  
conditional  
purchases  
and  
conditional  
leases.

87. (1) Where a classified area is set apart under and subject to the provisions of section eighty-five of this Act for disposal by way of original conditional purchases, the area shall be dealt with as follows :—

- (a) A subdivision thereof shall be made into blocks of such areas as the Minister may determine : the land may be made available before the blocks are measured, and in such case the blocks shall be taken according to the published plan or design thereof.
- (b) The price of each block shall be fixed by the Minister according to the capabilities and situation of the land the timber thereon and means of access thereto.
- (c) The Minister shall notify in the Gazette particulars of the blocks and of their respective areas and prices and of the estimated values of any improvements thereon which are or are not the property of the Crown, and shall specify a date on and after which the blocks may be applied for.

(2) Where a classified area is set apart so as to be available for additional conditional purchases or conditional leases the Minister may by notification in the Gazette attach any conditions to additional conditional purchases and conditional leases within the area ; and additional conditional purchases and conditional leases within the area shall in all respects be subject to the terms of the notification or notifications in pursuance of which the area has been made available.

(3)

(3) On and after the date notified for that No. 32, 1960.  
purpose—

- (a) any person who is not subject to any disqualification in that behalf specified in Part VII of this Act may apply for any block notified as available for an original conditional purchase;
- (b) any person who is the holder of or applicant for an original conditional purchase and who is not subject to any disqualification in that behalf specified in Part VII of this Act may apply for an additional conditional purchase within a classified area set apart so as to be available for additional conditional purchases; and
- (c) any person who is the holder of or applicant for an original or additional conditional purchase and who is not subject to any disqualification in that behalf specified in Part VII of this Act may apply for a conditional lease within a classified area set apart so as to be available for conditional leases.

(4) Two or more persons may apply for an additional conditional purchase or conditional lease subject to the provisions of section 155A of this Act.

(5) Payment to the Crown of the balance of purchase money due upon any conditional purchase or the issue of a grant in respect thereof shall not prevent additional conditional purchases and conditional leases being applied for and acquired, in the same way as if the balance had not been paid, or the grant had not been issued; and it shall be immaterial whether the payment of the balance or the issue of the grant took place before or after the commencement of this Act or takes place after the commencement of the Crown Lands (Amendment) Act, 1960.

(6)



No. 32, 1960.

(6) Every application for an additional conditional purchase or conditional lease shall be subject to the provisions of section one hundred and fourteen of this Act.

(7) Every application for an original conditional purchase, additional conditional purchase or conditional lease shall be made and lodged in the manner and in or to the effect of the form prescribed, and shall, except as provided in section 161A of this Act, be accompanied by—

- (a) in the case of a conditional purchase, a deposit at the rate of five per centum of the price of the land, and a survey fee or instalment thereof in accordance with the provisions of section one hundred and sixty-one of this Act; and
- (b) in the case of a conditional lease, one year's rent in advance, and a survey fee or instalment thereof in accordance with the provisions of section one hundred and sixty-one of this Act.

(8) The applicant for a conditional purchase or conditional lease shall, upon the day appointed, satisfy the local land board that he is qualified to apply, and that the application has been made in accordance with the provisions of this Act. The local land board shall confirm the application if so satisfied, unless it permits the applicant to withdraw the application. The local land board shall disallow the application if not so satisfied, and in any such case shall have power to declare that the moneys, or any portion thereof, lodged with the application shall be forfeited to the Crown, and the moneys or portion shall be forfeited accordingly.

(9) Where the land is measured after it has been applied for as a conditional purchase or conditional lease any roads deemed to be necessary may be reserved or excluded in the measurement, and any

any necessary adjustment as to the area or price or rent by reason of the roads or otherwise shall thereafter be made: Provided also that before or after the confirmation of an application for a conditional purchase or conditional lease the Minister may make any minor variation of the design or survey thereof, so as to enable a better boundary to be secured for fencing or other purposes. No. 32, 1960.

(10) The price at which land in a classified area may be purchased by way of original conditional purchase shall be as notified by the Minister in the Gazette.

The price at which land in a classified area may be purchased by way of additional conditional purchase (including an additional conditional purchase out of a conditional lease) and the rent of a conditional lease within a classified area shall be as notified by the Minister in the Gazette or, if not so notified, then as determined by the local land board: Provided that the rent shall not in any case be less than two pounds per annum.

(11) Subject to the qualifications contained in this section the general provisions and conditions of this Act respectively relating to original or additional conditional purchases or conditional leases of Crown lands not within classified areas shall—save as otherwise in this Act provided—apply to original or additional conditional purchases or conditional leases respectively within a classified area.

- (i) by omitting from paragraph (b) of subsection one of section one hundred and nine the words “, but so that the area of the conditional lease shall not exceed three times the area of the conditional purchase”;
- Sec. 109.  
(Conditional purchase leases. Conversion into conditional purchases and conditional leases.)
- (j) by omitting subsection one of section one hundred and thirteen;
- Sec. 113.  
(Additional in virtue of conditional purchase leases, &c.)
- (k)

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Sec. 114.  
(Classified  
areas:  
applications  
for addi-  
tional hold-  
ings, how  
dealt with.)

- (k) (i) by omitting from paragraph (a) of subsection two of section one hundred and fourteen the words “; and the area so allotted may exceed the maximum area prescribed by this Act for the kind of holding in question, or may be less than forty acres if a greater area be not available”;
- (ii) by omitting from the same paragraph the words “may exceed such maximum area as aforesaid but”;
- (iii) by omitting paragraph (b) of the same subsection;

Sec. 118B.  
(Land  
available for  
homestead  
farms.)

- (l) by omitting section 118B;

Sec. 130B.  
(Certain  
land avail-  
able for  
Crown-  
lease.)

- (m) by omitting section 130B;

Sec. 150.  
(In what  
cases appli-  
cations give  
title.)

- (n) by omitting from section one hundred and fifty the words “or to a conditional purchase conditional lease or additional conditional purchase lease not within a classified area”;

Sec. 151.  
(Successive  
applica-  
tions.)

- (o) by omitting from section one hundred and fifty-one the words “within a classified area or for a conditional purchase conditional lease or additional conditional purchase lease not within a classified area”;

Sec. 154.  
(Applica-  
tions to be  
made in  
good faith.)

- (p) by omitting from section one hundred and fifty-four the words “or for a conditional purchase conditional lease or additional conditional purchase lease not within a classified area”;

Sec. 183.  
(Conversion  
of home-  
stead selec-  
tion or grant  
or home-  
stead farm.)

- (q) (i) by omitting from paragraph (c) of subsection one of section one hundred and eighty-three the words “, but so that the area of the conditional lease shall not exceed three times the area of the conditional purchase”;
- (ii) by omitting paragraph (f) of subsection three of the same section ;
- (r)

(r) (i) by omitting from subsection one of section one hundred and eighty-four the words "but subject to the provisions of paragraph (b) of this subsection so that the area of the conditional lease shall not exceed three times the area of the conditional purchase";

No. 32, 1960.  
Sec. 184.  
(Conversion of settlement lease or Crown-lease.)

(ii) by omitting from subparagraph (i) of paragraph (b) of the same subsection the words "not less than one-fourth" and by inserting in lieu thereof the word "part";

(iii) by omitting paragraph (i) of the same subsection;

(s) by omitting paragraph (c) of subsection one of section one hundred and ninety-three;

Sec. 193.  
(Conversion of certain leases into homestead selections or grants.)

(t) by omitting paragraph (d) of subsection one of section 193A and by inserting in lieu thereof the following paragraph and words:—

Sec. 193A.  
(Conversion of prickly-pear leases.)

(d) a conditional purchase and conditional lease,

but the area which may be allowed in satisfaction of any such application shall be confined to an area which in the opinion of the local land board would not, when improved by necessary ring-barking, suckering, scrubbing, clearing, pear destruction, and provision for water supply, and when used for the purposes for which it is reasonably fitted, substantially exceed a home maintenance area.

(u) by omitting from section two hundred and twelve the words "or section forty-four";

Sec. 212.  
(Forfeiture: protection of trans-ferees, &c.)

(v)

**No. 32, 1960.**

(v) by omitting section two hundred and ninety-nine;

Sec. 299.

(Existing non-residential conditional purchase: fencing and improvement.)

Sec. 307.

(Conversion of existing conditional leases into additional conditional purchases.)

(w) (i) by omitting from subsection one of section three hundred and seven the words “and all provisions of this Act relating to the making of ordinary additional conditional purchases and to such additional conditional purchases when made shall apply to an additional conditional purchase made out of a conditional lease, subject however to qualification in the following respects” and by inserting in lieu thereof the words “subject to the following provisions”;

(ii) by omitting paragraphs (a), (b), (c), (d), (dA), (e) and (f) of the same subsection and by inserting in lieu thereof the following paragraphs:—

(a) Application for the conversion shall be made in the manner and in or to the effect of the form and shall be accompanied by the deposit and survey fee or instalment thereof as prescribed.

(b) If no sufficient objection exists the local land board shall confirm the application, and the chairman shall within the prescribed time thereafter issue a certificate of such confirmation.

The local land board may, for sufficient reason, disallow any application wholly or in part.

(c) Any areas required for roadways may be excluded by the local land board from the conversion, and the boundaries may be otherwise modified at the discretion of the board. Areas excluded from the conversion for roadways shall be deemed to have been surrendered

surrendered to the Crown as from the time when the application for conversion is confirmed by the local land board. No. 32, 1960.

- (d) Upon confirmation by the local land board, the conversion shall be deemed to have taken effect as from the date of application for conversion.
- (e) The price of the conditional purchase shall be the price of the land as fixed in pursuance of any provision in that behalf contained in the Code of 1884-1912 or this Act, or where no price has been so fixed, twenty shillings per acre;
- (iii) by omitting from subsection three of the same section the words “, although such lease may, when taken with the rest of the series, exceed one thousand two hundred and eighty acres in the Eastern, or two thousand five hundred and sixty acres in the Central or Western Division”;
- (iv) by inserting at the end of the same section the following new subsection :—

(4) Upon conversion of the whole or part of a conditional lease into an additional conditional purchase under this section the additional conditional purchase shall be subject to the general provisions of this Act relating to additional conditional purchases: Provided that where the conditional lease was applied for before the first day of June, one thousand eight hundred and ninety-five, any additional conditional purchase made out of the conditional lease shall not be subject to any condition of residence.

(2) The amendments made by subsection one of this section do not extend to or affect any application made before the commencement of this Act, or any action suit or proceeding pending or uncompleted at that commencement, or any provision or condition which applied or attached to any conditional purchase or conditional lease subsisting at such commencement.

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**No. 32, 1960.** commencement. Any application made before that commencement, and any action, suit or proceeding pending or uncompleted at that commencement may be continued and completed as if those amendments had not been made.

Further amendment of Act No. 7, 1913.

**4. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—**

Sec. 62.  
(Improvement purchase with-in goldfield or mineral field.)

(a) (i) by omitting from section sixty-two the words “the Governor may sell and grant” and by inserting in lieu thereof the words “the Minister may sell and the Governor may grant”;

(ii) by omitting from paragraph (a) of the proviso to paragraph four of the same section the words “the Governor may upon application by such person, and on the recommendation of the local land board, sell and grant such area to him—and” and by inserting in lieu thereof the words “the Minister may upon application by such person, and on the recommendation of the local land board, sell and the Governor may grant such area to him.”;

(iii) by omitting paragraph (b) of the same proviso;

Sec. 66.  
(Miscellaneous special purchases.)

(b) by inserting in subsection one of section sixty-six after the word “may” the words “, with the approval of the Minister.”;

Sec. 68.  
(Reclamation and purchase of land.)

(c) (i) by omitting from subsection one of section sixty-eight the word “Governor” where firstly occurring and by inserting in lieu thereof the word “Minister”;

(ii) by omitting from subsection two of the same section the word “Governor” and by inserting in lieu thereof the word “Minister”;

(iii) by omitting from the same subsection the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;

(d)

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- (d) (i) by omitting from subsection one of section one hundred and ninety-five the word "Governor" and by inserting in lieu thereof the word "Minister"; **No. 32, 1960.**  
**Sec. 195.**  
**(Exchanges and surrenders.)**
- (ii) by omitting from the same subsection the words "and issue such grants";
- (iii) by inserting at the end of the same subsection the words "The Governor may issue such grants as may be necessary.";
- (iv) by omitting from subsection two of the same section the word "Governor" and by inserting in lieu thereof the word "Minister";
- (v) by inserting in the same subsection after the words "absolute, and" the words "for the Governor";
- (e) by omitting from section one hundred and ninety-eight the word "Governor" and by inserting in lieu thereof the word "Minister". **Sec. 198.**  
**(Exchange may include conditional purchase or conditional lease.)**
- 5. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—** **Further amendment of Act No. 7, 1913.**
- (a) by omitting from subsection one of section five the definition of "Population areas"; **Sec. 5.**  
**(Interpretation of terms.)**
- (b) by omitting section twenty-seven; **Sec. 27.**  
**(Population areas, how defined or revoked.)**
- (c) by omitting from section twenty-eight the words "or for population areas"; **Sec. 28.**  
**(Temporary reserves from sale for public purposes.)**
- (d)



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- No. 32, 1960.**  
 Sec. 30.  
 (Revocation or modification of reserves.)
- (d) (i) by omitting from paragraph (b) of section thirty the words “or for population areas”;
- (ii) by omitting from the same section the words :—  
 “Provided always that save as otherwise in this Act provided—
- (1) Crown lands temporarily reserved from sale shall not be sold before the expiration of sixty days after the reservation thereof shall have been revoked—and
- (2) the revocation of any reservation from lease or from license or from lease and license shall not take effect until after the expiration of sixty days after the day of the publication in the Gazette of the notice of revocation.” ;
- 48 Vic. No.  
18, s. 102.
- 58 Vic. No.  
16, s. 6.
- Sec. 33.  
 (Reverter to reserves, etc.)
- Sec. 59.  
 (Special areas and conditional purchases herein.)
- Sec. 64.  
 (Crown lands not sold at auction; purchase after auction.)
- Sec. 85.  
 (Power to classify Crown lands.)
- Sec. 124.  
 (Suburban holding areas.)
- (e) by omitting section thirty-three;
- (f) (i) by omitting from subsection two of section fifty-nine the words “or within population areas”;
- (ii) by omitting from the same subsection the words “revocation of such population areas or” ;
- (g) by omitting from section sixty-four the words “or Crown lands within population areas”;
- (h) by omitting from subsection four of section eighty-five the words “or population areas”;
- (i) by omitting from section one hundred and twenty-four the words “within population boundaries or”;
- (j)

- (j) by omitting from subsection one of section 129A the words "within population boundaries or"; No. 32, 1968.  
Sec. 129A.  
(Additional suburban holdings.)
- (k) by omitting from subsection four of section one hundred and thirty-nine the words "or population areas"; Sec. 139.  
(Irrigation area, how dealt with.)
- (l) by omitting from subsection three of section 144A the words "or population areas"; Sec. 144A.  
(Additions to holdings.)
- (m) by omitting from subsection eight of section 144E the words "or population areas"; Sec. 144E.  
(Sale by auction or by tender.)
- (n) (i) by omitting paragraph (b) of the proviso to subsection one of section one hundred and sixty-five; Sec. 165.  
(Reverter to occupation license.)
- (ii) by omitting subsection two of the same section;
- (o) (i) by omitting from subsection two of section two hundred and six the words "or surrender"; Sec. 206.  
(Operation of forfeiture.)
- (ii) by omitting from the same subsection the words "and the lands theretofore comprised in such purchase lease or homestead selection shall become and be reserved from every form of sale or lease, until otherwise notified in the Gazette : Provided that nothing in the foregoing provision shall operate so as to repeal or affect any enactment whereby it is enacted that forfeited lands shall revert or be added to or form part of any lease, license, reserve, or other area" and by inserting in lieu thereof the words "and, unless otherwise notified in the Gazette, the lands theretofore comprised in such purchase lease or homestead selection shall not become available for any application";
- (p)

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(p) by omitting section two hundred and twenty-eight;

Sec. 228.

(Expira-  
tion of  
certain  
leases;  
land to be  
reserved.)

(q) (i) by omitting from subsection one of section two hundred and forty-one the words “, and such land shall become and be reserved from every form of sale and lease until otherwise notified in the Gazette”;

(ii) by omitting from subsection three of the same section the words “, and the land shall become and be reserved from every form of sale and lease until otherwise notified in the Gazette”.

Sec. 241.

(Rights of  
aliens.)Further  
amend-  
ment of  
Act No. 7,  
1913.**6. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—**

Sec. 36.

(Permits  
to remove  
gravel,  
etc.)

(a) (i) by omitting from subsection one of section thirty-six the words “twenty pounds” and by inserting in lieu thereof the words “five hundred pounds”;

(ii) by inserting at the end of the same subsection the words “and the cost of repairing the damage caused to the land”;

Sec. 245A.

(Power  
of sur-  
veyors to  
enter  
land.)

(b) by omitting from section 245A the words “ten pounds” and by inserting in lieu thereof the words “fifty pounds”;

Sec. 254.

(Trespass  
on Crown  
lands or  
dedicated  
lands.)

(c) (i) by omitting from section two hundred and fifty-four the words “obtain or cause to be obtained” and by inserting in lieu thereof the words “remove or cause to be removed”;

(ii)

- (ii) by omitting from the same section the words No. 32, 1960.  
“shall be liable on conviction to a penalty not exceeding five pounds for the first offence, and not exceeding ten pounds for the second offence, and not exceeding twenty pounds for the third or any subsequent offence” and by inserting in lieu thereof the words “—or who shall place or cause to be placed thereon any rubbish, dead animal, filth, or other matter or thing likely to cause a public nuisance or attract or tend to attract vermin thereto or to form a suitable harbourage for vermin, shall—
- (i) be liable to a penalty not exceeding fifty pounds for the first offence, and not exceeding one hundred pounds for the second offence, and not exceeding five hundred pounds for the third or any subsequent offence; and
  - (ii) in addition to any penalty imposed under paragraph (i) of this section, be liable to pay such sum by way of compensation for any one or more of the following, namely, any material removed or any damage caused by the offence or the cost of removing from the land or disposing of any rubbish, dead animal, filth or other matter or thing as aforesaid, as the court before which the person is convicted may order.

Any sum ordered to be paid under paragraph (ii) of this section shall be paid by the offender to the clerk of the court, to be by him paid to the Under Secretary.

Any order made under paragraph (ii) of this section shall be deemed to be a conviction or order whereby a sum of money is adjudged to be paid within the meaning of the Justices Act, 1902, as amended by subsequent Acts.”

**Crown Lands (Amendment) Act.****No. 32, 1960.**Amend-  
ment of  
Act No. 12,  
1907.Sec. 3.  
(Report  
by board.)

**7.** The Closer Settlement (Amendment) Act, 1907, as amended by subsequent Acts, is amended by omitting subsection two of section three and by inserting in lieu thereof the following subsection :—

(2) Whenever an advisory board deems it necessary for the exercise of its powers, authorities, duties or functions under this or any other Act, in relation to any land, the board, or any member of the board, or any person authorised in writing by the chairman of the board, may on giving the prescribed notice to the owner of the land or to the owner of any other land whatever enter and inspect the land to the owner of which the prescribed notice was given.

Revocation  
of popula-  
tion areas  
and cer-  
tain  
reserves,  
etc.

**8.** All population areas and all notifications made or deemed to have been made under section eighty-four of the Crown Lands Consolidation Act, 1913, or under that Act as amended from time to time, and all reserves of the following kinds, that is to say :—

(a) temporary reservations of Crown lands from being sold or let upon lease or license in any particular manner specified in any notification made under section thirty-nine of the Crown Lands Act of 1889 or section twenty-nine of the Crown Lands Consolidation Act, 1913, or of the Crown Lands Consolidation Act, 1913, as amended from time to time, other than such reservations as are—

- (i) temporary reservations of Crown lands which immediately before the commencement of this Act were held under settlement lease or Crown-lease tenure from the Crown; or
- (ii) temporary reservations from sale or lease other than annual lease; or
- (iii) reserve number fifty-six thousand one hundred and forty-six, notified in the Government Gazette number fifty-six, folio two thousand two hundred and fifty-three, of the eleventh day of May, one thousand nine hundred and twenty-three;

(b)

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- (b) reservations from every form of sale or lease created by the operation of section two hundred and six of the Crown Lands Consolidation Act, 1913, or of that Act, as amended from time to time; No. 32, 1960.
- (c) reservations from sale or lease or from sale and lease other than annual lease created by the operation of section two hundred and twenty-eight of the Crown Lands Consolidation Act, 1913, or of that Act, as amended from time to time

are, so far as those population areas, notifications and reserves were immediately before the commencement of this Act of force and effect, hereby revoked.

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HIRE-PURCHASE